

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

107th Legislative Day

3/23/2004

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off their laptop computers, their cell phones and their pagers. And we ask the guests in the gallery to rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Monsignor James McLoughlin of the St. Mary's Church in Woodstock, Illinois. Monsignor McLoughlin is the guest of Representative Jack Franks."

Monsignor McLoughlin: "Mr. Speaker, let us pray. God, our father and creator, You have given us in Illinois, gently flowing rivers and verdant prairies to give us and the world food and drink for our journey to Your kingdom. You have raised from these prairies Lincoln, Grant, Logan, meant to lead the nation in perilous times. Continue to give this state a wise and courageous Legislature. Give the men and women of this House the grace to provide good health care at a reasonable cost, good services for Your children who are at risk, good education for all Your children, no matter where they may live in this great state, no matter how they follow You in conscience. And also, a safe harbor for the immigrants You send here. We ask You to bless these Legislators, their families, friends and all who serve them so they may serve us well. We ask all of these good things in Your name, who live and reign forever and ever. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Grunloh."

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Grunloh - 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 Madigan: "Roll Call for Attendance. Representative Currie. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative Brosnahan is excused today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are present today."

Speaker Madigan: "The Clerk shall take the record. There being 116 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk. Mr. Clerk, one second. Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. Point of personal privilege, Sir. I'd like to introduce to you... Thank you, Father. I'd like to introduce to you the... teacher, Kelly Treviso and the Brady School fourth graders up in the Speaker's gallery. Could everybody give them a warm welcome to the House of Representatives? Thank you."

Speaker Madigan: "Mr. Froehlich."

Froehlich: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Madigan: "State your point."

Froehlich: "I'd like to introduce from Conant High School in Hoffman Estates, the political club and the SADD group. Please give them a warm welcome up in the balcony."

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Speaker Madigan: "Mr. Clerk. Mr. Clerk, on page 3 of the Calendar there appears House Bill 4003. What is the status of the Bill?"

Clerk Mahoney: "House Bill 4003, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All Motions have been... notes have been filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Aguilar. House Bill 4016. Mr. Clerk, what is the status of the Bill? 4016."

Clerk Mahoney: "House Bill 4016 is on the Order of Third Reading."

Speaker Madigan: "Mr... Mr. Clerk, on 4016 what is the status of the Bill?"

Clerk Mahoney: "House Bill 4016, a Bill for an Act concerning taxes. Is a... Third Reading of this House Bill."

Speaker Madigan: "So, Mr. Clerk, was the Bill on the Order of Third Reading, previous?"

Clerk Mahoney: "Yes."

Speaker Madigan: "It was. Well, Mr. Aguilar, do you wish to call this Bill? All right now, Ladies and Gentlemen. Mr. Aguilar."

Aguilar: "Thank you, Mr. Speaker. Thank you very much. House Bill... House Bill 4016 is a... Amendment to penalize anybody recruiting young children to street gangs in the school ground to become a... from a felony IV to a felony I. And I ask for your support."

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Speaker Madigan: "Mr. Aguilar moves for the passage of the Bill. The Chair recognizes Mr. Scully. Mr. Scully. All right, the Gentlemen is not seeking recog... recognition. Mr. Franks."

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

Speaker Madigan: "Sponsor yields."

Franks: "Representative, my analysis indicates that this is a TIF Bill and you had given a different synopsis of what you believe the Bill does. Is my analysis incorrect?"

Aguilar: "No, it's not, it's correct. I'm sorry, I was looking at the wrong... the wrong Bill. This is a TIF Bill for the town of Cicero. The town of Cicero had a TIF Bill back in 1980. This is just an extension to extend the TIF Bill likely to... from... to 12 more years."

Franks: "So this Bill would extend the TIF district for another four years?"

Aguilar: "Yeah. That's correct."

Franks: "Who's asking for this?"

Aguilar: "The town of Cicero."

Franks: "Have they found it to be very worthwhile, the TIF district? Do you know how much money the TIF district is rev... is generating for the City of Cicero?"

Aguilar: "Well... yes... I mean, we're talking... it should increase the job opportunities and more businesses in our town."

Franks: "Now, I'm just wondering if you have a dollar figure? I'm just wondering how much it means to the City of Cicero for the TIF district. Because as you know, the TIF districts, the money is put... it's segregated. Do you know

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how much money they're getting on an annual basis because of the TIF district?"

Aguilar: "Not currently. They never gave it to us."

Franks: "Okay."

Aguilar: "There's no dollar amount 'cause there's no... there's no TIF right now. I mean there... we wanna just extend the TIF."

Franks: "I understand what you're trying to do. I'm just... I'm always concerned about the TIF districts first of all because of the definition of a TIF and I think it needs to be tightened up. But I'm just wondering what the real economic benefit is?"

Aguilar: "Okay. All the taxing districts are in support. The school districts and park districts and Chamber of Commerce."

Franks: "I'm sorry. I can't..."

Aguilar: "They're in full support. All the taxing bodies in the town of Cicero are in strong support of this Bill."

Franks: "Including the school districts?"

Aguilar: "Correct."

Franks: "Okay. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 people voting 'yes', 4 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr.

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Clerk, House Bill 4003. What is the status of the Bill?  
House 4003."

Clerk Mahoney: "House Bill 4003 is on the Order of Third  
Reading."

Speaker Madigan: "Put the Bill on the Order of Second Reading.  
Representative Bailey, did you wish to call House Bill  
6811? Mr. Clerk, House Bill 6811, read the Bill."

Clerk Mahoney: "House Bill 6811, a Bill for an Act concerning  
sex offenders. Second Reading of this House Bill.  
Amendment #1 was... Third Reading of this House Bill.  
Amendment #1 was adopted in committee. No Floor  
Amendments. No Motions filed."

Speaker Madigan: "Representative Bailey."

Bailey: "Thank you, Mr. Speaker. House Bill 6811 provides that  
a person at least 17 years of age at the time of the  
commission of an offense who is convicted of first degree  
murder committed on or after January 1, 1986. It provides  
that if any person required to register as a sex offender  
desires to establish a residence or employment outside the  
State of Illinois, at least 10 days prior rather than  
within 10 days after establishing that residence or  
employment, he or she shall, in writing, inform the law  
enforcement agency with which he or she has registered of  
at least... of his or her out of the state prospective  
residence."

Speaker Madigan: "The Lady moves for the passage of the Bill.  
The Chair recognizes Mr. Parke."

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

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Speaker Madigan: "Sponsor yields."

Parke: "Representative, this sounds like a good idea. Just... just in your own words... where are you? I can't see you. Oh... in your own words just tell us what are we... what are we trying to solve here?"

Bailey: "Basically, the requirement for the registration..."

Parke: "Mr. Speaker. Mr. Speaker, I cannot hear the Legislator speak."

Speaker Madigan: "All right. Ladies and Gentlemen."

Parke: "Thank you."

Speaker Madigan: "Let's give your attention to Mr. Parke and to Representative Bailey. Ladies and Gentlemen. Let's give your attention to those that are involved in the dialogue."

Parke: "Again, all I wanted... it sounds like a good idea. But tell us what are you trying to achieve? What... what brought this about?"

Bailey: "Basically, anyone who commits a murder of a child at the age of 17 after 1996, we're moving it back to 1986, to provide community notification of this."

Parke: "Is it... so they... is a sex offense murder?"

Bailey: "Yes."

Parke: "Sex... a... sex was involved with the murder of this child."

Bailey: "Right. Yes."

Parke: "And we're saying that in essence it... the statute says that a... at a certain age... a certain date they have to be registered. We wanna move that date back further so we

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know who these pedophiles ther... are after they've been out of prison and back into the community. Is that..."

Bailey: "No. The date is for when the murder was actually committed, back to the date."

Parke: "Back to the original date of the murder?"

Bailey: "Right."

Parke: "And that is to inform the citizens of that community that we have a sec... a sex offender that was involved in the murder of a child?"

Bailey: "Yes, Sir."

Parke: "Well, I commend you on this legislation. I think all of the parents in our society has the right to know about these men and women who might very well be in our communities. I commend you for your legislation."

Bailey: "Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Beaubien. House Bill 4218. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4218, a Bill for an Act concerning professional regulation. Third Reading of this House Bill."

Speaker Madigan: "Mr. Beaubien."



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Beaubien: "Thank you, Mr. Speaker. This Bill is in two parts. The first part amends the Clinical Psychologist Licensing Act to provide changes to the clinical psychologist licensing board. Currently, the members of the board are only allowed to serve two terms... two four-year terms. This law provides and mat... matches Article 22... 22nd Amendment of the U.S. Constitution. If they take over within the first two years of a term, that becomes their first full term and they're entitled to one more term. If they take over in the last two years they get to finish those years and have two more full... full terms, the concept being having more experienced people work on the board. And again, I say, this is a rather technical change and matches the U.S. Constitution. The other is an Amendment to the Electrology Act... Illinois Electrolog... Electrologists Licensing Act. And fills a loophole, I think, that we left out when we passed the law that provides that those that were under a 400-hour time frame for their education would be allowed to take the test since they're in that program at that particular point in time. Everybody starting after that date has 600 hours. It would allow that particular group of individuals that fall in the middle of that situation. And I would urge passage of this Bill. There's no objectors... objections to any... either one of these sections of the Bill."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes';

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those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Berrios. Did you wish to move House Bill 4777? Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 4777, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Bost, did you wish to move House Bill 4959? 4959. The Bill's on the Order of Second Reading. The Gentleman indicates he does not wish to call the Bill. Mr. Capparelli. Mr. Capparelli, did you wish to call House Bill 4651? 4651. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 4651, a Bill for an Act concerning mobile homes. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All note... all notes have been filed."

Speaker Madigan: "Third Reading. Mr. Brady. Mr. Brady, did you wish to move House Bill 3877? Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 3877, a Bill for an Act regarding higher education. Second Reading of this House Bill. No

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Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Boland, did you wish to move House Bill 6617? Mr. Clerk, what is the status of the Bill? 6617."

Clerk Mahoney: "House Bill 6617, a Bill for an Act concerning child labor. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes filed."

Speaker Madigan: "Third Reading. Mr. Black, did you wish to move House Bill 4247? 4247. The Bill is on the Order of Second Reading. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 4247, a Bill for an Act concerning public bodies. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Chapa LaVia? Chapa LaVia, did you wish to move House Bill 4372? Mr. Clerk, what is the status of the Bill? 4372."

Clerk Mahoney: "House Bill 4372... House Bill 4372, a Bill for an Act concerning military service. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Coulson, did you wish to call House Bill 3957? 3957? Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 3957, a Bill for an Act in relation to children. Third Reading of this House Bill."

Speaker Madigan: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. House Bill 3957 amends the Newborn Infant Protection Act to provide for the safe and legal relinquishment of a newborn infant to a police station. It's an Amendment to the original Bill that we passed several years ago. And I can answer any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk... Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Currie, did you wish to move House Bill 4461? Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 4461, a Bill for an Act concerning taxes. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading. Does Mr. Cross wish to move House Bill 5533? Mr. Clerk, what is the status of the Bill? 5533."

Clerk Mahoney: "House Bill 5533, a Bill for an Act concerning taxes. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Madigan: "Third Reading. Representative Monique Davis, did you wish to move House Bill 4833? Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 4833, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes filed."

Speaker Madigan: "Third Reading. Mr. Joe Dunn, House Bill 4751. Mr. Clerk, read the Bill. 4751."

Clerk Mahoney: "House Bill 4751. It's Third Reading of this House Bill. A Bill for an Act concerning criminal law."

Speaker Madigan: "Mr. Dunn."

Dunn: "Thank you, Mr. Speaker. House Bill 4751 says that if you commit reckless conduct that causes great bodily harm you are guilty of a felony, a Class IV felony. Currently, there's a great void between reckless conduct and the next... and the next step up, aggravated battery. This Bill allows for a middle ground between the two crimes or between the two sentences. I'd appreciate an 'aye' vote and be happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, what... what are we trying to solve here other than increase the penalty? Is that just it and who... who wants to do this, on whose behalf are you doing it?"

Dunn: "This is an initiative of the DuPage County State's Attorney and it was reviewed by the Cook County State's

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Attorney and they both agreed it's a good Bill. And I wouldn't even call it a 'tough on crime' Bill. It's more a 'truth in sentencing' Bill. Right now, some crimes fall in between the penalties of... of the misdemeanor reckless conduct and the felony aggravated battery. An example from my district was a brick thrown through a glass window that caused permanent damage to a lady's eye who... the woman only had one good eye to begin with, she was blinded by a brick coming through a window. The judge had to make the decision whether the thrower of the bri... the brick committed an... aggravated battery which is a Class X felony and carries a mandatory sentence or whether the person was guilty of reckless conduct which is only a misdemeanor. This would allow judges and prosecutors a middle ground, a more 'truth in sentencing', for... for punishment for sentences that don't quite fall under either of the existing structures available to them."

Parke: "Thank you, Representative Dunn. Again, I rise... from the explanation of the Sponsor, this is another fine Bill that Representative Dunn has put in for us to vote on. I'm sure that it'll pass unanimously. Thank you, Representative Dunn."

Dunn: "Thank you, Terry."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, 116 people voting 'yes', 0 voting 'no'. This Bill, having

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received a Constitutional Majority, is hereby declared passed. Mr. Davis, did you wish to move House Bill 4266? Mr. Clerk, what is the status of the Bill? 4266."

Clerk Mahoney: "House Bill 4266, a Bill for an Act concerning education."

Speaker Madigan: "Mr. Davis, the Clerk advises that a request for a note has been filed on the Bill. Mr. Davis."

Davis, S.: "Ya, Mr... Could you repeat that, Mr. Speaker?"

Speaker Madigan: "The Clerk advises that there's been a request for a note. And until the note is filed, the Bill would remain on Second Reading."

Davis, S.: "Okay."

Speaker Madigan: "Okay. Mr. Delgado, did you wish to move House Bill 4027? Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 4027, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Eddy, 4006. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 4006, a Bill for an Act concerning vehicular offenses. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Mr. Black, are you seeking recognition on this Bill? Mr. Black."

Black: "No, no, Mr. Speaker, we were seeking recognition on the previous Bill, 4027."

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Speaker Madigan: "So relative to House 4006 put the Bill on the Order of Third Reading. And then back to House 4027, Mr. Black."

Black: "Yes, Mr. Speaker, I don't know how you want to handle this as an inquiry of the Chair or an inquiry of the Sponsor? We were... we were under the impression that in committee on 4027 the Sponsor agreed to hold it on Second because it was said in committee or stated in committee that a technical Amendment was necessary to clean up some language in the... in House Bill 4027."

Speaker Madigan: "Mr. Delgado, did you hear that indictment?"

Delgado: "Thank you, Mr. Speaker. I was a little distracted trying to bring up my analysis. Mr. Black, will you repeat your question?"

Black: "All right. Yes. Thank you very much, Representative. And in no way is this an indictment, it's just an inquiry. A polite one at that. In committee you had mentioned that you would hold it on Second Reading for a.. an Amendment, a technical Amendment to clear up some ambiguous language."

Delgado: "Right. No. Mr. Black, actually, what we agreed on is that this piece of legislation is so important to our books right now. I am putting together a trailer Bill. The technicality to this legislation is so minor Members of the committee that I chair in Criminal Law all agreed that it was necessary to continue the movement of this Bill. I am coming back with a consensus of the committee to do a trailer Bill in the next Session. We had some very, very moving testimony by the parents of the lost loved one.



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It's imperative that... and we all agree on both sides of the aisle that this legislation is clean enough to move now and come back with a trailer. If I could have your indulgence, I'd appreciate that."

Black: "So you... it's your intent not to file a trailer Bill until 2005?"

Delgado: "That is correct. It'll be in our next Session. We would like to see this Bill move in its entirety as it is. There was only one objector in committee and we addressed that objection. And we see this technicality being so minor it will not create any constitutional problems for this legislation. It would not keep the Governor from signing it or passing the other chamber. And I would ask to leave so that we can follow a trailer Bill behind it..."

Black: "Well... has... has in fact... you may think it's minor. Has the technical review staff looked at it and agreed..."

Delgado: "Yes."

Black: "...that the... because I... to quote the technical review staff, 'no Bill shall move before its time'. So, this evidently is the time?"

Delgado: "Right. Representative, it is ac... our staff's findings that we have enough to move with now and it's not an obstacle, it is ready and I feel it is ready also..."

Black: "All right."

Delgado: "...because of the minor language as you're viewing right now as to do versus the relevancy of this legislation. Knowing that I chaired a committee and I've been on it since my inception in the General Assembly. My

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word to you, Sir, has always been that I... I prayed, has always been good I will come back and clean it up. I would really implore you not to hold up this legislation. In its proper... in its current writing it is... this dog will hunt. It's about 99.9 percent ready to go. And with talking to the Minority spokesperson of the committee we had a consensus to let this thing move. And I would come back in the next Session with a trailer Bill which really will be about a two-sentence piece of legislation."

Black: "Okay. Thank you very much."

Delgado: "Thank you, Mr. Black."

Speaker Madigan: "Mr. Delgado, have you resolved this question? You're satisfied with..."

Delgado: "Yes, it is, Sir. This ques..."

Speaker Madigan: "...Mr. Black's responses?"

Delgado: "Thank you, yes."

Speaker Madigan: "All right. Mr. Clerk, 4027 should be on the Order of Third Reading. Is that correct? Thank you. Mr. Hultgren, did you wish to move House Bill 4389? Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 4389, a Bill for an Act concerning trusts. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Put House Bill 4389 on the Order of Third Reading. Representative Dugan, did you wish to call House Bill 4771? Mr. Clerk, what is the status of House Bill 4771?"

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Clerk Mahoney: "House Bill 4771, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Madigan: "Representative Dugan."

Dugan: "Thank you, Speaker. House Bill 4771 changes the 48-hour time requirement to 30 days. It has to do with sexual assault victims. Right now, the way the law reads, within 48 hours a victim needs to sign a consent form for a sample to be tested in case they had been drugged during the sexual assault. And this was brought from the State Police to me, wanted to change the 48-hour requirement. I think anybody would realize what a traumatic incident such as that happens, sometimes the victim is not able to get to the hospital within 48 hours to sign the consent. So we're... with this Bill it would just change that 48-hour requirement to within 30 days. And so I would like to ask for this to pass."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Kosel. Kosel. Did you wish to move House Bill 5215? Mr. Clerk, what is the status of the Bill? 5215. 5215. 5215. What is the status of the Bill? 5215."

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Clerk Mahoney: "House Bill 5215, a Bill for an Act concerning schools. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Feigenholtz, did you wish to call House Bill 4730? Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 4730, a Bill for an Act concerning public aid. Second Reading of this House Bill. Amendments #1 and 2 were adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Madigan: "Third Reading. Representative Kurtz. Kurtz. Representative Kurtz. You're the Sponsor of House Bill 3821. You're the Sponsor of House Bill 3821. Did you wish to move the Bill? The Lady indicates she does not wish to move the Bill. Representative Lindner. Lindner. Did you wish to move House Bill 4318? 4318. The Lady indicates she does not wish to move the Bill. For what purpose does Representative Monique Davis seek recognition?"

Davis, M.: "Mr. Speaker, I would just like for the Body to say hello to the 'red hatters'. You wanna stand up, up there? These 'red hatters' do a number of wonderful things for different communities and when I told them how well they looked today they said they already knew it and didn't need me to tell them."

Speaker Madigan: "Mr. Mathias. House Bill 4120. Did you wish to move the Bill? Mr. Clerk, on page 5 of the Calendar, House Bill 4120, what is the status of the Bill?"

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Clerk Mahoney: "House Bill 4120, a Bill for an Act in relation to criminal law. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. All notes have been filed."

Speaker Madigan: "Third Reading. Representative Flowers, did you wish to move 3942? On page 2 of the Calendar there appears House Bill 3942. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 3942, a Bill for an Act relating to schools. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. McAuliffe. Mr. McAuliffe. Did you wish to move House Bill 4862? 4862. It's on page 13 of the Calendar. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 4862, a Bill for an act concerning hospitals. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Franks on 4233, page 21 of the Calendar. Mr. Clerk, what is the status of the Bill? Page 21, 4233."

Clerk Mahoney: "House Bill 4233, a Bill for an Act concerning prescription drugs. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Madigan: "Third Reading. For what purpose... Mr... Mr. Franks."

Franks: "Mr. Speaker, I believe it was on Third Reading to be ready... to be called."

Speaker Madigan: "Mr. Clerk. House Bill 4233."

Clerk Mahoney: "House Bill 4233, a Bill for an Act concerning prescription drugs. Third Reading of this House Bill."

Speaker Madigan: "All right. Now, Mr. Clerk, when we first called this Bill, was the Bill on Second Reading or Third Reading? Third? All right. So Mr. Franks, the Bill's been read a third time. Mr. Franks on the Bill."

Franks: "Thank you, Mr. Speaker. House Bill 4233 is legislation that we've borrowed from other states that have gone forward to help reduce the cost of prescription drugs. In 2002, Vermont ena... enacted the nation's first legislation of this type and Nevada, New Mexico and Maine have followed suit. And since then, ten states have active Bills in their Legislature, Illinois being one of them. What this Bill seeks to do is to create the Prescription Drug Ethical Marketing Act, where it would require the pharmaceutical manufacturers to disclose the amounts of gifts given to doctors. I'd be glad to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Mr. Parke."

Parke: "Thank you, Mr. Speaker. This is a... a very in-depth piece of legislation. We would like to move to take it off

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of Short Debate because there's a lot of question we have that need more time. Would that be appropriate?"

Speaker Madigan: "Okay. So, the Bill shall be put on the... the Order of... full debate."

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, if you'd share with the Body some... I have some questions here. Do any other industry in Illinois have to report their marketing expenditures?"

Franks: "I'm sorry, I coul... I had trouble hearing you. Any..."

Parke: "Did any other kind of industry that does business in this state have to report their marketing expenditures?"

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

Parke: "So this Bill sets a precedent that says that you wanna know that from this..."

Franks: "Well, I think there's a good reason for it. Because when you buy prescription drugs, they're really marketed in a unique way. Because the consumer is taking a... a pharmaceutical, a drug, that someone else has chosen for him, a doctor. And then it's typically paid for by someone else, usually an insurance company. So, when we deal with pharmaceuticals we're dealing with a very unique business."

Parke: "Well, all right. Why... but... doctors don't have to do that and they prescribe."

Franks: "We're not asking the doctors to."

Parke: "I know, but that's an industry that you're not asking... they prescribe it."

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Franks: "Representative Parke, I... I think you need to be aware that the American Medical Association has put forward these guidelines to fol... Actually, let me... let me restate that. Pharma has put through guidelines which they are doing right now, which are substantially similar to this Bill. What we're trying to do is to codify an existing practice and to protect the manufacturers from a few bad apples."

Parke: "Well, I would just like to point out that this is setting a precedent that we haven't had in this state before and people oughta know that. What other industry... Illinois industry do you think should be next in reporting its mark... its marketing expenditures?"

Franks: "None."

Parke: "Okay. Have the necessary funds been included in the Department of Public Health's fiscal year '05 budget to afford this new reporting requirement?"

Franks: "We'll address that at the appropriate time."

Parke: "That's not the answer I'm looking for. I'm looking for an answer... I mean, anybody can say that. Anybody can say to us that this is the issue..."

Franks: "But..."

Parke: "...but, in fact, have we done that?"

Franks: "But Representative, this Bill, should it work, which I believe it will, will reduce the cost of prescription drugs and thereby save the state more than enough money to pay for any incidental costs this may cost."

Parke: "Won't the additional cost of tracking, reporting these expenditures, potentially increase the cost of prescription



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drugs by creating a new bureaucracy within each pharmaceutical company?"

Franks: "I would argue just the opposite would happen. You need to have a little bit of historical perspective on how marketing is done. In just five years prices for the most prescribed drugs have increased by nearly 30 percent. Nea... And what happens is there's been just a proliferation of what these marketers are called, they're called detailers in the parlance. And for every nine physicians now in the United States, on average there's one detailer going to sell to the direc... to the doctor directly. And on average, and I'm not saying for all the doctors but on average, each doctor is getting \$19 thousand a year in gifts. So I... my argument is, if you have to... we're not saying they can't do this. All we're saying is, you have to shine the light on it. And as you know, there are more lobbyists for the pharmaceutical association in Washington than there are Legislators. And I can tell you whenever I have a Bill up in committee, when it comes to pharmaceuticals, they're just flooded from all over the country. So these gifts are worth billions of dollars. When you look at how much this industry spends, they spend more money on advertising than they do on research and development."

Parke: "And that's... and that's wrong, huh?"

Franks: "Pardon me?"

Parke: "That's wrong?"

Franks: "I'm not saying it's wrong. But I'm saying they haven't been straight with us. When we've tried to reduce

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the cost of prescription drugs they say it will affect their research and development and that isn't true. What we're showing is that their marketing, when you look at it you think of the stuff like on the Super Bowl, the commercial or the magazine stuff. That's about 10 percent of their costs, 90 percent of it is direct marketing to physicians. And we're not saying it's wrong to do it but they oughta just tell us about it 'cause they are not being truthful with us."

Parke: "Well, I just don't understand. One of the things that when I talk to senior citizens and explain to 'em how they can access less expensive medical... drugs, I tell them to contact the pharmaceutical companies and their local physicians that they can sometimes get these. Don't the pharmaceuticals give a... Are you telling me that these drugs that..."

Franks: "They're exempted in this Bill."

Parke: "...that they give to the doctors who give away free to their patients is wrong?"

Franks: "No, Sir. As a matter of fact, we think that's wonderful. And this... and that is exempted. And I... I think you have to remember we have to go back to the initial statement. Pharma has already implemented this. But there has been a major fall off in follow-up, as like any new deal people stop doing it if it's not pushed all the time. That way if it's codified we can help protect these pharmaceutical manufacturers from bad apples who are abusing the system."

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Parke: "Thank you, Mr. Speaker."

Speaker Turner: "Representative Turner in the Chair. The Gentleman from Cook, Representative Miller, for what reason do you rise? The Gentleman from Cook, Representative Miller, for what reason do you rise?"

Miller: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Miller: "Representative Franks, I have a... just a few questions in regards to the detailing portion of this."

Franks: "Uh huh."

Miller: "How's the... fir... first off, of doctors, you're considering all of... of doctors?"

Franks: "We just listed doctors, Representative."

Miller: "I wanted to know if there's a conflict of interest here, with me?"

Franks: "We list all doctors but..."

Miller: "Yes, I know."

Franks: "I'm not sure it's... it's pointed to dentists, specifically. I'm not sure you have a conflict, Sir."

Miller: "Well, I'll announce it just in case and there may be a conflict interest but I'll vote my conscience. I had a question in regards to detailing here on which that... that the physician in this case would have to describe on how the company is marketing..."

Franks: "No, Sir. Let me stop you right there. The physician is... there's absolutely no requirements by any physicians of anything. The physicians don't have to do anything at all. There's no requirements at all on the physicians."

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Miller: "Okay then. What is... what is the requirement then, on whom?"

Franks: "The requirement is on the manufacturers to disclose the gifts that they've given directly to the doctors. And we also have a number of exemptions. Would you like me to read those exemptions?"

Miller: "Yes."

Franks: "The exemptions are as follows: 'any gift, fee, payment or subsidy or other economic benefit, the value of which is less than \$25. Free samples of prescription drugs to be distributed to patients, that's number two. Number three, the payment of reasonable compensation and reimbursement of expenses in connection with a bona fide clinical trial conducted in connection with the research study designed to answer specific questions about vaccines, new therapies or new ways of using known treatments. And number four, scholarships or other support for medical students, residents and fellows to attend a bona fide educational, scientific or policymaking conference of an established professional association if the recipient of the scholarship or other support is selected by the association.'"

Miller: "Wha..."

Franks: "What we're basically trying to do is to show if you're givin' somebody \$25 thousand to prescribe a certain prescription."

Miller: "Well, I can certainly understand that but I think as far as... are... I guess, is there... is there any research or

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concern in which or proof that the incentive like you said \$25 thousand that the physician whoever exclusively markets or sells or prescribes that particular product?"

Franks: "Yes, I wanna... Michael Flemming is the president of the American Academy of Family Physicians and he says I don't think any physicians would have any problems with this at all. But I think there'd be a group who would find it more disturbing because they take more substantial gifts. Doctor Flemming says that the physicians need to fix their own house and behave more professionally and not to accept gifts that they'd be ashamed to have publicly reported. And Michael Goldrich who's the chairman of the AMA Council on Ethical and Judicial Affairs, he agreed. He said physicians have the ethical obligation to do the right thing and so educating physicians on the ethical boundaries is a key issue here."

Miller: "Okay. The Illinois Pharmacists Association is against this. Why... why, if you're saying that... why would they be against something like this?"

Franks: "They wanted a couple minor changes which we've agreed to do once we pass it through and do it on the Senate. Senate... Senator Barack Obama is carrying this in the Senate and he's agreed to make these minor changes. There was a coup... what they wanted to do is to make sure that pharmacists weren't included in this and that wasn't the focus here. So..."

Miller: "So, who..."

Franks: "The pharmacists, is that who you're asking about?"

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Miller: "Yes."

Franks: "Yes. So they'll be okay once we make the changes in the Senate which we've agreed to do."

Miller: "No, I'm sorry I didn't hear what... what did you say the changes that they wanted?"

Franks: "Essentially, what the changes would... just a couple of words. But it would delete pharmacists, I believe, from..."

Miller: "Okay."

Franks: "...from this."

Miller: "Okay. And as far as the disclosure to the director, a... because a lot of times, ya know, are you requiring that pharmaceutical company have a... the... a notice to... to a... to whatever agency? Ya know, by February 1, I'm a little confused on this."

Franks: "We could change... that's one thing they wanted too. They wanted the date changed later and that we believe that's a minor change which we're happy to do, on the Senate side, as well. But Representative, remember this, under the present guidelines that the pharmaceutical manufacturers have they're already required to do this."

Miller: "All right. Thank you."

Speaker Turner: "Gentleman from Winnebago, Representative Winters, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Winters: "Representative Franks, on... I want to explore this Bill a little further. Now, a couple of years ago, one of

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our esteemed colleagues, Representative Ron Lawfer, was in the COWL show. And if you remember his part of the... the Council of Women Legislators, how can you ever forget what COWL stands for."

Franks: "All right. I'm sorry."

Winters: "Jack, I'm really disappointed in you. But, Representative Lawfer stood up in a green hat and a green coat with a pitchfork and all of those were gifts from a vendor, from a company that was trying to influence what Mr. Lawfer would purchase for his own business. Now, do you want to extend this to everybody in the state, anybody that might have a business relationship and would hope to at least get entrée into their office to discuss about the merits of their product versus some other product? Maybe the way to do that is to catch the attention of the potential buyer. Now, isn't that what pharmaceutical manufacturers are doing? Aren't they trying to grab the attention of that..."

Franks: "No, Sir."

Winters: "...of that doctor?"

Franks: "I think... I think you have to understand that the pharmaceutical manufacturers have a much different type of market than any other business. And certainly, I would not want this extended to any other business and I would vote against anyone..."

Winters: "Well, what..."

Franks: "...who had that idea. But, let me tell ya how the difference is with the pharmaceutical manufacturer.

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They're always creating new drugs and these... there are wonderful, wonderful drugs that exist and there are wonder drugs. But if people can't afford them they don't do them any good. That's number one. But the way..."

Winters: "Well, in other words..."

Franks: "...but the way they're marketed..."

Winters: "...is this Bill then approaching the affordability of pharmaceuticals? Maybe we should look at what the FDA is doing to keep drugs off the market by requiring too much regulation of the drug themselves. Isn't that's what's..."

Franks: "Oh, I couldn't..."

Winters: "...driving up the costs?"

Franks: "...I couldn't agree with you... The FDA does a horrible job and they oughta be ashamed of themselves."

Winters: "Then let's go after the FDA."

Franks: "That's why you gotta vote for House Bill 3906 because that's gonna allow the State of Illinois to accredit pharmacies like we do now in some states. Like I get mine mail ordered from Caremark and they're out of Texas. And the state of Illinois right now is able to accredit pharmacies in other states. House Bill 3906 which you oughta be a cosponsor of will allow..."

Winters: "Which is not this Bill."

Franks: "...will allow the State of Illinois to accredit pharmacies in other countries so we can get those same discounts. You're right, the FDA is doing a rotten job. But this... the purpose of this Bill is when you go to buy a pharmaceutical, typically you're not the one who's making



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the decision, your doctor is. And your doctor is influenced by these detailers. And there might be a modality of drugs that... that do a really good job. Whether it be... maybe it's for... I don't know what it's gonna be for. Let's call it for an asthma medication. And one... and one inhaler might cost \$20 and another one might cost \$200. Of course, the detailer is gonna be pushing the \$200 one so they can make more money. But the \$20 one might be 99 percent as effective. That's my point."

Winters: "Well, but do you... do you trust the doctor to make the best medical decision for their patient?"

Franks: "Typically, yes. But the doctor might not be getting the best information. And that's my point. Because I want to make sure... the doctor..."

Winters: "How do you deter..."

Franks: "I'm always..."

Winters: "You think this is gonna determine how the best information is getting out?"

Franks: "No, I... I always rely on my doctor because I think most people do. Some people get second opinions if they're gonna have a surgery or something more severe. But if I'm routinely ill and I go to my doctor and he says you're... I'm gonna prescribe this, I don't even ask what he's gonna prescribe. I go to the pharmacy and I pick it up. Because... he says, I've written you a prescription, I've called it in or I've faxed it over, go pick it up. I have absolutely no input on that. And I'm not saying he's making a bad choice, all I'm saying is let's level the

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playing field here. This is the most profitable industry in the world. Last year their return on average eq.. income was over 18.6 percent. A few years ago most of those pharmaceuticals were manufactured in this country. In the last few years the whole thing has changed. Two years ago the United States imported in excess of \$40 billion..."

Winters: "Where is the research being done for these new pharmaceuticals?"

Franks: "All over the world. But we're the only ones paying for it."

Winters: "I've been told... I've been told that Europe because of their managed care over there..."

Franks: "That's not true..."

Winters: "...it's... there's very little research being done over there..."

Franks: "That's not true."

Winters: "...it's almost all being done in the United States."

Franks: "Representative, the largest pharmaceutical company is Glaxo. They're based out of the United Kingdom. They are doing their research there. They are actually manufacturing their product in Ireland. Many of the products that you and I take. These pla... these guys are manufacturing overseas. Now, most of the drugs that are taken here in the United States are manufactured overseas."

Winters: "Well..."

Franks: "And that's a big difference than it was a few years ago."

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Winters: "One... one of the comments that you just made was that the patient has no power in determining what medicines he's gonna take. Maybe what we should look at then is let the... let the patient themselves control their own medical dollars through a medical savings account. If they were given the choice between a \$20 drug that's 99 percent effective or a \$200 drug that's 100 percent effective maybe the patient would be the right one to make the decision. But asking for a doctor and a pharmacist who are... are primarily engaged in information exchange, the pharmacist is either giving free samples, he's giving medical education or other door openers so that the doc can take time in his schedule. Now, we're also seeing through malpractice the... the incredible crisis that we have in malpractice today the doctors don't have the time to practice medicine. There are OB... obstetricians and gynecologists that can't see a pregnant woman until the fourth or fifth month of her pregnancy 'cause they don't have enough time. The other OB/GYNES are leaving this state because of medical malpractice and for the pharmacists to try to get in... excuse me, the pharmacy salesman to get in to the doctor that means that a patient is going to have to lose their appointment. The only way that he can do that is some type of inducement. So what you're saying is we don't want any more education..."

Franks: "That's not true."

Winters: "We don't have... We want..."

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Franks: "That's not true. That we are not requiring the pharmacists or the physicians to do anything differently. We're not even requiring the manufacturers to do anything differently. They already say they're doing this. They've already implemented it. I'm trying to codify a good thing to protect them from bad apples. And the fact is, this has nothing to do with the other things you're talking about. There's no extra..."

Winters: "Do you have examp..."

Franks: "There's no extra requirements on doctors. As we've discussed..."

Winters: "Do you... do you..."

Franks: "...the pharmacists will be exempted. There's nothing different than what they're doing today except codifying their good practice."

Winters: "Do you have an example of bad apples of doctors that are prescribing inappropriate drugs that may be harmful to patients?"

Franks: "No."

Winters: "You have no example of a bad apple in this industry and... yet you're going to put more mandates on 'em. It's gotta drive up cost..."

Franks: "And they're already doing it. And it's not gonna drive up costs and I'll tell ya why. When they start having to disclose when they're paying someone \$25 thousand to prescribe a certain drug, they'll think twice about that and they won't spend the money there, maybe they'll put it in research and development..."

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Winters: "Well."

Franks: "...where it oughta be or maybe they'll put it in their profits back to stockholders and let me tell ya they are the by far, by far the most profitable industry in the world. Plus..."

Winters: "Profit has nothing to do..."

Franks: "...plus we get..."

Winters: "Let's target anybody that makes a profit. Mr. Speaker, to the Bill. This is an obvious case of a solution looking for a problem. He's just admitted that there are no bad apples that he can find. We're trying to implement further restrictions on the pharmaceutical industry, tying their hands for something that he admits, there is no problem. Why are we passing this, because it looks good on a resume and that's all it does. I urge a 'no' vote."

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

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

Speaker Turner: "He indicates he will."

Mulligan: "Representative Franks, where did you get your figures on how much the drug companies are spending?"

Franks: "There's a number... there's a number of different sources. I relied on the American Medical Association, their Medical News. Also, there is a state action group dealing with prescription drug marketing that does a lot of information. They're based out of Washington, D.C."

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Mulligan: "Obviously, they have an interest in this, not particularly one that would benefit pharmaceutical industries."

Franks: "I'm sorry, I couldn't hear you."

Mulligan: "I would think that maybe their figures might not be totally correct because they might have other interests besides..."

Franks: "I have no reason to doubt their figures. From what... I think the American Medical Association, they're... I think they're a pretty... pretty good source. And I'd also think that the state action group is a good source. I... I think the only one here who's got a dog in this fight is the pharmaceutical manufacturers and if you wanna side with them you should vote with them. But I'd like to try to produce... I'd like... I'm just..."

Mulligan: "Oh, Representative, this is not a matter of siding with the pharmaceutical industry."

Franks: "You're the one who brought up an interest."

Mulligan: "What I would like to know is how much is it going to cost the Department of Public Health to monitor this program? Since you never filed a fiscal note we don't actually have an amount, do we?"

Franks: "I don't know. I don't know the number."

Mulligan: "Well, Representative, you do that quite often. You introduce things but there's no particular amount attached to it. The budget for the Department of Public Health is already making cuts in very important programs like lead screening and other things. Do you feel that this program

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is more important than the actual budget that provides services, health services, to the State of Illinois because you have an ax to grind with pharmaceutical manufacturers?"

Franks: "Well, I..."

Mulligan: "Ya know, it's one thing... you didn't hear what I said."

Franks: "I wasn't sure if there was question there."

Mulligan: "The question is, do you feel that it's more important for the Department of Public Health to divert its funds to implement a program like this that... that and while they are cutting programs that provides actual health services..."

Franks: "You're assuming..."

Mulligan: "...to the residents of Illinois because their budget has already got cut. Yes, I am assuming that this would cost money."

Franks: "...you're assuming there's gonna be a negative cost. You also know that there's also a \$10 thousand penalty per time they don't comply."

Mulligan: "Explain negative cost to me. Any cost in this budget would be a negative cost."

Franks: "No, oftentimes... it could be revenue neutral. We've passed Bills here with an initial cost where people have paid them back and it didn't cost the state any money. This seems to be the exact same type of Bill."

Mulligan: "All right. So, what you're saying, in order to pursue your Bill and to make people not vote for it is if I don't vote for this then I'm gonna be with pharmaceutical

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manufacturers. What I'm saying to you is, you have absolutely no idea what this is gonna cost. You haven't filed a fiscal note and you're willing to go ahead and pursue your Bill even though we can't adequately fund money to inspect assisted living. We can't adequately fund lead screening. We're cutting programs in Public Health. There's a reserve in their budget. We cut the program that used to monitor what hospital costs were so you could actually monitor diseases and operations, but you wanna go ahead and vote for a Bill because you have an ax to grind with pharmaceutical manufacturers. And in the meantime, you're impugning the integrity of... doctors and people who may take these things."

Franks: "Not at all. Not at all. I take... I... I... You're not getting this at all."

Mulligan: "I mean, considering how many golf outings people in this Body have gone to, I understand that."

Franks: "Representative, if you understood that the manufacturers are already doing this now. If you... if you would prefer to increase the cost of State Government and have... always have the newest name brands being prescribed instead of cheaper generics, be my guest. But I'm trying to save the State of Illinois money so we can spread that health care money around so more people can get the prescription drugs they deserve."

Mulligan: "No, Representative, what you're doing is you're moving money around in the budget to take out stated programs in order to fulfill what you want in your agenda



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against drug companies. You are not... you do not care what the current budget is nor do you have any idea what this program would cost. You are just going ahead with the program to be punitive or to make it appear that there's something shady going on when we are not adequately funding that department. Your Bill does not say in lieu of funding X, Y and Z, but that may be what it is. Because we have an agenda to pander to the public on this issue right now. So, if we cut lead... lead screening in poor neighborhoods or we can't adequately supervise assisted living or inspect them or we can't do things that are currently in the budget because you have a different agenda, then we're voting for your agenda not necessarily for or against drug companies. We're voting to allow the Department of Public Aid to cut their budget and supplant some agenda that you have rather than programs that are currently in effect. I think that's wrong. I think you should be able to state how much it's going to cost and I think you oughta tell us how we're going to implement this in an orderly fashion. Of course, it's gonna have a negative impact. It's gonna cost something. You can't say it costs nothing. Registration of this and enforcement of this costs money. And if it's to supplant other parts of the budget for the Department of Public Health I think you're making a very big mistake in pushing this legislation at this particular time when we have a budget deficit that is constantly being told to us as we're having all kinds of things shoved down our throats, bond issues, other programs cut, but you're

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willing to implement this new program that's gonna have... cost nothing but you have no idea what it's gonna cost. It's gonna cost something."

Franks: "It might be... We might make money on it."

Mulligan: "We might make money on it. And how do you propose we make money on anything?"

Franks: "There is a way here. We have an artificial system that inflates the prices of our prescription drugs in this country. Detailers are a main component of that by pushing the new name brand drugs on the doctors. If we can have our physicians start prescribing less costly alternatives, whether they be generic or other modalities that are just as effective, we can save hundreds of millions of dollars. Furthermore, there is a penalty provision in here which will, in my opinion, probably cover the cost... any costs that it might be would be... which I believe to be very small. But important..."

Mulligan: "Representative, I think it's really wonderful that you're so concerned about what doctors prescribe. I think doctors have an idea of what they're prescribing that's what they've gone to medical school. You're so concerned for doctors perhaps you should address medical malpractice insurance and why doctors are leaving Illinois, as opposed to costing us more in the Department of Public Health and eliminating other programs. To the Bill. I would urge a 'no' vote on this Bill. We are cutting all budgets in Human Services and Public Health where our budget's being cut and now we're talking about adding a program which for

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at this particular time is not the best thing that... where we can put the resources of the State of Illinois. There are many programs that are being cut that impact the health care of the people of Illinois. This does not. All it does is pul... push forth an agenda and make someone appear that they're solving the drug problem when actually you're not."

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

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

Speaker Turner: "He indicates he will."

Black: "Thank you. Representative, let's establish a ground rule here before I go any further. You have stated on this House Floor during this debate that this Bill will be amended should it get out of the House."

Franks: "Yes."

Black: "It will be amended in the Senate, correct?"

Franks: "Yes. Yes, Sir."

Black: "And your Amendment will answer the concerns of the..."

Franks: "Pharmacists."

Black: "...retail pharmacists."

Franks: "Yes, Sir."

Black: "Okay. Since we've got that out of the road and I appreciate that, let me ask you just a couple of questions. I've read this Bill and it's not a lengthy Bill. And even an old dumb downstater like me can read this Bill. There's one potential, interesting development I find in this Bill.

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This Bill covers anybody who would write a prescription, correct?"

Franks: "Nope."

Black: "Veterinarian, dentist, doctor, chiropractor, naprapath. Anybody who dispenses a prescription, somebody had to come into that office and give them literature or whatever. I mean my veterinarian... my dog takes more pills than I do. So that the drug rep that calls on my veterinarian, veterinarians are gonna fall under this, chiropractors, dentists, doctors..."

Franks: "Sir."

Black: "Anybody who has access to prescription drugs."

Franks: "I would... I would respectfully disagree."

Black: "Well, what... what... can you show me in the Bill..."

Franks: "Yeah."

Black: "...where any... anybody who has prescriptive authority, I assume a drug rep calls on them. So if... if the drug rep goes into my veterinarian and says, you know you've been a good customer and our heart worm medicine is the best on the market. And I'm going to invite you to a seminar in Chicago on rabies..."

Franks: "That's exempt, Sir."

Black: "That's exempt. All right."

Franks: "Yes. Most of the things are exempt. And see, I think there's a misconception of this Bill. There is no requirement at all by those that are writing prescriptions. There is no requirement at all on those who are receiving ultimately the prescriptions. The only requirement is the

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one they've already self imposed on the drug manufacturers to disclose what monies they give to people who prescribe outside the four enumerated exemptions. And when you look at those exemptions, the only thing it really leaves, quite frankly, is those that are getting what could be termed in the old days 'graft'."

Black: "So... what you're attempting to do then is to find out if pharmaceutical companies are giving cash rebates to people who write prescriptions?"

Franks: "No, Sir. Not at all. This deals only with what's called as... labelers. These are the guys who go... or women and men who go and directly market the pharmaceuticals to the prescriber. And the reason we have this... I think you need to understand one of the reasons, is the amount of these detailers has just grown exponentially in the last few years. The drug industry in 2001 employed almost 88 thousand detailers, which was an increase of 110 percent from just 1996. So in five years, they more than doubled. And during that period the drug... the drug industry sales force grew from one dealer for every 19 doctors to one detailer for every 9 physicians in America."

Black: "Let's see if I can get at the... at the figure you're trying to collect. You're interested in the marketing costs if... if I read this correctly, what does it cost to market a drug? Now..."

Franks: "Not..."

Black: "...does that count the drug detail rep's salary, expense account..."

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Franks: "No."

Black: "...car?"

Franks: "No, Sir. All this deals with is for adverti... what they're dealing with. Let me... I want to make this point. The drug industry spends more money on advertising than they do on research and development. Now the advertising which you and I would typically think would be what we see on television or in the magazines. But that's only about 10 percent. About 90 percent are given directly to the doctors, okay? And we're not saying it's illegal, they understand they're doing this and they are requiring... the manufacturers are requiring that they disclose... right now they're requiring that they disclose how much they give to these physicians. We're just trying to codify a very good practice."

Black: "You're... you're lowering the threshold. Their threshold is currently a hundred dollars and you're lowering it to twenty-five, on what they give?"

Franks: "I'm not sur..."

Black: "Pharma... their guidelines say a hundred bucks is a reportable amount. Right?"

Franks: "I... I'm not... I won't dispute it. I just... I don't recall, at this time."

Black: "All right. Now, I think the interesting thing here, Representative, and why some people are scratching their heads about when all is said and done what it really does, they do advertise extensively. But that's exempt in your Bill, right?"

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Franks: "Sure, that's nothing to do with this."

Black: "Okay. The expenses they incur in marketing, selling and demonstrating are exempt."

Franks: "Pretty mu... ya, pretty much, sure."

Black: "The free samples are exempt."

Franks: "Yes, Sir."

Black: "Of the sixteen billion that has been estimated that the industry spends, what's left? The free drugs alone are eight and half billion of the sixteen billion dollars that the pharmaceutical industry spends. I would daresay six billion minimum is in advertising. So what's left to... what's left to report?"

Franks: "Well, that's... that's where the rub is. Because I've been told and... and I guess it's just not me, if you look at what the president of the American Academy of Family Physicians says. He thinks that most physicians won't have any problem with it. But he knows that there are a group who would find it disturbing because they take very substantial gifts. And his suggestion was, we need to fix our own house and not accept any gifts that they'd be ashamed to have publicly reported. And that's what we're focusing on. We're not talking about the good things it is, 90 percent of it is right. Maybe 99 percent of it is right, let's give 'em that, 99.9, we're looking at the part that isn't. What physicians are given a lot of money to prescribe a certain drug. And we're not saying that's illegal, we just should... we should just know about it."

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We're not gonna tell a manufacturer... we're not gonna tell a business how it can or cannot market."

Black: "Well..."

Franks: "But I certainly believe that we should know about their marketing when we're at this huge national debate about the cost of prescription drugs and we always hear how we can't afford to lower the cost of prescription drugs from these folks because then they can't do research and development. Well, come on. They spend more on advertising than research and development and the advertising is aimed at a certain group where they know they can make the most money. So let's try to level the playing field and have them have to show where they spend that money."

Black: "All right. But... but you've already said the amount of money that they spend on advertising which is probably equal to or greater than the beer industry... is exempt. So what... the only thing you're after to be reported would be a... a cash gift to a doctor if... if he or she says I will prescribe this drug. I... I like your drug and I'm going to prescribe it."

Franks: "That's not..."

Black: "And for that he gets... he or she gets \$500 or..."

Franks: "Well, they don't even have to say they'll prescribe it if you give me that. But if they've given a... if they're given a cash incentive or some other... maybe they're given a week in Bermuda with their family, so they should start prescribing a certain prescription. I think that's fair



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that we should know about it. Be... these companies really influence our public policy, I don't need to tell you that. I remember sitting on this House Floor four years ago when we were trying to pass our Prescription Drug Discount Act for seniors. Everybody on that side of the aisle except 2 voted against it. Last year we had 118 cosponsors and it was essentially the same Bill. Let's not make the same mistake we made four years ago."

Black: "Well... we... we could argue the definition of your word 'essentially the same'. I think they were considerably different, as you will recall there was... I don't want to get into that debate, it's history. But there was considerable difference in the Bill that had opposition and the Bill that came out of here unanimously. What... what I'm still trying to get at is I... I was in radio for a while long, long ago, dabbled in radio, thought I wanted to be a discjockey or whatever. And that was in the days of payola. It would seem to me that if a... if a pharmaceutical company... By the way, I didn't take any payola. I was never in a market big enough to have anybody to ask me to do anything. But it would seem to me that if a pharmaceutical company gave a substantial cash gift to a physician that that physician could be in a very tenuous position. I would assume that physician had best declare... claim that as income on his or her w... or his or her taxes, correct?"

Franks: "I'd assume they would."

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Black: "Now, I would hope so, otherwise I think they're... could be in some problems. This Bill sounds familiar. In... in reading the literature during the early days of the campaign and noticing that this is only law in one state, would it be fair to say that Doctor Howard Dean, the former Governor of Vermont, pioneered this legislation in the State of Vermont?"

Franks: "I believe it was someone else, but there are a few states that have it now. There are Vermont, excuse me, and Maine have filed those Bills. Also, Vermont was the first state to enact the legislation, but since then Nevada, New Mexico and Maine have as well. And ten other states have similar Bills active right now."

Black: "Okay, let me... I guess the question is and I've been here long enough to know that if we really wanted to save money in this state we would pass a law that says all these annual reports that cross our desks should be eliminated. Put it on the web."

Franks: "I tried..."

Black: "I'll bet I get 10 or 12 annual reports from agencies I've never heard of some 50-, 60-, 70 pages, four-color pictures, usually they're colored pictures of the director, but that's neither here nor there. Now, here we are gathering more information. When we get the information and... and people have to be assigned the task of gathering, collating, extrapolating and then putting the data in report form. Once we get the data, what are we gonna do with it?"

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Franks: "I... want ya to know I filed that Bill that you just talked about."

Black: "Let me... let me join ya."

Franks: "I'd love to have ya as a cosponsor on that one."

Black: "So, if we get all of this data and the Department of Public Health which would, I think, tell you in a... in a... in a public or private moment that they're overworked and understaffed. They compile all this data, I assume they're going to put it in report form, then what do we do with it? Do we say 'oh, my'."

Franks: "If the... if the manufacturer violates the Act the director can bring an action for injunctive relief costs as well as attorneys' fees in a civil penalty for up to \$10 thousand per violation. I think what we're trying to do here is level the playing field and what we're dealing with is a very unique... unique item. We're dealing with pharmaceuticals that are really a matter of life and death for those people who can or cannot get them. And as if you've seen with the cost of every year being double-digit inflations and one of the reasons we're having such problems here in Illinois with our budget is because of the high cost of prescription drugs. That's the highest component of what we have to pay for the increase in many of our state agencies. This is a way to level that playing field and knock out a lot of the nonsense. I think we owe it to our citizens to try to do everything we can on this issue."

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Black: "I don't think anybody would argue that point, Representative. I think... I think the... the honest disagreement on the Bill is not... we're... some people aren't sure that your Bill does that. It... it requires some reporting and... and maybe that's good, maybe it isn't. We get so many reports, I can't keep them all straight. But the only punishment in this Bill is if you fail to report. And... and a \$10 thousand business offense will tend to get your attention. So, I think you'll report, but let me back up a minute. My insurance, I have a copay on prescription drugs, but if I want a generic, that copay is off the table. I... I have to pay the price for a brand name pharmaceutical."

Franks: "Yes."

Black: "I mean, they'll... they'll prescribe it, but if it's \$90, I pay \$90. If it's the generic, my copay is only \$5. So, I think... I think there's a system that helps fight that kind of abuse."

Franks: "But we don't have generics for everything."

Black: "Well... I'll... I'll grant you that."

Franks: "And oftentimes there might be a newer generation..."

Black: "Yeah..."

Franks: "...of the drug and the drug could be the name brand..."

Black: "Yeah."

Franks: "...and the last generation could be the one for \$20 and the new generation can be for 200..."

Black: "Yeah, right."

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Franks: "...and they can be the almost identical drug, maybe a different color or longer lasting..."

Black: "Yeah."

Franks: "...and the \$20 one would do just as well. And I think that's where this could help kick in as well."

Black: "Your... your point is well-taken. I... I guess I was trying to say that I am so conscious of my copay and want to only pay the \$5 copay that when I had an antibiotic a few months ago and they said it'll be \$58, I said whoa, wait a minute, I have a \$5 copay. But this is a brand name, new antibiotic, broader spectrum and this is what the doctor thinks you should have. I mean, I have become so acclimated to... to this cost by my insurer that I'm... I'm even... I didn't argue with the pharmacist, I said whoa, surely you have something back there that would be covered under the \$5 copay and you're right they did explain, no, not in this particular case. I want you to know I paid the \$58 dollars, reluctantly. But when... when all is said and done, when we get this information and everybody files, what are we gonna do with the information? Are we gonna use the information to hammer them? Because you've already said the bulk of the costs are exempt."

Franks: "Right."

Black: "So..."

Franks: "If they don't follow the law..."

Black: "Yeah."

Franks: "...then there is a penalty provision. That's all. And I just... I need to reiterate that the manufacturers believe

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this is a good idea because they did it themselves. But the problem whenever... whenever you do this and there was a quote here in the American Medical News today and it says, ooh, I'm trying to find it. 'The impact of the pharma code is fading. There was a brief period when there was a decrease in activity but physicians I talk to say there's a shifting back to the status quo.' And this is Art Kuebel, a former detailer from Washington state. This is a detailer, a seller, who believes this is necessary."

Black: "All right. If... if a... if a certain drug, prescription drug, is imported from Canada, it was sent to Canada for sale but ends up being imported back to the states for sale in a legal fashion. Does that manufacturer then also have to include what he... what he or she may or may not have paid in promotional costs to the physician... physicians in Canada?"

Franks: "No, Sir."

Black: "All right. So, you don't break it out?"

Franks: "No, Sir."

Black: "All right."

Franks: "But there wouldn't be any opportunity there. I mean, if it's..."

Black: "All right. I... Ya know, what I... I'll tell ya what, I... I'd be inclined to cosponsor a Bill with you. I think... I think over the years we've made some mistakes. The lawyers don't agree with me but I think letting attorneys advertise has not been in the best interests of attorneys and/or the public. I also at the same breath would say I think

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letting pharmaceuticals advertise even though it's a freedom of speech issue and I believe in the Bill of Rights, the abuse that I'm seeing in their ads upsets me. I saw one last night on the 10:00 news, it didn't even tell you what the... what the drug was for."

Franks: "The purple pill, I have no idea what it does but I know I need it."

Black: "It says... it says go ask your doctor."

Franks: "Right."

Black: "Now the ad shows people running through fields of flowers, your dog looks good, everybody looks good. Doesn't even tell you what the drug is for."

Franks: "But you know you need it."

Black: "Well, ya know..."

Franks: "Yeah, I know."

Black: "...it's like a new car. Well, I want one of those, so you go to the doctor. In that case, I wouldn't mind tightening up the advertising policies of pharmaceutical companies. I think not having to give you the bad sides, not even having to tell ya what it's for is goofy. But would you agree, the only state that has figures is Vermont? And I think the figures the... the cost figure that Vermont got from their data was considerably less than what they had initially thought they might have."

Franks: "That may or may not be true. But I know we have a huge drug expenditure in this state. We spend almost \$2 billion a year on prescription drugs. Six percent of our General Revenue Fund is allocated for prescription drugs."

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Black: "All right."

Franks: "Everything we can do to save money I think is important."

Black: "But I'm... I'm going to assume that this information from staff is accurate. Vermont, that now has a data base on this, Vermont discovered that pharmaceutical companies spent \$228 per health care provider. Nowhere near the 19 or 20 thousand dollars they thought they might get at. Now, if you... if you extrapolate 228 or 230 dollars per health care provider in a state as populous as Illinois, I don't know if there's any... gonna be any significant savings on that figure."

Franks: "I'd agree but I... I don't think that's the same. I haven't seen those figures. All I can rely on is the ones that we've received. And the empirical, not the empirical, the anecdotal statements by the president of the Amer... American Medical Association."

Black: "All right."

Franks: "All right. I'm sorry, the American Academy of Family Physicians as well as the chair of the AMA on Ethical and Judicial Affairs. I would tend to believe these gentlemen who deal with this on a daily basis."

Black: "All right. Representative, thank you very much. I appreciate your indulgence. Mr. Speaker, is it all right with you if I address the Bill?"

Speaker Turner: "I thought you did."

Black: "Oh."

Speaker Turner: "But go ahead, Representative."



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Black: "Mr. Speaker, shame on you. Mr. Speaker and Ladies and Gentlemen of the House. I won't belabor the point. I think many of the previous questioners and speakers have stated more eloquently than I can that the Bill upon first glance doesn't appear to be harmful. But I also think after a second glance it doesn't appear to be extremely helpful. Regardless of the Sponsor's good intentions, this... this will create a bureaucracy, not a huge one I'm sure, but a bureaucracy nonethe... nonetheless in the Department of Public Health. And this material will be gathered and the Bill is silent on what we do with the information. Do we use the information to drive down costs? Do we use the information to say, ha, ha, as I suspected, you're spending too much on advertising. Whoops, wait a minute, advertising costs are not included. Marketing costs are not included. The salaries of detail reps, the expense account of detail reps are not included. They may take the doctor out to dinner, not included. What... the only thing that the Sponsor will do with this Bill is to create a reporting requirement if the doctor gains financially from that particular session with that drug detail rep. One might argue that that's good public policy. My only concern is the energy, the effort and yes, there will be money expended to comply with this requirement. And when all is said and done I don't know that the pharmaceutical companies are not gonna pass that cost on of gathering and... and labeling and putting all the information together. If that costs them three cents a

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pill, there's no doubt in my mind that that's gonna be built into the cost of that pill. And as I understand the Gentlemen's Bill, that in... that... that increased cost due to the reporting and labeling requirements will be passed on to me but will not be reported. So, when all is said and done, the Sponsor I think is well intended. I'm not sure that the Bill, as someone said earlier, really does very much except gather information and then we'll have to sit down and figure out what we're going to do with the information once we collect it."

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

Stephens: "Will the Gentlemen yield?"

Speaker Turner: "He indicates he will."

Stephens: "Representative, I'm a... I'm a pharmacist. I don't know if you're aware of that."

Franks: "Yes, I am."

Stephens: "You're a lawyer, right?"

Franks: "Sometimes. Don't tell my mom."

Stephens: "Your mother's very proud of you. I wonder if I could be added as a cosponsor of your legislation?"

Franks: "That means ver... that means a lot to me, Representative."

Stephens: "I appreciate that courtesy. There's been a lot said about this Bill, Mr. Speaker, some of which, not so much inappropriate but maybe inaccurate as to the intentions, well, I can't talk... speak to the intentions of the Sponsor, but what the Bill's really going do. This isn't about

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brand name drugs versus generic drugs because it talks about manufacturers and labelers of drugs. And indeed, some of the biggest drug manufacturers are those who produce generic drugs. And we've talked about whether you're for or against drug companies. That's not the issue here. I think the real issue, Representative, is... is the fact that it's inappropriate. And at least if we're not going to stop it, we should know about it. The public should know if the drug companies are coming in and talking to health care professionals and really trying to buy their attention with a new set of golf clubs or a new car or a vacation in the Bahamas or whatever they might be providing. The Representative's got a commonsense way of dealing with this and yeah, there might be some problems with all the reporting and it might be costly and it may be... maybe the fines will be hard to implement but the bottom line is the public has a right to know and that's who will ultimately benefit from this. The public will know and that public pressure if there's inappropriate actions taking place, public pressure will squelch those ina... ina... those activities. So, I... I rise in strong support of the Gentlemen's Motion. We don't agree on everything in this General Assembly, you and I. But this time you and I... you had the right idea and I'm proud to be associated with it. Thank you."

Speaker Turner: "Seeing no further questions, Representative Franks to close."

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Franks: "I couldn't say it anymore eloquently than the last speaker and I want to thank him very much. I appreciate the courage it took to stand up and say that. What we're trying to do is to codify the ethics rules that already exist. He's absolutely right. We oughta know what these companies are doing. Every one of us in this chamber has to show who gives us money. Every one of us has to disclose. I couldn't think of a more political organization than... than big pharma, quite frankly. This is one way to help protect our citizens and to lower our prescription drug costs. I appreciate the heated debate on this but much of it was misdirected. There are no other requirements on the physicians. There are no requirements on the pharmacists. The only requirements are the ones that are already existing to this... these manufacturers. And we're just trying to codify it, get out the bad apples and protect all of our citizens. We should all vote for this Bill. It should help reduce the cost of prescription drugs. And I'd ask you all for an 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 4233 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. The Gentleman from Cook, Representative Franks."

Franks: "From McHenry. I'd like to make a Motion to put this on post... Postponed Consideration."

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Speaker Turner: "The Gentleman requests that the Bill be put on Postponed Consideration. And the Bill will so be moved. I'd like to remind the Members that that last Bill was on Short Debate. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. I have an inquiry of the Chair."

Speaker Turner: "State your inquiry."

Black: "I would ask the parliamentarian to review the tape. I believe you took the record on that Bill. That Bill failed, then the Gentleman asked for Postponed Consideration. I do not think his request was timely. You had taken the record, Mr. Speaker, and once you take the record his request for Postponed Consideration is not in order. And if you'd like to check the tape I would be willing to wait until you do that."

Speaker Turner: "Representative, I was just... I didn't get the tape but in listening to my advisors here and I believe that you will admit that I was correct. I did say that we will take the record. I did not ac... declare the Bill won or lost. I did not announce numbers, I just said that we will take the record and then the Member requested... the Member made a request and he was recognized as he is entitled to be recognized and we then gave him the right to have the Bill postponed. But I did in fact say take the record. I did not declare the number or did not say whether the Bill had won or lost. But I did ask that the record be taken."

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Black: "Mr. Speaker, I will not engage in a debate with you. That is a creative ruling. In my years here, if the Chair says take the record, it's over. And that's why the Chair must always be vigilant. I... I had an opportunity for two years to sit in the Chair and I remember that rule very carefully. The person in the Chair must be very vigilant. Once you say take the record, that Bill's done. I will not challenge you. The ruling has been made, but I do not agree with that ruling and I will just simply caution you and other people in the Chair, if you take the record, debate on that Bill is done. Now, I'm not arguing the point. I'm sure both sides have a picture of that board and you can tell how I voted, so it doesn't make any difference to me. But I believe you made a strategic and tactical error and under the Rules of the House and under Roberts Rules, Postponed Consideration should not be granted on that Bill. You've made your ruling, I accept it, but I don't think it's right."

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

Parke: "Representative, Mr. Speaker, I... I'm disturbed by this ruling. I mean, do you deny that you said that you took the Roll Call? Is that what you're saying?"

Speaker Turner: "I did not take the Roll Call."

Parke: "You did not."

Speaker Turner: "I did not announce the Roll Call."

Parke: "Thank you."

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Speaker Turner: "On page 15 we have House Bill 5020. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 5020, a Bill for an Act concerning vehicles. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 8 we have House Bill 4395. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 4395, a Bill for an Act concerning protective orders. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 5 we have House Bill 4200. What's the status of that Bill, Mr. Clerk? Out of the record. On page 9 we have House Bill 4489. Rea... what's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 4489, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 15 we have House Bill 5041. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 5041, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amends..."

Speaker Turner: "Third Reading. The Bill will remain on Second Reading. There's a fiscal note that has been filed. Keep the Bill on Second Reading. On page 3 we have House Bill 4005. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 4005, a Bill for an Act concerning disaster service volunteers. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Page 19 we have House Bill 6786. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6786, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. Page 20 we have House Bill 7263. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 7263, a Bill for an Act concerning flag displays. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 4 of the Calendar we have House Bill 4086. What's the status of the Bill, Mr. Clerk... or read the Bill."

Clerk Mahoney: "House Bill 4086, a Bill for an Act concerning vehicles. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. On page 10 we have House Bill 42. I should say 4532. What's the status of the Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 4532, a Bill for an Act creating Southern Illinois..."



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Speaker Turner: "Out of the record. Take it out of the record. On page 9 we have House Bill 4458. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4458, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 14 we have House Bill 4996. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4996, a Bill for an Act concerning veterans. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 14 we have House Bill 4989. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4989, a Bill for an Act concerning pest control. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 4 we have House Bill 4059. Read... what's... read that Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4059, a Bill for an Act in relation to insurance. Second Reading of this House Bill. Amendments #1 and 2 were adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. On page 16 we have House Bill 5157. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 5157, a Bill for an Act concerning taxes. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Leave the Bill on the Order of Second Reading, Mr. Clerk. On page 7 we have House Bill 4338. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4338, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. On page 12 we have House Bill 4827. Read the Bill, Mr. Clerk. Out of the record. On page 13 we have House Bill 4914. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4914, a Bill for an Act concerning college savings. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 12 we have House Bill 4779. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4779, a Bill for an Act concerning cemeteries. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 17 we have House Bill 5562. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 5562, a Bill for an Act in relation to education. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 9 we have House Bill 44... Read... 52. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 45... 4452, a Bill for an Act concerning special districts. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 9 we have House Bill 4478. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4478, a Bill for an Act concerning insurance. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. On page 15 we have House Bill 5061. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5061, a Bill for an Act concerning criminal Law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 22 we have House Bill 4947. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4947, a Bill for an Act concerning procurement. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. The Gentleman from Cook, Representative Miller."

Miller: "Mr. Speaker, the Bill was already on Third Reading."

Clerk Mahoney: "House Bill 4947, a Bill for an Act concerning procurement. Third Reading of this House Bill."

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

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4947 extends the definition of small business preference, changes maximum annual sales or receipts for businesses to qualify to small business from 10 million which... increases it to 10 million from 7.5 and its wholesalers to 6 million which is now 1.5 million for retailers. I'd ask for a favorable vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4947 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 11 we have House Bill 4712. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4712, a Bill for an Act concerning consumer protection. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. On page 11 we have House Bill 4621. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4621, a Bill for an Act concerning capital development. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. On page 4 we have House Bill 4092. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4092, a Bill for an Act concerning mental health. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. No, Representative wants it left on Second Reading. Move the Bill back to Second. And thank you, Mr. Clerk. On page 19 we have House Bill 6848. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6848, a Bill for an Act concerning local government. Amendment #1... Second Reading... Second Reading of this House Bill. Amendments #1 and 2 were adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. On page 6 we have House Bill 4263. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4263, a Bill for an Act concerning taxes. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. On page 16 we have House Bill 50... The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. With your permission an inquiry of the Chair on two Bills that were moved to Third Reading that staff indicates that we had agreements that they would not be until Amendments were drafted."

Speaker Turner: "Which Bills are those, Representative?"

Black: "House Bill 4712 which is Representative Morrow and House Bill 6585... Oh, I'm sorry, 6848, Representative Slone."

Speaker Turner: "Representative Morrow on House Bill 4712."

Morrow: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I was not on the floor when that Bill was moved to Third Reading, Representative Black. And I agree with you, that Bill is... was supposed to remain on Second Reading for... for an Amendment. I'm sorry, Representative, I... I had no knowledge it had been moved."

Black: "Thank you very much."

Speaker Turner: "The Bill will be brought back to Second Reading on the wishes of the Sponsor, Representative Morrow. And Representative Slone on House Bill 6848."

Slone: "Thank you, Mr. Speaker. Same... the same issue that... that particular Bill is actively in negotiation right now. It is not ready to be moved to Third Reading. So, if we could please move it back to Second. Thank you."

Speaker Turner: "And the Sponsor recom..."

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Black: "Mr. Speaker, thank... thank you very much. And thank both... and we thank both Sponsors."

Speaker Turner: "Thank you, Representative. Mr. Clerk, will you please put House Bill 6848 on the Order of Second Reading? On page 20 we have House Bill 7015. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 7015, a Bill for an Act concerning driving offenses. Second Reading of this House Bill. No Comm... Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third... no... hold the Bill on Second Reading. On page 16 we have House Bill 5105. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5105, a Bill for an Act concerning transportation. This Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. On page 11 we have House Bill... hold that Bill on Second Reading. That's on House Bill 5105, hold the Bill on Second Reading. There is a fiscal note requested. On page 11 we have House Bill 4640. Out of the record. On page 11 we have House Bill 4686. Representative Colvin. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4686, a Bill for an Act concerning higher education. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

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Speaker Turner: "Third Reading. And on page 18 we have House Bill 6618. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6618, a Bill for an Act concerning labor. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On the Order of Third Reading, page 23, we have House Bill 7043. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 7043, a Bill for an Act concerning minors. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Champaign, Representative Rose."

Rose: "Thank you, Mr. Speaker. House Bill 7043 amends the Juvenile Court Act of 1987. It provides the proof that a minor child was present in a structure or vehicle in which the minor's parents, custodian or guardian was involved in the manufacturing of methamphetamine. Constitutes prima facie evidence of abuse and neglect. The Body will remember this Bill from last year, it passed out of here easily. We had a few problems in the Senate. We spent the summer working with the Attorney General's Office to iron out those problems. The Attorney General is very supportive of this Bill. I was proud to carry it once again. Essentially, in laymen's terms, all we're saying that is if you expose a minor to a meth lab that whatever that is, it is in fact abuse and neglect. And that will allow the system to respond in a much more expeditious way and remove that child from a dangerous environment. I



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would urge an 'aye' vote. Thank you very much, Mr. Speaker."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 7043 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 23 of the Calendar we have House Bill 6846. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6846, a Bill for an Act concerning civil procedure. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Madison, Representative Hoffman. The Gentleman requests we take the Bill out of the record. On page 22 we have House Bill 5069. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5069, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Schmitz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5069 is gonna put a... it's proposed to put aggravated discharge of a firearm into the truth in sentencing statues. We had an incident this summer in my district where a sheriff's deputy followed a... a man into a building. The man was in the building waiting for him with

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a loaded shotgun, fired at him, missed, reloaded took a shot again and luckily he missed. And his sentence as we found out through the sentencing process since it was... since he did not shoot the officer and he missed that this did not fall under the truth in sentencing guideline. I felt that was somewhat of an oversight and I would like to add that into the statute."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 5069 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, on page 21, we have House Bill 45... 4506. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4506, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is a simple but an important Bill. It simply adds hate crime protection to dormitories at our universities. I would ask for your support."

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

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

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Speaker Turner: "He indicates he will."

Parke: "...what... what happened that brought about the genesis of this Bill?"

Lang: "There were several incidences at Northwestern University where Swastikas were drawn in the hallways at dormitories. Under the current laws of Illinois, it's a hazy area as to whether there's hate crime... the hate crime statutes cover that kind of activity. We merely wanna clear up the statute so that it's crystal clear that this kind of activity would be covered under Illinois hate crimes law."

Parke: "And that's about... it's just... is it just the Swastikas or is there others... other... I mean, it can't be just that. You have more than that in there, right?"

Lang: "This arises from that incident. I don't know if there's any others. But there was some difficulty in prosecuting those who did it because there's a hazy area in hate crime statute as to whether dormitories at universities are covered. So we simply wanna clear up the law. We believe the current law covers it but apparently the state's attorney was unclear so we wanna make sure that should this happen in the future, whether it be a Swastika or whether it be a cross burning or whatever it might be, at any university in this state, at any site at any university in this state, that the Hate Crimes Act would cover it."

Parke: "So, it's just more than a Swastika, it's other... other signs of prejudicial activities."

Lang: "Of course."

Parke: "All right. Thank you."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, just a... a point of clarification. Should such... should this action take place in a private residence, a home converted into three apartments for example off-campus housing, would this Bill apply to an action at that location?"

Lang: "That's a very good question. Give me a moment."

Black: "All right."

Lang: "Actually, it would not, Mr. Black. The statute... the language says, 'in a school or other education facility including an administrative facility or a public or private dormitory facility of or associated with the school.' So if it was off-campus housing it would not be covered."

Black: "And I... I appreciate that clarification for a number of reasons because in your underlying Bill... When I was a dean of students at a community college, and that was a long time ago, we got out of the business of approving student housing. We used to, we used to inspect it and so forth and so on, but legal counsel said, ya know, you really don't want to get into that for... for... for a number of reasons. So we didn't have... obviously community colleges don't have dormitories and once we did not inspect or approve off-campus housing we always assumed that our liability then was zero. So, that's what I wanted

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clarification and you've given me the answer and I appreciate it."

Lang: "Thank you."

Speaker Turner: "Representative Lang to close."

Lang: "I would ask for your support."

Speaker Turner: "Question is, 'Shall House Bill 50... 4506 pass?'

All those in favor should say 'a... should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, page 21, we have House Bill 4031. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4031, a Bill for an Act concerning alcoholic liquor. Third Reading of this House Bill."

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

McKeon: "Thank you, Mr. Speaker. I think most Members here are clear about occasionally having an issue that comes up in your district and you need to resolve it and try to resolve it without impacting other areas of the state. 4031 is a Bill that I amended if you recall a couple of weeks ago that... to only apply to the City of Chicago. There is no known opposition with the... the caveat that the City of Chicago as a matter of course files an objection to anything dealing with the State Liquor Code. But they actually assisted me in writing it. What it does is deal

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with a very unique situation. I haven't found any other situation like it. We have a... a faith community with a building on one street facing west and we have a tavern in an adjoining restaurant on a parallel street facing east. Now from across the adjoining alley, they're a few feet under a... a hundred feet, although there is no rear public entrance from the synagogue and there's no rear public entrance from either the restaurant or the tavern. The tavern has been in business for 18 years. The situation came up when they applied for a liquor license incidental to food services for the restaurant next door that the same owner was developing. So we're left in a... and at that time the city came out, measured the distance across the alley, refused to issue the incidental license and initiated revocation proceedings for the tavern. Now, what has been happening with the City of Chicago is that they've been continuing the hearing on the revocation proceeding waiting for some guidance from the General Assembly. And so what we have done is create a situation where the primary entrance to these businesses that are on opposite streets facing opposite directions is in excess of 100 feet. In fact, the primary entrances are somewhere around 1500 feet because you have to walk all the way around the block. I'm very clear that this was not the original attempt of the General Assembly. The City of Chicago is liter... literally interpreting the law and their interpretation is correct, but they think it's very unfair. This has received attention from every major TV, radio, news station,

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newspapers, including the Chicago Trib, the Sun-Times and they all feel that it's a very unfair situation and results in the taking of this woman's investment over 18 years, even under the circumstances where the senior leader of the synagogue has, in writing, indicated he has no objection to it. They've worked together for years, they have a very friendly relationship. The woman that built the tavern, rather reopened it, it had been around for about 40 years, has cleaned up the neighborhood, cleaned up the clientele and they're now opening an upscale restaurant adjacent to it. And because of this technicality not only is the restaurant refused to get a liquor license but the city is going back 18 years that the woman has owned this Bill (sic-tavern) and revoking her license. Now they've continued these hearings, they're waiting for guidance from the General Assembly. And I urge your 'aye' vote."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, the Amendments to the Bill, let me... let me make sure that everybody understands it. Your Floor Amendment makes this apply only to the City of Chicago, a... a city over 300 thousand population?"

McKeon: "That's correct."

Black: "Okay. The Committee Amendment gives, as I understand it, a religious edifice within a hundred feet, would it be fair to say, has veto power over the issuance? They don't

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have to sign off because if they sign off they're saying, well, gee, we don't have any problem with alcohol, which may create a problem with their congregants. So, if the license holder or the city would go to the religious edifice, do you mind if we issue a license and if they said no, we don't mind, that coupled with the population threshold then wo... would solve your problem."

McKeon: "That's right. And I think as you opened your or began your comment, it's the only place in the Code that I can find, in the Liquor License Code, that gives the... the minister or chief rabbi absolute veto power..."

Black: "Okay."

McKeon: "...over this situation."

Black: "Now, you did say that perhaps there was no known opposition? I think it would be fair to say there probably is still opposition because of the philosophical issue at hand, correct?"

McKeon: "It... I haven't... as I said..."

Black: "Okay."

McKeon: "...no known opposition."

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

McKeon: "And then we have a special circumstance with the City of Chicago."

Black: "Oh, I know you've worked very hard on it. You've been very patient and explained it to a number of people and again, I thank you for your indulgence."

McKeon: "Thank you, Representative."



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Speaker Turner: "Seeing no further questions, Representative McKeon to cla... to close."

McKeon: "Thank you, Ladies and Gentlemen of the House. Again, this is a Bill like most of us have had that applies solely to your district to resolve a problem or an injustice, something that could not have been an... anticipated in the original law. I urge you to support this Bill, it's very important to me personally and to my district."

Speaker Turner: "The question is, 'Shall House Bill 4031 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 66 voting 'aye', 50 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 22 of the Calendar we have House Bill 4980. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4980, a Bill for an Act concerning health facilities. Third Reading of this House Bill."

Osterman: "...Speaker and Ladies and Gentlemen of the House. House Bill 4980 amends the Health Facilities Planning Board. The Bill requires that a hospital shall notify within 30 days the Health Facilities Planning Board, the Department of Public Health, the local State Senator and State Representative, if it has reduced identified medical services by more than 50 percent. Additionally, it gives the Health Facilities Planning Board the ability to define 50 percent of service, add medical servi... services if

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appro... appropriate and define how each health care service is defined. This issue stems from a case in Waukegan where a hospital was going to close and drastically reduced its service without any notification to the Health Facilities Planning Board or anyone else. The intent of this legislation is to make Public Health, the Health Facilities Planning Board and the local elected officials aware of any drastic reduction in service. And I'd ask for an 'aye' vote."

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

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

Speaker Turner: "He indicates he will."

Franks: "Representative Osterman, I see Illinois Hospital Association has no position. Have they discussed this with you at all?"

Osterman: "I did discuss this with them and they are taking a no position on that. So I would take that in a... that they're taking no position."

Franks: "Okay."

Osterman: "But we did work on the language of this and..."

Franks: "Now... isn't the Illinois Health Facilities Planning Board set to sunset in a few years?"

Osterman: "Yes, they are. Their administrative rules is being reviewed right now. So they're in the process of reviewing a lot of their rules that govern them."

Franks: "Would this have done anything... I guess there was a closing of a hospital here in Springfield, the Doctors

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Hospital, would this have done anything to alleviate a closing?"

Osterman: "This is not something where they ask for approval to close. Currently, if they eliminate a service or they close the hospital they have to ask for permission from the Health Facilities Planning Board. All this does... this is the notification so that you and I and the community know that services are being drastically reduced. And that we can take whatever action we decide to do."

Franks: "We can't require that they stay open."

Osterman: "We cannot require them to stay open but currently it's not necessarily if they open or if they're gonna close a hospital, that would be something that they would have to ask for. This is if they drop service."

Franks: "Okay."

Osterman: "And what happened in Waukegan was that, ya know, a hospital was more or less gutted without anybody really knowing that that was taking place."

Franks: "Okay."

Osterman: "Or out... without any official notification to the Health Facilities Planning Board."

Franks: "As I'm looking at this, I appreciate you talking about it. I believe I have a potential conflict. My law firm does some work in front of these guys. So I'll be voting..."

Osterman: "Are you representing one of the hospitals in Waukegan?"

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Franks: "No. Absolutely not. But I'm wantin' to let you know so I'll be voting 'present', but I wanted to figure out your ideas. Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise? Seeing no further questions, Representative Osterman to close."

Osterman: "I just ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 4980 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, we have 113 voting 'aye', 0 'noes', 3 voting 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 24 we have House Bill 4462. What's the status of the Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 4462 is on the Order of Postponed Consideration."

Speaker Turner: "Put the Bill on the Order of Second Reading. On page 21 we have House Bill 4032. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4032, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4032 amends the Criminal Corrections Code in changing the sentencing for dismembering and concealment of a human body from concurrent to consecutive sentencing for that specific crime. This initiative came

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fro... from a couple of crimes that happened within my district in the last few years. And I'm urging an 'aye' vote for this."

Speaker Turner: "Seeing no questions, the question is, 'Shall House... I'm sorry. The Lady from Cook, Representative Davis, for what reason do you rise?'"

Davis, M.: "Thank you. I just have to ask a couple of questions. Okay..."

Speaker Turner: "He indicates he will."

Davis, M.: "Thank you. Representative, you're asking that some crimes you... the sentencing will not allow for concurrent sentencing but it has to be consecutive. Is that..."

Rita: "It... what it allows is just for the specific crime of a concealment of a human body. It would change it from concurrent to consecutive sentencing on that particular crime. And it also included in the dismembering of a human body."

Davis, M.: "I'm sorry, I didn't hear the la..."

Rita: "It's just on that specific crime of concealment of the human body."

Davis, M.: "So if a body is concealed then what has to happen at sentencing?"

Rita: "What's that?"

Davis, M.: "What happens at sentencing if that occurs?"

Rita: "They have to impose a concurrent sentence rather a... a consecutive sentence rather than concurrent. Right now, the judge could do it concurrently if there was multiple

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crimes committed, rather than serving that sentence all by itself. That specific crime of concealment."

Davis, M.: "Is there a fiscal note?"

Rita: "No. Not that I'm aware of."

Davis, M.: "You have any idea what this will cost the state?"

Rita: "No."

Davis, M.: "Well, let's say a person was given 50 years for the homicide, so... and then you're saying they should have another 50 years for the concealment?"

Rita: "Wha... the... the maximum sentencing is five years for concealment of a... so the maximum would be five years unless there was multiple charge."

Davis, M.: "So they'd have to... they would have to serve an additional five?"

Rita: "No, they'd have to serve that crime by itself rather than..."

Davis, M.: "That's what I'm saying, it would have to be..."

Rita: "So if they were charged with two... two or three different crimes..."

Davis, M.: "It would have to be in addition. I'm... I'm gonna vote for your Bill. However, I have great concern when we increase the cost of incarceration and with all good intentions we have yet failed to stem the tide of crime. And what we're actually doing is increasing this cost to a taxpayer. I don't believe it's gonna make a person not hide the body 'cause he knows he's gonna have to serve five more years. That's not gonna do that. But what we are

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gonna have to do in the state is to pay those additional dollars. But I will support your Bill, Representative."

Rita: "Thank you."

Speaker Turner: "The Gentleman from Fayette, Representative Stephens."

Stephens: "Will the Gentleman yield?"

Speaker Turner: "He indicates he will."

Stephens: "I can't help but comment on what I just heard. The... evidently there's some who oppose your Bill because it's gonna increase costs to keep people in prison for bad things that they do. Do you care to comment on that concept?"

Rita: "No."

Stephens: "I... I'm interested in keeping the Vandalia Correctional Center open that's in my... in my district and it... we house about 1500 inmates there. And some of the inmates, if they behave themselves under your legislation, they might wind up there if they... if they eventually qualify for a minimum security clearance. So, Representative, your Bill, well, it... it might be a moot point. If we close more prisons in the State of Illinois under the guise of saving money we're not gonna have any place to put them. And so if we increase sentencing guidelines, expand sentencing guidelines, and don't have places to put them, will that be a bad idea? So I wonder if you support keeping the Vandalia Correctional Center open because we're... might just be like... there you go, hold it up, hold that banner up. Because I support your Bill

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and I hope that we have places to put 'em. Don't you think it's a good idea that we have places to put these prisoners?"

Rita: "I agree with ya, but I think we're talking about two different, separate things..."

Stephens: "Yeah, you're right, we are."

Rita: "And... and... and rather than..."

Stephens: "But I need... I need an audience..."

Rita: "Rather than mixing it all up, ya know, we're talking about a specific crime. It..."

Stephens: "Well, a very heinous crime and if it's committed they need a place to put 'em."

Rita: "Yes, yes. And... and like you said, we're talking about two separate issues of Vandalia and keeping the Corrections thing open, rather than talking about the... the House Bill here..."

Stephens: "Well, I just wanted to... kind... Ya know, the people in Vandalia are really upset and nervous and I want them to know that their Representative occasionally at least we're not gonna let the General Assembly forget the Vandalia Correctional Center where some of the people that you wanna go after might wind up. Thank you, Representative. I support your Bill."

Speaker Turner: "Seeing no further questions, Representative Rita to close."

Rita: "I just urge an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 4032 pass?' All those in favor should vote 'aye'; all those opposed



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vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 21 of the Calendar we have House Bill 4176. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4176, a Bill for an Act concerning preventive services. Third Reading of this House Bill."

Speaker Turner: "Take that Bill out of the record, Mr. Clerk. Page 21 we have House Bill 4370. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4370, a Bill for an Act concerning counties. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Lake, Representative Beaubien."

Beaubien: "Yes. Thank you, Mr. Speaker. This is a Bill that allows the county boards that have law libraries to request an increase of up to \$13 through county board action for the law libraries. The law libraries have been suffering of late because of the fact that the... the caseload numbers are the same. I'd also like to point out that the small claims and criminal cases do not pay this fee. About 25 percent of the users of these libraries are members of the general public. The public libraries like the Bill because they are then able to not have so many law... law books on their own. Also, the cost of doing business and computer equipment and the cost of books is greatly out pacing the

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need to... to provide the service and as a result they're laying off employees and having less hours. There are no objections to the Bill. I have several... the law cl... from Kane County and other law groups supporting the Bill and I would point out that the State Bar Association did not oppose the Bill this year. I think they feel it is probably time we need to do this and I request its passage."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4370 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 62 voting 'aye', 54 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 21 of the Calendar we have House Bill 4538. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4538, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Bailey: "Thank you, Mr. Speaker. House Bill 4538 is a Bill that's harassment against witnesses. It actually protects three groups of people: jurors, witnesses and those people who expect to serve as witnesses."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4538 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now

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open. Have all voted who wish? Have all voted who wish?  
The Clerk shall take the record. On this question, there  
are 117 voting 'aye', 0 'noes', 0 'presents'. And this  
Bill, having received the Constitutional Majority, is  
hereby declared passed. On page 23 of the Calendar we have  
House Bill 7057. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 7057, a Bill for an Act concerning  
criminal law. Third Reading of this House Bill."

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

Bradley: "Thank you, Mr. Speaker and Members of the House.  
House Bill 7057 amends the Unified Code of Corrections.  
First, it increases the fee charged defendants for each  
month of probation or supervised conditional discharge or  
supervised community service, unless a defendant  
demonstrates they are unable to pay such amount. The Bill  
also increases the amount the clerk must deposit to the  
county treasurer and increases the highest probation fee  
per month a circuit court may impose. In addition, the  
Bill provides that any offender who was sentenced to  
probation or conditional discharge for a felony sexual  
offense shall be required to refrain from any contact  
directly or indirectly with any person specified by the  
court and shall be available for all evaluations and  
treatment programs required by the court or the probation  
department."

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

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

Speaker Turner: "He indicates he will."

Parke: "Representative, in our... in our staff analysis of your Bill we have one opponent, the Cook County Judicial Advisory Board. Why are they opposed?"

Bradley: "We called them and they removed their opposition."

Parke: "They removed their opposition?"

Bradley: "Yes, they did."

Parke: "Then you have a fine Bill. Thank you, Sir."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 7057 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 2 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 21 of the Calendar we have House Bill 4275. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 40... House Bill 4275, a Bill for an Act considering... concerning criminal law. Third Reading of that House Bill."

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

Millner: "Thank you, Mr. Speaker. House Bill 4275 closes a loophole in the law that would otherwise make it legal for people to transmit live images as long as it's recorded unbeknownst to the person being recorded."

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Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4275 pass?' All those in favor should say 'aye' or should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 22 of the Calendar we have House Bill 4660. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4660, a Bill for an Act concerning military personnel. Third Reading of this House Bill."

Speaker Turner: "The Lady from Kankakee, Representative Dugan, for what reason do you rise? Recognize the Lady from Kankakee, Representative Dugan."

Dugan: "Yes, I'd like to present the Bill."

Speaker Turner: "Please present."

Dugan: "Okay. House Bill 4660 addresses an issue with service... military personnel. Under the current law, any person employed by a private employer who's in the military is able to return to their place of employment. Because of some problems that have arisen, House Bill 4660 amends the Service Men's Employment Tenure Act. It provides that an employer's knowing violation of the Act is a business offense punishable by a fine of not less than 5 thousand and no more than 10 thousand. It also... also authorizes the assessment of the court fees against the employer in a civil action. And also changes the name of the Act to the

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Service Members Employment Tenure Act to make it gender neutral. The Bill is supported by a wide array of veterans organizations. The Illinois Chamber of Commerce did talk to me. They had a problem at the beginning with some wording and that's why we added the word 'knowing', this way the business will not be fined unless if they knowingly know that they have violated the law when they don't hire the military personnel back in the place of business. So, I would like to ask for a 'yes' vote... 'aye'."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4660 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 22 of the Calendar we have House Bill 4966. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4966, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Turner: "Take the Bill out of the record. I'd like to announce to the Members that we're going to the Order of Second Reading. Please be prepared to move your Bill or let the... the Chair know if you do not want to move your Bill. We're going to the Order of Second Readings, so when you hear your name called be prepared and let us know whether you want the Bill moved to Third Reading or not."

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

Black: "Ya... Mr. Speaker, just a inquiry of the Chair. We're in total agreement with you, but what has slowed us down already today is when the Chair moves a Bill from Second to Third and the Sponsor isn't even on the floor, then we often have to go back and say we had an agreement. I would just caution the Members. They need to be in the chamber and they need to give the Chair a signal whether or not they want to move it to Third. When we... when we try to do it too quickly then we have to go back and say, wait a minute, there was an agreement to hold it, the Bill isn't ready, there's an Amendment being drafted. It would help if every Member would come to the floor and signal the Chair. Very quickly with a hand movement or something. Yeah, ya want the Bill moved. If not, give ya... give the slash thing so you know not to move the Bill. It would speed things up greatly."

Speaker Turner: "Your point is well-taken, Representative. In fact, any Member who's not in the chair when his Bill is called, that Bill will remain on the Calendar and not be moved. So if you're not on the floor or if you have not left instructions on how to move your legislation, it will remain on the Calendar. On the Order of Second... Mr. Clerk, you have a report?"

Clerk Mahoney: "Report of the Committee on Rules. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative

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measure/s and/or joint action Motions was/were referred, action taken on Tuesday, March 23, 2004, reported the same back with the following recommendation/s: Amendment #1... 'approved for floor consideration' Amendment #1 to House Bill 3922, Amendment #1 to House Bill 3979, Amendment #2 to House Bill 4022, Amendment #1 to House Bill 4076, Amendment #1 to House Bill 4099, Amendment #1 to House Bill 4232, Amendment #1 to House Bill 4310, Amendment #1 to House Bill 4453, Amendment #2 to House Bill 4558, Amendment #2 to House Bill 4856, and Amendment #1 to House Bill 5017."

Speaker Turner: "On page 8 of the Calendar we have House Bill 4393. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 4393, a Bill for an Act concerning professional regulation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. Page 4 of the Calendar we have House Bill 4055. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4055, a Bill for an Act in relation to alcoholic liquor. Second Reading of this House Bill."

Speaker Turner: "Out of the record. Page 5 of the Calendar we have House Bill 4103. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4103, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Page 13 of the Calendar we have House Bill 4920. Read the Bill, Mr. Clerk."



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Clerk Mahoney: "House Bill 4920, a Bill for an Act concerning vehicles. Secon..."

Speaker Turner: "Out of the record, Mr. Clerk. Maybe it'll help if I read the name before I call the Bill. On page 13 of the Calendar we have Representative Boland on House Bill 4851. Is the Gentleman in the chamber? Out of the record. On page 2 of the Calendar we have Representative Brady on House Bill 3877. We did that one. On page 7 of the Calendar we have Representative Burke. Out of the record. On page 4 of the Calendar we have House Bill 4022. Representative Daniels. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4022, a Bill for an Act concerning disability services. Second Reading of this House Bill. Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Daniels, has been approved for consideration."

Daniels: "Mr. Speaker, I would ask for the adoption of Amendment #2 which adds a hold harmless clause to this Bill."

Speaker Turner: "The Gentleman on Amendment #2. Representative Daniels."

Daniels: "As stated, I would ask for adoption of Amendment #2 which adds a hold harmless clause to this Bill."

Speaker Turner: "Seeing no questions, the question is, 'Shall Amendment #2 be adopted to House Bill 4022?' All those in favor should say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On page 2 of the Calendar we have Representative Coulson on House Bill 3922. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3922, a Bill for an Act in relation to aging. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Coulson, has been approved for consideration."

Coulson: "Mr. Speaker, I would ask for adoption of Floor Amendment #1 to 3922. This Bill... this Amendment just makes sure that we are going to have our pharmaceutical coverage commensurate... realigned with the federal program as the federal prog... program becomes known to us."

Speaker Turner: "Seeing no questions, the question is, 'Shall Amendment #1 to House Bill 3922 pass?' All those in favor say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On page 14 of the Calendar we have Representative Daniels on House Bill 5000. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5000, a Bill for an Act concerning..."

Speaker Turner: "Out of the record. Page 8 of the Calendar we have Representative Chapa on 4371, Chapa LaVia. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4371, a Bill for an Act concerning... in relation to human rights. Second Reading of this House

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Bill. No Committee Amendments. No Floor Amendments. All notes filed."

Speaker Turner: "Third Reading. On page 10 of the Calendar, Representative Collins on House Bill 4610. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4610, a Bill for an Act in relation to minors. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. The Lady from Cook, Representative Collins, on House Bill 4650. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4650, a Bill for an Act concerning housing. Second Reading of this House Bill. Committee Amendment #1 was adopted. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold that Bill. That Bill shall remain on Second. Mr. Clerk, what's the status of House Bill 4393?"

Clerk Mahoney: "House Bill 4393 is on the Order of Third Reading."

Speaker Turner: "And are there any notes applicable to this Bill, Mr. Clerk?"

Clerk Mahoney: "There's a correctional note filed against this Bill that needs... is requested."

Speaker Turner: "That Bill... and has that note been filed?"

Clerk Mahoney: "The note has not been filed."

Speaker Turner: "Mr. Clerk, that Bill should be moved back to the Order of Second Reading until the note is filed. So,

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we will move House Bill 4393 from Third back to Second. On the Order of Second Reading, we have Representative Eddy on House Bill 3978. Eddy... on House Bill 3978. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3978, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Turner: "Out of the record. Out of the record. On page 4 of the Calendar, Representative Fr... Froehlich on House Bill 4023. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4023, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All Motions have been filed."

Speaker Turner: "Third Reading. On page 11 of the Calendar we have House Bill 4688. Out of the record. On page 9 of the Calendar we have House Bill 4389. Read the Bill, Mr. Clerk. Representative Hultgren. We did it. House Bill 4444, Representative Hultgren. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4444, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 14 of the Calendar, Representative Currie on House Bill 4962. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 4962, a Bill for an Act concerning surrogacy."

Speaker Turner: "Out of the record. On page 3 of the Calendar we have Rep... Representative Davis on House Bill 3979. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3979, a Bill for an Act concerning schools."

Speaker Turner: "Representative Davis on House Bill 3979."

Davis, M.: "Does this have an Amendment?"

Speaker Turner: "Amendment 1. Yeah, read the... read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3979, a Bill for an Act concerning schools. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Monique Davis, has been approved for consideration."

Speaker Turner: "Representative Davis on Amendment #1."

Davis, M.: "Amendment #1 merely takes out any transfer of dollars from the school. This Bill merely states... states that people suspended have an opportunity with parent's permission to go to a community-based organization to serve out a suspension. And what the Amendment did was remove any transfer of dollars."

Speaker Turner: "Seeing no questions, the question is, 'Shall Amendment #1 to House Bill 3979 pass?' All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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Clerk Mahoney: "No further Amendments. But a fiscal note has been requested but not yet filed."

Speaker Turner: "The Bill will remain on Second Reading. On page 14 of the Calendar we have Representative Currie on House Bill 6564. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6564, a Bill for an Act concerning adoption. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Page 6 of the Calendar we have House Bill 4280, Will Davis. Read the Bill, Mr. Clerk. Out of the record. On page 10 of the Calendar, Representative Delgado on House Bill 4560. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 45..."

Speaker Turner: "There's a fiscal note on your Bill, Representative. Hold that Bill on Second Reading. On page 6 of the Calendar, Representative Lindner on House Bill 4239. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4239, a Bill for an Act concerning counties. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 20 we have House Bill 7026. Representative Mathias. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 7026, a Bill for an Act concerning public safety. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. On page 4 of the Calendar we have House Bill 4057. Representative McAuliffe. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4057, a Bill for an Act concerning asbestos abatement. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 15 we have Representative Feigenholtz on House Bill 40... 5057. Read the Bill, Mr. Clerk. Out of the record. On page 20 we have Representative Flowers on House Bill 7029. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 7029, a Bill for an Act concerning nursing. Second Reading of this House Bill."

Speaker Turner: "Out of the record. On page 20 we have Representative Fritchey on House Bill 6951. Out of the record. Mr. Clerk, what's the status of House Bill 4944, Representative Smith's Bill?"

Clerk Mahoney: "House Bill 4922 is on the Order of Third Reading."

Speaker Turner: "4944."

Clerk Mahoney: "40... House Bill 4944 is on the Order of Third Reading."

Speaker Turner: "The Gentleman asks leave to have the Bill brought back to Second. Leave is granted. What's the status, Mr. Clerk, of House Bill 4372? Representative Chapa LaVia. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 4372 is on the Order of Third Reading."

Speaker Turner: "The Lady asks leave to have the Bill brought back to Second Reading. Leave is granted. And Mr. Clerk, what's the status of House Bill 4914?"

Clerk Mahoney: "House Bill 4914 is on the Order of Third Reading."

Speaker Turner: "The Gentleman asks leave to have that Bill brought back to Second Reading. Leave is granted. The Lady from Cook, Representative Flowers, for what reason do you rise?"

Flowers: "Thank you, Mr. Speaker. I'm ready for House Bill 70..."

Speaker Turner: "29."

Flowers: "Yes. Thank you."

Speaker Turner: "Mr. Clerk, what's the status... read the Bill of House Bill 7029."

Clerk Mahoney: "House Bill 7029, a Bill for an Act concerning nursing. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. On page 10 of the Calendar... page 10 of the Calendar we have House Bill 4558. Representative Pihos. Read the Bill, Mr. Clerk. Representative Pihos."

Clerk Mahoney: "House Bill 4558, a Bill for an Act concerning public health. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2,



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offered by Representative Pihos, has been approved for consideration."

Speaker Turner: "The Lady from DuPage, Representative Pihos on Amendment #2."

Pihos: "Yes. Amendment #2, Mr. Speaker, just makes corrections to the legislative findings. It corrects American Association of Suicidology and also the estimates of the lives that suicide impacts. So that's all Amendment #2 is and I would like to see that Amendment adopted. Thank you."

Speaker Turner: "Seeing no questions, the question is, 'Shall Amendment #2 to House Bill 4558 pass?' All those in favor say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And the Amendment #2 is adopted. Further Amendments?"

Clerk Mahoney: "No further Amendments. A fiscal note has been filed... requested but not received."

Speaker Turner: "That Bill should remain on Second Reading. The Lady from DuPage, Representative Pihos on House Bill 5050. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill... House Bill 5050... House Bill 5050, a Bill for an Act concerning museums. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 15 of the Calendar we have Representative Giles on House Bill 5041. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill..."

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Speaker Turner: "Out of the record. Sorry, out of the record. On page 5 of the Calendar we have Representative Gordon on House Bill 4127. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4127, a Bill for an Act concerning vehicles. Second Reading of this House Bill. Amendments #1 and 2 were approved in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. On page 14 of the Calendar we have Representative Graham on House Bill 5016. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5016, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 7 of the Calendar we have Representative Poe on House Bill 4288. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4288, a Bill for an Act in relation to criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 9 of the Calendar we have Representative Rose on House Bill 4453. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4453..."

Speaker Turner: "Out of the record. Out of the record. And now he wants to do it. Read the Bill, Mr. Clerk, 4453."

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Clerk Mahoney: "House Bill 4453, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Rose, has been approved for consideration."

Speaker Turner: "The Gentleman from Champaign, Representative Rose on Amendment #1."

Rose: "Thank you, Mr. Speaker. This simply makes this language permissive rather than mandatory. This is an agreement I made at the Democratic staff's request and I believe that fulfills that agreement. Thank you, Mr. Speaker."

Speaker Turner: "Seeing no questions, then the question shall... is, 'Shall Amendment #1 pass?' All those in favor say... be adopted. All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. The Gentleman from DuPage, Representative Meyer, for what reason do you rise?"

Meyer: "Thank you, Mr. Speaker. Mr. Speaker, our records indicate that House Bill 4127 which has been moved to Third Reading. There had been an agreement by the Sponsor to hold that Bill on Second for an Amendment."

Speaker Turner: "The Bill will be brought back to the Order of Second Reading. 4127, Mr. Clerk, bring it back to Second Reading. Thank you, Representative Meyer for that note. On page 18 of the Calendar we have Representative Sacia on House Bill 6583. Out of the record. Page 19 of the

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Calendar we have Representative Schmitz on House Bill 6753.  
Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6753, a Bill for an Act to... in  
relation to alcoholic liquor. Second Reading of this House  
Bill. Amendment #1 was approved in committee. No Floor  
Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 16 of the Calendar we  
have Representative Grunloh on House Bill 5076. Read the  
Bill, Mr. Clerk."

Clerk Mahoney: "House Bi... House Bill 5076, a Bill for an Act  
concerning vehicles. Second Reading of this House Bill.  
No Committee Amendments. No Floor Amendments. All notes..."

Speaker Turner: "Out of the record. Page 4 of the Calendar we  
have Representative Hamos on House Bill 4099. Read the  
Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4099, a Bill for an Act in relation  
to energy. Second Reading of this House Bill. No  
Committee Amendments..."

Speaker Turner: "Out of the record, Mr. Clerk. Representative  
Hamos, on House Bill 4735. Read the Bill, Mr... Out of the  
record, Mr. Clerk. On page 16 of the Calendar we have  
Representative Osmond on House Bill 5131. Read the Bill,  
Mr. Clerk."

Clerk Mahoney: "House Bill 5131, a Bill for an Act concerning  
vehicles. Second Reading of this House Bill. No Committee  
Amendments. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. Representative Hamos on... Mr. Clerk, House Bill 4735. Representative Hamos. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4735, a Bill for an Act concerning nursing facilities. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Representative Hamos."

Hamos: "I've... Speaker I filed a Floor Amendment today. Amendment #2, but that has not been approved by Rules yet."

Speaker Turner: "So..."

Hamos: "Then I... then I need to keep it on Second. Thank you."

Speaker Turner: "...that's what we'll do. Hold the Bill on Second Reading. Page 7 of the Calendar we have House Bill 4363. Representative Jakobsson. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House... House Bill 4363, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. Page 8 of the Calendar we have Representative Jefferson on House Bill 4403. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4403, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

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Speaker Turner: "Third Reading. On page 2 of the Calendar we have Representative Lou Jones on House Bill 3883. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3883, a Bill for an Act concerning accounting. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 7 of the Calendar we have Representative Kelly on House Bill 4285. Read the Bill, Mr. Clerk. Out of the record. Page 19 of the Calendar we have Representative Bassi on House Bill 6841. Read the Bill, Mr. Clerk. 6841."

Clerk Mahoney: "House Bill 6841, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 8 of the Calendar we have Representative Munson on House Bill 4431. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4431, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Munson on House Bill 4171. No, I'm... Out of the record. On page 4 of the Calendar we have Representative Wait on House Bill 4067. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House... House Bill 4067, a Bill for an Act concerning minors. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 20 of the Calendar, Representative Wait, we have House Bill 6954. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6954..."

Speaker Turner: "Out of the record. On page 5 of the Calendar, Representative Lang, we have House Bill 4109. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4109, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. Page 10 of the Calendar, Representative Lyons on House Bill 4495. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4495, a Bill for an Act concerning the investment of public funds. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. On page 9 of the Calendar we have Representative Lyons on House Bill 4493. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4493, a Bill for an Act concerning health facilities. Second Reading of this House Bill."

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Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On the Order of... on page 2 of the Calendar, Represent... we have House Bill 3954, Representative Hassert. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3954, a Bill for an Act concerning civil procedures. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 19 of the Calendar we have House Bill 6745. Read the Bill, Mr. Clerk. Representative Lyon."

Clerk Mahoney: "House Bill 6745, a Bill for an Act concerning taxes. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 12 of the Calendar, Representative Lyons, we have House Bill 4739. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4739, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 11 of the Calendar we have Representative Colvin on House Bill 4688. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4688, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."



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Speaker Turner: "Third Reading. Out of the record. Take... take... take the Bill back to Second, Mr. Clerk. Leave the Bill on Second. 4688. Page 20 of the Calendar we have Representative May on House Bill 4478. Read the Bill, Mr. Clerk. 4478. Page 2 of the Calendar we have House Bill 5017. Representative McCarthy. Read the Bill, Mr. Clerk. Page 14 of the Calendar."

Clerk Mahoney: "House Bill 5017, a Bill for an Act concerning fire protection districts. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative McCarthy, has been approved for consideration."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 is a very technical Amendment. It basically adds that after 'hired' it'll say 'on or after the effective date of this Amendatory Act of the 93rd General Assembly.' It basically makes sure that it does... it... it clearly states that it doesn't affect any existing employees and will only affect the newly-hired people by the fire districts. So I'd ask for approval of the Amendment."

Speaker Turner: "Seeing no questions, the question is, 'Shall Amendment #1 to House Bill 5017 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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

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Speaker Turner: "Third Reading. On page 19 of the Calendar we have Representative McGuire on House Bill 6845. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6845, for... a Bill for an Act concerning long-term care. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. On page 8 of the Calendar we have Representative McKeon on House Bill 4374. Yeah, there he is. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4374, a Bill for an Act concerning labor relations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. Representative Parke, for what reason do you rise?"

Parke: "In our... our staff analysis says that there was an agreement made on that previous Bill, 4374. They're to hold the Bill on Second Reading until an agreement was reached by AFSCME and the Illinois Municipal League. So could the Sponsor..."

Speaker Turner: "The Sponsor... the Sponsor acknowledges..."

Parke: "...answer whether or not that agreement's been made?"

Speaker Turner: "He acknowledges you're correct and the Bill shall be moved back to the Order of Second Reading."

Parke: "Thank you, Mr. Speaker."

Speaker Turner: "That's House Bill 4374 will remain on the Order of Second Reading. Page 22 of the Calendar... We're

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gonna remain on Second Readings. On page 12 of the Calendar, Representative Mendoza. Page 10 of the Calendar, Representative Miller on House Bill 4522. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4522, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Page 4 of the Calendar we have Representative Nekritz on House Bill 4076. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4076, a Bill for an Act concerning taxes. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Nekritz, has been approved for consideration."

Nekritz: "Thank you..."

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

Nekritz: "Thank you, Mr. Speaker. The Amendment simply clarifies some of the questions that were raised in committee about the technical drafting of the Bill, the intent of the Bill to allow the state's attorney and the Attorney General access to the income tax returns for those... for noncustodial parents remains the same. And I ask for your support."

Speaker Turner: "Seeing no questions, the question is, 'Shall Amendment #1 to House Bill 40... I'm sorry. The Gentleman from Vermilion, Representative Black, for what reason do you rise?'"

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Black: "Thank you very much, Mr. Speaker. I apologize for the late light. But will the Sponsor yield on the Amendment?"

Speaker Turner: "She indicates she will."

Black: "Representative, the Amendment becomes the Bill, correct?"

Nekritz: "That's correct."

Black: "All right. Can you tell me then... if... if you explained it, I didn't hear it. I'm sorry. The Amendment becomes the Bill. What does the Bill do now?"

Nekritz: "The... the Bill does the same thing as it... as it did when we passed it through committee, which is to allow the state's attorney acc... and the AG's Office and the Department of Public Aid access to income tax returns for individuals who are noncustodial parents that are involved in Public Aid child support cases. The problem has been that the... it's up to the noncustodial parent to disclose their income in these kinds of cases and many times they haven't been very forthcoming. And this is an attempt to allow the... the prosecutors to gain access to the real impo... the real pay histories of these... of these individuals."

Black: "So, what... what we're doing then, should this become law, we're saying that a person's income tax record would be given to the court. I assume that's only under court order?"

Nekritz: "It would be pursuant to a subpoena."

Black: "All right. And then what... what will... what safeguards... are there current safeguards that prevent this from becoming in the public realm?"

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Nekritz: "The Amendment itself provides that if it is necessary to include this information in a court file, that it would only be included in that court file under seal. In addition, the state's attorneys have an ethical obligation that is imposed on them with regard to all cases that they cannot disclose this kind of information without it being an ethical violation."

Black: "Right. Now, there's mention of a W-2 from our staff. This would go much further than just a W-2."

Nekritz: "Yes, it would. It would... it would..."

Black: "The entire tax form..."

Nekritz: "...it would encompass the entire tax return."

Black: "All right. So, if there was 1099 or cash income, that's going to be reflected on the tax return, that's what you're after? The full..."

Nekritz: "Right. We're after the entire income picture for the individual."

Black: "All right. Fine. Thank you very much. And it's just for the noncustodial parents."

Nekritz: "Just for the noncustodial parent."

Black: "Under a subpoena, handled through a court order."

Nekritz: "Correct."

Black: "All right. Thank you."

Nekritz: "Thank you."

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

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

Speaker Turner: "She indicates she will."

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Mulligan: "Will this make any difference, Representative, and... a lien that might be put on for tax refunds whether it would go back to the state for it to cover Public Aid costs for picking up public aid for people who are not getting child support..."

Nekritz: "No. This is..."

Mulligan: "...or where their child support would go?"

Nekritz: "I'm sorry. This would... this is... this is a completely different stage in the proceeding. This is at the stage in the proceeding where the level of child support is being established not... has nothing to do with collection."

Mulligan: "All right. So it would have nothing to do with collection or the ability to place liens that the state would get rather than the actual recipient of the child support."

Nekritz: "You know what, Representative, I misspoke. It could be at any point during the proceeding that if... that we could get access to this, but I didn't hear the latter part of your question."

Mulligan: "I was concerned that the state would pay public aid for someone that does not receive such... receive child support. And then after they find out that what the income tax liability or not, particularly if the person is getting a refund, that the state would put a lien on it to take it in lieu of the woman that's receiving the child support or the spouse that's receiving the child support."

Nekritz: "No, this is... this would not affect that."

Mulligan: "All right. Thank you."

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Speaker Turner: "Seeing no further questions, the question is, 'Shall Amendment #1 to House Bill 4076 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On page 17 of the Calendar, Representative Nekritz on House Bill 5884. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5884, a Bill for an Act concerning stormwater management. Second Reading of this House Bill. Amendments #1 and 2 were approved in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. On page 22 of the Calendar we have House Bill 5889. Read the Bill, Mr. Clerk. The Gentleman from Cook, Representative Osterman."

Osterman: "That... Mr. Speaker, I'd like to request that Bill be put back on Second for the purpose of an Amendment."

Speaker Turner: "Mr. Clerk, return the Bill to Second Reading. The Bill will remain on Second. On page 10 of the Calendar we have House Bill 4510. Representative Reitz. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4510, a Bill for an Act concerning boards. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

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Speaker Turner: "Third Reading. Page 17 of the Calendar we have Representative Rita on House Bill 6567. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6567, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Page 3 of the Calendar, Representative Ryg on House Bill 3994. Read the Bill, Mr. Clerk. No, out of the record. On page 3 of the Calendar we have Representative Molaro on House Bill 3985. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3985, a Bill for an Act concerning property. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. Page 7 of the Calendar we have House Bill 4310. Representative Soto. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4310, a Bill for an Act concerning child support. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Soto, has been approved for consideration."

Speaker Turner: "Representative... the Lady from Cook, Representative Soto on Amendment #1."

Soto: "Thank you, Speaker and Members of the House. House Amendment #1 makes technical changes to the original Bill at the request of the Illinois Bankers Association and the



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Illinois Credit Union League. These groups were concerned that the persons who were having their child support payments deducted from the bank would perceive that the bank was taking their money when in fact the money was going towards child support that they owed. And that is the Amendment."

Speaker Turner: "Seeing no questions, the question is, 'Shall Amendment #1 to House Bill 4310 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. And the opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Page 10 of the Calendar we have Representative Soto on House Bill 4539. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4539, a Bill for an Act concerning vehicles. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. The Lady from Cook... no, the Lady from Peoria, Representative Slone, on House Bill 4269. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4269, a Bill for an Act concerning identification. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

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Speaker Turner: "Third Reading. Page 19 of the Calendar, Representative Vershon on House Bill 6740. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6740, a Bill for an Act concerning the Office of Banks and Real Estate. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. That was Representative Verschoore, not Vershon. Page 17 of the Calendar... page 9 of the Calendar we have Representative Yarbrough on House Bill 4439. Read the Bill, Mr. Clerk. Out of the record. On... read the Bill... what's the status of House Bill 3979, Mr. Clerk? That's Representative Davis' Bill."

Clerk Mahoney: "House Bill 3979 is being held pending the recommendation for Floor Amendment #1. A note has also been filed on House Bill 3979."

Speaker Turner: "What's the status of the note?"

Clerk Mahoney: "The note on House Bill 3979 has been withdrawn."

Speaker Turner: "Are there further notes?"

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

Speaker Turner: "Mr. Clerk, move that Bill to Third Reading. On the Order of Third Readings, we have Representative Smith on House Bill 4944. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4944..."

Speaker Turner: "The Gentleman from Fulton, Representative Smith."

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Smith: "Mr. Speaker, I believe we took this back to Second earlier."

Speaker Turner: "The Bill shall remain on Second. On page 22 of the Calendar we have Representative Watson on House Bill 4818. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4818, a Bill for an Act concerning sheltered care. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Morgan, Representative Watson."

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4818 simply adds a 10 percent per day reimbursement rate to sheltered care home providers. They are... These homes provide service and care to individuals who can pretty much take care of themselves but still need some personal care. They are reimbursed at the rate of roughly \$29 a day. So this 10 percent increase, you can figure that out, is almost \$3 a day. If something happened in these homes, they would be institutionalized into an \$85-a-day long-term care facility. I appreciate an 'aye' vote and will answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4818 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the

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Order... on page 21, Representative Yarbrough on House Bill 4176. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4176, a Bill for an Act concerning preventive services. Third Reading of this House Bill."

Speaker Turner: "Out of the record. Page 21 of the Calendar we have Representative Munson on House Bill 4171. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4171, a Bill for an Act concerning procurement. Sec... Third Reading of this House Bill."

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

Munson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4171 provides a mark... market-driven incentive for Internet service providers to do their part to reduce e-mail spam to the State of Illinois. It requires that all providers of e-mail services that contract with the State of Illinois to take reasonable measures to provide a spam-free service to their customers. I'll take any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4171 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there a 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, page 22, we have Representative Dunkin on House Bill 4966. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 4966, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Dunkin: "Thank you, Mr. Speaker and Members of the House of Representatives. What this Bill does is, it corrects the oversight by adding language or similar provisions of law of another state related to reckless homicide. It provides that a person sentenced to a term of imprisonment for reckless homicide may not be licensed to drive for 24 months after the release of their imprisonment. The other section covers that a person may not make an application for renewal of driving privileges for at least three years after being revoked for a reckless homicide conviction. The third and final section provides that a person convicted of DUI shall be guilty of aggravated... aggr... aggravated DUI if the person has committed a DUI violation for a second time and has been previously convicted of reckless homicide. I ask for an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4966 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Page 17 of the Calendar we have Representative Washington on House Bill 6563. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 6563, a Bill for an Act concerning estates. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. The Lady from Cook, Representative Bailey, for what reason do you rise?"

Bailey: "I'm sorry. On Representative Watson's Bill, I pushed the 'yes' button and I didn't register a 'yes' vote."

Speaker Turner: "So, that's on House Bill 4818. The Lady would like for the record to reflect that her voting switch was not working and she wanted to be recorded voting 'yes' on that Bill."

Bailey: "Thank you."

Speaker Turner: "The record will so reflect it."

Clerk Mahoney: "Committee schedules are be... being distributed."

Speaker Turner: "Committee schedules are being passed around now. Please take a look at the schedule so you'll know where you are to be either later today or tomorrow morning. We'd hate for you to miss a meeting because you did not know. Take a look at the reports. They are being distributed as we speak. The Approp Committees will meet after adjournment as listed in the Calendar for today. Seeing no further business... I'm sorry, hold on. The Lady from Cook, Representative Mendoza, for what reason do you rise?"

Mendoza: "Thank you, Mr. Speaker. I'd just like to make an announcement to all the Members of COWL."

Speaker Turner: "Mooo..."

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Mendoza: "Now, now... that tomorrow morning at 10 a.m. we will be meeting in Room C-1. We'll be having a meeting, so please bring all your priorities, 10 a.m. tomorrow morning in C-1, all Members of... all the female Members of COWL. Thank you."

Speaker Turner: "Moooo... The Gentleman from Cook... No, the Gentleman from Lake, Representative Sullivan, for what reason do you rise?"

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

Speaker Turner: "State your point."

Sullivan: "As many of you know, Saint Patrick's Day was last week and as a unofficial end to the unofficial Irish Heritage Week, the Sullivan caucus will be having a party starting five minutes ago. So there are food and adult beverages, singing, dancing and a trolley ride that starts at Monroe Street and lasts all the way 'til 9:00 that'll take you back to the Capitol if you so choose. So, come join us at the Sullivan caucus party. Thank you very much."

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

Parke: "Thank you, Mr. Speaker. I would also like to announce that tomorrow at 8:30 in Room C-1 the Economic and Fiscal Commission will be having their meeting. So, if anyone is so inclined to listen to an update of where the state is, in terms of revenues that have come in, join us at 8:30 tomorrow in C-1."

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Speaker Turner: "Any further announcements? The Gentleman from Cook, Representative Lyons, for what reason do you rise?"

Lyons, J.: "Well, kinda after the fact, Speaker, but I just have to put it on the record. I want to thank my wife Karen Celeste Bridget Mahoney for making that fabulous Irish soda bread. God love her."

Speaker Turner: "Thank you, Karen. No further announcements. Allowing perfunctory time for the Clerk, Representative Currie moves that the House does stand adjourned until tomorrow at the hour of 11 a.m., tomorrow at the hour of 11 a.m. The House is adjourned."

Clerk Mahoney: "The House Perfunctory Session will now come to order. Introduction of House Bills-First Reading. The following Bills were introduced: read by title name, ordered, printed and placed in Committee on Rules. House Bill 7278, offered by Representative Cross, a Bill for an Act concerning civil procedure. House Bill 7279, offered by Representative Cross, a Bill for an Act concerning medical malpractice. House Bill 7280, offered by Representative Cross, a Bill for an Act concerning malpractice. House Bill 7281, offered by Representative Cross, a Bill for an Act concerning civil procedure. House Bill 7282, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 7283, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 7284, offered by Representative Krause, a Bill for an Act making appropriations. Senate Bills-First Reading. Senate Bill 2167, offered by



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Representative Froehlich, a Bill for an Act concerning the Office of the Secretary of State. Senate Bill 2175, offered by Representative Mathias, a Bill for an Act concerning municipalities. Senate Bill 2277, offered by Representative Lyons, Eileen, a Bill for an Act concerning local government. Senate Bill 2374, offered by Representative Bradley, John, a Bill for an Act concerning vehicles. Senate Bill 2377, offered by Representative Coulson, a Bill for an Act concerning health care. Senate Bill 2378, offered by Representative Slone, a Bill for an Act concerning child care. Senate Bill 2429, offered by Representative Slone, a Bill for an Act in relation to transportation. Senate Bill 2480, a Bill for an Act concerning transportation. Senate Bill 2894, offered by Representative Slone, a Bill for an Act concerning vehicles. Senate Bill 2900, offered by Representative Froehlich, a Bill for an Act concerning public aid. First Reading of House Joint Resolution Constitutional Amendment #36.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 13.5 to Article IV of the Illinois Constitution as follows:

ARTICLE IV

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SECTION 13.5. LIMITATION ON LIABILITY FOR NON-ECONOMIC DAMAGES

- (a) In this Section "economic damages" means compensatory damages for any pecuniary loss or damage. The term does not include any loss or damage for past, present, and future physical pain and suffering, mental anguish and suffering, loss of consortium, loss of companionship and society, disfigurement, or physical impairment.
- (b) Notwithstanding any other provision of this constitution, the General Assembly may determine by statute the limit of liability for all damages and losses other than economic damages of a provider of medical or health care with respect to treatment, lack of treatment, or other claimed departure from an accepted standard of medical or health care or safety that is or is claimed to be a cause of or that contributes or is claimed to contribute to the disease, injury, or death of a person. This subsection (b) applies without regard to whether the claim or cause of action arises under or is derived from common law, a statute, or other law, including any claim or cause of action based or sounding in tort, contract, or any other theory or any combination of theories of liability. The claim or cause of action includes a medical or health care liability claim as defined by the legislature.
- (c) This Section applies to any law enacted by the General Assembly on or after the effective date of this constitutional Amendment.

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(d) A legislative exercise of authority under subsection (b) of this Section requires a majority vote of all the members elected to each house and must include language citing this Section.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. First Reading of House Joint Resolution Constitutional Amendment #37.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 13.5 to Article IV of the Illinois Constitution as follows:

ARTICLE XIII

GENERAL PROVISIONS

Sec. 13.5. PRE-TRIAL MEDICAL PEER REVIEW

(a) Notwithstanding any other provision of this Constitution, the General Assembly may provide by law for the pre-trial medical peer review of all medical malpractice actions, as defined by law, filed in Illinois. The review is non-binding, but any determination made as a result of the review is admissible at trial.

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- (b) This Section applies without regard to whether the claim or cause of action arises under or is derived from common law, a statute, or other law, including any claim or cause of action based or sounding in tort, contract, or any other theory or any combination of theories of liability.
- (c) This Section applies to any law enacted by the General Assembly on, before, or after the effective date of this Section.
- (d) This Section and laws implementing this Section shall not be construed to be in conflict with the judicial power vested in the courts under Section 1 of Article VI or to violate the doctrine of separation of powers.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. There being no further business, the House Perfunctory Session will stand adjourned."