

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

101st Legislative Day

2/26/2004

Speaker Turner: "The hour of 11:45 having come and went, the House of Representatives shall be called to order and we shall be led today in prayer today by Pastor Dan Whitfield of the First Presbyterian Church in Marion, Illinois. Pastor Whitfield is the guest of Representative John Bradley. Members and guests are asked to refrain from starting their laptops, turn off cell phones and pagers and rise for the invocation and the Pledge of Allegiance. Pastor Whitfield."

Pastor Whitfield: "Almighty and yet all loving God, we set these few minutes of prayer aside and we are reminded of our great dependence on You. Dependence for guidance, for inspiration, for empowerment for the work that is to be done this day. We are also reminded of our... of Your dependence on us. Dependence on us to do our work faithfully, conscientiously and effectively. We are thankful for the profound privilege of being called to a life of both servanthood and leadership. And so it is, in our thanksgiving, we plead for wisdom, patience, insight, clarity of vision and most of all, a grasp of Your truth. Grace this Assembly with Your presence. Bless these servant leaders, stir among them and stir within their hearts. Make Your presence known in the workings of this Body. And finally, Holy One, bless the ones whom these servant leaders serve, the people of this great state. I tender this prayer in the name of Jesus the Christ. Amen."

Speaker Turner: "We shall be led in the Pledge today by the Gentleman from Cook, Aguilar."

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Aguilar - 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. 115 Members being present... the Gentleman from Montgomery, Representative Hannig, for what reason do you rise?"

Hannig: "Yes, thank you, Mr. Speaker. I'd just like to have the record reflect that Representative Currie and Representative Capparelli are excused today."

Speaker Turner: "The record will so reflect. Gentleman from Jackson, Representative Bost, for what reason do you rise?"

Bost: "Thank you, Mr. Speaker. We'd like the record to reflect that all Republicans are present today."

Speaker Turner: "The record will so reflect. 115 Mem... Members being present a... we do have a quorum and the House will proceed. Clerk, Committee Reports."

Clerk Mahoney: "Committee Reports. Representative McCarthy, Chairperson from the Committee on Higher Education which the following measures were referred, action taken on February 25, 2004, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 4841."

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

Colvin: "Thank you, Mr. Speaker. On behalf of the entire Illinois Legislative Black Caucus I would just like to once again thank all of our colleagues and all of the staff and

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those who work for... work the State of Illinois... and just really give you a sincere thanks for coming and joining with us last night at the Governor's Mansion as we celebrated the culmination of Black History Month. I think everybody had a wonderful time. The food was fantastic. We had a great jazz trio. And once again, with deep sincerity, we want to just thank everybody who stopped by to make the event really special including the Senate President and the Speaker came by and spoke... it was just a wonderful time and I think everybody had a good time. So, once again, thank all of you."

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

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

Speaker Turner: "State your point."

Myers: "Well, today we are honored and I'm honored to sit next to Suzy Bassi who is having a birthday... and it's... I would like the rest of the chamber to help me congratulate her on one more year and... and... we wish her a very happy birthday. We do have cake down in the front of the chamber for everyone to partake of."

Speaker Turner: "Happy birthday, Susan. The Gentleman from... I mean the Lady from Champaign, Representative Jakobsson, for what reason do you rise?"

Jakobsson: "Thank you, Mr. Speaker. I would like to table House Bill 6573, please?"

Speaker Turner: "6573? The Lady..."

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Jakobsson: "Yes, thank you."

Speaker Turner: "The Lady... the Lady asks leave to table 6573 and leave is granted. The Lady from DuPage, Representative Pankau, for what reason do you rise?"

Pankau: "Thank you, Mr. Speaker. I wish to table House Bill 4778 and 4487."

Speaker Turner: "4478 and 4487... the Lady..."

Pankau: "4778, 4487."

Speaker Turner: "The Lady asks leave to... table 4778 and 4487. All those in favor say 'aye'; leave is granted. The Gentleman from Cook, Representative Parke, for what reason do you rise?"

Parke: "Good afternoon, I thought I would just commend you on the soiree last night. I thought it went very well and just wanted you to know that the... the majority of us who attended had a great time. The food was great and you should be proud of your program last night. In addition, I do have some good news. I saw a robin this morning so... I think that's a good sign for the future."

Speaker Turner: "Thank you, Representative Parke. Your comments are well-taken. The Gentleman from Lake, Representative Sullivan, for what reason do you rise?"

Sullivan: "A point of personal privilege, please."

Speaker Turner: "State your point."

Sullivan: "Thank you, Mr. Speaker. Many of you have a green sheet in front of you that is announcing our second annual Saint Patrick's Day celebration with the Sullivan Caucus. I just wanted to tell you that it is all going to be alive

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and well. We will have transportation by trolley from the State Capitol to the event if... if you should choose. But I would love to have you all out there and I just wanted to announce that. Thank you very much."

Speaker Turner: "Okay. The... the Gentleman from Will, Representative Hassert, for what reason do you rise?"

Hassert: "Thank you, Mr. Speaker. I would like to table House Bill 3976."

Speaker Turner: "The Gentleman asks leave that House Bill 3976 be tabled. Leave is granted. The Gentleman from DeKalb, Representative Pritchard, for what reason do you rise?"

Pritchard: "Thank you, Mr. Speaker. I rise for a point of personal privilege."

Speaker Turner: "State your point."

Pritchard: "I'd like to introduce a number of students from my district who have come down from DeKalb. They're part of the Kishwaukee Education Consortium. We have five students and two chaperones up in the balcony, if they would stand please."

Speaker Turner: "Welcome to Springfield. The Lady from Cook, Representative Bailey, for what reason do you rise?"

Bailey: "Thank you, Mr. Speaker. I'd like to table 4761."

Speaker Turner: "The Lady asks leave to table House Bill 4761. All those in favor say 'aye'; opposed say 'no'. The Lady... leave is granted. The Gentleman from Cook, Representative Davis, for what reason do you rise?"

Davis, J.: "Yes... yes, Mr. Speaker. I would like to table House Bill 4707."

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Speaker Turner: "The Gentleman asks leave to table House Bill 4707 and leave is granted. The Gentleman from Will, Representative Dunn, for what reason do you rise?"

Dunn: "Thank you, Mr. Speaker. I have two Bills that I would like to table, 5190 and 4066."

Speaker Turner: "The Gentleman asks leave to table 5190 and 4066. All in favor say 'aye'; all those opposed say 'no'. And leave is granted. The Gentleman from Knox, Representative Moffitt, what reason do you rise?"

Moffitt: "Thank you, Mr. Speaker. I'd like to table House Bill 4779, 4779. Thank you."

Speaker Turner: "The Gentleman asks leave to table 4779. All those in favor say 'aye'; leave is granted. The Lady from Kane, Representative Lindner, for what reason do you rise?"

Lindner: "Thank you, Mr. Speaker. I would like to table House Bill 4747 and 6864."

Speaker Turner: "The Lady asks leave to table 4747 and 6864. All those in favor should say 'aye'; all those opposed say 'no'. And leave is granted. On... on the Order of Third Readings, page 5 of the Calendar, we have House Bill 3882. Read the Bill Mr. Clerk."

Clerk Mahoney: "House Bill 3882, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Turner: "The Lady from Kankakee, Representative Dugan."

Dugan: "Thank you, Speaker. House Bill 3882 is in response to the growing problem of methamphetamine labs that explode or cause fires resulting in damage to property and serious injury to innocent victims. It is a public safety issue as

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these labs are highly dangerous due to the explosive nature of chemicals used to manufacture the drug methamphetamine. In addition, the Bill was initiated due to problems prosecuting deaths that occurred as a result of the meth labs, because of the difficulty in proving the intent of the one manufacturing the drug to actually kill or to intentionally mean to damage the property. With the Bill we would be adding to the definition of forcible felony, and two new arson statutes relating to explosions and fires caused by manufacturing of methamphetamine. It creates the offense of controlled substance, manufacturing arson as a Class I felony and creates the offense of agg... aggravated controlled substance manufacturing arson as a Class X felony. This Bill was originally sponsored by retired Representative Mary K. O'Brien in the Fall of 2003. As I said, it addresses a major issue throughout the State of Illinois. These meth labs are becoming a major issue and they are damaging a lot of property and... and innocent individuals are being affected. So I would like to answer any questions if there's any questions."

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

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

Speaker Turner: "She indicates she will."

Parke: "Representative, we're gonna make this first degree murder? What is the first degree murder... parameters?"

Dugan: "We're making this a felony murder."

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Parke: "It's a felony. What is it... what is... why... how are they punished under this?"

Dugan: "The underlying felony here would be the arson. That's why we're adding the two new... classifications. And any deaths that result from the arson would... would be prosecuted as felony murder."

Parke: "Felony murder. Well, is... does that mean you support capital punishment?"

Dugan: "That... ya... but that's not the point here. The point is, is to add... stiffer penalties to the meth labs and it would be defined as a forcible felony which could be treated in the court of law that we have in State of Illinois according to felony murder."

Parke: "Yeah, but that means then under our statutes they can be put to death can't they?"

Dugan: "If... if the state's attorneys and the courts proceed in whatever manner they deem appropriate to proceed that would be up to them."

Parke: "So that is a possibility if the court so deem it and the jury?"

Dugan: "Yes... yes, it is a possibility, I'm sure."

Parke: "And so... if you're gonna add two stipulations, one is arson with a murder... with a death. Is that what you're saying?"

Dugan: "No, what I'm doing is I'm adding two new arson statutes to... and amending the forcible felony provision which then allows the addition of these two arson classifications."

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Parke: "And the two that you're adding is it... does it require somebody to die, or is it just a... they got a small fire in their lab... you know, what is the severity that you wanna punish?"

Dugan: "Well, what it does is it... it requires to one knowingly to manufacture an illegal controlled substance and in doing so..."

Parke: "So they manufacture then it could be a first degree murder charge?"

Dugan: "No, if a death results because of a fire caused by the arson which now will be in these categories, then if a death occurs because of that arson... manufacturing this drug, then it would fall into that particular..."

Parke: "What if it's... what if it's people that are working in the lab themselves and it has an explosion and they die, whoever's left will be charged first degree murder? I'm just trying to find out how in depth your two additions to the... to the Criminal Code are."

Dugan: "I... I think... I think the intent Representative, here is to... because there are as far as the drug dealer manufacturing the drug and blowing himself up, really I could care less. But as far as the people, the innocent people, that were in the apartment building up in the Pekin area where an entire six-unit apartment building was blown up. And those people were injured, fortunately they were not killed. But they were seriously injured and those are the people that this legislation is there to protect, not

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the person manufacturing the drug 'cause really, I could care less about them."

Parke: "And so that's one of them. What's the second one?"

Dugan: "The second one is the damage to the property. Because right now if a meth lab blows up and property is damaged, the way the law is written all they can really it's... it's... considered an accidental... it's looked at because of legislation just as an accident, it blew up by accident because they say he didn't intend or she didn't intend to blow it up. So it... it then puts a stiffer penal... penalty on damage to property also caused by these explosions from the meth labs."

Parke: "And who pays for the damage to property? Who makes the damaged party whole on your legislation?"

Dugan: "This doesn't address that particular part... I think there is other legislation that was sent through before that I think addressed and... and... I could look that up for you, Representative, that addressed the... you know the criminal law is allowed to go after him for restitution. And I believe that there's legislation that was either already into effect that says that the... the perpetrator would have to pay back. My legislation doesn't address that particular part of it."

Parke: "Are your Amendments put on because the underlying Bill didn't do a good job?"

Dugan: "Well, what it was, it was found in instances that the existing law didn't... did not allow for stiffer penalties because of the fact that they could not prove the intent of

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the manufacturer to... that he intently, specifically intent... intended to kill someone or that he specifically intended to blow the place up, so since there was no... it was very hard for prosecutors to prove specific intent. This clears up that particular issue."

Parke: "And where did you get the idea for these two additions to the statute?"

Dugan: "They... the... as I said the original Bill was put into place by Representative Mary K. O'Brien. This was brought to my attention, this Bill did not go forward and so then I checked with my staff and... and the state's attorneys in the southern parts of the state. I talked to my police department personnel in my district and the Tazewell State's Attorney I believe, also had brought this in. So there's a lot of people that we... that I checked into it with once we had to go forward."

Parke: "Is there any... is there any specific law enforcement organization that you're working directly with on this legislation or are you just putting something in that you think sounds good or your staff wanted you to do?"

Dugan: "Well, no. The... I believe the original legislation. And I do know that Tazewell County State's Attorney was involved in this to begin with. Certainly, the Illinois State Police and the Illinois Sheriffs' Association are all proponents of this Bill."

Parke: "So when... did you call a meeting of these interested groups to sit down with them and ask them how the... how to solve this problem and this is what this group came up with

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or is this just you and your staff came up with this solution reading it in the newspaper?"

Dugan: "This... these were... these were... I didn't read anything in the newspaper. These were issues that were brought up by state's attorneys. And I then... with it being from Representative Mary K. O'Brien and knowing that it was a concern of hers, I yes, I did talk to representatives from these agencies as to their concerns and we felt that this was the best way."

Parke: "In committee did they speak to this legislation?"

Dugan: "We have... we have witness slips on that and it did pass right through committee."

Parke: "It did. Was it an unanimous Roll Call?"

Dugan: "Yes, it was."

Parke: "Thank you, Representative."

Dugan: "You're welcome."

Speaker Turner: "Representative Granberg in the Chair."

Speaker Granberg: "Does the... the Gentleman from Cook, Representative McKeon. Representative McKeon."

McKeon: "Thank you, Mr. Speaker. I wasn't paying attention there for... for a moment. Will the Sponsor yield?"

Speaker Granberg: "She indicates she will."

McKeon: "Could we have a little quiet in the chamber, it's a... a little hard to hear. I couldn't even hear that. Will the Sponsor yield?"

Speaker Granberg: "She indicates she will."

McKeon: "Representative, I just want to clarify some questions from the previous speaker 'cause I think it's important for

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some of us to pay attention to. This is an expansion of the death penalty as amended, in terms of adding new categories."

Dugan: "I am sorry, I couldn't hear you."

McKeon: "This is an expansion of the state's denis... penalty to encompass these additional areas?"

Dugan: "No. No. What it... what it... It just... it just... what it does is it defines two more types of forcible felonies. Arson and aggravated arson are already part of forcible felonies. And that's all it does is puts them..."

McKeon: "Well, but... I think we're walking around the question here."

Dugan: "Okay."

McKeon: "The question here, does it add two additional categories to arson which are subject to, at the discretion of the jury, the imposition of the death penalty? It's a 'yes' or 'no' question."

Dugan: "Yes and I already answered that as yes, it is..."

McKeon: "So, it is... it is an expansion of the death penalty? I believe that's a 'yes.'"

Dugan: "...yes... it... it's I believe if... if any... if the forcible felony law can result in the death penalty than what we are doing with this is certainly adding categories to... to the definition of 'forcible felony.'"

McKeon: "Which of them rolls those over into the applicability of the state death penalty statute?"

Dugan: "Again, it's possible as in our..."

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McKeon: "No... I just... I can't understand how we can argue that by merely expanding the Forcible Felony Act does not also expand that it's the state's death penalty statute."

Dugan: "Well, I agree, Representative."

McKeon: "There seems to be in conflict with one another. I don't understand that logic."

Dugan: "I don't either. Like I said, it's just a... it's not expanding the death penalty. What it's doing is just adding categories to change it."

McKeon: "Well, I think we need to clarify and I'd like my colleagues on both sides of the aisle to pay attention to this. What the... the Representative is proposing is to expand by two additional categories, the state's... the coverage of the state's death penalty statute. We just went through a long period of time and negotiation in both Houses, both sides of the aisle to reform the application of the death penalty and to deal with constraining the... the utilization of the death penalty and I think now we're coming back and adding two more categories. Now this has nothing to do with whether you approve of methamphetamine or the people involved in its production. It's... what it has to do with is this... are these two expansions... are expansions that we want to be subject to the death penalties in this state. I don't think that question has been answered, Representative, and, ya know, and I do think that his Bill needs considerably more thought in the context of the reform movement that we've been involved in

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now for almost two or three years with respect to the scope of the state's death penalty statute."

Dugan: "And I just want to clarify one thing again, Representative, arson and aggravated arson are already in the forcible felony legislation. That was already there long before I got here. So arson and aggravated arson is already in there. The only thing that we're doing with this legislation is adding to arson and aggravated arson the manufacturing of methamphetamine, that's all we're doing. We're not adding arson and aggravated arson as an expansion to forcible felony. All I am doing is adding to the definition of what is considered arson and aggravated arson. You already have that in the law."

McKeon: "But it is... is it not the case, Representative, that the two categories you're adding to aggravated arson roll over and become two additional categories under aggravated arson that could be included within the scope of the state's death penalty statute? I believe the answer to that question is 'yes.'"

Dugan: "Yes. But I... I believe that that's something that needs to be... as far as the death penalty reform, that's something as far as when you... when you... when we deal with the reform of the death penalty system, then you can look at different areas. What... what my concern is, is that when someone blows up a six-unit apartment building and a child is killed and there's nothing more we can do to those... to that particular person, even though they knew that this type of manufacturing of this drug is a very, very volatile

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explosive type thing and... and there's nothing more we can do."

McKeon: "Representative... Representative, I don't agree... I don't disagree with you."

Dugan: "Okay."

McKeon: "Methamphetamine is a highly, highly addictive drug. And is a many problem... and... and is a problem in many communities. But I think the simple fact is for those of us who care about this particular issue, is that this is in fact an expansion of the death penalty. And I think that it has to be looked in that context not as a means of condoning the kind of hur... horrendous behavior you're talking about, but are these appropriate criteria lacking a specific intent to kill someone for the application of the state death penalty statute. Mr. Speaker, to the Bill."

Speaker Granberg: "Proceed."

McKeon: "I think the Representative has brought us a Bill here that it deals... that deals with a very serious issue. And I don't want to discount that issue whatsoever. But as I mentioned in my earlier remarks, we've spent well over two years trying to reform the death penalty, a system which... which has been highly dubious in terms of its efficacy, and its application by two additional categories. Now I think that the issue in the underlying Bill needs to be addressed. I don't believe this is the way to go about doing it. And I'd urge a 'no' or 'present' vote."

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Speaker Granberg: "Thank you, Representative. The Gentleman from Vermilion, Representative Black. Representative Black, do you want to wait or..."

Black: "Yes. Thank you very much, Mr. Speaker. The Sponsor yield?"

Speaker Granberg: "She indicates she will."

Black: " Yes. Representative, can you give me... excuse me if... if this has been asked before, it's a little hard to hear in here and I was just in conversation with a member of Democratic staff on another Bill. So, excuse me, if I... if I'm repeating something. Can you tell me the genesis of this Bill?"

Dugan: "The increasing meth problem that we're seeing throughout the State of Illinois... it... it... this Bill is in response to that as I have stated earlier. The original Sponsor of this Bill was Representative Mary K. O'Brien back in the Fall of 2003. And problems prosecuting it are continuing to mount and so, this Bill we're... we're saying will address those issues."

Black: "For the benefit of somebody like me, who I'm... I'm a different generation, I'm much older. The only thing I grew up hearing about was milk of magnesia. So what is meth?"

Dugan: "Well it... and unfortunately I... I also am of the age group that I'm not of... I'm not into the drugs of nowadays too. But I do understand that what it is and... and a lot of it comes from chemicals... especially from farming chemicals that they use for farming chemicals and they take it and they cook it and it becomes crystallized. That's... that's a..."

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what I... what I know of. And it's extremely flammable, I do know that."

Black: "Is... does this cover only a laboratory that would be involved in the production of methamphetamines or does it cover a laboratory involved in the manufacture of any controlled substance?"

Dugan: "The methamphetamine, I understand."

Black: "So, it wouldn't cover somebody who would be cooking up a batch of black tar heroin for example?"

Dugan: "No. Strictly meth, I understand."

Black: "All right. I am having a problem with that simply because I don't see that in your Bill. It appears to me that any lab involved in the manufacture of a controlled substance that would explode, there would be an opportunity to charge the owner/operator/chemist, whatever you want to call them, responsible for that lab, it would open up an avenue to charge them with first degree murder. And the Controlled Substance Act has a number of things in it."

Dugan: "I'm sorry, Representative, I was incorrect in that. The Bill does in the attempted manufacture of a controlled substance, and so, therefore, I believe it would also address..."

Black: "All right. So it would address someone in the production of heroin, crystal methamphetamine, cocaine in liquid form, what they call freebase cocaine, where they use ether, that would also be covered under this?"

Dugan: "Yes."

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Black: "Okay. Representative, the reason I was attracted to this Bill it sounds familiar to me. There's some things in this Bill that I've read before. In fact, did you take some material from House Bill 2842 and combine it into this Bill?"

Dugan: "The... the original Bill was through Mary K. O'Brien the one that I was... that was brought to my attention, Representative, and I'm not sure the different parts of how that original Bill was put into place or where that information particular came from. I just know from the original Bill and we built on that and then did an Amendment to fix some issues that I... that had been brought forward."

Black: "Oh... Well, I... that's very interesting because under the canon of judicial ethics we can't call Justice Mary K. O'Brien now and get any information as to where some of the parts of this Bill came from. I think as I look at Representative Dan Brady's Bill 2842 some of this material is word for word from his Bill. And there's also some language in this Bill from another Republican Representative. A rose by any other name is Representative Chapin Rose. Did you consult... did you consult with either of those two Legislators when you were putting this Bill together or reviewing it?"

Dugan: "I spoke to Representative Rose on the floor about this particular Bill. In fact, he signed on as a cosponsor of this Bill."

Black: "So, is he a cosponsor or..."

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Dugan: "Yes, he is."

Black: "Oh, okay. Was he happy that some of his language was incorporated into this Bill? See he's my neighboring Representative, and I... I... I find life is much more enjoyable when he's happy."

Dugan: "Well, I think he's always happy. He's always smiling anyway everytime I look at him."

Black: "Well, I know why he is smiling in this case, imitation is the most sincere form of flattery. And I... I just want to commend you for tapping into the intellectual talent and the legislative abilities of two our finer Members on this side of the aisle, Representative Brady and Representative Rose, in putting together what is a... a... a pretty good Bill. It's... it's a heavy Bill. When I first came down here, a Bill that would allow for a... a first degree murder charge was what we called a heavy Bill. It required heavy lifting. Do you have the experience in this chamber to carry a Bill of this magnitude?"

Dugan: "Well, I'm not sure, Representative. But I believe as in... and I agree with you as far as taking the intellect and the expertise of everyone in this chamber to put together a piece of legislation that's best for the people of the State of Illinois. I think it's a very good move to do and I believe this Bill does do that."

Black: "In your Bill, does it mention the death penalty?"

Dugan: "No, it does not."

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Black: "Is the charge against somebody blowing up a lab first degree murder, Class X felony? Could a prosecutor ask for the death penalty in that case do you know?"

Dugan: "And again, that question was asked previously and it does put it in as a forcible felony which I do understand by State Law depending on the state's attorney and the court system could result in it but... but that's not what the Bill is about."

Black: "Is it... is it your intent that it would be left up to the prosecutor as to whether or not to seek the death penalty on a violation of this Bill should it become law?"

Dugan: "I'm not changing the existing law, Representative, regarding the death penalty."

Black: "All right. For legislative intent you are not saying that if a person is found guilty of this Bill he or she should get probation and 30 hours of public service?"

Dugan: "No. I am definitely not saying that."

Black: "All right. In other words you're tough on crime?"

Dugan: "Yes."

Black: "Ah... Not that I'm sure that would appear in any literature that we'll see on down the road. Representative, I think you've done an excellent job of lifting a very heavy Bill. We appreciate your acknowledgement that you will cooperate, that you will cross that center aisle that so many people regard as a barrier. We regard it on our side as an opportunity. We appreciate the fact that you have tapped into the great abilities of Representative Brady, Representative Rose and in fact, many people in this

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chamber. And even though I believe it's your first Bill and normally I don't like to vote for anybody's first Bill, I can't find anything wrong with this Bill and in the... almost 19 years that I've been here you're the only Sponsor that I recall on a first Bill that has even acknowledged anybody has had anything to do with the Bill. Usually, a first time Sponsor won't even say the staff had anything to do with it. And I noticed that your staffer is standing very close to you and I am sure she has done an excellent job of helping you on this Bill. Right? Would you... would you agree?"

Dugan: "Yes. Yes."

Black: "Of course she has. And if you get this passed... well under the Ethics Bill she can't get a bonus, can she? But she might get a more favorable evaluation if you pass this? Well, I commend you for your first effort. You've been most generous in your praise of Members on our side of the aisle. And we always appreciate that and we look forward to working with you very diligently up until the election and after that the question's open."

Dugan: "Thank you, Representative."

Speaker Granberg: "Thank you, Mr. Black. For what reason does the Gentleman from Madison, Representative Davis, arise? For what reason do you rise, Sir? The Lady from Cook, Representative Davis, Monique Davis. No one further seeking recognition? The Lady from Kankakee, Representative Dugan, to close."

Dugan: "It's a great Bill. Thank you for your help."

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Speaker Granberg: "Thank you, Representative Dugan. On the question, 'Shall House Bill 3882 pass?' All those in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Younge. Have all voted who wish? Mr. Clerk, take the record. On this question, having received 98 'yes' votes, 15 'no' votes, 2 voting 'present'. House Bill 3882, having received the Constitutional Majority, is hereby declared passed. Representative Nekritz. Representative, do you wish to move House Bill 4076 back to the Order of Second Reading? Make that Motion? Mr. Clerk, please move House Bill 4076 back to the Order of Second Reading. House Bill 3977, Representative Gordon. Representative Gordon."

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. This is a Bill that amends various Sections of the Department of State Police Law, the Civil Administrative Code, the Civil Code and the State Mandates Acts. Right now, the way that the law is written when someone in a school district attempts to get a job their... a criminal background check is done, but only their criminal background in Illinois is taken into consideration. This Bill would expand that to do a fingerprint-based analysis and run their criminal history through the FBI database. So then the school district would be notified of any and all criminal offenses that this person may have been involved in."

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Speaker Granberg: "Mr. Clerk. Excuse me, Representative. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3977, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Granberg: "Thank you. Anyone seeking recognition on the Bill? The Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, an inquiry of the Chair."

Speaker Granberg: "Yes, Sir."

Black: "You're out of practice. You've taken this Bill out of record, you've put it back in the record. It was on Second Reading, it's on Third Reading. Are we on Third Reading?"

Speaker Granberg: "Yes, Sir."

Black: "All right. Do you know where the button is to ring the bell?"

Speaker Granberg: "Mr. Black, I was waiting for you to come up here."

Black: "Oh. You... You're going to ring it in a little bit?"

Speaker Granberg: "Yes. We're waiting for you. We're waiting for your direction."

Black: "Okay. Thank you. I have great confidence in you, ya know? People who grew up in Centralia... Anybody that can graduate from a high school with a nickname of 'The Orphans' knows how to get things done, let me tell ya."

Speaker Granberg: "I didn't."

Black: "You didn't graduate from Centralia High School?"

Speaker Granberg: "No, Sir."

Black: "Where did you get your GED?"

Speaker Granberg: "Almost. Almost."

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Black: "Will the Sponsor yield?"

Speaker Granberg: "She indicates she will."

Black: "Representative, can you tell me why this Bill is necessary? I have a school district in my... well, excuse me, in my home county. It's no longer in my legislative district, was in my legislative district, but somebody from Centralia who didn't graduate from high school and couldn't read a map drew it out. But, I've never held a grudge. They went to court I think about three years ago. This school district went to court and eventually won their case. But they will not hire any new person coming into their district without a full background check. Now at the time that was bitterly opposed as I recall by the IEA. Now if a district already can do this why are we codifying it in State Law?"

Gordon: "Well, there's a couple reasons, Representative. First of all, at this point um... this changes the language in this statute to meet the requirements of the FBI. The FBI is requiring that for all Illinois Statutes to be streamlined with their requirements so then it won't hold up the State Police from accessing their database from... for any reason. Um..."

Black: "Representative, and I appreciate that explanation. I recall one of the sticking points in the Rossville School District, is who would pay? Who would pay for the background check? And I think I... I may be wrong, and if so, I certainly apologize. It's been three or four years ago and my memory is certainly not what it used to be.

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There was an argument about whether the applicant would pay, the school district, i.e., read taxpayer would pay. What's the language in your Bill? Who is responsible for paying the cost of the background check?"

Gordon: "It... the cost will not go to the applicant or to the school district, this is going to be funds that are taking... excuse me, funds that will be taken out of the State Police Services Fund as appropriated."

Black: "As the Governor said in his budget address if you're proposing something that costs money, where are you getting the money? And you said from the State Police?"

Gordon: "That's possible, as well as it's possible also from the state board."

Black: "All right. So, you've identified a funding source. Is there an Appropriation Bill that will follow?"

Gordon: "No, Sir. But the Governor has a made promises that he will fund this... this Bill."

Black: "I just can't keep up with the Governor. He just told us a week ago that if we're going to spend money we had to identify the source and file the Appropriation Bill, but evidently he's given you a pass on that, huh?"

Gordon: "It's still contingent upon appropriations, Representative."

Black: "Okay. Does your Bill... does your Bill have an exemption of the State Mandates Act?"

Gordon: "If you could just give me one... one moment, Representative."

Black: "Sure."

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Gordon: "Thank you. No... it amends the State Mandates Act which... I'm sorry. It was... it was originally then when this was done the... under the State Mandates Act they could reply for reimbursement. That with the Amendment that was put in, in committee, that's no longer required... that's not... not necessary."

Black: "Why is it not necessary? It's either exempt from the mandates or it is not exempt from the mandate. Is the state going to bear the ultimate cost of these background checks? It's my understanding that the language in your Bill says that the school board, i.e., the taxpayer at the local level, will stand the cost of these checks but the school board can request reimbursement. Now does your Bill specifically exempt them from seeking reimbursement?"

Gordon: "Th... Sir... they... they... the... this will be on the cost of the state. It will not be on the school... it's not on the school districts so they will not need to seek reimbursement because it's not coming out of their funds."

Black: "So I... I have your... your word and your clear legislative intent that this is not an unfunded mandate on the local taxpayer, correct?"

Gordon: "That's correct."

Black: "All right. So the state from some fund or some appropriation will pay for the expense of a full background check?"

Gordon: "That is my intention, Representative."

Black: "And the state is just another convenient way of saying the taxpayer. I wish we'd say the taxpayer rather than the

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state, the school board, et cetera, but that's another... that's a Bill I tried to get out of Rules for the last 10 years. All right, now. Do you have any idea what this costs? What does a full background check cost?"

Gordon: "Sir, the cost of a background check is between 35 to 50 dollars based upon now going to the... FBI database."

Black: "I'm sorry, did you say \$350?"

Gordon: "No, no, no, between 35 and 50 dollars."

Black: "Okay. Between 35 and 50 dollars. This does not exempt the City of Chicago, correct?"

Gordon: "No, it does not."

Black: "All right. Does it only pertain to new hires or does it pertain to anybody who is being rehired?"

Gordon: "This is... it's a prospective measure."

Black: "Okay, so if I'm already under contract I... I don't have to have the... the exam, correct?"

Gordon: "Correct. This is something for future."

Black: "All right, or the background check. Do you have a copy of the Bill there with you, Representative? If you'd look on page 4, if you do, line 30... excuse me, the Amendment, line 33, page 4."

Gordon: "I'm... I'm sorry, the... the Bill... the Bill, page 4, line 33."

Black: "Let me make sure I've got the right... no, it's the Amendment. The Amendment to House Bill 3977. The Amendment becomes the Bill. And if you'll look on page 4. Are you there?"

Gordon: "I'm sorry. Page 4, what line?"

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Black: "Page 4, line 33 and let... let me go over that with you. 'Subject to appropriation for these purposes, the State Superintendent of Education shall reimburse school districts and regional superintendents for fees paid to obtain criminal history records checks under this Section'. Now, of what value is this language if there is no state Superintendent of Education next year?"

Gordon: "Sir, then I... then I will come in and ask this Body to amend that language."

Black: "All right. So, it is clearly your intent, for purposes of legislative intent, it is clearly your intent not to make local taxpayers pay these fees out of property tax revenues, correct?"

Gordon: "Yep. correct."

Black: "All right, that's good enough for me. Now, you've covered just about everybody in here... all right, can... define in the Bill 'employee applicants.' Is there a definition of 'employee applicant'... a cafeteria worker?"

Gordon: "Cafeteria workers are covered."

Black: "A custodian."

Gordon: "Yes, Sir."

Black: "In other words, all support personnel and academic... well, in other words academic and nonacademic personnel, correct?"

Gordon: "Correct."

Black: "What about a bus driver?"

Gordon: "They're covered under a separate Section in the Illinois Vehicle Code for this same... for this purpose."

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Black: "Do they have to go through the... will they have to go through this same full background check as... as currently under the law or do they have a lesser standard?"

Gordon: "No, it's the same full background check. It's... but it's under the Vehicle Code."

Black: "It's... it's under the Vehicle Code. So, a prospective school bus driver will have to have a fingerprint check and a full FBI check?"

Gordon: "Yes, Sir."

Black: "And who pays for that? I can't remember under the Vehicle Code."

Gordon: "Representative, I do not know the answer to that. It's... it's... it's under the Vehicle Code. I'm sorry."

Black: "Are you not familiar with the Vehicle Code?"

Gordon: "I am very familiar with the Vehicle Code, Representative."

Black: "Oh, okay. You do have a driver's license don't you?"

Gordon: "Yes, Sir. I do."

Black: "All right. Has it ever been suspended? Oh, strike that. Okay. I think... I think we've established your intent. And I think we're covering every employee. I think that we've established as prospective, and we've also established that no school district is exempt, right?"

Gordon: "That's correct."

Black: "All right. Now you're aware that the City of Chicago are going to have to have a lot more background checks and I say that... don't read anything into it. They simply will hire and interview more prospective teachers than probably

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any school district in the state. So this will be a considerable expense to them and they are not exempt."

Gordon: "Well, Sir, my understanding and also based upon the testimony in committee, is that a criminal background check is not done until an offer of employment is made and that employment is contingent upon a clear background check."

Black: "Okay. What about charter schools or magnet schools that might be set up differently under the School Code? Are those employees covered?"

Gordon: "Yes, Sir. Yes, Sir."

Black: "Does it say that in the Bill any place? Because I think charter schools are treated differently under the School Code. And I... I... I just quick purview. I didn't see that in here. And I'm just wondering if that creates a loophole where an applicant would go to a charter school and not have to go through this background."

Gordon: "I don't believe so, Sir."

Black: "All right. How about parochial schools?"

Gordon: "It's all employment with the school district."

Black: "All right. But I'm... I'm... I'm wondering now if... if I apply... I used to teach so if I applied to teach at a Catholic high school in my district, does the Catholic high school have to insist that I go through a background check before I get hired?"

Gordon: "I would hope so."

Black: "Because most of the laws do not apply to private church-affiliated schools."

Gordon: "But there... I would hope so the... the schools..."

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Black: "Whoops... whoops..."

Gordon: "Excuse me, excuse me. The schools are still required to follow state mandates, state requirements and to... to meet the requirements of a school."

Black: "We're all aware of the ongoing dispute. And one of my dearest friends is a 96-year-old Monsignor in a Catholic church, Father C.B. Motsett, but we all read the papers and we all watch television. We know the very unfortunate circumstances that priests have been accused of, teachers in Catholic schools have been accused of. I think there is a glaring problem in your Bill. I think it only impacts the School Code and if that's all it impacts, I don't think this has a private or parochial or church-based school covered. I don't think they have to go through this. And I'm not saying that they should, I'm just wondering if that was your intent that perhaps a significant number of teachers would not have to go through a check if they were working for a Catholic school, a Lutheran school, a Baptist school. I... I don't know, I see staffers looking through it. I'm not trying to kill your bill."

Gordon: "I... I'm sorry, I can't hear you."

Black: "I'm gonna vote for your Bill. But I think there is one glaring... and it may be by design and it may be by accident. As we look at this, we do not think that a teacher who is tendered an employment contract by a Catholic or church affiliated school has to go through the background check. We also don't think that a private school such as the Granberg Academy, very, very exclusive school in the

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Centralia area, we don't think they would have to go through a background check because it's a private school. Your Bill only amends the School Code. And I don't think they're covered under the School Code. You may want to pull it out of the record and check on that because I... I think that's gonna come up. And I... I intend to vote for your Bill. But I am just trying to figure out who is covered and who isn't covered. And there may be that if I don't want to go through the check as a public school teacher, I'll just simply go apply at a Catholic school and then I don't have to go through the check. And maybe... maybe I should go through the check. So, I mean that's... that's my concern. I see a potential equal protection clause argument that if I'm a public school teacher I had to go through a background check, if I'm a Catholic school teacher or a Lutheran school teacher I did not have to go through the background check."

Gordon: "Representative, it... it's... it's being told to me that we... we cannot force private schools to do this. This is... this... this is the best I guess that we can do wi... with the pub..."

Black: "All right."

Gordon: "...with the public schools."

Black: "But that's what I wanted on the record."

Gordon: "Okay."

Black: "In other words, there will be a number of teachers who will not go through a check and I think, an interesting case will be, if I don't want to get a complete background

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check I'll just go... I'll... I'll apply at a private school and I won't have to do it. Then I think somebody who goes to the public school this could be a very interesting lawsuit. I'm not being treated equally under the law. My friend didn't have to have the background check. I had to have the background check. I'm still going to vote for your Bill. But I think that is a glaring... and I... I agree, I don't think that we can force that issue. But again, we're subjecting the public school system to a standard that we are not able or not willing to hold to other schools. And I... I don't... I think we'll probably hear about this in the... in the future. But I, again, it's unfortunate that we live in a time and a society in which many of us think that this is probably necessary. My concern is real and it's valid. I intend to vote for the Bill. I think there is a glaring inconsistency in an attempt to say this group of people must have a complete FBI background check, this group of people do not have to. And... and we'll see how it works. But I, again, thank you for your diligen... due diligence in answering the questions."

Gordon: "Thank you."

Speaker Granberg: "The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank... thank you very much, Mr. Speaker. Would the Sponsor yield?"

Speaker Granberg: "She indicates she will, proceed."

Eddy: "Representative, I want to make a couple of points clear because I have some concern. First of all, our analysis

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and I think this has been covered, but it says applicants, applicants. If I have an opening for a position whether it's a cafeteria worker or a custodian or a teaching position, I could have up to a dozen applicants for that position. Does this only apply to an applicant that we intend to actually hire or does this apply to all applicants?"

Gordon: "No. It applies to someone who has been made an offer of employment and that... that employment is contingent upon them going through... getting a clear background check."

Eddy: "Okay. Thank you. Can you... can you give a specific amount as to the added cost estimate per employee based on this type of a background check as opposed to the... the one that's done at this time?"

Gordon: "I thi... Representative Eddy, I... it's been continuously told to me at different amounts. It is between 35 to 50 dollars. That is the closest one I can get, I'm sorry."

Eddy: "Is that additional cost or is that..."

Gordon: "That's total."

Eddy: "That's total cost. But you don't know what the difference between the 35 and 50 is from what is being paid at this point?"

Gordon: "I'm sorry I don't."

Eddy: "If... if you were going to make an estimate as to the additional line item necessary for the appropriation, this is subject to appropriation, do you have any estimated amount that the State Board of Education would need to include in a budget to cover the... based on the number of

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district employees that have been hired in past years? Has there been any math calculations done?"

Gordon: "I do not have that number."

Eddy: "So, in this case, we don't really have any way or any data study of calculating a total cost of the... the increase that this will cause to the state board budget for an appropriation purpose?"

Gordon: "Minimal amount in... in my opinion and it's a public safety measure."

Eddy: "I understand it and I... I understand the reason for it. I'm just kinda concerned as to whether or not we're gonna be able to come up with a realistic amount. Is this part of or is this intended to be part of the \$400 million that the Governor has mentioned that will be available for elementary and secondary education?"

Gordon: "I don't believe so."

Eddy: "So, if it's not part of the 400 million dollars that's in the budget, or supposedly going to be in the budget, which existing line item or appropriation that the State Board of Education currently has, do you expect to be diminished in order for... for these new funds?"

Gordon: "That information is being furnished to me. But..."

Eddy: "But... but this would be new funding? I mean, your intention is not to cut the funding of any program at the State Board of Education at this time?"

Gordon: "My intention is not to cost any... make any costs to the local school districts."

Eddy: "Well... if... if..."

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Gordon: "I'm sorry."

Eddy: "...the State Board of Education decreases..."

Gordon: "I'm sorry, Representative... it could be part of the 400 million, but that money hasn't been specifically dedicated yet."

Eddy: "Okay. And you don't really have any idea as to how much the state board would even begin to appropriate in that line item because we're not sure how many employees in a past study that school districts on an average employ per year that might, if you have... you have no estimates as to how much this might cost?"

Gordon: "I do not have a specific number."

Eddy: "Okay. I want to follow up on a couple of comments that Representative Black made because school districts... I... I... I'm concerned about the definition as well, but not as far as private schools. I think that's been very well established. I'm concerned about the definition as it relates to other workers who do work at school districts but aren't covered apparently by this Bill. Regional offices of education oftentimes employ tutors or other individuals that work in school districts on a daily basis. Does this Bill cover those type of nonschool district services that are provided at the school level?"

Gordon: "If it is a person who is employed by the school they are covered... or the school district, they are covered under this legislation."

Eddy: "That... that's the concern. These... these folks are not employed by the school district. They're employed either

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by the regional office of education, in some cases special education cooperatives employ the individual, and those individuals then work onsite at different school buildings. Regional vocational offices employ teachers and it appears to me that from the language of the Bill none of those personnel are included here, so that they would not be subject to the same background check, however, they would still be working with students at the site of schools on a individual basis."

Gordon: "It... it... Representative, it does cover people who are employed by the regional offices. Conviction... I'm sor... it... it does... it does include people who are employed through the regional offices."

Eddy: "Does it include specifically employees of special educational co-ops?"

Gordon: "I'm sorry, I didn't hear you."

Eddy: "Does it include specifically employees of special educational cooperatives or vocational educational cooperatives or alternative schools or community colleges? Oftentimes community college classes are taught at high school level."

Gordon: "Mr. Speaker, I can't hear."

Eddy: "My... my basic question is, and I... I believe this Bill has a great intention and... and as someone who works in public education I agree there are loopholes that need to be closed. But my question is, would you be willing to pull this Bill out of the record to make those changes in the specific language that would cover employees that also work

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in school districts that may not be specifically employed as a district employee that... that this Bill simply seems to overlook?"

Gordon: "At this point Representative, I... I take your advice to heart. At this point I... I would like the Bill to be voted on as written."

Eddy: "That concerns me, Representative, because there are some obvious flaws to your intent. If your intent is to safeguard children at school buildings by making sure those who come in contact with those children have a much stiffer and more appropriate check than includes fingerprinting, this isn't gonna... it's not gonna meet that desire. My request or suggestion would be that the Bill be pulled out, amended to include those concerns and then brought back before this Body to be a cleaner Bill to include those other areas."

Gordon: "Representative, I believe this is a step in the right direction. But like I said, I... I thank you for your advice and your opinion."

Eddy: "Representative, I... I... I... applaud the effort. I... I think this is important. I think it's long overdue. However, in its current form I don't believe that this Bill accomplishes your objective, being a Bill that's a step in the right direction is good. But while we have the opportunity why not make it more than just a step? Let's correct this thing, get it out of here the way it should be, bring it back at another time and vote on it."

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Gordon: "Representative, I would like to move this forward. Time is short this term. I... I... applaud them. It can be continued to... worked on across the hall and I... I would accept that as well over there."

Speaker Granberg: "Okay. Thank you very much. To the Bill."

Eddy: "Ladies and Gentlemen, the... the Bill obviously needs work. I... I believe in the... the... the Representative's word that there will be additional work on this as it moves through the process. And would... would urge the Body to pass it out, however, with the understanding that there will be additional work done. Thank you."

Speaker Granberg: "Thank you. Anyone further seeking recognition? No one indicating so, Representative to close."

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is... this is a public safety measure. It will not only protect the children in the school district but the... the other employees. I encourage a 'yes' vote."

Speaker Granberg: "Thank you. The Lady moves for the passage of House Bill 3977. On that question, all those in favor shall vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Eddy, you're voting 'aye'? Okay. Mr. Clerk, take the record. On this Bill, 114 voting 'yes', 0 voting 'no', 1 voting 'present'. House Bill 3977, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 3989."

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Clerk Mahoney: "House Bill 3989, a Bill for an Act in relation to firearms. Third Reading of this House Bill."

Speaker Granberg: "Mr... Representative Phelps... out of the record. Mr. Clerk, House Bill 4020. Read the Bill."

Clerk Mahoney: "House Bill 4020, a Bill for an Act in relation to health. Third Reading of this House Bill."

Speaker Granberg: "Thank you. The Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. This is money that follows the client legislation requiring the Department of Human Service to redirect all cost savings received from the downsizing and closing of a developmental disability or mental health facility, other services within the DD community and the system for mental health. This has passed the House previously last Session nearly unanimously and was caught up in the Senate Rules and I would ask for your favorable consideration."

Speaker Granberg: "Thank you. The Gentleman moves for the passage of the Bill. On that question, no one seeking recognition. Mr. Daniels, would you like to close on the Bill?"

Daniels: "I ask for your favorable support."

Speaker Granberg: "Thank you, Sir. The Gentleman moves for the passage of House Bill 4020. On that question, all in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Representative Younge, do you wish to vote? Okay. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this

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question, 113 voting 'yes', 2 voting 'no', 0 voting 'present'. House Bill 4020, having received the Constitutional Majority, is hereby declared passed. House Bill 4098 Mr. Clerk."

Clerk Mahoney: "House Bill 4098, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Granberg: "Representative Hamos."

Hamos: "Thank you Speaker, Ladies and Gentlemen. This is a Bill on which a number of us here have worked for really five years in some ways. We have been promoting the concept of transit coordination among the transit agencies in the northeast Illinois system. That would be Metra, CTA, Pace, all under the leadership of the RTA. We have been promoting coordination in different ways but one of those very important ways is something called a Universal Fare Card. The Universal Care... Fare Card would be like a smart card that could be used interchangeably by transit commuters, by transit riders and really for the very expressed purpose of increasing transit ridership. Now this particular Bill does not cost the state any money because what we are asking to do is to require the RTA to issue a request for proposal. In the transportation world it is very common to issue to... request for proposals and let the vendors come in with their ideas of how a system could be designed overlaid on our current system, what it would cost, and how we could phase it in. That's what this request for proposal would do. That's all this Bill does

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and I seek your support and I am willing to answer questions."

Speaker Granberg: "The Lady moves for the passage of House Bill 4098. On that question... Representative from Vermilion."

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

Speaker Granberg: "Indicates she will."

Black: "I was one of only two 'no' votes in committee. I want the record to reflect it's because I am an independent thinker. Representative, I don't understand this Bill. What... does... does this universal card cost something or do I get it for free?"

Hamos: "The Universal Fare Card for the RTA system does not currently exist. This Bill would take us to the next very important stage of actually designing it, costing it out, and developing a phase-in plan for implementation. That's all this Bill does. We don't know yet what it will cost. We don't know how it will be applied, but this would take one very important step to doing that."

Black: "Well, I... I assume then at some point... well, let me back up. Trying to keep in mind the Governor's charge to the Body of a week ago. Will... will the design and all of the details of this bid be worked out... of this card, be worked out by the competitive bidding process?"

Hamos: "Tha... that's act..."

Black: "So... so, we'll go out for bids to see who's gonna design the card, right?"

Hamos: "Right."

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Black: "It could be Hallmark it could be American Greetings, could be the Department of Social Security, but it will go out for bids?"

Hamos: "Yes. That's exactly what this Bill does."

Black: "And then when we get to that point, then if I have a card that I can ride the CTA, Metra, Pace, is that... they're in there too, aren't they?"

Hamos: "Yes."

Black: "And all of the mass transit agencies and entities up in your area of the state, then what will it be some kind of an electronic debit card? I mean, obviously, I... I'm gonna have to... the rider's gonna have to pay for the card, right?"

Hamos: "I'm sorry the rid... yes, it's like a debit card."

Black: "Okay."

Hamos: "Exactly."

Black: "I see the biggest problem in if I... if I start out in downtown Chicago and I end up in northwest Illinois as far as I can go, how do you apportion the money between the various systems? Because some... some may say we have a higher tax subsidy therefore we need more fare money. I mean how's that gonna get worked out?"

Hamos: "Well, I... and I think it's important to point out that this is not for the purpose nor will it accomplish the goal of one fare."

Black: "Aaaah."

Hamos: "This will not be the same fare... but what's happened now all over the world is that the technology has caught up

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with the goal. So now that technology exists for being able to use one smart card and figure out the various fares. As an example, in the San Francisco region they have taken seven different agencies under one smart card as a pilot program. And now they are expanded to twenty-seven different transportation systems so that people can use transportation systems interchangeably. But the technology is such that it does the computation..."

Black: "Okay."

Hamos: "...and it sorts out the fares in a twenty-four hour basis, so nobody even loses any money on the float."

Black: "Okay. So..."

Hamos: "You know, they can completely get the money within twenty-four hours."

Black: "The twenty-seven entities that you mentioned, those are all in San Francisco?"

Hamos: "That's what they're moving towards."

Black: "So it would be safe to say they've married twenty-seven entities into one?"

Hamos: "In... under one smart card."

Black: "Ther... it's amazing how San Francisco can do that. At one time wasn't one of the mass transit entities in Chicago very much opposed to this? A year or two ago? I thought it was Metra or somebody didn't like the idea but... but I... I don't see the opponents and I don't think any signed in, in committee. So it appears to be an idea of whose time may be on the cusp. Right... right there, right? But remember, I did ask you a question. I have a mass transit district

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in the City of Danville, it is called the Danville Mass Transit District. That name was put out for bids. I don't know how much money we spent but it's called the Danville Mass Transit District. Quincy had one, but the stagecoach burnt down at a fire so Representative Tenhouse no longer has that. If I get a card, can I bring my card down to the Danville Mass Transit District and ride on that district with the same card?"

Hamos: "Um... well. I think the simple answer to your question is no..."

Black: "I knew it."

Hamos: "This is for the RTA region. But Ladies and Gentlemen, let me say that I have been the Chair of a public transit subcommittee for six years now. And there is interest in transit everywhere in the state. And I for one have worked very hard on trying to promote transit of different kinds um... in all over the state. This particular Bill only has to do with the RTA region. But I am fully committed to helping Danville and many other places stat... in the cit... in the state to help people with their public transit needs because the truth is that many people who live at low wages and who are lower income still cannot afford to buy and operate a car and they depend very much on public transit. These are the people I am committed to working with and serving."

Black: "Would.. would you... I'm thinking, because when I have a committee meeting in Chicago, I much prefer to take Amtrak. I have to go to Champaign and take Amtrak up to Chicago."

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Might there be a day when we could get a card that would enable me to pay the Amtrak fare, get off the Amtrak get on the CTA and go to the meeting? I mean, so I'd have kind of a seamless experience."

Hamos: "And that is the best way to think about transit. If it is a seamless experience the... what... what we now know from exp... a... systems all around the world is that people will use transit. My dream would be that we could use this very same smart card not only for Amtrak but also to replace the I-PASS program, to use it in parking lots, to use it for vendors who serve transit agencies. That is the future..."

Black: "Okay."

Hamos: "...of transit. And many other regions around the world are ahead of us. And now it is time for our great northeastern Illinois region to join that era."

Black: "Okay. I... Representative, this is a personal aside. Do you... do you take mass transit?"

Hamos: "Yes, I do."

Black: "Do you own a car?"

Hamos: "Yes, I do."

Black: "Okay. I... 'cause I go up to Chicago quiet often. Representative Burke invites me up to his tailor, it's very kind of him, and we go to Old Navy about twice a year, and he always lets me ride the 'L', and I've always been very grateful for him for that. So, but you do ride mass transit on occasion?"

Hamos: "Yes, I do. I have a Chicago Card Plus."

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Black: "Ya I've... I've noticed that he usually puts me on the 'L' and then I meet him at Old Navy and he gets out of one those long cars. I think there called a limousine or something. I can't remember, but well... the memory may slip. So, in other words, this isn't just a straight subsidy. Eventually, you're gonna work out a way that the card will be paid for, fares will be apportioned and if everybody may not be happy it does seem like a seamless system is the way to go."

Hamos: "Exactly."

Black: "Do you ever envision an idea that I might be able to use it in Chicago taxi cabs?"

Hamos: "I don't know."

Black: "I would like to think so."

Hamos: "I'm not... my vision isn't that big."

Black: "Well, Representative, since you've obviously softened your stance in Transportation Committee when you so brusquely told me this would never work in Danville."

Hamos: "Oooh."

Black: "Now that you've included downstate, I think it's worthy of an 'aye' vote."

Hamos: "Thank you."

Speaker Granberg: "Thank you. Representative Bassi."

Bassi: "Thank you, Mr. Speaker. Would the Lady yield?"

Speaker Granberg: "Indicates she will. Proceed."

Bassi: "I rise in strong support of this magnificent piece of legislation which the Representative and I have been working on for the past five and a half years. It is

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something that we would like to see come to fruition. We are delighted that all of the various components are finally in favor of the Bill. And we look forward to its going forward and I ask for an 'aye' vote."

Speaker Granberg: "Thank you, Representative Bassi. And happy birthday and thank you for the cake. Representative Mathias."

Mathias: "I also support your Bill and have signed on as a... as a cosponsor. And before you just mentioned it in your remarks, I look at it also like an I-PASS. And I know we had some legislation last year and I don't know if it was reintroduced to be able to use I-PASS for example for parking at O'Hare Airport. And there's no reason why we can't, ya know, have a universal system for transit as well as someday marrying it up to road projects or, ya know, transportation on roads as well as transit. As you know, I sit on the regional task force that's meeting right now dealing with these issues, and... and you presented this to that task force a several weeks ago and did a very good job of presenting that. The only thing I would urge you to do even though I know you've waited many, many years to get this thing going through is to at least before finalizing it, wait at least for the task force to make its recommendations to see if there's something in that recommendation that would help this Bill. And certainly with the task force recommendation I think it might help you also in... in... in promoting this Bill with the various agencies."

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Hamos: "Well, I agree with that, Representative Mathias. And I... I think this task force is doing very interesting and productive work. And I am looking forward very much as a big transit advocate to getting the full report. And I do think that because this is now just on its way working through the process that we will see how that can fit into this. And that... we may need to strengthen this Bill based on the recommendations of the task force. I look forward to that."

Mathias: "Well, thank you for... for bringing this to... to the House Floor, I think it's much needed legislation and... and hopefully the agencies which they are now doing will finally do this, but sometimes they do need a little prompting. And... and obviously a lot of prompting. So, thank you again."

Speaker Granberg: "The Lady from... thank you, Representative. The Lady from Cook, Representative Monique Davis. Representative Davis."

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

Speaker Granberg: "She indicates she will. Proceed, Ma'am."

Davis, M.: "Representative Hamos, do you intend or do you foresee one fare, they pay one fare for the card or will it be... what will the amount or cost of the card be?"

Hamos: "Well, Representative Davis, this is a very early stage of designing a whole system. And that this point, we do not know any of the answers to that. I do not envision that you would be paying one fare to use Pace, CTA, and Metra. But there would be one card that you could use

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interchangeably on all of them. So for example, and this is I... I think something I learned when Representative Howard invited me into her district. Right now, on Metra, if a person cannot buy a fare at the ticket window and rushes to get on the Metra train, they have to pay an extra \$2 because they did not pay for their fare at the ticket window. Think of the fact if they had a card it would be so much easier to use it on Metra. You wouldn't have to pay the extra to use it on CTA, to use it on Pace. That's what we mean..."

Davis, M.: "So..."

Hamos: "You would use one smart card."

Davis, M.: "So this would.. your attempt then would be to make all of the transportation facilities a lot more user friendly..."

Hamos: "Exactly."

Davis, M.: "...and not cost a person more because they didn't have time to get in line or whatever to purchase a ticket?"

Hamos: "Well, that's just one example, exactly. But I think it's really a convenience factor even on the other two systems because I... the thing I failed to mention, Ladies and Gentlemen, is there are currently 21 different fare structures for Metra, CTA, and Pace. Who can figure all that out?"

Davis, M.: "Well, the other question I had was I think someone asked. Each individual agency will maintain their current um... budget I mean it, wouldn't take any dollars from Pace or any dollars from CTA? You're saying they would continue

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to get whatever their charge is. It would just be a structured matter of how it's collected, is that correct... with this card?"

Hamos: "Yes, that is correct, that is correct."

Davis, M.: "Thank you, Representative."

Speaker Granberg: "Thank you. No one else seeking recognition, the Lady from Cook, Representative Hamos to close."

Hamos: "Thank you, Ladies and Gentlemen. As I just pointed out and you may not have heard, we currently have 21 different fare structures. It's not as user friendly as it could be. We want people to use and enjoy transit. We want to make it very convenient and accessible. And that's really what this Bill tries to do, to move us one step further toward that goal. Thank you for the good discussion and I seek your 'aye' vote."

Speaker Granberg: "The Lady moves for the passage of House Bill 4098. On that question, all in favor shall vote 'aye'; all opposed shall vote '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, 115 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 14... 4098, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Dunkin. Do you seek recognition, Sir?"

Dunkin: "Yes. Thank you, Mr. Speaker and Members of the chamber. I would like to table House Bill 2575, House Bill 7033 and House Bill 6844."

Speaker Granberg: "Thank you."

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Dunkin: "Thank you."

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

Black: "Mr. Speaker, an inquiry of the Chair. How many Bills did the Gentleman just table? Two? He just tabled three Bills. I don't even have three Bills out of Rules. I... I'm shocked and appalled. I would table one of my Bills that you didn't like if you'd just let one of 'em get out of Rules. All right? He just tabled three Bills, I don't even have three Bills."

Speaker Granberg: "Would you like to speak to Mr. Uhe?"

Black: "Yes, I would. Thank you."

Speaker Granberg: "Okay. The Gentleman moves to table the three Bills. On that question, all in favor shall vote 'aye'; all opposed vote 'nay'. The Motion is adopted. Representative Mitchell. Bill Mitchell."

Mitchell, B.: "Thank you. Thank you, Mr. Speaker. I request to table House Bill 3832."

Speaker Granberg: "The Gentleman moves to table House Bill 3832. All those in favor s... 'aye'; opposed 'nay'. The 'ayes' have it. The Bill is tabled. Representative Froehlich."

Froehlich: "Thank you, Mr. Speaker. I request to table House Bill 5079."

Speaker Granberg: "5079? All in favor shall... you've heard the Gentleman's Motion. All in favor shall say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted."

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Representative Gordon. Representative Gordon. Mr. Clerk,
House Bill 4441, please."

Clerk Mahoney: "House Bill 4441, a Bill for an Act concerning
state mandates. Third Reading of this House Bill."

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

Ryg: "Thank you, Mist... thank you, Mr. Speaker and colleagues in
the House. House Bill 4441 offers clarification and
timelines to the State Mandates Act. It enables units of
local government to respond to unfunded state mandates.
Current law allows local governments to submit a claim
seeking reimbursement for enacting state mandates. The
claim must be submitted to the Department of Commerce and
Economic Opportunity or the State Board of Elections or the
Illinois Community College Board within 60 days of the
effective date of the mandate. Current law does not
require any determination by these state boards or agencies
regarding the request for reimbursement. This legislation
would establish a 90-day deadline for the state agency or
board to respond to reimbursement claims and notify the
local government of its decision. Under the current Act
local governments may appeal this decision to the State
Mandates Board of Review which is currently vacant. This
Bill would also establish a 90-day deadline for
determination by the State Board of Appeals. Failure to
provide notification within the 90-day deadline by either
the state agency or board or the state mandates board
relieves the local government of the obligation to
implement the unfunded mandate. This Bill also provides

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that the appointees to the State Board of Appeals, two appointed by the State Comptroller and three appointed by the Governor, would have local government finance experience as a prerequisite for qualification for their appointment. I am not aware of any opposition to this Bill and it has the support of units of local government and I'd appreciate your support. Thank you."

Speaker Granberg: "Thank you, Representative Ryg. The Lady moves for the passage of House Bill 4441. On that question, no Members seeking recognition. All in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Graham, do you wish to vote on this Bill? Representative Graham. Have all voted who wish? Mr. Clerk, take the record. On this question, 115 voting 'aye', 0 voting 'nay', 0 voting 'present'. House Bill 4441, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker. I wish to table House Bill 6876, please."

Speaker Granberg: "6876, just one moment, Ma'am. Rep. Ly... we just wanna check that record... I'll get back to you. The Lady from Cook, Representative Collins."

Collins: "Yes. Thank you, Mr. Speaker. I... I would like to table Bill 4325."

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Speaker Granberg: "Thank you, Representative. We'll get back to you on that one. Representative Lyons. I'm sorry what was the Bill number?"

Lyons, E.: "6876."

Speaker Granberg: "Okay. Thank you. Mr. Clerk, House Bill 4469."

Clerk Mahoney: "House Bill 4469, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Peoria, Representative Smith."

Smith: "Thank you, Mr. Speaker. The Gentleman from Fulton, actually, but that's okay."

Speaker Granberg: "My apologies."

Smith: "Mr. Speaker and Ladies and Gentlemen of the House. This is an initiative on behalf of the Association of Park Districts and it applies to downstate forest preserve districts as well as park districts. It would raise the threshold by which they have to currently go to a competitive bidding process for contracts for supplies, materials and work. Currently, that threshold is \$10,000. This legislation would raise that to 20,000. This is similar to what we did last year for counties in the County Code. I know of no opposition. I'd be happy to answer any questions."

Speaker Granberg: "The Gentleman moves for the passage of House Bill 4469. On that question, no one seeking recognition, all in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish?
Representative Hoffman.. is Mr. Hoffman in the chamber?
Thank you. Mr. Clerk, take the record. House Bill 4469,
having 64 'aye' votes, 50 'no' votes. Receiving... Having
received a Constitutional Majority, is hereby declared
passed. Representative Lyons, they checked your Bills
already in Rules, in the Rules Committee, so we don't need
the Motion to Table. Representative Collins, you had a
Motion to Table House Bill 4325. All in favor shall say
'aye'; all opposed shall say 'nay'. The ayes have it. The
Bill is tabled. Mr. Clerk, House Bill 4531, please."

Clerk Mahoney: "House Bill 4531, a Bill for an Act concerning
public health. Third Reading of this House Bill."

Speaker Granberg: "The Lady from Lake, Representative Kay (Sic-
May)."

May: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. House Bill 4531 requires the Department of Public
Health to create an education and outreach program on
reflex sympathetic dystrophy syndrome. We had a hearing
this summer and we heard from dramatic testimony from
children and adults around the states who suffer from this
dramatic and debilitating syndrome. Education and
awareness are so important because the delay in the
diagnosis can result in a life of extreme pain and
disability. It passed out of committee unanimously. We
know of no opposition. I ask for your support."

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Speaker Granberg: "The Lady from Lake moves for the passage of House Bill 4531. On that question... the Gentleman from Vermilion, Representative Black."

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

Speaker Granberg: "Indicates she will, Sir."

Black: "Representative, do you have any estimate on the fiscal impact of the Bill if implemented?"

May: "I've talked to the Department of Public Health and the beauty of this is, that we can use resources out there. There is a national association that has a very comprehensive website and they have publications available that could be utilized by the state. So we think that there would be a minimal impact that we can create a hyperlink on the state's website already and review the publications that are available. The national association is even willing to provide the brochures if the Department of Public Health would accept them."

Black: "All right. So at this point the Bill just simply creates an outreach, an educational outreach program."

May: "That's correct."

Black: "All right fine. Thank you."

May: "It allows us also to get grants if they want to go further we would seek grants."

Black: "Okay. Thank you."

Speaker Granberg: "Thank you, Representative. Any one else seeking recognition? No one seeking recognition, the Lady from Lake moves for the passage of House Bill 4531. On

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that question, all in favor shall vote 'aye'; all opposed shall vote '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 that question, House Bill 4531 having received 115 'yes' votes, 0 'no' votes, 0 voting 'present', Constitutional Majority is hereby declared passed. Mr. Clerk, House Bill 4705. Read the Bill."

Clerk Mahoney: "House Bill 4705, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Granberg: "The Lady from Cook, Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 4705 amends the Counties Code and the Illinois Municipal Code addressing a practice that is going on in this state where municipality 'A' has a business transaction take place in that municipality and that business negotiates an agreement with municipality 'B' where they record the transaction in municipality 'B'. And they get the benefit of that sales tax regardless of the fact that it took place some place else. It's electronically transferred to another municipality. They get the benefit of it and they give a sale and rebate to the... to the business. This is called sales tax poaching. And this is a number one issue with the Illinois Municipal League to the point where they have agreed to preemption of Home Rule to disallow this from happening. And I'd be happy to answer any questions."

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Speaker Granberg: "Thank you, Representative. The Gentleman from Vermilion, Representative Black."

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

Speaker Granberg: "She indicates she will, Sir."

Black: "Yes, where is she? Oh, I thought it was Representative Joe Lyons, I'm sorry. Representative, I use to represent a portion of Iroquois County, and a city in that county had entered into some of these agreements two or three years ago. And they were for the city a rather lucrative agreement, lucrative is certainly o... open to definition. This Bill would not prohibit what is already being done, right?"

Lyons, E.: "Correct."

Black: "All right, so if... if... if a municipality already has such an agreement they can continue, but no new agreements can then be entered into?"

Lyons, E.: "Correct."

Black: "All right, fine. Thank you very much."

Speaker Granberg: "Anyone seeking further recognition? None indicated? The Lady moves for the passage of House Bill 4705. On that question, all in favor shall vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Is Representative Hoffman in the chamber? Has Representative Hoffman voted? Okay, thank you... thank you. Mr. Clerk, take the record. On this Bill, 114 voting 'yes', 1 voting 'no', 0 voting 'present'. House Bill 4705,

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having received the Constitution Majority, is hereby declared passed. Mr. Clerk, House Bill 5207."

Clerk Mahoney: "House Bill 5207, a Bill for an Act concerning state commemorative dates. Third Reading of this House Bill."

Speaker Granberg: "The Representative from Vermilion, Representative Black."

Black: "Mr. Speaker an inquiry of the Chair, if I might. I've been watching the last two or three Bills and when you asked the Clerk you are... if I may be so bold as to imitate you, Sir, you are... are you having trouble with your glasses?"

Speaker Granberg: "It's the lighting."

Black: "The lighting."

Speaker Granberg: "And I was trying to..."

Black: "All right."

Speaker Granberg: "...impersonate Representative Novak."

Black: "Well, I am sure he would appreciate that. But I noticed it was most... it was most visible when you're reading grandparents day. And so maybe your getting to that age where you need a little... a little extra... I... I happen to have an old pair of trifocals in the office if you'd like me to bring them out."

Speaker Granberg: "I'm sure they would be old."

Black: "All right. If everybody would watch the next time he reads it. It's really worth the price of admission. But I'm not making fun of you."

Speaker Granberg: "Of course not."

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Black: "I'm concerned about you."

Speaker Granberg: "Certainly."

Black: "And now let's move on with the order of this business, shall we?"

Speaker Granberg: "Thank you, Mr. Black. Representative Bradley."

Bradley: "Thank you, Mr. Speaker. Pleasure of mine to rise here before my colleagues in the House in support of this Bill that was proposed by a sixth grader in my school district... or in my Legislative District. Actually, I would like to clarify one thing. This is actually great-grandparents day. It would fall on the first Sunday after Labor Day. And I think it would be a great recognition of the great-grandparents throughout the state as well as a pat on the back for the young people of Illinois in coming up with this idea through the Create a Bill Plan. So, thank you very much."

Speaker Granberg: "Thank you. The Gentleman moves for the passage of the Bill. On that question... the Gentleman from McHenry, Representative Franks."

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

Speaker Granberg: "Indicates he will."

Franks: "Representative Bradley, is this your first Bill?"

Bradley: "Yes."

Franks: "Oh gosh. I remember this came through committee, you did a yeoman's work. Can you please tell us where you came up with this idea?"

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Bradley: "Actually, I got it from a sixth grader in my district."

Franks: "So... so you're having your sixth graders doing your work for you now, is that correct, Representative?"

Bradley: "I... I... I like to think of it more as a some type elementary think tank."

Franks: "Elementary think tank. And that would be an improvement from you working on your own I take it?"

Bradley: "Am I allowed, Mr. Franks, to take the Fifth Amendment on that?"

Franks: "Okay. Now I've got a couple questions here. Is this going to be a bank holiday?"

Bradley: "And it does fall on a Sunday so the children and the banks will be off that day. Yes."

Franks: "And I'm wondering why you're discriminating against great-great-grandparents and have only included great-grandparents. Could you please address that? Have you got something against great-great-grandparents?"

Bradley: "No. There's always next year."

Franks: "Oh... Okay. Have you thought of a Bill possibly for like uncles day? Ya know, guys who really aren't related to your family but hang out a lot. Have you thought about doing one of those?"

Bradley: "Those are great... those are great suggestions and if I could get you in my district to work with the sixth graders I think we might be able to develop some of those."

Franks: "Well, thank you, Representative."

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Speaker Granberg: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you. Will the Sponsor yield?"

Speaker Granberg: "Indicates he will. Proceed."

Lang: "Representative, first I... ya know, I have to correct myself. The other day I told you I didn't think you had an accent. I've changed my mind, Sir. Are you actually from Illinois?"

Bradley: "Yes."

Lang: "All right. So... according to my... my analysis the State Commemorative Date Act currently recognizes twenty-six other commemorative dates. Do you have that same information?"

Bradley: "Yes. That's correct."

Lang: "Do you know all of the others, can you specify them for us, Sir? You don't need staff for this."

Bradley: "No. I... I could get probably maybe four."

Lang: "Now, does... does your county recognize all twenty-six of these?"

Bradley: "I'm not familiar with that. I don't know."

Lang: "All right. So um... one of the things they... that... that's on this list is Gold Star Mothers Day, is that different than regular old Mothers Day?"

Bradley: "Have no idea."

Lang: "So you're presenting a Bill to us where you really don't have the background to answer legitimate questions on your Bill, Sir?"

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Bradley: "I'm not familiar with the other commemorative dates, Mr. Lang."

Lang: "All right. Well then, let's move on. How many of these other twenty-six commemorative holidays are in September? Are you sure there's no conflicts?"

Bradley: "Well, I'm pretty sure that we checked to make sure that there were no conflicts. And I... great-grandparents day deserves its own special day."

Lang: "Now, when is grandparents day?"

Bradley: "There is no grandparents day that I'm aware of. There's a Grandmothers Day."

Lang: "Grandmothers Day."

Bradley: "There's no grandfathers day."

Lang: "Well, what about equal rights for grandfathers?"

Bradley: "We may... we may have to come back and clean that up at a later time."

Lang: "Are there any grandfathers in here? What about equal right for gran... well, except for Steve Davis... what about equal rights for grandfathers?"

Bradley: "Well, I'm working... I'm working on the great-grandpas right now with their equal rights. Then we'll have to go back and work on the grandpas later."

Lang: "Would you accept an Amendment?"

Bradley: "I..."

Lang: "Would you take this back to Second Reading so we can amend this, Sir?"

Bradley: "This is the culmination of the hard work of the sixth graders in my district. And they wanted great-grandparents

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day and I feel I owe it to them to push for great-grandparents day."

Lang: "Now, are you aware that people of my faith, the Jewish faith, sometimes have religious holidays in September?"

Bradley: "I am familiar with that. Yes."

Lang: "Are you concerned that great-grandparents day may fall on a religious holiday and it would be discriminating against Jewish people with your Bill, Sir?"

Bradley: "Certainly not the intention of the young lady who proposed this idea."

Lang: "Does the young lady who proposed it even know any Jewish people? No, never mind."

Bradley: "I couldn't answer that for her."

Lang: "Now, I'm told by a little bird over here that there actually is a grandparents day which is also in September. Does that ring any bell with you at all, Sir? Can we get you a calendar?"

Bradley: "I'm familiar with grandmothers day but not grandfathers day."

Lang: "Do you have any grandfathers in your district?"

Bradley: "Yes, I have a few."

Lang: "Have you discussed this with any of them or just the sixth graders in your district?"

Bradley: "I'm thinking of starting a task force with grandfathers to discuss this issue."

Lang: "Oh, a good question. Representative Gordon who won't go to the microphone herself to ask this question would like

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to know if there's a fiscal impact? Is this an unfunded mandate, Sir?"

Bradley: "It is unfunded but I don't think there's any mandate involved."

Lang: "Well, you're gonna make... what... you're gonna make all of us have to go out and buy cards for this, right? There's... there's gonna be a great-grandparents day, Hallmark's gonna have a whole cottage industry developed."

Bradley: "I don't think that would be a fiscal impact that would significantly affect..."

Lang: "You don't have any stock in the Hallmark Company, Sir? You're asking your staff person?"

Bradley: "No. No."

Lang: "How would he know what stock you own, Sir? We're gonna be looking at your disclosure. Mr. Speaker, to the Bill. Mr. Speaker, are you with us? Thank you. I don't know what this Representative's getting at. I am concerned that a... someday I will be a grandfather, someday I will be a great-grandfather, but I will be comple... a whole generation of grandfathers are gonna be skipped here and I don't think that's appropriate. When a new Legislator comes to this floor they ought to have all the materials they need to handle a Bill, a calendar, a list, a staff person to answer their questions. So I'm very concerned and I would recommend you take strong look at this Bill before voting for it."

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

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Black: "Yes. Thank you very much, Mr. Speaker. Inquiry of the Chair. What Bill is this? What's the number?"

Bradley: "Representative, maybe I can help you. Do you have..."

Black: "Oh, 5207. That's the Bill. All right. Will the Sponsor yield?"

Speaker Granberg: "He indicates he will."

Black: "Yes. Representative, you're a downstater, correct?"

Bradley: "It's difficult to tell from my accent, but yes."

Black: "Yes. Somewhere south of Paducah or north of Paducah?"

Bradley: "Just slightly north of Paducah."

Black: "Let me ask you a question. Did you go to the same high school as Representative Granberg?"

Bradley: "No."

Black: "Okay. Did you take senior grammar? When you were a senior in high school? Was that fourth year English class?"

Bradley: "I was trying to remember my teacher's name."

Black: "Well, mine was Ms. Miller. Do you remember yours?"

Bradley: "Yeah. Yeah."

Black: "Okay, now. Let me ask you a question. Could we add another adjective to grandparents? I don't know that I'm a great-grandparent but I think I'm a good grandparent. Could we just substitute that on its face?"

Bradley: "Well, the... the young lady who came up with the idea for this Bill thought her... this was a great-grandparent and I would like to stick with her discretion."

Black: "But... but did she mean that in... in as an adverb or an adjective?"

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Bradley: "I think she meant superlative form, Mr. Black."

Black: "So... well... now I'm really confused. Again, trying to remember the charge the Governor gave us a week ago, I see a potential conflict here. Do you own any stock in a greeting card company?"

Bradley: "No, Sir."

Black: "Because I see some greeting cards on the drawing board. Do you own any stock in a florist company?"

Bradley: "No, Sir."

Black: "Have you ever delivered flowers to any grandparents?"

Bradley: "Just my own."

Black: "I think you should pull the Bill out of the record until we have the ethics officer look at that. Representative, what's your stance on grandparents' visitation rights?"

Bradley: "Actually... I don't know that that's germane today but I did actually sign on as a cosponsor today with that legislation."

Black: "Well, I... I wanted to make sure because see we're the only state in the Union that doesn't have a grandparents visitation law, and I wanted to make sure maybe we could address that because it would seem kind of empty to... to recognize great-grandparents day if the great-grandparent didn't have any standing to visit the great-grandchild."

Bradley: "I was representing some... I was representing some grandparents when the Supreme Court came down with that ruling, so I understand the frustrations. But I'd like to stick with this idea that this young lady came up with."

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Black: "All right. You say the... you say the a... constituent who came to you with this idea was a sixth grader?"

Bradley: "Yes. Part of..."

Black: "And she has... and she has great-grandparents?"

Bradley: "She has a great-grandmother that she's very proud of."

Black: "What a... what's the average age of a sixth grader down your way?"

Bradley: "I have no idea. Maybe ten, eleven."

Black: "All right. Its unusual that a sixth grader would have a great-grandparent."

Bradley: "She's very blessed."

Black: "That wou... you would be blessed. But this... is this gonna be a school holiday?"

Bradley: "It will fall on a Sunday, so yes."

Black: "Okay. 'Cause I've been here long enough to know that there was a commemorative holiday to honor an ethnic group... there was to be a commemorative holiday and lo and behold, it wasn't drafted properly and the... we had to have an observed holiday so the kids get out of school. That's not your intent here?"

Bradley: "No. Not at all."

Black: "All right. So it's just another in a ever-growing list of commemorative holidays. I... I intend to vote for your Bill. I have one, if I can get it out of Rules, I would like you to support. It commemorates the retirement of Lou Lang. It has a open date... it has an open date, don't read

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anything into that. But at the appropriate time would you help me Sponsor that?"

Bradley: "Mr. Black, I'd like to review the Bill first."

Black: "You may have a long and illustrious career here. Well, I... I, as a grandparent, I certainly intend to vote for your Bill. I hope I live long enough to be a great-grandparent. But, I'll tell you this, Representative, things have changed since I came down here. We use to carry Bills a little heavier than a commemorative holiday for our first Bill. Excuse me. I was just talking with my ethics officer. He wanted to... and he brings up a very valid point. I... I apologize. I should have thought of this that's why I look to him on questions of our new ethics law. Would... in this case has the great-grandchild given the great-grandparent a gift in excess of \$75 at anytime during her life?"

Bradley: "I don't believe so. But I could confirm that."

Black: "All right. Because if she has I think she should be on the lobbyist list and we need the proper disclosure forms."

Bradley: "Would... would Mr. Davis be willing to assist me with that?"

Black: "That's what I use him for. I think he would be willing... I think he would be willing to assist you as well. But you can assure me that there is no lobbyist relationship in this Bill?"

Bradley: "No."

Black: "There's no quid pro quo."

Bradley: "No."

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Black: "If the great-grandparent takes the great-grandchild out to dinner does the great-grandparent have to report that?"

Bradley: "I don't believe so but we might want to check with Mr. Uhe on that one."

Black: "That's right. At the appropriate time Mr. Uhe will be asked to comment on this because we want to do things right. It's not enough that we have the perception of doing what's right, Mr. Speaker. It's important that we do what's right every moment of everyday and on every Bill. And I'm confused. That... we can't read anything into this or can we? I can see all kinds of abuse. You're absolutely right. I think we should take the Bill out of record until Mr. Uhe could give us a complete answer on whether or not we're violating the ethics law. Who knows what this may have transpired in the way of Christmas gifts between this great-grandparent and this grandchild. It may be in violation of the law. I want to see all of this man's a D-1s, A-1s C-1s. Whatever they are. Are they available on the Internet, Representative Bradley?"

Bradley: "I'm sorry, I missed your question, Mr. Black."

Black: "Well, I don't know what it was. I... yes, your C-1s. Are all of your C-1s on the... on the Internet? Has this sixth grader ever given you a campaign contribution of any kind?"

Bradley: "No."

Black: "Who paid for her trip up to Springfield?"

Bradley: "I don't know."

Black: "Oh."

Bradley: "She was here for committee the other day."

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Black: "I would suggest that we all vote 'present' until we get a definitive answer. Ya know, I... again and I quote... I quote a great statesman, I don't think he's here today but I quote him anyway. It's not enough that the perception be that we do what's right. What is important is that we do what's right everyday and in every way. I rest my case."

Speaker Granberg: "The Gentleman from Cook, Mr. Lang, for what reason do you rise?"

Lang: "For a point of clarification, Mr. Speaker. Just for the Sponsor's edification. President Carter, you all remember President Carter? Signed a proclamation declaring national grandparents day to be the first Sunday after labor day every year. So Representative, you're setting national great-grandparents day on the same day. Is that what you want to do?"

Bradley: "I don't see any problem with that."

Lang: "It's up to you, Sir. It's your Bill."

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

Gordon: "No, excuse me. Mr. Lang asked my question. Thank you."

Speaker Granberg: "Representative Boland, the Gentleman from Rock Island."

Boland: "Yes, Mr. Speaker. Ya know there's been some... some very important questions raised here on the ethics question and... and we have a new ethics law. So, I want to make sure that my seatmate is not violating this new ethics law. Now we asked... I think did we ask you, Representative Bradley,

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did you... have you received any contributions from Hallmark?"

Bradley: "No."

Boland: "Have you received any contributions from this sixth grader?"

Bradley: "No."

Boland: "I noticed your staffer keeps hanging around there pretty close and he's got a big smile on his face. I kinda wonder does he have any stock in Hallmark?"

Bradley: "Indicates he has no stock in Hallmark."

Boland: "Well, that's... that's pretty bad. Well, when... when this young lady came to talk to you I understand you do some pretty good imitations of President Clinton and that... were you using some of those imitations when you tried to talk her into this Bill?"

Bradley: "I did not."

Boland: "Oh. Okay. One... one further question on this ethics... now when you talked to her was this in a public building? Were you using taxpayer property to discuss this legislation?"

Bradley: "I guess I don't understand the question."

Boland: "Now... you said that you're trying to... you're trying to get the votes from the sixth graders and you're... and you're planning to be around a long time so they can vote for ya. How about the fifth graders, what's wrong with the poor fifth graders?"

Bradley: "Well, hopefully, they'll get their chance next year."

Boland: "And... and..."

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Bradley: "When they become sixth graders."

Boland: "And next year what are you gonna have the great-great-great-great-grandparents day?"

Bradley: "I don't know."

Boland: "And what about us mediocre grandparents? How about us? Instead of the great-grandparents how about mediocre or average grandparents? Do we get a day too?"

Bradley: "Something I think we really should consider. And we might want to form a task force on that as well."

Boland: "That's what we need is one more task force in this Body here, Representative Bradley. Well, I'm very happy, it sounds like your first Bill is of great substance and a vital importance to the... to the State of Illinois and you may even top what Representative Lang said about Jimmy Carter. You may be setting a national trend there. And I commend you for that. And I intend to vote for your Bill."

Bradley: "Thank you. Thank you."

Speaker Granberg: "The Gentleman from Cook, Representative Scully."

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

Speaker Granberg: "Thank you. That was the last speaker, Representative Scully. On that question... Representative Bradley to close."

Bradley: "Please vote for this. Thank you."

Speaker Granberg: "This Gentleman moves for the passage of House Bill 5207. On that question, all in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open."

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Have all voted who wish? Have all voted who wish? Have all voted wish? Representative Hoffman voted? Is he in the chamber? Representative May. Representative Karen May, has she voted? Mr. Clerk, take the record. On this question, 115 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Gordon for a..."

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

Speaker Granberg: "Proceed, Ma'am."

Gordon: "Ladies and Gentlemen of the House. I have... not only have I presented my first Bill in the past week, I also have my first group from my home town here today. A group from Morris Community High School of which I am a graduate as well. They are a group from the Media Club and the Honors Western CIV class of Mr. Josh Williamson. Ladies and Gentlemen, I would ask for a large round applause on a group of students who are learning about public policy watching our House today. Thank you."

Speaker Granberg: "The Lady from Peoria, Representative Slone."

Slone: "Thank you, Mr. Speaker. I move to table House Bill 3940."

Speaker Granberg: "The Lady moves to table House Bill 3940. On that question, all say 'aye'; 'nays'. The 'ayes' have it. The Bill is tabled. Representative McAuliffe."

McAuliffe: "Mr. Speaker, I move to table House Bill 5894."

Speaker Granberg: "The Gentleman moves to table House Bill 5984. Representative, 5894?"

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McAuliffe: "Yeah."

Speaker Granberg: "5894? All in favor say 'aye'; opposed 'nay'.
The 'ayes' have it. The Bill is tabled. Representative
Soto."

Soto: "Yes. Thank you, Mr. Speaker. I would like to table
House Bill 4879."

Speaker Granberg: "4879. All in favor shall say 'aye'; opposed
'nay'. The 'ayes' have it. The Bill is tabled.
Representative Graham."

Graham: "Thank you, Mr. Speaker. I'd like to table House Bill
4999."

Speaker Granberg: "The Lady moves to table House Bill 4999.
All in favor shall say 'aye'; opposed 'nays'. The 'ayes'
have it. The Bill is tabled. Representative Joe Lyons for
an announcement."

Lyons, J.: "Thank you, Speaker, Ladies and Gentlemen of the
House. Heads up, this is an announcement that you'll like.
As I... wear my shawl to honor and... and admire my African-
American Members is my transition hall... ha... shawl from
appreciating African-American Month to appreciating Saint
Patrick's Day. And in light of that, Tuesday prior to
Session through the generosity of Ken and Kim Harrington I
will again for the eighth year in a row be bringing down
Harrington corned beef sandwiches Tuesday."

Speaker Granberg: "Representative Hoffman for an announcement.
Representative Hoffman. Thank you. Mr. Clerk, Agreed
Resolutions."

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Clerk Mahoney: "Senate Joint Resolution #63, resolved by the Senate of the 93rd General Assembly of the State of Illinois. The House of Representatives concurring herein that when the two Houses adjourn on Thursday, February 26, 2004, they stand adjourned until Tuesday, March 2, 2004 at 12:00 noon. Adopted by the Senate February 26, 2004."

Speaker Granberg: "Representative Hoffman now moves that the House stand adjourned 'til the... 'til noon on Tuesday, March 2nd, allowing perfunctory time for the Clerk. Sorry. Mr. Clerk, have all the Agreed Resolutions..."

Clerk Mahoney: "Agreed Resolutions. House Resolution 687 by Representative Granberg. House Resolution 691 offered by Representative Mathias. House Resolution 692 offered by Representative William Davis. House Resolution 693 offered by Representative Eddy. House Resolution 694 offered by Representative Morrow. House Resolution 695 offered by Representative Jones. House Resolution 696 offered by Representative Sullivan. House Resolution 698 offered by Representative McGuire. House Resolution 699 offered by Representative Bassi. House Resolution 700 offered by Representative Holbrook. House Resolution 702 offered by Representative Dunkin. House Resolution 705 offered by Representative Meyer. House Resolution 706 offered by Representative Meyer. House Resolution 707 offered by Representative Meyer. House Resolution 708 offered by Representative Dugan. House Resolution 709 offered by Representative Kurtz."

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Speaker Granberg: "Motion to adopt the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The... the Motion is adopted. Representative Winters."

Winters: "Thank you, Mr. Speaker. I'd like to move to table House Bill 6593."

Speaker Granberg: "The Gentleman moves to table House Bill... Representative Winters, could you repeat that number again?"

Winters: "6593."

Speaker Granberg: "6593. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Bill is tabled. On the Adjournment Resolution, Mr. Clerk, all in favor of the Adjournment Resolution say 'aye'; opposed say 'nay'. The 'ayes' have it. The House now stands adjourned until the hour of 12:00 on Tuesday, March 2nd, allowing perfunctory time for the Clerk."

Clerk Mahoney: "The House Perfunctory Session will come to order. House Bills-First Reading. House Bill 7271, offered by Representative Madigan, an Act concerning appropriations. House Bill 7272, offered by Representative Madigan, a Bill... for a Bill... for an Act making appropriations. House Bill 7273, offered by Representative McCarthy, an Act making appropriations. House Bill 7274, offered by Representative Chapa LaVia, an Act concerning emergency telephone systems. Committee Reports. Representative McAuliffe, Chairperson from the Committee on Veterans' Affairs, to which the following measure/s was/were referred, action taken on February 26, 2004,

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reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 4660. Representative Delgado, Chairperson from the Committee on Judiciary criminal law, to which the following measure/s was/were referred, action taken on February 26, 2004, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 4032, House Bill 4071, House Bill 4211, House Bill 4350, House Bill 4360, House Bill 4453, House Bill 4506, House Bill 4538, House Bill 4751, House Bill 4788, House Bill 5069, House Bill 7043, House Bill 7057; 'do pass as amended Short Debate' House Bill 4275, House Bill 4771, House Bill 6811. Representative McGuire, Chairperson from the Committee on Aging, to which the following measures were referred, action taken on February 26, 2004 reported the same back with the following recommendations: 'do pass Short Debate' House Bill 3922, House Bill 4810, House Bill 5057; 'do pass as amended Short Debate' House Bill 6706. Representative Daniels, Chairperson from the Committee on Developmental Disabilities and Mental Illnesses, to which the following measure/s was/were referred, action taken on February 26, 2004, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 4019, House Bill 4022 and House Bill 4502. There being no further business, the House Perfunctory Session shall stand adjourned."