

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

99th Legislative Day

2/24/2006

Speaker Turner: "The hour of 10:00 have come and went, the House will be in order. We shall be led in prayer today by Monsignor John Ossola with Cathedral of the Immaculate Conception in Springfield, Illinois. Monsignor Ossola is the guest of Representative Joe Lyons. 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. Monsignor Ossola."

Monsignor Ossola: "Let us pray. Heavenly Father, we ask You to be present with us today as we gather in Your name to work together for the good of the people of the State of Illinois. Help us to be courageous in defending Your truth, wise in seeing Your law, and humble in accepting Your will. May we always look to You for guidance and inspiration, ever mindful that we are here to do Your will. May we work together in the spirit of unity so that the welfare of the people of the State of Illinois may be served and all persons may live in peace with one another. We ask this in the name of Jesus, our Lord, amen."

Speaker Turner: "We shall be led in the Pledge today by the Lady from DuPage, Representative Pihos."

Pihos - 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 Turner: "Roll Call for Attendance. Representative Currie."

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

99th Legislative Day

2/24/2006

Currie: "Thank you, Speaker. Please let the record reflect that Representatives Giles, Osterman, Patterson, and Scully are excused today."

Speaker Turner: "Representative Stephens."

Stephens: "Mr. Speaker, would the record reflect that Representative Tryon is excused today."

Speaker Turner: "There are 112 Members present, a quorum is present and the Clerk will take the roll. Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Molaro, Chairperson from the Committee on Judiciary II - Criminal Law, to which the following measure/s was/were referred, action taken on February 24, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 5462. Referred to the House Committee on Rules are the following Resolutions: House Joint Resolution 104, offered by Representative Schmitz and House Joint Resolution 105, offered by Representative Joe Lyons."

Speaker Turner: "If I can have your attention, Members, we're gonna start on page 9 of the Calendar, Third Reading Bills. Please be ready. Page 9 of the Calendar. And the first Bill we'll call will be House Bill 4081. Representative Bill Mitchell. Out of the record. The next Bill will be House Bill 4298. Representative Verschoore. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4298, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

99th Legislative Day

2/24/2006

Speaker Turner: "The Gentleman from Rock Island, Representative Verschoore."

Verschoore: "Thank you, Mr. Chairman, Ladies and Gentlemen. What this Bill is... is originally I was gonna have a Bill that had the same distance that sex offenders could be... were supposed to stay away from daycares, schools, and that type of thing, which was in Iowa it's 2 thousand feet and in Illinois it's ori... right now it's 500 feet. And when I got to researching this a little more, Iowa's having... they're going to back and revisit this, or that's what it... they say they're going to do. This 2 thousand foot distance they have is causing them quite a bit of problems in trying to keep track of the sex offenders. So, I've had meetings... I've had four meetings with the Department of Corrections, the Attorney General's Office, the Sheriff... Illinois Sheriffs' Association, Illinois State Police. And what I've decided to do is form a task force and get the other states involved so they can... we can come up with some type of meaningful legislation that, rather than everyone one... one-upping one another, you know, for more... the distance away from these places, we can come up with some type of a Bill that will work for everyone. And if it becomes law... if this Bill becomes law, we will have meetings as soon as 30 days from when it's enacted. And with that, I would be glad to answer any questions."

Speaker Turner: "The Gentleman from Cook, Representative Durkin, for what reason do you rise?"

Durkin: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

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

99th Legislative Day

2/24/2006

Durkin: "I seem to be having a problem here, Mr. Speaker. All right. Representative, how many Members are gonna be on this task force?"

Verschoore: "I haven't... we haven't set that up yet. I don't know how many. It's gonna be... there's gonna be part... someone from the Department of Corrections, someone from the State Police, someone with the Sheriffs' Department... Sheriffs' Association, and the Attorney General's Office."

Durkin: "But we don't have a set number of Members that are..."

Verschoore: "We don't have a set number."

Durkin: "Do you think we should, perhaps, when you send this over to the Senate? I'm assuming this'll pass out with flying colors that you should probably have at least have it set out... amend the Bill so you have a specific number of people who serve on the committee. That's traditionally how we work these types of task force and committees through the Legislature."

Verschoore: "Well, I had formed a task force before, last year on a Uniform Building Code, and we just... the people that wanted to get involved we let get involved. So, I say the more the merrier because if we get more people from each state in there, we'll come up with some meaningful legislation."

Durkin: "Well, I think if we have a set number of individuals on there it's going to give the... a little more clarity to the task force. And if they are going to take any type of action I'm assuming that they'll make a recommendation, it'll be a voice vote of some sort. At least..."

Verschoore: "There'll be a recommendation, yes."

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

99th Legislative Day

2/24/2006

Durkin: "There'll be a recommendation and then they'll make a... in a task force of that nature I'm assuming that they will vote 'yes'. So that's why I'm just suggesting perhaps, you know, that you have a representative, you know, balance throughout the state, whether it's the Sheriffs, the Attorney General. Is there anybody from the General Assembly who's part of this task force? Any Member of the House or the Senate?"

Verschoore: "There're not at this time."

Durkin: "Okay."

Verschoore: "But I'd welcome them if they'd wanna be."

Durkin: "Okay. Any cost that will be assessed for comprising this task force or putting it together?"

Verschoore: "There... there was something in the budget of a hundred thousand dollars, I... I picked that up in the budget."

Durkin: "Okay. And the... do we have a specific due date in which the task force is to make the recommendation?"

Verschoore: "January of '07."

Durkin: "Okay. I'm sorry, could you repeat that?"

Verschoore: "January of '07."

Durkin: "Okay. And they will just meet at whatever the... is there a chairman who's been designated through your Legislature who's gonna take control this task force, set up the dates, who'll schedule the committees?"

Verschoore: "If... if it permits, I'm gonna try to be the chairman. I'm gonna try to sit in all the meetings."

Durkin: "Okay. All right. Thank you very much."

Verschoore: "Uh hmm."

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

99th Legislative Day

2/24/2006

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 4298?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Joe Lyons. The Clerk shall take the record. On this question, there are 112 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, we have House Bill 4301. The Gentleman from Vermilion, Representative Black. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4301, a Bill for an Act concerning driving offenses. Third Reading of this House Bill."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. As amended by the Secretary of State, what this Bill attempts to do is to provide additional penalties for driving without insurance. I don't know if your district is like mine, but I'm getting a number of complaints about the ever increasing number of drivers on the road violating the Illinois's mandatory insurance law. And I think what upsets our constituents is when they're hit or involved in an accident and the police are on the scene, they ticket the driver of the car with no insurance and then tell the driver to drive off. Maybe he or she can go down the block and hit somebody else. And then what happens is that the constituent has to get their car repaired, they have to pay the deductible, there's no way they can go back

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

99th Legislative Day

2/24/2006

on the person who has no insurance. And then, of course, when you have that claim and your insurance company pays 15 hundred or 2 thousand dollars to fix up your car, they wanna raise your rates. And so, many people have called my office and said they just don't think the penalties are severe enough to encourage people to buy automobile insurance. Very briefly, the Bill provides that a person convicted of driving an uninsured vehicle shall have his or her driving privileges suspended for three months, and that will continue until he or she has paid the license reinstatement fee of a hundred dollars. The Amendment from the Secretary of State was technical in nature, they have no opposition to the Bill. I'll be more than happy to answer any questions that you have."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4301?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, we have House Bill 4370. Representative Brauer. Out of the record. On the Order of Third Readings, we have Representative Sacia on House Bill 4521. Out of the record. Representative Howard on House Bill 4446. Out of the record. We have House Bill 4446. Representative Howard. Read the Bill, Mr. Clerk."

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

99th Legislative Day

2/24/2006

Clerk Mahoney: "House Bill 4446, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "The Lady from Cook, Representative Howard."

Howard: "Yes, thank you very much, Mr. Speaker. This Bill addresses a problem that we've been experiencing in the areas on the south side of Chicago where individuals and organizations have not officially taken up residence in homes and... and developed halfway houses. What we're saying is that those individuals need to follow the rules that are prescribed by the city law. And we're... we're also saying that in order for them to function, they have to notify the neighborhood and that failure to do so will mean that there is a Class A misdemeanor, and also they will be subject to a fine for each week that they're in violation. I'll take questions at this point."

Speaker Turner: "The Lady from Kane, Representative Lindner, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Lindner: "Representative, in my notes from committee I had that you were going to hold this on Second."

Howard: "Well, but we've got... yesterday, we... we passed the Amendment. Yeah, we... I said I would hold it, we would... we would have discussions, we would develop an Amendment, the Amendment was passed, and now we're ready to... to move forward."

Lindner: "Okay. Could you tell me who... who you did discuss it with? 'Cause I don't think we discussed the Amendment yesterday. I think that passed without debate."

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

99th Legislative Day

2/24/2006

Howard: "Department of Corrections. The Department of Corrections."

Lindner: "All right. And they are onboard with what you're doing now?"

Howard: "They're neutral on... on the Bill at this point because of the Amendment."

Lindner: "All right. And did we find out an answer to the question yet on who regulates the private halfway houses?"

Howard: "There's no real regulation. There is a... a city ordinance in Chicago that says that there's a certain process that must be followed. And the problem was that these persons or organizations were not following the... the process and, for whatever reason, they felt they didn't have to follow the process. So, what we... we're saying is that they will either follow the procedure or they will be penalized for not doing so."

Lindner: "All right. Following the procedure of the Department of Corrections or of the City of Chicago?"

Howard: "The zoning ordinance for the City of Chicago, and this is particularly for the City of Chicago. The zoning ordinance says, you must notify the powers to be, the... where you... the zoning board, that you intend to set up this kind of business. That to the extent that you don't do that now, according to my Bill, then you will be penalized for that."

Lindner: "All right. And does the zoning board address health issues also if there would be, you know, cleanliness or health issues in these halfway houses?"

Howard: "I'm sorry, I can't hear you too well."

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

99th Legislative Day

2/24/2006

Lindner: "Does the zoning board address health issues too so that... I mean, these are unregulated halfway..."

Howard: "What kind of issues?"

Lindner: "Health."

Howard: "Help?"

Lindner: "H-e-a-l-t-h. Health."

Howard: "What is... I'm sorry, I'm sort of missing the..."

Lindner: "Mr. Speaker, could we have some order 'cause she can't understand what I'm asking. Thank you. I said my... you know, my concern is that these private halfway houses are unregulated and you're saying they have to comply with the zoning ordinances in Chicago."

Howard: "Yes, for establishment."

Lindner: "But, do the zoning ordinances also address, like, health and cleanliness issues if there should be such issues in these houses?"

Howard: "I... I am told that they do not, but I'm not certain that is relevant to the... the Bill."

Lindner: "All right, but when the Department of Corrections places people in these private homes, do they follow the people and make sure that they're... you know, that health issues and others are addressed?"

Howard: "The Department of Corrections does not place... place clients in these homes. The... the only thing that the department is concerned about is whether or not there is an address for individuals who are leaving the corrections system, and they check to see if this address is, in fact, a place of residence. That's all of their concern."

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

99th Legislative Day

2/24/2006

Lindner: "But they don't monitor anybody? They don't monitor anyone?"

Howard: "That's... that's my understanding, that they do not."

Lindner: "All right. Do... and do you know how many of these halfway houses exist at this point?"

Howard: "I'm being told there are about 17."

Lindner: "All right, that is just in one area?"

Howard: "Yeah."

Lindner: "That's not in the state?"

Howard: "We... I am not familiar with the numbers that might be in other parts of the state. I'm speaking of the City of Chicago, and those are the ones that we have been able to determine exist now. Because, as I say, people have made a decision not to tell us initially that they're doing this, so those are the ones that have been called to our attention at this point."

Lindner: "Do you know how many halfway houses the department monitors now... monitors now? I know they aren't the private ones but..."

Howard: "The department will tell you that they don't really have things called 'halfway houses'. They have adult transitional centers that, in fact, are facilities that are regulated and established by the Department of Corrections."

Lindner: "All right. But..."

Howard: "They're... they're not the same thing that I'm talking about. When... when you're in that kind of facility, you are still in prison. In the... in the 'halfway houses' that this Bill speaks to, persons are no longer under the... they're no longer within the prison. They are out of prison."

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

99th Legislative Day

2/24/2006

Lindner: "Yes, but the department does place people in the private homes."

Howard: "They don't... they don't place. People find a place to live and they then convey to the department, 'I have... an address to give you.' And that's the only thing that the department is interested in, whether or not an address is an address."

Lindner: "And that... but the department doesn't go and check out the address to make sure it is a bona fide halfway House?"

Howard: "Well, I'm sure they... they have to verify it in some way. Either they ask someone or they go and see whether or not there's actually a facility located at the place of the address."

Lindner: "So this Bill does not address any... in any way how the department verifies that information?"

Howard: "It does not."

Lindner: "All right. Thank you."

Speaker Turner: "Representative Howard to close."

Howard: "I certainly appreciate 'yes' votes on this. This Bill is one that my colleague, Milt Patterson, has asked me to advance. And it affects not only his community, but mine as well. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 4446?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bost. The Clerk shall take the record. On this question, there are 112 voting 'aye', 0 'noes', 0 'presents'. And this Bill,

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

99th Legislative Day

2/24/2006

having received the Constitutional Majority, is hereby declared passed. The Lady from Kane, Representative Lindner, for what reason do you rise?"

Lindner: "Thank you, Mr. Speaker, for an announcement."

Speaker Turner: "State your announcement."

Lindner: "Yes, due to the fact that Session is canceled on Monday, we did have a COWL meeting and media training and that will be canceled also."

Speaker Turner: "There will be... the COWL... you said the COWL media training meeting has been canceled on Monday. Mr... Mr. Clerk, what's the status of House Bill 4521?"

Clerk Mahoney: "House Bill 4521's on the Order of Third Reading."

Speaker Turner: "The Sponsor asks leave to bring the Bill back to Second. Leave is granted. On page 9 of the Calendar, Third Readings, we have House Bill 4238. Representative Boland. Out of the record. Representative Bill Mitchell on House Bill 4081. Bill Mitchell. Out of the record. Representative Collins on House Bill 4338. Representative Annazette Collins. Out of the record. Representative Holbrook on House Bill 4363. Out of the record. Representative Wait. Out of the record. Representative Verschoore, we have House Bill 4534. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4534, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Rock Island, Representative Verschoore."

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

99th Legislative Day

2/24/2006

Verschoore: "Thank you, Mr. Chairman. What this Bill does is a woman from the Quad City area came into my office and requested that I run this Bill. Her mother, who had had an operation and had to spend some time in a nursing home up there, her doctor requested that she have 24... someone with her 24 hours a day. So, this woman and her sister and a person that they hired went into the nursing home and was staying with her. And for whatever reason, after a few weeks the nursing home barred her... or was going to bar her from being there. And consequently, she wouldn't leave and the police came and arrested her. Well, not knowing the law... the policeman not knowing the law, he shouldn't have arrested her because Federal Law supersedes the State Law, and the State Law in Illinois, at this current time, does not mandate that you have immediate access. So, that's the reason. All this Bill does is bring State Law up to the federal regulations... Federal Law. And I'd be happy to answer any questions."

Speaker Turner: "The Lady from DuPage, Representative Bellock, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Bellock: "Representative Verschoore, was... is there still opposition to this Bill?"

Verschoore: "There is from the Nursing Home Association."

Bellock: "The Nursing Home Association. There seemed to be complications when we had this Bill in the Human Service

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

99th Legislative Day

2/24/2006

Committee and... oh, Representative Delgado is here. When it was presented to us, the Bill had been amended, correct?"

Verschoore: "It was, and then we went back to the original Bill in... in committee."

Bellock: "But then you removed the Amendment that..."

Verschoore: "Right."

Bellock: "...had been agreed upon."

Verschoore: "Right."

Bellock: "Correct?"

Verschoore: "Correct."

Bellock: "So this Bill is not as it was amended in the committee?"

Verschoore: "Yeah, either way it would reflect Federal Law, though."

Bellock: "Either way it what?"

Verschoore: "Will reflect Federal Law."

Bellock: "It reflects Federal Law."

Verschoore: "Yeah. That was..."

Bellock: "But there still is opposition..."

Verschoore: "There is."

Bellock: "...even though you had agreed upon that with them, and that was... that Amendment had been removed."

Verschoore: "Yeah. Federal Law is very clear what... what the visitation rights of a person is. And it's on... and this will just absolutely just mirror Federal Law is what it would do, the way it's written now."

Bellock: "I'm just concerned that when it came before the committee it had been amended, but then the Amendment was taken off when it was voted upon."

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

99th Legislative Day

2/24/2006

Verschoore: "Well, some committee Members... some of the committee Members asked me to remove it, and the person that was... the woman that was a part of this Bill did... she didn't believe that opposition was well founded. And so, the part of the committee said to go back to original law, so I asked the chairman to go back to the original intent, and that's what happened."

Bellock: "Well, I agree with the philosophy of the Bill and that it mirrors the Federal Law, but there is still strong opposition to it by some of the groups, so I just wanted to speak to that."

Verschoore: "From of the association, yeah."

Bellock: "Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Yes, thank you very much, Mr. Speaker. Inquiry of the Chair."

Speaker Turner: "He indicates he will."

Black: "No, I have an inquiry of the Chair, Mr. Speaker."

Speaker Turner: "State your inquiry."

Black: "I serve on the Transportation Committee and we ran into a very similar situation that occurred with this Bill. A Member moved to table a Committee Amendment after the supporters of the Committee Amendment left and we were advised, and you can check with Chairman Hoffman, I'm sure he remembers more about this than I do. He was advised that we could not table a Committee Amendment that had just been adopted by the committee because all such Motions go through the Rules Committee. This Committee Amendment was also

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

99th Legislative Day

2/24/2006

tabled after the supporter of the Amendment left the committee. It would seem that there's some confusion in the House Rules as to whether or not a committee does or does not have the authority to table a Committee Amendment. I would point out Rule 19(b): All legislative measures pending before the House or any of its committees are automatically rereferred to the Rules Committee after a certain number days that the House is not convened for Session. I... I clearly remember the case where the Transportation Committee was told we could not table a Committee Amendment. And it appears that in this particular committee, the Committee Amendment that was offered, and I thought agreed to by the Illinois Health Care Association, was then tabled after they left the committee meeting."

Speaker Turner: "Representative Black, I think this question was brought up yesterday... the same similar question was brought up and the ruling has not changed. House Rule 60(e) says that no Motion to Table a Committee Amendment to a Bill or Resolution before the House is in order unless it has been first referred to the House for consideration by the Rules Committee under House Rule 18. It also says that Motion to Table Committee Amendments are debatable and may be adopted by the affirmative vote of a majority of the Members elected to the House or appointed to the committee as applicable."

Black: "Mr. Speaker... and I tend to agree with your interpretation. I think what confuses this issue is that this Amendment was adopted by the committee and then later tabled by the committee. And... and the way that this was done is... I have not encountered the way this was done. This

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

99th Legislative Day

2/24/2006

Amendment was allegedly agreed to, adopted by the committee, then the agency that supported the Amendment left the committee room and the Sponsor moved to table an Amendment that had already been passed. That... that seems to me to be somewhat of an egregious violation of the rules of this House."

Speaker Turner: "Representative Black, I would assume this is the right of the Sponsor. He has... you know, he directs that particular Amendment. The committee has to vote on it and the committee..."

Black: "Okay."

Speaker Turner: "...approved the tabling of the Amendment."

Black: "All right. I... I think you're right. It's just that we... we wanted to make the point on how this happened, but I think your interpretation of the rules is correct. Thank you very much for... for the inquiry. Mr. Speaker, may I... may I speak to the Bill?"

Speaker Turner: "Proceed."

Black: "Ladies and Gentlemen of the House, if you'll look at this Bill very carefully, the American Association of Retired Persons has some very serious concerns about this Bill. I would urge the Sponsor to take this Bill out of the record and work with AARP and work with the Illinois Health Care Association for two very valid reasons. There is no definition of what an 'immediate family member' is in the Bill. Now, who does that... I have a 93-year-old mother-in-law who is in a nursing home. What does 'immediate family' mean? Who can go visit my... my mother-in-law? And we were under the impression that my wife, that's her mother, had

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

99th Legislative Day

2/24/2006

some ability, along with her mother, to indicate who would have visiting access to her mother. At her age, she sometimes gets confused, she sometimes gets upset if... if some people raise questions, or... or she doesn't always understand why somebody is there visiting. And... and I think the most egregious part of this Bill is that if this Bill were to become law, I think it's in conflict with Federal Law that is very clear that says, both sections of the U.S. Code, 42USC, both sections of this code provide that a skilled nursing facility must permit immediate access to a resident, subject to a resident's right to deny or withdraw consent at any time, by immediate family or other relatives of the resident. Now, I'm not a constitutional expert nor am I an attorney, but I've been here long enough to know that no State Law can supersede Federal Law, and this Bill attempts to do that. And if I cannot sway you with legal arguments, let me just tell you the most glaring error of this Bill is that someone who abused this person and was found and adjudicated guilty of elder abuse by the Department of Aging, under this law, would have access to visit that person in a nursing home. Now, I don't think that's what the Sponsor intends. I don't think that's what he wants, but this Bill does not make that clear. The Bill needs additional work. And if the Sponsor were to withdraw it and work on the concerns that AARP have and that the Illinois Health Care Council have, I'd be more than happy to support it. But in its present form and in the manner in which it appears before us on Third Reading, I rise in strong opposition to the content of the Bill and I rise in

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

99th Legislative Day

2/24/2006

strong opposition to the way that the Amendment was handled in committee and then tabled after the proponents of the Amendment left the room. That is not the way this Gentleman has impressed me with the way he would normally do business. I rise in strong opposition to the Bill."

Speaker Turner: "The Gentleman from Cook, Representative Delgado, for what reason do you rise?"

Delgado: "Thank you, Mr. Chairman. To echo the previous speaker's concerns. I also have strong concerns as the chair of Human Services Committee. This... this... for the sake of the Members, this Amendment was never tabled. The... the Legislator used his prerogative to just remove the Amendment and not accept my Amendment. This Amendment was... was submitted by the chair and when I suggested the Amendment so that it would reflect Federal Law, we cannot supersede the Federal Law, this particular piece of legislation, with the confusion at the witness table, this particular Bill, by the Legislator, decided he just wasn't gonna accept the Amendment. And at that point, because one Member of the committee indicated that he should not accept the Amendment, he decided to run it in its original form. Because of that, we are in this situation. We are and will continue to address the nursing home visitors access and we are very sensitive to families that have to be able to spend time with their loved ones, if it's 4 hours or 24 hours, without having the worry of being thrown out onto the street. However, to put a process together that word in the General Assembly, I will say mea culpa when we talk about being able to let a Bill out of committee in this aspect. And I would

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

99th Legislative Day

2/24/2006

ask for 'present' votes so that we can revisit, so that we can make sure the language is specific in the legislation in regards to Federal Law, because if we do it... if we only say... if we put federal language into the state statute, what is going to happen is any changes in Federal Law will then have to be changed on a state level. If the language indicates that it will only reflect Federal Law, it will be able to run parallel with any changes on the federal level. So, I am asking all my colleagues on both sides of the aisle on... because Representative Verschoore, I've asked to have this pulled from the record. I am asking for all 'present' votes so that we can revisit this and make sure that the General Assembly process is followed to its entirety without these kind of errors. And I would ask for your indulgence and your support so that we can bring this... as we have brought it to the full Body, so that we can have your support. And let's please get 'yellow' lights so that we can make sure that the people's rights are respected and, more so, those long-term care residents have that dignity, too. Please vote 'present' or vote 'no' on 4534 so that we can put this back together in a format in Veto Session and run this legislation the way it's supposed to be run. Thank you, Mr. Speaker."

Speaker Hannig: "The Gentleman from Cook, Representative Fritchey, for what reason do you rise?"

Fritchey: "Thank you, Speaker. Will the Sponsor yield? Representative, let me follow up something Representative Black asked, and I truly mean this objectively. You're trying to bring the State Law into conformity with the

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

99th Legislative Day

2/24/2006

Federal Law, but you acknowledge it to the extent that the Federal Law conflicts with the State Law. The Federal Law preempts the State Law, anyway. Why do we need to do this, then?"

Verschoore: "Why don't we need to do... what's wrong with just having a State Law? It says in the State Law that if it doesn't coincide with State Law, the Federal Law will prevail over this. And it's just bringing the State Law up to what the Federal Law says."

Fritchey: "But if the Federal Law... and I mean this sincerely. If... if the Federal Law is already on the books, which it is, and the Federal Law trumps the State Law and you're trying to make the State Law mimic the Federal Law. Isn't this a moot exercise?"

Verschoore: "What... what the problem is, Representative Fritchey, is the law... the officer that came to arrest her didn't know what Federal Law said, and that's why... that's why I want this legislation in there, that everyone will know what it is now. That it's..."

Fritchey: "But... and... and I really mean this sincerely 'cause I'm... I'm struggling with this one. I don't get why you're doing this. The Federal Law controls to the extent that we have a State Law that conflicts with the Federal Law, the Federal Law will still control. The only way that the State Law would be applicable is if it mirrored the Federal Law."

Verschoore: "Exactly."

Fritchey: "So, if that's the case, we really don't even need this State Law on this issue because it cannot conflict with the Federal Law. So we're either gonna... we're either gonna

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

99th Legislative Day

2/24/2006

have it be duplicative of a law that's already on the books or, if it did not exist, Federal Law would preempt the field in any event."

Verschoore: "There's no specific reference to how family members are treated in the State Law, that's the problem. Federal Law specifically states it."

Fritchey: "Exactly. So, there's law on the books that dictates how family members be treated."

Verschoore: "But... but the officer didn't know that. The officer came and arrested this person."

Fritchey: "But the ignorance of one officer as to what the controlling law is should not be motivation for this Body to act. And I mean this with no disrespect, whatsoever. If there was an employee that did not know what the law was..."

Verschoore: "Well, anyone..."

Fritchey: "...they need to be educated as to what that law is. The question... the solution isn't to put in another law to simply reinforce what the law is today."

Verschoore: "Well, but, Representative, no one should be, I guess, harassed about trying to visit their... their parents or their loved ones or whatever."

Fritchey: "I... I agree with you."

Verschoore: "And I think this law will clear it up."

Fritchey: "No, I agree with you wholeheartedly. And the law that clears it up is the Federal Law that's on the books. Anything that we did that conflicted with the Federal Law, as you acknowledged, would not be enforceable. The law that controls the visitation rights right now is the Federal Law. Nothing we can do here in this Body will change that. And

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

99th Legislative Day

2/24/2006

given that, I gue... I just don't know where we're going here. I don't wanna belabor the point. I hope people are paying attention to this. We're... we're doing a lot of activity down here for naught. Well-intentioned, it's come... it's coming out of good motivations, I believe that. But the end result of whether this Bill passes or doesn't pass, whether this Bill becomes law or doesn't become law is zero. Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, with your permission... I've already... I've already spoken, as you know. Let me just clarify... and I... both sides of the aisle place a great deal of confidence in our staff. Our staff people that were there say that there was a Motion made to table the Amendment and the Motion to Table was accepted on a voice vote. That being aside, if you'll permit me, I... I commend the chairman of the committee, Representative Delgado. I admire his integrity and his honesty and I think he has made this very clear. This Bill needs more work. If we can't... if I can't prevail on the Sponsor to... to withdraw it, I join with Representative Delgado in saying this Bill, as written, deserves a 'no' vote or a 'present' vote. It needs more work and it can be brought back later. And I would urge that we follow not only the chairman of the committee on your side of the aisle, but our staff and many Members on our side of the aisle, this Bill is not in the form that should pass from this chamber. And I, too, urge a 'no' or a 'present' vote."

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

99th Legislative Day

2/24/2006

Speaker Turner: "The Lady from Cook, Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Gentleman's Bill, House Bill 4534. The purpose of this legislation is to protect our most vulnerable citizens, and that is our seniors. What this mother... what this daughter wanted to do was to watch over her mother in a nursing home because her mother appeared to have had some problems. The nursing home put her out and called the police. They were in violation of Federal Law. Now, every day in this House we are forever codifying federal legislation to have the state to reflect what the Federal Law says. This is no different. And that's exactly what this legislation is saying. We will be reflecting. And there's no reason why... there is no reason why this great State of Illinois should have... should be silent on this subject matter in the state statute. And what he's doing is merely putting the language where it should be in the state statute in regards to who have access and what the grounds are. And the language is exactly what the federal legislation is saying, no different. And I would urge an 'aye' vote, because today it was her... someone else being arrested because the senior home did not want her in there, tomorrow it could be you or I. I stand in support of House Bill 4534 as is. Thank you."

Speaker Turner: "The Gentleman from Rock Island, Representative Verschoore, to close."

Verschoore: "Thank you, Mr. Chairman. I just... the woman that came to me on this Bill, originally, wanted this language the way it is, right as it is as now. I agreed to meet with

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

99th Legislative Day

2/24/2006

the omnibus person, the Attorney Generals, and different people. They put on an Amendment that I thought this woman was agreeable to, but when we got to committee I found out she wasn't. And in committee, there was some committee Members that thought she had a legitimate complaint and it should stay the way it is, and that's why I got it back to its original form. I've talked to this woman several times about trying to change her mind about some wording, she won't do it. So, I'm gonna call the Bill as is and I'd ask for an 'aye' vote. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 4534?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take... The Clerk shall take the record. On this question, there are 25 voting 'aye', 38 voting 'no', 49 voting 'present'. And this Bill fails. On page 10 of the Calendar, Representative Wait on House Bill 4398. On page 10 of the Calendar, we have Representative Flider on House Bill 4832. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4832, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Macon, Representative Flider."

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4832 creates the Community Service Education Act and the Act is designed to support voluntary community service education programs in our schools. The

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

99th Legislative Day

2/24/2006

program is intended to educate students about the value of civic involvement through actual school-sponsored activities in their communities in the hopes of building stronger schools, communities, and a positive environment. The legislation promotes involvement in community activities and also benefits... gives students the... an opportunity to see the benefits of civic duty. And under this legislation, a school district may decide to have a program, and in the future our hope is that there could be some kind of a program in which the state board would be able to provide grants for districts operating such programs. However, in this instance, we are not appropriating any funds nor requesting any funds at this time, but just merely stating the value of these programs and their importance to the communities in which school districts would offer them. This is similar legislation to that which exists in other states throughout the nation, and we believe that this would be a good policy. Brings school districts, students, and communities together and I would ask for your support."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill... The Gentleman from Vermilion, Representative Black, for what reason do you rise?'"

Black: "Thank you very much, Mr. Speaker. I'm going to swim upstream and be the only 'no' vote. There comes a time in this budget situation in the State of Illinois that I'm no longer going to vote for good ideas that have no funding source, that become a part of State Law. We already have adult education organizations all throughout the state, we have community colleges, we have community-based

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

99th Legislative Day

2/24/2006

organizations that can do this. So here comes another thing to put in State Law that says schools should do or can do if they get a grant and sooner or later we'll appoint... we'll appropriate grant money so that they can do it. When we adequately fund K-12 public education, I'll vote for good ideas like this, but not until we adequately fund what we already have on the books. I'm tired of voting for good ideas, for good Sponsors, when we don't have the money to do what we're supposed to do. And yet, day after day we vote on good ideas that we'll supposedly fund sometime in the future. As far as I'm concerned, enough is enough."

Speaker Turner: "Seeing no further questions, Representative Flider moves that the House does pass... the House do pass House Bill 4832. All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 107 voting 'aye', 4 'noes', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Colvin, for what reason do you rise?"

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

Speaker Turner: "State your point."

Colvin: "Thank you, Mr. Speaker. On behalf of the Illinois Legislative Black Caucus, I just wanted to take a moment to thank everyone who came out to the Governor's mansion to help us celebrate Black History Month at our third annual African-American soirée. It was a wonderful event. If you

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

99th Legislative Day

2/24/2006

attended... I think half of Springfield was there last night. But the party was a success, in large part because of most of you... all of you, all of you who came and celebrated with us last night. It was a very festive affair. I wanna thank... and I think... I was talking with the Speaker in the Chair right now that we may have to move it to a different venue, because it looks like we've outgrown the Governor's mansion. And most of all, it was just a real thrill to honor one of the stalwarts who is the picture and the epitome of stamina in the General Assembly, the Honorable Yvette Younger, where we celebrated her 30-plus years of service here in the General Assembly. It was... And we wanna thank... her whole family was here last night and they celebrated her achievement with her. And we wanna give a special thanks also to State Representative Ruth Munson who put together a tremendous slide show presentation that was shown at the dinner last night. We wanna thank you, Ruth, for that. And last but not least, we wanna thank State Representative Art Turner, the Assistant Majority Leader, who... it was his idea. Three years ago we were trying to figure out a way to celebrate Black History and how to include all of our colleagues. It was Art's idea. He's worked very hard the last 3 years to grow it to the event it is now. So, we just wanna thank everybody and we wanna let you also know that Connie Howard's got the Pepto-Bismol if you need it. Thank you very much."

Speaker Turner: "The Gentleman from Knox, Representative Moffitt, for what reason do you rise?"

Moffitt: "Rise to a point of personal privilege, Mr. Speaker."

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

99th Legislative Day

2/24/2006

Speaker Turner: "State your point."

Moffitt: "I just want to add to... Representative Colvin was thanking all those that helped organize it. I think the rest of us owe a huge thanks to the Black Caucus for one of the nicest parties that we've had a huge crowd and it really was enjoyable and had fun. So, let's all thank the Black Caucus collectively for... for that event. Thank you."

Speaker Turner: "The Gentleman from Lake, Representative Washington, for what reason do you rise?"

Washington: "Thank you, Mr. Speaker. Mr. Speaker, I just wanna say that last night probably one of the best events that I've attended, and I could tell that there was something different about it and it was more so spiritual in nature. But as we wind down this particular month and get ready for the journey of March, I just want to say for myself that my roots, my trunk has many branches. And on the branches of that tree in which I spring from, there are Mexican branches, Puerto Rican branches, Caucasian branches, the human family. And as I stated a historical fact, that if we were not, none of the rest could be. Thank you, Mr. Speaker."

Speaker Turner: "On the Order of Third Readings, we have Representative Moffitt on House Bill 4986. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4986, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Knox, Representative Moffitt."

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

99th Legislative Day

2/24/2006

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4986 is an agreed Bill now and, essentially, it codifies what has, to a large extent, been practice. This is an initiative of the ag education collective communities, revolving around ag education and the Illinois FFA. What it does is makes sure that to be a recognized agricultural program, that it's three components: classroom instruction, a state- and nationally-affiliated FFA chapter, and a supervised agricultural experience, activity, or program. I think a lot of you or most of you, I hope, are familiar with FFA and ag programs. It's very important to our state and this is at the, really, the request of ag education community. Be happy to entertain any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4986?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Molaro, for what reason do you rise?"

Molaro: "Thank you. Point of personal privilege, if I may."

Speaker Turner: "State your point."

Molaro: "In the gallery to my left are three young ladies from... actually they're Patti Bellock's district, from Westmont. Linda Sabotka, Linda Detzler, and Carrie Rymek from the

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

99th Legislative Day

2/24/2006

Chamber of Commerce. They're here for the Governor's Tourism Bureau. To your left, Patti. You're looking the wrong way. Over there. And the only reason I'm introducing them, as opposed to Patti, is that Linda Sabotca happens to be my first cousin. And we did share a crib together when we were very, very young. So, we welcome her to Springfield. Thank you very much. Thank you, ladies."

Speaker Turner: "Welcome to Springfield. On the Order of Third Readings, Representative Winters, we have House Bill 5220. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5220, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Winters: "Thank you, Mr. Speaker. House Bill 5220 changes and allows IDOT to spend money on the acquisition of railroad rolling stock and also extends the term of lease that IDOT could enter into for railroad stations and track from 7 years to 50 years. The genesis of this is that under Illinois FIRST, Governor Ryan attempted to... actually appropriated \$25 million to railroad rolling stock and later found out that we could not purchase that. We are attempting to add additional train sets that would serve the Chicago-St. Louis, Chicago-Carbondale, and Chicago-Galesburg rail lines. We need this to allow IDOT to purchase the train sets. It's cheaper to do it this way and then lease them back to Amtrak for operating. Several other states in the country already do this. And would be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5220?' All those in favor should

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

99th Legislative Day

2/24/2006

vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Third Readings, we have Representative Mulligan on House Bill 5300. Representative Mulligan. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5300, a Bill for an Act concerning health. Third Reading of this House Bill."

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

Mulligan: "Thank you, Mr. Speaker. House Bill 5300 amends the Sexual Assault Survivors Emergency Treatment Act, requiring that in the beginning... that beginning on January 1 of 2007 and every year afterwards that the Department of Public Health submit a report to the General Assembly containing information on hospitals in the state that have submitted a plan to provide hospital emergency room services to sexual assault survivors to the department. And the department is required to post that report on its website and the report must include the following: a list of all hospitals that have submitted a plan, a list of hospitals whose plans have been found by DPH to be in compliance with the Act, a list of the hospitals that have failed to submit an acceptable plan of correction within the time frame required by the Act, a list of the hospitals where the periodic site reviews required by the Act have been conducted. It also provides that when a hospital which is noncompliant with an acceptable plan on the report has submitted and implemented

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

99th Legislative Day

2/24/2006

the required plan of correction, that the department shall immediately update the report on its website. It changes the maximum fine amount for hospitals that have not submitted or implemented an acceptable plan of correction from a hundred to five hundred dollars per day until the hospital complies. The fine is imposed by DPH at their discretion and can be anywhere from a dollar to five hundred. And it requires DPH to implement a complaint system through which DPH may receive complaints of the violation. It allows DPH to extend an existing complaint system to fulfill this requirement. And I'd be happy to take any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5300?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Washington. Kosel. Kosel. The Clerk shall take the record. On this question, there are 112 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Bureau, Representative Mautino, on House Bill 5349. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5349, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5349, in its form as amended, now deals only with the issue of servicemen returning home and it will

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

99th Legislative Day

2/24/2006

allow that they will be able to rejoin their individual or group insurance plans without any medical underwriting. It's an industry practice. This was an initiative of the Department of Insurance. I know of no opposition to it and would ask for an 'aye' vote. Be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5349?' All those in favor should say 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Granberg. The Clerk shall take the record. On this question, 111 voting 'aye', 1 voting 'no', and 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, Representative Daniels, we have House Bill 5386. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5386, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the third Bill on the series of autism legislation presented to you. It requires the Department of Healthcare and Family Services to apply for a waiver or waivers from the U.S. Center Medicare and Medical... Medicaid Services to allow payment for in-home and community-based treatment, therapies, parent training, and other necessary aids for children aged 3 to 21 who are developmentally disabled or autistic. This legislation will continue to be worked on. I met with Senator Cullerton and several House Members yesterday and we are going to continue to work on

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

99th Legislative Day

2/24/2006

the subject matter here. But it was decided, subject to your approval, to pass this over to the Senate and continue working on it. And I seek your favorable support."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5386?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Winters. Bradley. The Clerk shall take the record. On this question, 112 voting 'aye', 0 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 10 of the Calendar, Representative Dunkin on House Bill 4657. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4657, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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

Dunkin: "Thank you, Mr. Speaker. I'd like to move House Bill 4657 back to Second Reading, please."

Speaker Turner: "The Gentleman asks leave to bring this Bill back to Second Reading. Leave is granted. Ladies and Gentlemen, we're going to adopt the Adjournment Resolution and then we're going to go through the Order of Second Readings and go down the order one time. We'd like for you to follow us as we move down the Calendar. If you remember the signals, out of the record or move it. Got it? Out of the record or move it. Mr. Clerk, Adjournment Resolution."

Clerk Mahoney: "House Joint Resolution 106."

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

99th Legislative Day

2/24/2006

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Friday, February 24, 2006, the House of Representatives stands adjourned until Tuesday, February 28, 2006 at 2:00 p.m.; and the Senate stands adjourned until Monday, February 27, 2006, at 2:00 p.m."

Speaker Turner: "Clerk moves for the adoption... Representative Currie moves for the adoption of the Adjournment Resolution. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Ladies and Gentlemen, we're gonna start on page 2 of the Calendar on the Order of Second Readings and we're going to go through that order, if we can have some order. First Bill of the day is House Bill 280, Representative McGuire. Jack McGuire. Out of the record. Representative Phelps on House Bill 2006. Out of the record. Representative Soto on House Bill 2... Out of the record. Representative Collins on House Bill 2067. Out of the record. Representative Flowers on House Bill 25... Out of the record. Representative Boland on House Bill... Read the Bill, Mr. Clerk. 4079."

Clerk Mahoney: "House Bill 4079 has been read a second time, previously. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. Representative Osmond on House... Out of the record. Representative Granberg. Out of the record. Representative Schmitz on House Bill 4197. Schmitz. Out of the record. Representative Brady on House

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

99th Legislative Day

2/24/2006

Bill 4203. Out of the record. Representative Bassi on House Bill... Out of the record. Representative Granberg. Out of the record. Representative Beiser. Out of the record. Representative Sacia. Out of the record. Representative Pritchard, 4322. Out of the record. Representative Jefferson. Out of the record. Representative Lang on House Bill 43... Out of the record. Representative Pihos on House... Out of the record. Representative Churchill on House Bill 4391. Out of the record. Representative Sullivan on House Bill 4405. Sullivan. Out of the record. Representative Jones on House Bill 44... Out of the record. Representative Miller on House Bill 444... Out of the record. Representative Hannig on House Bill... Out of the record. Representative Bost on House Bill 4444. Out of the record. Representative Jones on 4447. Out of the record. Representative Beiser on House Bill 4451. Out of the record. Representative Joyce on... Out of the record. Representative Bellock on House Bill 4523. Out of the record. Representative Phelps on House Bill 45... Out of the record. Representative Hoffman on 4520... Out of the record. Representative Davis on 4544. Monique Davis. Call the Bill. Representative, you have an Amendment still to go on the Bill. Take the Bill out of the record. Go... go back to House Bill 4544. Representative Davis. Read the Bill, Mr. Clerk. Monique Davis."

Clerk Mahoney: "House Bill 4544 has been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

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

99th Legislative Day

2/24/2006

Speaker Turner: "Third Reading. Representative McAuliffe on House Bill... Out of the record. Representative Munson on House Bill 460... Out of the record. Representative McCarthy on House Bill 4614. Out of the record. Representative Franks on House Bill 4649. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4649, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Represent... Representative Gordon on House Bill... Out of the record. Representative Jenisch on House Bill 4680. Out of the record. Representative Colvin on House Bill... Out of the record. Representative Chapa LaVia on 4703. Out of the record. Representative Kelly on 4715. Out of the record. Representative Golar on... Out of the record. Representative Nekritz on House Bill 478... Out of the record. Representative Brosnahan on House Bill... Out of the record. Representative Rita on House Bill... Out of the record. Representative Sullivan on House Bill 4805. Out of the record. Representative Sullivan on House Bill 4819. Out of the record. Representative Dugan on House Bill 4826. I'm sorry. Representative Giles on House Bill 4... Out of the record. Representative Osterman on House Bill 4853. Out of the record. Representative Jones on House Bill 4885. Out of the record. Representative McAuliffe on House Bill 4890. Out of the record. Representative Myers on House Bill 4902. Out of the record. Representative Nekritz on House Bill... Out of the record. Representative Will Davis on... Out of

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

99th Legislative Day

2/24/2006

the record. Representative Deborah Graham, 4937. Out of the record. Representative Smith on House Bill 4965. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4965, a Bill for an Act concerning ambulance resolving... ambulance revolving loan program. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Smith, has been approved for consideration."

Speaker Turner: "The Gentleman from Fulton, Representative Smith, on Amendment #1."

Smith: "Thank you, Mr. Speaker. Am I the first taker?"

Speaker Turner: "You're the first taker."

Smith: "Okay."

Speaker Turner: "You may be the only for the day."

Smith: "Amendment #1, I mentioned in committee, simply includes nonprofit ambulance services in the program that we're setting up."

Speaker Turner: "Seeing no que..."

Smith: "Be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 4965?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

Clerk Mahoney: "No further Amendments. All..."

Speaker Turner: "Third Reading. Representative May on House Bill 4999. Out of the record. Representative Scully. Out of the record. Representative Hannig on... Out of the record. Representative Molaro on House Bill 5227. Out of

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

99th Legislative Day

2/24/2006

the record. Representative Durkin on House Bill 5241. Durkin, 5241. Out of the record. Representative Coulson on House Bill 5295. Out of the record. Representative Moffitt on House Bill... Out of the record. Representative Bill Mitchell on House Bill 5462. Out of the record. Representative Miller on House Bill 5542. Out of the record. Representative Berrios on House Bill 50... Out of the record. Representative May on House Bill 5578. Out of the record. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 958, offered by Representative Currie. House Resolution 959, offered by Representative Parke. House Resolution 960, offered by Representative Parke. House Resolution 961, offered by Representative Parke. House Resolution 962, offered by Representative Osterman. House Resolution 963, offered by Representative Monique Davis. House Resolution 964, offered by Representative Tryon."

Speaker Turner: "Representative Currie moves for the adoption of the Agreed Resolutions. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolutions are adopted. Mr. Clerk, what's the status of 4894, House Bill 4894?"

Clerk Mahoney: "House Bill 4894 is on the Order of Third Reading."

Speaker Turner: "The Sponsor asks leave to bring the Bill back to Second. Leave is granted. And on page 10 of the Calendar, we have House Bill 4398. Representative Wait. Read the Bill, Mr. Clerk."

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

99th Legislative Day

2/24/2006

Clerk Mahoney: "House... House Bill 4398, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4398 simply says that if you batter a police officer, it'll be a Class II felony and you have to serve 85 percent of your time. Be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4398?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Champaign, Representative Rose, for what reason do you rise?"

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

Speaker Turner: "State your point."

Rose: "Ladies and Gentlemen, please welcome my next door neighbor and her mother up in the gallery here. They're over here today and their daughters are paging for us, so give 'em a big Springfield welcome."

Speaker Turner: "Welcome to Springfield. What's he like as a neighbor? The Gentleman from... the Gentleman from Macon, Representative... I'm sorry, the Gentleman from Bond, Representative Stephens, for what reason do you rise?"

Stephens: "Well, as his neighbor, I... I... he's okay."

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

99th Legislative Day

2/24/2006

Speaker Turner: "Thank you. The Gentleman from Macon, Representative Bill Mitchell on House Bill 5246. Read the Bill, Mr. Clerk. We're on the Order of Second Readings on House... House Bill 5246... House Bill 52... sorry, 5462."

Clerk Mahoney: "House Bill 5462 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Mitchell, has been approved for consideration."

Speaker Turner: "The Gentleman from Macon, Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker. Floor Amendment #1, I move that the House adopts it. It amends the Criminal Code in a section pertaining to burglary."

Speaker Turner: "The Gentleman from Bond, Representative Stephens, for what reason do you rise?"

Stephens: "Will the Gentleman yield?"

Speaker Turner: "He indicates he will."

Stephens: "Representative, was there a certain incident that occurred in your district that caused you to bring this Amendment forward?"

Mitchell, B.: "It occurred in the 101st District."

Stephens: "The 101st District."

Mitchell, B.: "Representative Flider's district, correct."

Stephens: "Representative Flider's district. Something happened in Representative Flider's district?"

Mitchell, B.: "It happened last week, yes."

Stephens: "Was it unusual?"

Mitchell, B.: "It... there was a burglary of a food pantry."

Stephens: "What was stolen?"

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

99th Legislative Day

2/24/2006

Mitchell, B.: "Commodities. Food commodities."

Stephens: "Would you care to be more specific?"

Mitchell, B.: "It was meat, poultry, canned goods."

Stephens: "What kind of poultry?"

Mitchell, B.: "I believe it was chickens."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt Amendment #1 to House Bill 5462?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. And now... and now, allowing perfunctory time for the Clerk, Representative Currie moves that the House does stand adjourned until Tuesday, February 28, at the hour of 2 p.m. Tuesday, February 28, at the hour of 2 p.m. And the house does stand adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of House Bills-First Reading. House Bill 5766, offered by Representative Dugan, a Bill for an Act concerning regulation. House Bill 5767, offered by Representative Myers, a Bill for an Act concerning education. Senate Bills-First Reading. Senate Bill 2255, offered by Representative Burke, a Bill for an Act concerning local government. Senate Bill 2363, offered by Representative Feigenholtz, a Bill for an Act concerning regulation. Senate Bill 2396, offered by Representative Coulson, a Bill for an Act concerning regulation. And Senate Bill 2732, offered by Representative McCarthy, a Bill for an Act concerning regulation. There being no further

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

99th Legislative Day

2/24/2006

business, the House Perfunctory Session will stand
adjourned."