

**STATE OF ILLINOIS**



**HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-THIRD GENERAL ASSEMBLY**

**162ND LEGISLATIVE DAY**

**FRIDAY, JULY 16, 2004**

**2:38 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES  
Daily Journal Index  
162nd Legislative Day**

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The House met pursuant to adjournment.

Representative Hannig in the chair.

Prayer by Pastor Peter Williams with the St. Paul's Missionary Baptist Church in Freeport, IL.

Representative Sacia led the House in the Pledge of Allegiance.

By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:

90 present. (ROLL CALL 1)

By unanimous consent, Representatives Bassi, Black, Boland, Richard Bradley, Brosnahan, Burke, Collins, Colvin, Coulson, Dunkin, Dunn, Feigenholtz, Graham, Hamos, Howard, Jones, Krause, Joseph Lyons, Mathias, McCarthy, Molaro, Morrow, Myers, Osterman, Scully, Slone and Turner were excused from attendance.

### REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Giles, should be recorded as present at the hour of 2:00 p.m..

### REQUEST FOR FISCAL NOTE

Representative Yarbrough requested that a Fiscal Note be supplied for SENATE BILL 2188, as amended.

### MESSAGES FROM THE SENATE

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 94

Concurred in the Senate, July 16, 2004.

Linda Hawker, Secretary of the Senate

### REPORTS FROM STANDING COMMITTEES

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on July 15, 2004, and reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 4 to SENATE BILL 1737.

The committee roll call vote on Amendment No. 4 to Senate Bill 1737 is as follows:

12, Yeas; 0, Nays; 0, Answering Present.

Y Burke, Daniel(D), Chairperson  
 Y Biggins, Bob(R)  
 Y Capparelli, Ralph(D)  
 Y Jones, Lovana(D) (Lang)  
 Y Molaro, Robert(D) (McGuire)  
 Y Saviano, Angelo(R)

Y Acevedo, Edward(D)  
 Y Bradley, Richard(D), Vice-Chairperson (Rita)  
 Y Hassert, Brent(R)  
 Y McKeon, Larry(D)  
 Y Pankau, Carole(R), Republican Spokesperson  
 Y Winters, Dave(R)

Representative Reitz, Chairperson, from the Committee on Agriculture & Conservation to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 979.

The committee roll call vote on House Resolution 979 is as follows:

11, Yeas; 0, Nays; 0, Answering Present.

Y Reitz,Dan(D), Chairperson	A Bradley,John(D)
A Brauer,Rich(R)	A Cultra,Shane(R)
Y Dugan,Lisa(D)	Y Eddy,Roger(R)
Y Flider,Robert(D)	Y Gordon,Careen(D)
Y Grunloh,William(D)	Y Mautino,Frank(D)
Y Moffitt,Donald(R), Republican Spokesperson	A Myers,Richard(R)
Y Phelps,Brandon(D)	A Pritchard,Robert(R)
A Sacia,Jim(R)	A Smith,Michael(D)
Y Verschoore,Patrick(D)	Y Winters,Dave(R)

Representative Delgado, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2188.

The committee roll call vote on Senate Bill 2188 is as follows:

10, Yeas; 1, Nays; 2, Answering Present.

P Delgado,William(D), Co-Chairperson	P Bailey,Patricia(D)
Y Bradley,Richard(D) (John Bradley)	Y Collins,Annazette(D) (Grunloh)
Y Gordon,Careen(D)	Y Howard,Constance(D) (Dugan)
Y Jones,Lovana(D) (Phelps)	Y Lindner,Patricia(R), Republican Spokesperson
N Lyons,Eileen(R)	Y Millner,John(R)
Y Rose,Chapin(R)	Y Sacia,Jim(R)
Y Wait,Ronald(R)	

**DISTRIBUTION OF SUPPLEMENTAL CALENDAR**

Supplemental Calendar No. 1 was distributed to the Members at 2:38 o'clock p.m.

**SENATE BILL ON SECOND READING**

SENATE BILL 2188. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Select Committee on Judiciary II - Criminal Law, adopted and printed:

AMENDMENT NO.   1  . Amend Senate Bill 2188 by replacing everything after the enacting clause with the following:

"Section 5. The Firearm Owners Identification Card Act is amended by changing Section 3.1 as follows: (430 ILCS 65/3.1) (from Ch. 38, par. 83-3.1)

Sec. 3.1. Dial up system.

(a) The Department of State Police shall provide a dial up telephone system which shall be used by any federally licensed firearm dealer who is to transfer a firearm under the provisions of this Act. The Department of State Police shall utilize existing technology which allows the caller to be charged a fee equivalent to the cost of providing this service but not to exceed \$2. Fees collected by the Department of State Police shall be deposited in the State Police Services Fund and used to provide the service.

(b) Upon receiving a request from a federally licensed firearm dealer, the Department of State Police shall immediately approve, or within the time period established by Section 24-3 of the Criminal Code of 1961 regarding the delivery of firearms, notify the inquiring dealer of any objection that would disqualify the transferee from acquiring or possessing a firearm. In conducting the inquiry, the Department of State Police shall initiate and complete an automated search of its criminal history record information files and those of the Federal Bureau of Investigation, including the National Instant Criminal Background Check System, and of the files of the Department of Human Services relating to mental health and developmental disabilities to obtain any felony conviction or patient hospitalization information which would disqualify a person from obtaining or require revocation of a currently valid Firearm Owner's Identification Card.

(c) If receipt of a firearm would not violate Section 24-3 of the Criminal Code of 1961, federal law, or this Act the Department of State Police shall:

(1) assign a unique identification number to the transfer;

(2) provide the licensee with the number; and

(3) destroy all records of the system with respect to the call, other than the identifying number and the date the number was assigned, and all records of the system relating to the transfer within 24 hours.

(d) The Department may not retain, copy, or distribute any information previously collected under this Section. Any records generated under this Section shall comply with subsection (c).

(e) If the transfer of a firearm is denied by the Department of State Police, the Department may keep the records of a denial until the denial is appealed and overturned, or as long as necessary for a criminal prosecution.

(f) Approvals issued by the Department of State Police for the purchase of a firearm are valid for 30 days from the date of issue.

(g) The Department of State Police must act as the Illinois Point of Contact for the National Instant Criminal Background Check System.

(h) The Department of State Police shall promulgate rules not inconsistent with this Section to implement this system.

(Source: P.A. 91-399, eff. 7-30-99.)"

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was held on the order of Second Reading.

## RESOLUTION

Having been reported out of the Committee on Agriculture & Conservation on July 16, 2004, HOUSE RESOLUTION 979 was taken up for consideration.

Representative Grunloh moved the adoption of the resolution.

The motion prevailed and the Resolution was adopted.

At the hour of 2:58 o'clock p.m., Representative Currie moved that the House do now adjourn until Monday, July 19, 2004, at 4:00 o'clock p.m.

The motion prevailed.

And the House stood adjourned.

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
QUORUM ROLL CALL FOR ATTENDANCE

July 16, 2004

0 YEAS

0 NAYS

90 PRESENT

P Acevedo	P Delgado	P Kurtz	P Phelps
P Aguilar	P Dugan	P Lang	P Pihos
P Bailey	E Dunkin	P Leitch	P Poe
E Bassi	E Dunn	P Lindner	P Pritchard
P Beaubien	P Eddy	P Lyons, Eileen	P Reitz
P Bellock	E Feigenholtz	E Lyons, Joseph	P Rita
P Berrios	P Flider	E Mathias	P Rose
P Biggins	P Flowers	P Mautino	P Ryg
E Black	P Franks	P May	P Sacia
E Boland	A Fritchey	P McAuliffe	P Saviano
P Bost	P Froehlich	E McCarthy	P Schmitz
P Bradley, John	P Giles	P McGuire	E Scully
E Bradley, Richard	P Gordon	P McKeon	E Slone
P Brady	E Graham	P Mendoza	P Smith
P Brauer	P Granberg	P Meyer	P Sommer
E Brosnahan	P Grunloh	P Miller	P Soto
E Burke	E Hamos	P Millner	P Stephens
P Capparelli	P Hannig	P Mitchell, Bill	P Sullivan
P Chapa LaVia	P Hassert	P Mitchell, Jerry	P Tenhouse
P Churchill	P Hoffman	P Moffitt	E Turner
E Collins	P Holbrook	E Molaro	P Verschoore
E Colvin	E Howard	E Morrow	P Wait
E Coulson	P Hultgren	P Mulligan	P Washington
P Cross	P Jakobsson	P Munson	P Watson
P Cultra	P Jefferson	E Myers	P Winters
P Currie	E Jones	P Nekritz	P Yarbrough
P Daniels	P Joyce	P Osmond	P Younge
P Davis, Monique	P Kelly	E Osterman	P Mr. Speaker
P Davis, Steve	P Kosel	P Pankau	
P Davis, William	E Krause	P Parke	

E - Denotes Excused Absence