

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

108th Legislative Day

3/24/2004

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 to join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Pastor Mike Pennock of the Assumption Catholic Church in Coal City, Illinois. Pastor Pennock is the guest of Representative Gordon."

Pastor Pennock: "Place ourselves in the presence, our loving God, as we take a moment to thank God for the many gifts that He has given us, continues to give us, this time together, this time to follow God's grace, His guidance and respect. For each and every person, as a beautiful gift from God and to respect their rights, to lead them to a deeper commitment to the truth, a commitment to their conscience, a commitment to the freedom that our great country offers. That everything we ask Lord, everything we do here may be to deepen that appreciation, love and faithfulness to the commitment of truth, of the beauty of love that everything we do, we do with love and out of respect for the beautiful gift of life that You give us, the beautiful gift of freedom, to do as we ought to live in faithful love. I'd like to just quote 1986 in October 27 was the first time that all the major world religions got together and that was in Assisi, Italy, and this was just from their prayer at that time. Said for the first time in history we have come together. The form and content of our

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prayers are very different, as we have seen. And there can be no question of reducing them to a kind of common denominator. Yes, in this very different, we perhaps discovered anew regarding the problems, the challenge of peace as it is presently posed to every human conscience is the problem of a reasonable quality of life for all. The problem of survival for humanity, the problem of life and death. The first in this inner imperative of our moral conscience, when it enjoins us to respect, protect and perm... promote human life, from the womb to the death bed, for individuals and peoples, but especially the weak, the destitute, the derelict, the imperative to overcome selfishness, greed in the spirit of vengeance. The second common thing is the conviction that peace must come beyond human efforts, particularly in the plight of the world. And therefore, its source and realization is the source that is why each of us begins in prayer. Even if we think, as we do, that the relation between the reality and the gift of peace is a different one according to our respective religious convictions, we all affirm that such a relationship exists. Perhaps in a workshop open to all and not specialists, ser... serv... servant strategists, peace is a universal responsibility. It comes about through a thousand little daily acts in life, by their daily way of living with others, people choose for or against peace. And so, in this world, if it is going to continue to peace, men and women are to survive in it, the world cannot do that without prayer. So, we ask that everything we do be

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for the greater and honor and glory of our God in peace throughout the world. Amen."

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

Hoffman - 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."

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

Speaker Madigan: "Mr. Bost. Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Kosel is excused today."

Speaker Madigan: "Mr. Bost, could you repeat the name of the person missing in action?"

Bost: "Representative Renee Kosel."

Speaker Madigan: "Kosel. Thank you. Clerk shall take the record. There being 116 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk. Mr. Clerk. Mr. Clerk, one minute please. Just one minute. The Chair recognizes Representative Grunloh."

Grunloh: "Mr. Speaker, I rise for a point of personal privilege."

Speaker Madigan: "State your point."

Grunloh: "I'd like to announce and congratulate Kelly Niemerg from Effingham. She has been crowned the 2004 Miss

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Illinois County Fair Queen. She will graduate from Illinois State University in May of 2004 and then pursue a master's in speech pathology. And I'd like all of you to... to help welcome and congratulate her on being crowned fair queen."

Speaker Madigan: "Mr. Phelps."

Phelps: "Point of personal privilege."

Speaker Madigan: "State your point."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like for you to help me welcome two FFA chapters in my home district, Egyptian High School and my hometown of Eldorado High School. So, please welcome 'em."

Speaker Madigan: "Mr. Flider."

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

Speaker Madigan: "State your point."

Flider: "Yes, Mr. Speaker, of course today is Ag Day and we have a number of people here associated with agriculture and I, too, would like to welcome some of those students. We have students from FFA chapters in Macon, Moultrie and Shelby County. And also in particular, we have the 2002 and 2003 state champs in parliamentary procedure from Sullivan High School here. And not to be outdone by that, we also have the State FFA President, Ryan Robinson, 18 years old from Sullivan, Illinois, Sullivan High School, who is serving this year as FFA president. Please welcome them."

Speaker Madigan: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker. Also a point of personal privilege."

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Speaker Madigan: "State your point."

Sacia: "Would you help me welcome today in the galley (sic-gallery), considered one of the finest FFA chapters in Illinois, Eastland Community Schools in Carroll County, Mr. Stan Toepfer is their ag advisor and instructor, and he has with him two lovely ladies, Sara and Jamie. Would you welcome them, please."

Speaker Madigan: "Mr. Clerk."

Clerk Mahoney: "Representative Smith, Chairperson from the Committee on Appropriations-Elementary and Secondary Education, to which the following measure/s was/were referred, action taken on Tuesday, March 23, 2004, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 7060, House Bill 7061, House Bill 7062, House Bill 7063, House Bill 7064, House Bill 7065, House Bill 7066, House Bill 7067, House Bill 7068, House Bill 7069, House Bill 7070, House Bill 7167, House Bill 6441, House Bill 6460, House Bill 6461, House Bill 6471, House Bill 6493, and House Bill 6511. Representative Feigenholtz, Chairperson from the Committee on Appropriations-Human Services, to which the following measure/s was/were referred, action taken on Tuesday, March 23, 2004, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 6464, House Bill 6465, House Bill 6466, House Bill 6478, House Bill 6479, House Bill 6506, House Bill 6518, House Bill 7107, House Bill 7108, House Bill 7109, House Bill 7110, House Bill 7111, House Bill 7112, House Bill 7113, House

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Bill 7114, House Bill 7115, House Bill 7116, House Bill 7117, House Bill 7118, and House Bill 7119. Representative Monique Davis, Chairperson from the Committee on Appropriations-General Services, to which the following measure/s was/were referred, action taken on Tuesday, March 23, 2004, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 6462, House Bill 6463, House Bill 6468, House Bill 6469, House Bill 6470, House Bill 6473, House Bill 6474, House Bill 6475, House Bill 6476, House Bill 6477, House Bill 6483, House Bill 6491, House Bill 6492, House Bill 6494, House Bill 6500, House Bill 6501, House Bill 6503, House Bill 6504, House Bill 6505, House Bill 6507, House Bill 6509, House Bill 6512, House Bill 6513, House Bill 6515, House Bill 6516, House Bill 6517, House Bill 6520, House Bill 6521, House Bill 6522, House Bill 6523, House Bill 6524, House Bill 6525, House Bill 6526, House Bill 6527, House Bill 6528, House Bill 6529, House Bill 6530, House Bill 6532, House Bill 6533, House Bill 6534, House Bill 6535, House Bill 6536, House Bill 6538, House Bill 6539, House Bill 7099, House Bill 7120, House Bill 7121, House Bill 7122, House Bill 7123, House Bill 7124, House Bill 7125, House Bill 7126, House Bill 7127, House Bill 7128, House Bill 7129, House Bill 7130, House Bill 7131, House Bill 7132, House Bill 7133, House Bill 7134, House Bill 7135, House Bill 7136, House Bill 7137, House Bill 7138, House Bill 7139, House Bill 7140, House Bill 7141, House Bill 7142, House Bill 7143, House Bill 7144, House Bill 7145,

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House Bill 7146, House Bill 7147, House Bill 7148, House Bill 7149, House Bill 7150, House Bill 7151, House Bill 7152, House Bill 7153, House Bill 7154, House Bill 7155, House Bill 7156, House Bill 7157, House Bill 7158, House Bill 7159, House Bill 7160, House Bill 7161, House Bill 7162, House Bill 7163, House Bill 7164, House Bill 7165, and House Bill 7166. Referred to Committee on Rules. House Resolution 739, offered by Representative Hamos. House Resolution 750, offered by Representative Howard. House Resolution 757, offered by Representative Pankau. House Joint Resolution 72, offered by Representative Bill Mitchell. Representative Delgado, Chairperson from the Committee on Judiciary II - Criminal Law, to which the following measure/s was/were referred, action taken on Wednesday, March 24, 2004, reported the same back with the following recommendation/s: 'recommended be adopted' Floor Amendment #1 to House Bill 3978, Floor Amendment #1 to House Bill 4788. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on Wednesday, March 24, 2004, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 4635. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measure/s and/or joint action motions was/were referred, action taken on Wednesday, March 24, 2004, reported the same back with the following

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recommendation/s: Senate Bill 1645... 'approved for consideration' Senate Bill 1645 and Senate Bill 1921."

Speaker Madigan: "Mr. Clerk, on page 21 of the Calendar, there appears House Bill 4777. Read the Bill for a third time."

Clerk Mahoney: "House Bill 4777, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Madigan: "Representative Berrios."

Berrios: "Thank you."

Speaker Madigan: "On the Bill."

Berrios: "Yes."

Speaker Madigan: "Proceed."

Berrios: "Okay. House Bill 4777 amends the Rights of Crime Victims and Witnesses Act. Victim impact statements are provided by victim and family members at sentencing at criminal and delinquency cases and helps the court understand the harm caused by the crime to the victim and family. This Amendment specifically adds the victim's grandparents as persons who can appropriately provide victim impact information to a court, makes it clear that a court has discretion to determine the number of oral presentations of victim impact statements, and clarifies that a court should consider an available victim impact statement with other items of aggravation and mitigation in a plea conference. I'm open to questions."

Speaker Madigan: "Mr. Parke."

Parke: "Mr. Speaker, I just have a question. Don't we, when we go to Third Readings, don't we ring the bell anymore? Is

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that... and we don't need to do that? I... I just want the Body to know we're in Third Readings. It's..."

Speaker Madigan: "Mr. Parke, if you'd like us to ring bells..."

Parke: "...yes, bring in the bells."

Speaker Madigan: "...well, we'd be happy to ring bells for you, Mr. Parke."

Parke: "Thank you. We're in Third Readings and I think that way, hopefully, people who... staff and others will know we're on Third Reading. Thank you, Sir. I've always wanted to be on a fire truck, too, but oh well. Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Parke: "Thank you. Representative, can you explain to us the vict... the victim's impact statement that is affected by this, can you tell us a little bit of why... what we're trying to achieve here?"

Berrios: "Well, what we're trying to do is just add grandparents as them also being able to give impact statements, because when someone dies it doesn't only impact one person. And right now only one parent can give an impact statement. This opens it up to at least a few more people, and the court has the discretion to how many people can speak."

Parke: "So there could be more than grandparents?"

Berrios: "Yes."

Parke: "I see, and what brought this to your attention? Anything in particular in your district?"

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Berrios: "It was... No, the State's Attorneys Office brought it to me, Cook County State's Attorney."

Parke: "So it's not... nothing personal in your district or anything?"

Berrios: "No. No."

Parke: "So, they asked you to do it; they support it. Do you know if anybody's opposed to your Bill?"

Berrios: "I wasn't told of anyone opposing the Bill."

Parke: "Okay, on the face of it, it sounds like a good... good Bill, Representative. And I don't see any problems as long as allowing the grandparents... that's perceived to be a good thing, because some grandparents raise kids and that they..."

Berrios: "Exactly."

Parke: "...see what's going on in the home."

Berrios: "Yes."

Parke: "I see. Okay, Representative, I think it's a good Bill and I prob... I will be voting for it. Thank you."

Berrios: "Thank you."

Speaker Madigan: "The Lady moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Mr. Clerk, take the record. There being 116 Members voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 23 of the Calendar, House Bill 6841. Representative Bassi. Bassi. So, Mr. Clerk, we can take that Bill out of the record. Mr. Parke."

Parke: "Just a point of... Mr. Speaker, on our computers there... the last two Bills have had no analysis. Can you tell us

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if there's a glitch or a problem on these? That's a computer problem? Okay. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Parke, I'm told that it's a matter between your system and LIS."

Parke: "So, it's a... we're working on it? And we'll have that up?"

Speaker Madigan: "They're... they're working on it, and what will do is we'll do Second Readings until it's repaired."

Parke: "Thank you, that's a good idea."

Speaker Madigan: "And then when we go back to Third, Mr. Parke, we'll make sure we ring those bells for you."

Parke: "Good. I'd like that."

Speaker Madigan: "All right, these matters are on the Order of Second Reading. Mr. Burke. On page 5 of the Calendar, there appears House Bill 4232. Mr. Burke. 4232. Did you wish to move the Bill? I'm advised that there's an Amendment approved by the Rules Committee. All right, so Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 4232, a Bill for an Act in relation to health, which may be known as the Colleen O'Sullivan Law. No Committee Amendments. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Burke, has been approved for consideration."

Speaker Madigan: "Mr. Burke, on the Amendment."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Amendment would address the subject of liability. The Illinois Trial Lawyers had requested some

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further clarification in the use of AED, so literally it's a very basic limitation of liability for any individual using this device to save a life. And I'd ask for the favor... Body's favorable consideration."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Parke."

Parke: "Just a quick question, Representative. Was anybody in opposition in committee on this Amendment?"

Burke: "There is no one in opposition."

Parke: "Thank you."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "For what purpose does Representative Pihos seek recognition?"

Pihos: "Yes, Mr. Speaker, I would like to table House Bill 6714."

Speaker Madigan: "Rep... can you give us one minute?"

Pihos: "Sure."

Speaker Madigan: "We're on House Bill 4232 and, Mr. Clerk, put that Bill on the Order of Third Reading. Representative Pihos."

Pihos: "Yes. I would like to table House Bill 6714."

Speaker Madigan: "You've all heard the Lady's Motion. Is there leave? Leave is granted. The Motion is adopted and the Bill is tabled. Is... Mr. Aguilar. Mr. Clerk, on page 10 of

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the Calendar, House Bill 4788. What is the status of the Bill?"

Clerk Mahoney: "House Bill 4788, a Bill for an Act concerning criminal law. It has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Aguilar, has been approved for consideration."

Speaker Madigan: "Mr. Aguilar."

Aguilar: "Thank you, Mr. Speaker. I cou... move the Amendment... adopt the Amendment to the Bill."

Speaker Madigan: "Mr. Clerk, what's the status of the Bill?"

Clerk Mahoney: "Floor Amendment 1 has been approved for consideration."

Speaker Madigan: "All right. Mr. Aguilar, on the Amendment."

Aguilar: "Yeah, the Amendment basically increases the penalties for any... any one person involved in gang recruitment on school ground, to make it from a felony I to... I mean a felony IV to felony I."

Speaker Madigan: "All right. The Gentleman moves for the Amendment. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Third Reading. Mr. Clerk, on page 14 of the Calendar, there appears House Bill 5732. Mr. Steve Davis, did you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

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Clerk Mahoney: "House Bill... House Bill 5732, a Bill for an Act in relation to tax increment financing. Second Reading of this House Bill. Committee Amendment #1 was adopted. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. On page 3 of the Calendar, there appears House Bill 3980. Representative Bellock, do you wish to move the Bill? 3980. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 3980, a Bill for an Act concerning human rights. Second Reading of this House Bill. No committee Amendments. No Floor Amendments approved for consideration. No Motions filed."

Speaker Madigan: "Third Reading. Is Mr. Will Davis in the chamber? Mr. Clerk, on page 5 of the Calendar, there appears House Bill 4266. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 4266 has been read a second time previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. On page 12 of the Calendar, there appears House Bill 4976. Mr. Biggins, do you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 4976, a Bill for an Act concerning taxes. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. On page 11 of the Calendar, there appears House Bill 4887. Mr. Biggins. Mr. Clerk, what is the status of the Bill?"

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Clerk Mahoney: "House Bill 4887, a Bill for an Act concerning taxes. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Is Mr. Churchill in the Chamber? Mr. Churchill. Mr. Cultra. On page 2 of the Calendar, there appears House Bill 3833. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 3833, a Bill for an Act concerning taxes. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. On page 12 of the Calendar, there appears House Bill 5000. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 5000, a Bill for an Act concerning human services. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Mr. Clerk, leave the Bill on the Order of Second Reading. Mr. Clerk, on page 2 of the Calendar, there appears House Bill 3978. Mr. Eddy. Mr. Eddy. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 3978, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Eddy, has been approved for consideration."

Speaker Madigan: "Mr. Eddy on the Amendment."

Eddy: "Thank you very much, Mr. Speaker. The Amendment actually makes specific and widens the scope of the Bill."

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Just made a couple of technical changes and I would ask that the Body approve that Amendment."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments."

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

Speaker Madigan: "Third Reading. Awe, you're alert. Okay. Mr. Clerk, on page 22 of the Calendar, there appears House Bill 6617. Read the Bill."

Clerk Mahoney: "House Bill 6617, a Bill for an Act concerning child labor. Third Reading of this House Bill."

Speaker Madigan: "Mr. Boland."

Boland: "Thank you, Mr. Speaker. House Bill 6617 creates the State Prohibition of Goods from Child Labor Act. Requires all contracts entered into by a state agency for the procurement of equipment, materials, or supplies to specify that no foreign-made items within the contract were produced in whole or part by child labor, an individual under 12 years of age. The Bill establishes some penalties for the violation, as well as an administrative appeals process. It's effective immediately and one of the key points I wanna make right away is that this has to be knowingly done. The contractor would have to know that they were using goods that were made by child labor. It's very similar to the Bill that we passed last Session that prohibited goods made by forced, convict, or indentured labor."

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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, how do you determine that there's no child labor involved in this? Do they sign a certificate of some sort saying there are not, and if so..."

Boland: "Yes."

Parke: "...are there penalties in case they do use it? And..."

Boland: "Yes. Yes. The key is that yes, you will... you'll sign a statement that the goods... that you did not knowingly use goods or purchase goods that were made by child labor."

Parke: "What's the penalty?"

Boland: "The penalty is fines of a thousand dollars or 20 percent of the value of the product, whichever is greater, and the possible suspension from bidding on a state contract for a year."

Parke: "Is there... was this related to something that happened in your district?"

Boland: "No, this is an issue that actually has been sort of reverberating throughout the country, as one way of making sure that our tax dollars are not used to purchase goods that many people consider a moral issue; others consider it an economic issue, probably can be considered both."

Parke: "So you think that it's okay for government to get involved in some moral issues, though?"

Boland: "Well, if it is in this regard, yes."

Parke: "Well, okay. I'm glad to hear that..."

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Boland: "Thank you."

Parke: "...glad to hear that moral consideration does play a role in the Illinois legislative process."

Boland: "Thank you."

Parke: "I think that's a... that's a good thing."

Boland: "Right."

Parke: "All right, thank you, Representative."

Speaker Madigan: "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? Has Mr. Schmitz voted? Mr. Schmitz, has he voted? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 19 of the Calendar, there appears House Bill 4247. Mr. Black. Mr. Clerk, read the Bill. Mr. Black."

Clerk Mahoney: "House Bill 4247, a Bill for an Act concerning public bodies. Third Reading of this House Bill."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4247 is a trailer Bill for the Open Meetings Act Bill that was sponsored last year. There were... and passed overwhelmingly, as it should have, but we raised some questions last year as to whether the language in the Bill was, in fact, the way it should be. And those of us who didn't vote for the Bill because of the... it had the word 'may'. As you'll recall, these closed meeting tapes were supposed to be only heard in the

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judge's chambers. But the language said they 'may' be heard in the courts... in the judge's chambers. That meant to me that if a judge didn't follow that and decided to open it in the... or hear it in open court, that could present some problems to that body under the law of discovery and could be potentially very embarrassing and in fact may result in litigation to some member of a public body. So what this Bill does is to clarify and make very certain that if an objection is filed to the minutes of a closed meeting, the judge may review that tape, audio or video in the judge's chambers, not in an open court. This has the full support of the Illinois Press Association; the Illinois Municipal League is also in support. And I'm joined on the Bill by the Majority Leader, the Honorable Representative Currie, and so I think that sends a clear message that there is no attempt to weaken or water down the Bill that was passed last year. It is a correction and makes some things very clear. I'd ask for your support."

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

Mathias: "Thank you, Mr. Speaker. To the Bill. Last year when the original Bill came up, I spoke against the Bill and urged my colleagues to vote against it. The Bill did pass; it is the law. And there were things that were in the Bill that needed to be tightened up to make sure that we are clear on what the intent of the Bill was. So, even though my first preference would be to repeal the Bill, I know that that isn't realistic. So at least what we can do is

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tighten it up to make sure that we still give credence to the idea that an Executive Session, if... if our colleagues un... in... stay in... in local government do speak out on issues, and so long as they meet the State Law that they shouldn't be afraid that those conversations be made public as long as they're following the law. Thank you."

Speaker Madigan: "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 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 21 of the Calendar, there appears House Bill 4651. Mr. Capparelli. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4651, a Bill for an Act concerning mobile homes. Sec... Third Reading of this House Bill."

Capparelli: "Thank you, Mr. Speaker. This Bill was brought to me by the Illinois Housing Institute, I mean the Illinois Manufacturing Association. And I'll try to give a simple explanation. House Bill 4651 does one thing. When a mobile home is removed from a site, either to be repaired or replaced, the site shall be governed by the standard in effect at the time the site was originally constructed. Let me give you an example of what happens. In the older mobile park homes, that falls under existing 1 thousand square foot law. When a municipality says that mobile home is to be removed or repair, it cannot be put back on the thousand square foot lot, but has to be put on a 2,500

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square foot lot, which the law the parks built after September 1987. In effect, this could have great effect on a park that has a hundred homes. And as they remove these parks, then we would have 2/3 would probably be removed if they were ever taken off to be repaired. That would be 66 homes, causing the owner of the park to increase the rents by 2/3 or close the park. And this would cause a great handicap for those residents who are mostly senior citizens. I would ask for a favorable Roll Call."

Speaker Madigan: "Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, are you telling us that this is for the benefit of the renter or the mobile park owner?"

Capparelli: "I think it's for the renter, yes."

Parke: "You think it's for the renter?"

Capparelli: "Yes."

Parke: "And why is that?"

Capparelli: "Well, I thought... I thought I explained that."

Parke: "I didn't understand it."

Capparelli: "If at a park of hundred, let's just say there are a hundred, and someone removes their home for repair or for a new one, they would not be able to replace that park... put that home back on that lot. So if... if that goes on and on, eventually they'll be 66 homes on a hundred park, 2/3 of the homes'll be gone. The rents would be going up."

Parke: "Well, why couldn't they put it back on the platform that they had originally, if they're just repairing?"

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Capparelli: "Because municipalities are saying to them, you can't put the home back on; you have to put it on a 2500 square foot lot."

Parke: "Is this a municipal rule or is it a state rule?"

Capparelli: "Well, the rule was... they were grandfathered in many years ago for a thousand square feet."

Parke: "Who's they?"

Capparelli: "The parks."

Parke: "And who decide that, the park owners?"

Capparelli: "No, no, I guess there was a Bill that passed some time ago. And I'll just give ya..."

Parke: "So, you're telling us that it's a State Law?"

Capparelli: "A thousand... It was a law. Here, a thousand square feet was constructed prior to 19... 1967, you need a thousand square feet, 2,100 square feet if constructed August 22, 1967 through September 18; 2,500 square feet if constructed after September 19, 1967. So what the... municipal... municipalities are saying, if you take that mobile park off to get repaired or to get a new one, you can't put it back on the thousand square feet. You have to put it on 2,500 square feet."

Parke: "And what does your Bill do then?"

Capparelli: "My Bill? It says they can put it back on the thousand square feet."

Parke: "Well, and that... and that would keep it the same way it was before..."

Capparelli: "Right. Yup."

Parke: "...it was moved to... Thank you, Representative."

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Speaker Madigan: "Mr. Black. Mr. Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "Yes, Sir. The Bill preempts Home Rule. Is it under the section that would require a super majority or is this under the section that requires a simple majority?"

Speaker Madigan: "Mr. Black, could I take that under advisement and report back to you before we call the Bill on Third Reading?"

Black: "I... I would... I would appreciate that. Thank you."

Speaker Madigan: "Sure."

Black: "Mr. Speaker, if I might, to the Bill."

Speaker Madigan: "Mr. Black."

Black: "Ladies and Gentlemen of the House, the Sponsor, I think, has done a good job of explaining the Bill. And he's not... he's not standing up and telling you that there's no opposition to this Bill, there is. And one of the opponents I absolutely do not understand and that's the Mobile Home Owners Association. This protects them. So I really don't understand their opposition, and I haven't been able to get a hold of anybody to find out what it is. The other opposition comes from the Illinois Municipal League. And I... and I tend to understand that. But if you look at this Bill, all the Sponsor's trying to do is to grandfather somebody's home in their existing lot in a mobile home park. Yes, as my good friend and colleague, Representative Parke, pointed out, that law has changed

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over the years from a thousand square feet that that mobile home could sit on, or trailer, to 2500 square feet. And the Municipal League, and I think rightfully so, would tell you they would like a bigger separation than exists in the old park. But my... my wife grew up in Chicago and when I visited her home years ago, there was a walkway between her home and the other home that I... I swear wasn't 18 inches wide. So, if that's not a problem, I... I don't think the subsequent law demanding a larger lot for a trailer should be the issue. To me, the issue is protecting someone's home. And I think that's what the Sponsor's trying to do. If you have a trailer or mobile home that you put on that lot 25 years ago and your mobile home is 30 feet long by 10 feet wide, but something goes wrong with it. It has a roof leak or an electrical problem that can't be fixed on the site. If you have a manufacturer repair facility come out and... and put... pull your mobile home into a repair facility, without this law, you would not be able to move your home back on your lot. Well now, without a grandfather clause, that just does not make good commonsense to me. The issue then becomes - well, what happens to the person who owns the trailer or mobile home? Where do they go? Most communities are not gonna let them just put it up on any lot in the community. If they can't put it back on the lot that they have been paying rent on for 10, 15 years, then the issue is you're denying that person an inherent ability to enjoy their home. So, it's simply grandfathering in those who were in that lot before the law went to 2500

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feet. One can make a case that they would like more space between the trailers, but there are communities that don't have that kind of setback and they seem to get along all right. And quite frankly, if I may say so and I may regret this, there are some communities that have a bias against mobile homes. They are tightly regulated. They are zoned very carefully. But there are some communities that would like them to go away. I have been to Arizona visiting my... with my father over the years and there are thousands of mobile home parks in Arizona where people from colder climates go to spend the winter. They get along just fine. I think we can get along just fine with this Bill. It simply protects an existing homeowner of a mobile home right to have their mobile home removed for a major repair or overhaul that can't be done on-site and allows them to move their home back on the lot that they, in fact, have paid rent on for a number of years. Without a grandfather clause, if any of those homes are removed for whatever the purpose, major repair that can't be handled on-site, that home then cannot be moved back on that lot. And the question becomes what does the homeowner do? What does the homeowner do? And I've not heard anybody come to me with a reasonable solution if this Bill doesn't pass. The Sponsor... the Sponsor is trying to protect basic residential rights of property owners, even though a mobile home is treated differently under the Property Tax Code, it is still where thousands of our residents live and they... and they look to us for the right to live there throughout

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their life. Then when they pass on, if you want to enforce a law, something of that... that's fine, the city can do that. But in this case, it gives reasonable protection to a person who has purchased a home and has lived there for years. I intend to vote 'aye'. I urge my colleges to vote 'aye'."

Speaker Madigan: "Mr. Black, the Parliamentarian is prepared to respond. And after that, Mr. Hannig in the Chair."

Parliamentarian Uhe: "Representative Black, in response to your inquiry on behalf of the Speaker, House Bill 4651 does preempt Home Rule with regard to mobile home site setback requirements. However, this preemption is concurrent and therefore under the relevant provision of the Constitution, 60 votes will be required for passage."

Speaker Hannig: "Any further discussion? Representative Mathias."

Mathias: "Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Mathias: "It's my understanding that the Illinois Municipal League is opposed to this Bill on... on public safety grounds. I think the reason what... for the change in the law, previously, to increase the size from a thousand to twenty-five hundred square feet in part was due to these concerns. And I think the Municipal League opposes this Bill; I think for that same reason that it may violate some of their local fire codes and zoning ordinances. So I do urge a 'no' vote on this issue."

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

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Mulligan: "I'm sorry, Mr. Speaker. What was the ruling on the vote? It's sixty?"

Speaker Hannig: "Sixty votes."

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

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

Mulligan: "Representative Capparelli, you are preempting Home Rule. And then there's a provision for construction before July 1, 1998 and after July 1, 1998. Could you tell us the difference? It says with respect to mobile homes located on sites constructed after July 1, 1998, there will be a minimum separation of at least ten feet adjacent to the sides of every mobile home and at least five feet adjacent to the ends of every mobile home. So, there's no difference, you're not grandfathering anyone in particularly, it's the same before and after?"

Capparelli: "I don't follow you at all right now, I'm sorry."

Mulligan: "I'm reading from legislation, not our analysis. And the legislation shows that there should be a minimum of a separation of at least ten feet adjacent to the side of every mobile home and at least five feet adjacent to the ends of every mobile home with respect to those sites constructed after July 1, 1998."

Capparelli: "That has nothing to do with this Bill at all."

Mulligan: "That has to do with manufactured housing considered to be a mobile home."

Capparelli: "That's... that part of the Bill has been existing. That's the existing Bill."

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Mulligan: "It's... it's very specific that local municipalities will have no control over anything inside that site."

Capparelli: "I really can't answer your question. That Bill was the previous Bill that passed. All we're trying to do is grandfather in the existing bill... mobile homes on thousand foot lots. Why that's in the existing... the old... the old Bill, I have no reason... I don't know why."

Mulligan: "It's what's underlined as new legislation on the site, which is not our site; it's the LIS copy of the Bill."

Capparelli: "My staff tells me that in recent years, these mobile homes got larger..."

Mulligan: "It shows in the Bill, the underlined section, and it... it speaks to sites constructed on or before July 1, 1998, and then it also speaks to sites constructed after July 1, 1998. And it also speaks to when a home is removed for repairs. Although the word 'mobile home' seems to be inaccurate because most mobile homes aren't mobile, they're manufactured housing once they're on a site. It appears to regulate both before and after. So, it's not like it's grandfathering, it's the whole ch... enchilada."

Capparelli: "Well, I understand that these homes are getting bigger so now they put in there on these new homes there... these lots are getting bigger on these new homes also and they're asking for at least a five foot separation from one end to the other. But we're not talking about the new parks; we're talking about the old parks."

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Mulligan: "If a local municipality provides sewer and water to this type of a site, there may be some reason to regulate how close they are. Also, what would you do in case of fire? It's pretty close and you're... and you're letting..."

Capparelli: "I... I presume they would do the same as they're doing right now."

Mulligan: "Well, it... local municipalities would like to have some say on what's safe and what's not and for providing... if they have to provide sewer or water. In our area we have several problems with water."

Capparelli: "All these parks have to provide sewer and water and they do that."

Mulligan: "Not necessarily."

Capparelli: "Well, I don't... the ones I've seen, they do. And if they don't, then they hire the local community to handle the fire."

Mulligan: "Also, although the former speaker spoke to the fact that the association is against it, it's the association of the people that own the homes and live in them. The people that are for it are the ones that own the site. Correct? Manufactured housing and the others are usually the people that own the site, not the individual homeowners. The individual... the association for the individual homeowners are against the Bill, correct?"

Speaker Hannig: "Representative Capparelli, do you have an answer for the Lady?"

Capparelli: "Yeah, with the new distance they have it makes it even safer for those parks to give you a little more room

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if in case there is a fire. And those other new parks are doing that."

Mulligan: "Representative, it seems to me that both before and after the date that you have as a date certain in here, allows homes to be jammed into a site very close. And it does not allow municipalities who have some of these to have any say in what goes on there. I find it to be a problem. Also..."

Capparelli: "We're not jamming anything."

Mulligan: "...in our area there's been issues of water and safety and what goes next door to somebody and what they can legitimately put next to a home and how close. And the fact that this can be really close to a private drive, it doesn't seem to me that there's much of any regulation. Five feet is very close. You know, it's like from here to the end of the aisle. And ten feet in between is right on top of them. And it certainly doesn't allow for the ability to fight a fire or for the municipality to handle a situation with a manufactured home."

Capparelli: "I wi... I wish you would keep your remarks to the Bill and not the old Bill. All we're trying to do is grandfather those people in that live in these old parks. Where you're coming up with all this other stuff, I have no idea what you're talking about."

Mulligan: "Representative, with all due respect, I think I have addressed the Bill."

Capparelli: "Yeah, okay."

Mulligan: "I'm reading from it."

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Capparelli: "Okay. The Bill only does one thing and that's all it does. It grandfathers those parks that have a thousand square feet. That's all the Bill does - nothing more."

Mulligan: "To the Bill."

Speaker Hannig: "To the Bill."

Mulligan: "If you will pull up the Bill on the full text on the Bill, regardless of your analysis, you will find out that before July 1, 1998 and after July 1, 1998, it sets the fact that there will be a minimum separation of only ten feet from the side of a mobile home... from one mobile home to another and five feet from the end of one mobile home to another. Whether it says just a site, I cannot find that in the Bill. There does not appear to be any Amendments on the Bill that would change that. And it also preempts Home Rule. On our analysis it says that the Mobile Home Owners Association, which are the people that actually live in the homes and are at the mercy of the park owner, are against this Bill. The other side are the people that own the property. So, it's to their benefit to put more homes in a smaller space. I would urge a 'no' vote on this Bill."

Speaker Hannig: "Repre... Representative Capparelli, to close."

Capparelli: "Thank you, Mr. Speaker. As I said before, this Bill only does one thing and one thing alone. It grandfathers those parks where the people have to live on a thousand square feet. And if they remove that mobile park to be repaired or a new one, the municipalities want to say, no, you can't put it back there. All this Bill does is says yes, you can put it back there. And the rents

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won't go up that way. I would ask for a favorable Roll Call."

Speaker Hannig: "The question is, 'Shall Bill 4651 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 80 voting 'yes', 34 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Ryg, for what reason do you rise?"

Ryg: "Thank you, Mr. Speaker. Point of personal privilege."

Speaker Hannig: "State your point."

Ryg: "Thank you. Please join me in welcoming today the Girls on the Move from the YWCA program in Lake County. These girls are involved in a leadership program, and they're here today to learn how to impact public policy. Thank you."

Speaker Hannig: "Welcome to Springfield. Representative Bost, are you ready on 4103? Mr. Clerk, would you read the Bill?"

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. Third Reading."

Speaker Hannig: "Third Reading."

Clerk Mahoney: "Third Reading of... Third Reading of this House Bill."

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Speaker Hannig: "Excuse me. The Bill was on Third, is that correct, Mr. Clerk? Okay, so the Clerk has read the Bill. So Representative Bost to present the Bill."

Bost: "Thank you, Mr. Speaker. Earlier today... could you ring the bell, I... I... earlier today we weren't gettin' that done and I never heard the bell ring."

Speaker Hannig: "We... we've been on the Order of Thirds..."

Bost: "Oh, okay."

Speaker Hannig: "...for awhile, so."

Bost: "All right. I just wanna be sure. House Bill 4103 is a... is not a license plate Bill. A lot of people have been worried about the license plate Bills. This takes an existing license plate that was designated originally for the Illinois Firefighters' Memorial Fund, it was originally supposed to also go for the honor... medal of honor ceremonies, and to be able to use those dollars that are generated by this license plate, for those purposes. It was not clear in the language, and this simply clears the language up. And I'd be glad to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 4103. Is there any discussion? Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. Just rise in support of this legislation. This was an agreed Bill. The fire service brought it to us; the fire caucus is in full support. It allows them to do with the funds what they'd originally intended to, but just clarifies the language. If you have never attended the Medal of Honors ceremony, I would urge

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you to do that. But this is the fire service; the firefighters, everyone involved would like to see passage of this and urge an 'aye' vote. Thank you."

Speaker Hannig: "Is there any further discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Clerk, take the record. On this question there are 114 voting 'yes', 1 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 4371. Representative Chapa LaVia on House Bill 4371."

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

Speaker Hannig: "Representative Chapa LaVia."

Chapa LaVia: "I'd like to be recorded as a 'yes' vote on that last one; my switch is broken."

Speaker Hannig: "Representative, you'll be... the record will note your intentions. And, Representative, are you ready to present House Bill 4371 to us now? The Clerk has read the Bill. Would you present it?"

Chapa LaVia: "Hello. Thank you, Speaker. House Bill 4371 is a... is a Bill that changes the Human's Right (sic-Human Rights) Act to include military status, which includes the service with Illinois National Guard and the Federal Military Reserves. Current definition of the military status does not include those service members who are in

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the State or Federal Reserves. And discriminate... what we want to try to protect here is any discrimination by employers who may be hesitant to hire a person just because they may be called to active duty."

Speaker Hannig: "Okay. The Lady has moved for passage of House Bill 4371. Is there any discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 3877 for Representative Brady?"

Clerk Mahoney: "House Bill 3877, a Bill for an Act regarding higher education. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from McLean, Representative Brady."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3877 would provide an in-state tuition fee structure for active military personnel and their dependents called up on active military service in the State of Illinois. This would be provided through our state universities or public universities. And the two criteria would have to be one, that the active... they're active on military duty and stationed in Illinois, and of course, this would also apply to their dependents as well. This would not be in effect if the individual is not on

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active military duty within the State of Illinois. I'd be happy to answer any questions, and I certainly ask for a 'yes' vote from Members of the House."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3877. Is there any discussion? The Gentleman from Cook, Representative Fritchey."

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

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

Fritchey: "Representative, I was just looking at the analysis, without having read the actual Bill, well, somebody said if somebody is stationed in Illinois, is there a duration that they have to be here for? Because, obviously when we give somebody in-state status for tuition purposes, that does put an economic drain on our university system. And while everybody is in agreement that our military personnel should get whatever benefits they're entitled to, I'm just making sure that we're not unduly burdening our system."

Brady: "The... the public university in question would develop a internal policy dealing with the duration of affording that particular individual on active military duty, and/or his or her dependents, as to how long that would actually go on, Representative."

Fritchey: "So, what... what would happen then if you had a situation where an individual is stationed in Illinois, let's say their son or daughter becomes a freshman at the university. Their parent then gets transferred to another base in another state, do they... is that child entitled to maintain in-state status for the duration?"

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Brady: "No, if I... if I understand your... your question correctly, the way that the Bill is written and the answer to that question would be the individual, dependent in this particular case, would be afforded as long as they'll enroll at that university and the individual, being their parents in this case, were still on active military duty would receive in-state tuition. But if... if either of those two matters change, that would not occur."

Fritchey: "Oh, as long as they're still on active military duty, but if they were transferred from... if the parent was transferred from Illinois to a base in Texas or Florida or just out of state, does that child... In a normal situation, somebody that's not in the military, if their child starts as a freshman and they have in-state residency, and then the parents then move out of state, if that child is still a dependent, that child would no longer be an in-state resident and they would go from in-state status to out-of-state status. And I guess what I'm trying to get at here is, if the parent gets transferred to an out-of-state base, does the child then become out of state again or are they being grandfathered in for four years just because the parent happened to be in Illinois at the time of enrollment?"

Brady: "The intent of the Bill is that if the individual was on active military service within the State of Illinois, that it would be afforded to their dependents. If that individual moved out of state on active military service and their dependent stayed in the State of Illinois

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attending one of those universities, my intent of the Bill and the way I perceive the Bill is that they would be afforded as long as their father or mother were on active military service and still registered at the university, would still receive the in-state tuition discount."

Fritchey: "And... you know, this is obvious, especially in this day and age, it's a tricky issue to call it a question. But why would we afford a student in the benefits of in-state tuition, because of the military status of their parents, if their parents are no longer Illinois residents? We don't do that for a... for the son of a firefighter, the son of a police officer, the son of a teacher. If a Chicago... if the child of a Chicago firefighter goes to the University of Illinois and then their sophomore year their parents move to Wisconsin, if that child's a dependent, they're not grandfathered in in-state for four years. They are now the child of Wisconsin residents, and they would then have to pay out-of-state tuition."

Brady: "Well, each... each... as I said earlier, each individual board of trustees would develop their own internal policy in situations such as that under the Bill. But as long as the individual can still show residency in the State of Illinois and their mother or father were on active military service and stationed in the State of Illinois, they would finish out their year or wherever they are in the university system."

Fritchey: "So, provided that the parents are still stationed..."

Brady: "That's correct."

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Fritchey: "...in Illinois."

Brady: "I'm sorry, maybe I misunderstood your question."

Fritchey: "That... that... that's what I'm looking for. Thank you very much."

Brady: "Yes. Sure."

Speaker Hannig: "Is there any further discussion? There being none, then the question is, 'Shall House Bill 3877 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 4686? Representative Colvin."

Clerk Mahoney: "House Bill 4686, a Bill for an Act concerning higher education. Third Reading of this House Bill."

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

Colvin: "Thank you, Mr. Speaker. House Bill 4686 is another Act that deals with military service and making sure those individuals who are serving to protect our country's security interests will not lose any time or money or credit hours while they continue their education at state universities and community colleges. Simply, the Act requires that public institutions of higher education to allow a currently enrolled student who is called to active military service to complete any unfinished courses at a later date at no additional charge, unless course credit

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has already been given or the student received a full refund upon withdrawing from the course. If the student withdraws, then the transcript must reflect that it was due to military service. And it further provides that the student must be given priority over other students when re-enrolling for the same course at a later date. I'll be happy to answer any questions."

Speaker Hannig: "And on that question, the Gentleman from Cook, Representative Parke."

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

Speaker Hannig: "He indicates he will."

Parke: "Representative, are you still driving that big, black SUV?"

Colvin: "No, actually it's red now."

Parke: "Do the... do the community colleges and colleges oppose this legislation or are they in agreement with you?"

Colvin: "In fact, we drafted this Bill in concert with them. All the different universities have different policies as it relates to individuals who are serving military service. They are in support of this Bill or have no position."

Parke: "Why couldn't they just do this on their own, Representative? Is this something that..."

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

Parke: "Why didn't they just do this on their own? Why do they need legislation? I'm just curious if they helped you draft it, what were..."

Colvin: "Well..."

Parke: "...why couldn't they do it themselves?"

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Colvin: "All of the universities and community colleges had policies with respect to House Bill 4686 dealing with individuals who leave school. University of Illinois already had a policy where they would give either a refund or give credit, depending on how far they've gone in the class. But then there were other universities that had no policy."

Parke: "Okay."

Colvin: "Um, I think University of Illinois felt that this wasn't intrusive on their own policy, and it put something in place for the universities that had nothing."

Parke: "Good Bill. I'll be voting for it. Thank you."

Colvin: "Thank you."

Speaker Hannig: "The question is, 'Shall House Bill 4686 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, would you take the record? On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 3922?"

Clerk Mahoney: "House Bill 3922, a Bill for an Act in relation to aging. Third Reading of this House Bill."

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

Coulson: "Thank you, Mr. Speaker. House Bill 3922 provides for the realignment of our state-operated prescription drug program, circuit breaker, and senior care with the Medicare prescription drug coverage that begins in 2006. And this

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is to ensure that are seniors will have some comparable benefits to what they currently have. And I'd be happy to answer any questions."

Speaker Hannig: "The Lady has moved for passage of House Bill 3922. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4461."

Clerk Mahoney: "House Bill 4461, a Bill for an Act concerning taxes. Third Reading of this House Bill."

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

Currie: "Thank you, Speaker and Members of the House. Traditionally, assessors have been required, in the state, to use income as the means of valuing federally-subsidized rural housing for low income tenants. Last year we extended that same procedure to the other federally-subsidized, low-income rental units and inadvertently took out the specific reference that already covered the rural kind. So this measure just restores to rural subsidized housing the same valuation procedure that used to exist, and I'd appreciate your support."

Speaker Hannig: "The Lady has moved for passage of House Bill 4461. Is there any discussion? Being none, then the question is, 'Shall this Bill pass?' All in favor vote

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'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr.... Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0 voting 'no', and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 5533."

Clerk Mahoney: "House Bill 5533, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. If I could defer to Representative Black, if he could open up and explain this Bill. It's an issue he's spent a lot of time on over the years, and I'd like to defer to him and perhaps then I could close after Representative Black proceeds. Thank you."

Speaker Hannig: "Very good. Representative Black."

Black: "Thank you very much, Representative Cross. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 5533 is a topic near and dear to my heart. I'll not dwell in the past, that's gone. What I am concerned about is what we're doing today, and I appreciate everyone who has worked on this issue. In 1982 and 1983, the General Homestead Owner Occupied Property Tax Exemption was set statewide at \$3,500 per owner-occupied dwelling. In 1982-83, there was a separate senior citizen property tax exemption on their occupied home of \$2,000. In 1992 for reasons that I really never understood, that home owner

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exemption in Cook County was increased to \$4,500, and the senior exemption in Cook went to \$2,500. But the other 101 counties stayed at the same lower rate. What this Bill attempts to do, and will do if you'll give it an 'aye' vote, is to make the homeowner... the homeowners occupied... the home that they live in, the homeowner exemption will be a uniform \$5,000 statewide. The senior citizen exemption will be a uniform \$3,000 statewide. I think that brings fairness and equity to a system that has been out of balance for the last 14 years. I think the time has come; the other 101 counties have not seen an increase in the homeowners' exemption or the senior exemption since 1982-83. I think that's more than enough time, given the inflation index, to grant all homeowners the same exemption statewide. That is what the Bill does. I would a... I'm sure that Representative Cross or others would answer your questions, if you have any. I would urge an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 5533. Is there any discussion? There being no discussion, Representative Cross, would you like to close?"

Cross: "Apparently not, after the fine job that Representative Black did. I do... I would just like to say, thanks to Representative Black and to many on our side of the aisle who've been very concerned about property tax relief and have made this an issue for our caucus and one that we're...many of us are very, very concerned about, if not all. We're concerned about it, and we will further pursue

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issues like this one, but we would appreciate an 'aye' vote on this particular Bill at this time, Mr. Speaker."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Parke. Okay. Mr. Clerk, would you read House Bill 4833 for Representative Monique Davis."

Clerk Mahoney: "House Bill 4833, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

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

Davis, M.: "Thank you, Mr. Speaker. House Bill 4833 mandates that if a van has or carries more than 15 passengers for a fee, the driver or the vehicle becomes a commercial vehicle."

Speaker Hannig: "The Lady has moved for passage of House Bill 4833. Is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "I'm sorry, Mr. Speaker, an inquiry of the Chair. This didn't pop up on my system. Do we still have that computer glitch?"

Speaker Hannig: "Yeah, Rep..."

Black: "Maybe the technician could look at some of our computers. It isn't... it isn't... the automatic popup isn't

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working. But we have... we have a hardcopy. Will the Sponsor yield?"

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

Black: "All right. Representative, and I apologize for getting up, I'm not opposed to the Bill, I just... I didn't have the analysis. This is in response to two very horrible accidents transporting people to visit relatives. And I think they happened on what, I-55, as I recall."

Davis, M.: "One was carrying people to a prison, family who were going to visit prison members, and there was a tremendous accident. And this Bill specifies that when compensation is received for the ride, that they have to become a commercial vehicle."

Black: "Well, I simply... number one, I want to thank you, because it does not affect church vans..."

Davis, M.: "No."

Black: "...or vans that are used by community colleges or colleges that transport athletic teams or academic teams. Your Bill makes eminent good sense. If somebody's making a buck off transporting people to visit their relatives and they come in at a very cheap fare, but they also expose these people to extreme risk of injury or death, as has happened twice in the last year or two. I simply commend you for your work. This Bill, I think many of us are somewhat chagrined that we didn't think of it. But I commend you for thinking of it. It has been two horrible accidents, that's enough. Your Bill tightens up the procedure and gives some reasonable degree of safety and

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constructive notice to people who are simply trying to go see loved ones, and they shouldn't be prey for people who for a 20 dollar bill will take them there, but take them there in an unsafe manner. It's a very good Bill. I hope everybody votes 'aye'."

Davis, M.: "Thank you for your profound questions."

Speaker Hannig: "Is there any further discussion? There being none, then the question is, 'Shall House Bill 4833 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4006."

Clerk Mahoney: "House Bill 4006, a Bill for an Act concerning vehicular offenses. Third Reading of this House Bill."

Speaker Hannig: "Representative Eddy."

Eddy: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, this Bill has... has come as a result of a tragic situation and accidents that are occurring in rural parts of Illinois, especially involving the use of inclines, especially railroad inclines, for ramping or hill-hopping. This Bill amends the Illinois Vehicle Code, and it provides that a person violates provisions prohibited reckless driving and aggravated reckless driving if they intentionally use an incline such as a railroad crossing, a bridge approach, or a hill, to cause, and again

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intentionally, the vehicle to become airborne. And it also provides that a person commits reckless homicide if an individual is killed in such an accident. And I ask for favorable consideration of this Bill by this Body."

Speaker Hannig: "Is there any further discussion? The Gentleman from Vermilion, Representative Black."

Black: "I'm sorry, Mr. Speaker. I thought this was another Bill. I was going to sing my theme song, We're Off to See the Wizard, the mighty Wizard of Oz. But that isn't the Bill. I'll save that until later. Will the Sponsor yield?"

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

Eddy: "Yes."

Black: "Representative, you and I had discussed, and I was out of my seat, you amended this Bill as I recall to say 'knowingly'. In other words, there has to be reasonable proof that you were taking reckless... a reckless position and endangering lives, not that you came over something, as a friend of mine did on a railroad crossing and did substantial damage to his car, but he... the only time he'd ever been on the road."

Eddy: "That's right, Representative. There are obviously situations where accidents occur in which folks may not be..."

Black: "Okay."

Eddy: "... familiar with the road, familiar with an incline or a ramp and... and that can happen. What's happening and what this legislation is intended to address is the intentional

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use of those inclines that cause the vehicle to become airborne. And a lot of this is happening in rural areas, and I have countless articles that actually and sadly have ended in tragedy for many families where those inclines are being used intentionally, sometimes to mimic what they're seeing in stunts and in movies of the day. But certainly the Bill is not intended to in any way punish those folks who are in an accident situation."

Black: "Kind of like, I've been told, that old TV show, The Dukes of Hazard. I'm much too young. I don't remember that, but you would remember, wouldn't ya?"

Eddy: "Absolutely."

Black: "Okay. So, in other words, there has to be an element of proof for this penalty to kick in. And then the only other question I have, do you have paved roads in your rural area?"

Eddy: "We have an occasional paved road, yes."

Black: "I'd like to talk to you after this Bill to see how you got them. It's awful hard to get up enough speed to jump a hill on gravel, but maybe... maybe you know some tricks that I could use to get some paved roads."

Eddy: "Well, that brings up an issue that doesn't have anything to do with the Bill, but concerns me and that's how long we may have paved roads if we continue to see the..."

Black: "Well..."

Eddy: "... the funding cut for that purpose."

Black: "This Bill is nowhere near as exciting as your trip to The Wizard of Oz, but we'll visit that later, I'm sure."

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Eddy: "Thank you."

Black: "Thank you."

Speaker Hannig: "The Gentleman from McLean, Representative Brady."

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

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

Brady: "Representative Eddy, I, too, have talked to you just briefly about this, but this is gonna just create for the state's attorney, in whatever county this event may occur, another tool in the arsenal as far as prosecuting. Is that correct?"

Eddy: "That's correct. And in some cases, what has happened and again, there are specifics in many different accidents that we've researched, but in some cases, I believe, had this option been a clear option and available, it would have been used where the options that exist didn't, at least in the mind of some of the prosecutors, allow them the specific option they wanted to pursue."

Brady: "So, instead of... instead of charging the driver, where presently the only option to charge the driver would be with reckless homicide, presently. Correct?"

Eddy: "Or... or a reckless driving which would be even a lesser. That's exactly right and this gives them that additional option."

Brady: "Thank you very much."

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

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

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

Dunkin: "Just a few questions. I'm trying to get some clarification of the dollar amount and how you assess, you know, the \$55 thousand. Is that just the prison cost? Then you have one for... no, \$61 thousand, 55 thousand and one for 29 thousand."

Eddy: "Representative, what... what that addresses is the various levels of prosecution and the average length of time; a Class IV felony, for example, has an average of about 17 months at a cost of 29,649; the Class III felony, if that would be... would be the prosecution, has an average of 14 months and the cost is \$24 thousand, and that's what the Bill refers to as cost. And that depends on the prosecution and the actual felony count that's brought, depending upon what the prosecutor feels the elements allow."

Dunkin: "Okay. So, this is... the cost that you have is just to illustrate the value or the impact of an incarceration for such an act?"

Eddy: "That's right."

Dunkin: "Okay. The other question I have is, why is Cook County opposed to this?"

Eddy: "I... I had no indication that Cook County was opposed to this."

Dunkin: "I'm sorry. According to my analysis, Cook County Board of Commissioners are opposed to this. I'm just curious as to why."

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Eddy: "Our latest indication, Representative, is that they are neutral on this. I think, and this is... this is our understanding, that the Bill, as amended, addressed their concern, which was what Representative Black mentioned and that was the 'intent' or 'knowingly'."

Dunkin: "Is there a cost associated with... with this or it's just a strict penalty?"

Eddy: "The costs are just strictly associated with the penalty."

Dunkin: "Okay. Thank you."

Speaker Hannig: "Is there any further discussion? The Gentleman from Champaign, Representative Rose."

Rose: "Mr. Speaker. My purpose in having my button activated was for the record to reflect my intention of voting 'yes' on House Bill 4833. I apologize. I got caught up in the debate here."

Speaker Hannig: "The record will reflect your intentions, Representative. Is there any further discussion? Then Representative Eddy to close."

Eddy: "Ladies and Gentlemen, I'd simply ask that you give this measure favorable consideration. I believe it's a serious issue and will allow for prosecutors to have an additional tool, but more importantly, and my real hope is, that when educated, especially young people who are using those inclines to ramp and to cause their cars to become airborne, will understand the more serious nature of what they're doing and the potential cost in both injury and

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loss of life. So, I just simply ask for you to... for your 'yes' vote on this piece of legislation."

Speaker Hannig: "The question is, 'Shall House Bill 4006 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 4075 for Representative Bradley."

Clerk Mahoney: "House Bill 4075, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Bradley."

Bradley, J.: "Thank you, Mr. Speaker. This Bill would create an affirmative defense in the limited case where a person was prosecuted under a local ordinance. This would create an affirmative defense for self-defense using a firearm in the specific case of prosecution of a local ordinance. It's a very limited Bill. I think it's a commonsense Bill. And I would ask the House of Representatives to use commonsense and pass this legislation."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 4075. And on that question, the Gentleman from Cook, Representative Osterman."

Osterman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

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

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Osterman: "Just a couple quick questions. If people are watching this, what's the genesis of this Bill?"

Bradley, J.: "It was spurred by the gun owners of the State of Illinois in response to the situation in Wilmette."

Osterman: "And what happened in Wilmette?"

Bradley, J.: "There was a gentleman who was going to be prosecuted, I understand, I'm not for sure about the specifics of that at this time. He was not prosecuted by the... under the more serious charges, but was being considered prosecuted under a local ordinance."

Osterman: "So, basically, the... this is only an affirmative defense against the local ordinance. So, if a local ordinance has gun control regulations, this would only be an affirmative defense in the use or possession of a firearm?"

Bradley, J.: "In the cases of self-defense with regards to a local ordinance, yes, Representative."

Osterman: "Okay. I have two kind of issues about this. One is that its 'use or possession of', which means that in theory, someone could have... possess a weapon to defend them self or their person without using that. Which could lead someone to, and it's not bound by, I guess, any regulations, but someone could possess a firearm and use this as a defense if there's a local municipality, local ordinance against that."

Bradley, J.: "I don't... I don't see that same concern and the... the legislation was amended to make it clearer that this is

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in the specific instance where someone is prosecuted on the specific act of self-defense."

Osterman: "Specific act of self-defense, but if... if someone possesses a firearm, but doesn't use it. So, if someone's walking down a street and they've got a gun on 'em and their defense is that they were concerned about their safety, that could be somewhat a defense. They could say that I needed to carry this firearm because I'm going in a bad neighborhood or, you know, I'm concerned that there's gangs there."

Bradley, J.: "They got bigger problems than local ordinances if they're doing that."

Osterman: "How so?"

Bradley, J.: "Well, there are lots of other laws in effect."

Osterman: "Criminal ordinances."

Bradley, J.: "This... this allows... you can still prosecute under your local ordinance. You can still have a trial; you can still have it before the trier of fact. The only difference in this case is, is if in fact you're prosecuted and you were using the firearm in self-defense, and self-defense only, you have a defense to that specific charge. It doesn't take away any of the rights of the community to prosecute. It doesn't take away any of the rights of the community to have this heard by a trier of fact. It simply allows a person in the specific limited instance of using this for self-defense to have a defense. Now, the defendant... it's an affirmative defense. The defendant

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still has to prove that they were using it in self-defense."

Osterman: "Or possess the gun."

Bradley, J.: "Well, if you look at the statute..."

Osterman: "Because they were concerned about..."

Bradley, J.: "...the way the statute's worded, it's specific to the case of self-defense."

Osterman: "Okay. Another situation, this situation in Wilmette was one where the offender broke in the night before, came back and the homeowner used a gun as the person came at 'em to defend himself and his family. Right?"

Bradley, J.: "That's correct."

Osterman: "The way the Bill is drafted though, this does not say property, whether it be a home or whether it be someone's property. It could be anywhere."

Bradley, J.: "I didn't feel it was necessary because practically speaking in... in cases we're talking about homes. If you have a firearm in some other setting, like I said, there are lots of other laws on the books and lots of other problems that you're gonna have above and beyond the local ordinance."

Osterman: "Well, why not more specifically define it to home or property where someone..."

Bradley, J.: "It's not property; it's person. It's self-defense; it's not defense of property."

Osterman: "Right. But some would argue that this is... is kind of a step towards 'conceal and carry'."

Bradley, J.: "No, it's..."

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Osterman: "And my only question would be..."

Bradley, J.: "...it's not intended to be."

Osterman: "Well, I know it's not intended to be, but as you will find in your long career down here what is intended to be and what is actual... the way things are interpreted as they leave this Body, if they're signed by the Governor, is sometimes two different things. And we oftentimes use this opportunity to more clearly define."

Bradley, J.: "Right."

Osterman: "So, I understand, the situation in Wilmette is a case where, ya know..."

Bradley, J.: "And I appreciate..."

Osterman: "...anybody in that situation would have done the exact same thing. However, my concern is a more broader one. Is this gonna be construed that someone can take a gun outside of their home, in their neighborhood, all over the place? In our community, I think people would say that that's gonna lead to more people carrying firearms..."

Bradley, J.: "Well..."

Osterman: "...which is gonna lead to more people being injured or killed by firearms."

Bradley, J.: "I appreciate your concerns and you're arguing the slippery slope, and to me the greater, outweighing issue here is commonsense."

Osterman: "And I would argue that commonsense would say we might wanna more clearly define this to property or a home, instead of kind of leaving it open-ended. Because I think

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it can be interpreted by each of the counties in our state differently. To the Bill."

Speaker Hannig: "To the Bill."

Osterman: "The two concerns that I do have, as I stated the Sponsor, I understand his intention here, but this does not just deal with a home. It deals with anywhere an individual feels that they need to defend themselves. And I would ask that all of us look at this very closely. I think it is a slippery slope as we look towards conceal and carry in the State of Illinois. And I wonder if that's the best thing we should do as far as the safety of our state."

Speaker Hannig: "The Gentleman from Jackson, Representative Bost."

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

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

Bradley, J.: "Yes."

Bost: "Representative, is there... in any way does this stop local communities from..."

Bradley, J.: "No."

Bost: "...from, ya know, we have a Bill around here where we try to preempt Home Ru... This doesn't do that, is that correct?"

Bradley, J.: "No, not at all. The communities still have every right that they had before to prosecute."

Bost: "This just gives the opportunity if a person is taken to court that they would have a defense, saying I was protecting my right, my property, my home, my family."

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Bradley, J.: "Which is... yes, which is the same defense you would have if you were prosecuted under a more serious charge."

Bost: "Thank you. And to the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

Bost: "Ladies and Gentlemen, this Bill is very clear. It is a Bill that should be passed by this House. It is a right of us as citizens of the State of Illinois to protect our family, our homes. This is... this should be plain and commonsense. I think that we should all be voting for this. Even if you have a community that... that has rules, this doesn't override that rule, but it does give the opportunity for someone to protect their home, protect their family. Folks, how can anybody be opposed to that? Ya know, you can hear it from the argument from the other side, oh well, then these guns will be running rampant. Hey folks, the gun laws that are out there, the guns are there. Here's an opportune... there's a possibility that that person might be coming in with a gun. It makes no sense to just lay down and take it and to allow your family to be robbed, or worse, or injured in any way. The day that the Government says that I can't protect my home and my family, there's something wrong. Folks, I just hope everybody here votes for this; I think it's a sensible Bill."

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

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

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

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Lang: "Thank you. Hello, Representative."

Bradley, J.: "Hello, Representative."

Lang: "As I think most people on this floor know, I've had some pretty strong credentials on the... in the area of gun safety. And so one would assume I would be opposed to this Bill, but I'm not so sure I am. So, I have some questions for you."

Bradley, J.: "Certainly."

Lang: "First, I need to clarify, the only people that would be able to use this affirmative defense would be people who have legal weapons and have FOID cards. Is that correct?"

Bradley, J.: "Well, what this would be is this is a completely separate issue from that. You still have the requirement of having a FOID card. You still have the requirement of the other laws. This doesn't change other laws. What this says in this specific case where someone is prosecuted under a local ordinance in the specific instance where a weapon is used in self-defense that they would have a defense only to the charge under the local ordinance."

Lang: "Well, I understand that, but would this affirmative defense go to someone who had an illegal gun, who did not have a FOID card?"

Bradley, J.: "It would go to the charge of the local ordinance. It is not concerned with the other... what other of the violations there might be."

Lang: "Well, I'm gonna turn this way so I can see you, Representative. So, this is an important issue. I... I understand where you wanna give a person an affirmative

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defense for protecting their property in a case where they have..."

Bradley, J.: "Just their person. Just self-defense, not property."

Lang: "All right. But the point is that I understand where in some emergency situations for self-defense purposes, you would give someone the opportunity to use as an affirmative defense, I used the gun as self-defense and then have to prove that affirmative defense. But are you telling me that under this Bill it would be possible for someone to use this defense with an illegal weapon or someone who had a weapon and did not have a FOID card?"

Bradley, J.: "I'm not... I'm not clear on what you're defining as an illegal weapon."

Lang: "Well, an unlicensed weapon or a person without a FOID card."

Bradley, J.: "This law would be applicable, regardless of the status of the FOID card."

Lang: "Well, don't ya think... let's talk this through. Don't ya think it would... first of all, don't you think... I'll wait."

Bradley, J.: "I'm sorry."

Lang: "Don't you think it would be easier to pass the Bill if you made sure that at least the weapon that you were allowing someone to use was a legal weapon?"

Bradley, J.: "I don't... I don't see that as being germane to the discussion that we're having today. That is a different issue."

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Lang: "All right. Let's move on to another subject. I'm looking for a way to vote for this, Representative. You haven't helped me yet. So, who determines... who determines whether you needed to use this weapon in self-defense?"

Bradley, J.: "It would be the trier of fact, either a judge or jury."

Lang: "And so it's not automatic..."

Bradley, J.: "No."

Lang: "...that you have the affirmative defense."

Bradley, J.: "No."

Lang: "And so, let's assume... let me give you a fact pattern. I go into my home and there's an intruder..."

Bradley, J.: "This reminds me of law school."

Lang: "...and I don't know... I'm sorry?"

Bradley, J.: "This reminds me of law school."

Lang: "I flunked that question. And the intruder is stealing something from my home, they don't show me a weapon, but somehow I feel threatened and I use my weapon, legal or illegal, FOID card or no FOID card, and I shoot this person. Now, I'm tried, I'm indicted... I'm indicted for shooting this person. One at a time, guys. I'm indicted for shooting this person. So, now as an affirm... I say as an affirmative defense, well, the law that we just passed allows me to prove that I was in danger."

Bradley, J.: "Well, you're..."

Lang: "Now, the question is, where is that line drawn?"

Bradley, J.: "Well, that would be drawn by the trier of fact, just like it would be drawn in a more serious charge that

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would likely be brought against you. In other words, you already have a self-defense affirmative defense and more serious charges, aggravated charges, et cetera, but in the case of the local ordinance, you do not have that same luxury even though it's a smaller charge. I liken it to the situation where someone runs across the street to put out someone on fire and they're prosecuted for jaywalking."

Lang: "And so what do you say to the people who say about this Bill, this is just an... gives people an excuse to go shooting people..."

Bradley, J.: "No."

Lang: "...for... It's just a question, relax, Representative."

Bradley, J.: "No."

Lang: "No. So, it's simply an affirmative defense."

Bradley, J.: "It's an affirmative defense for... for the lesser charge under a local ordinance. You know, if you go out and you do something stupid or crazy, you got bigger problems than a local ordinance. This makes the local ordinance affirmative defense consistent with the higher charges that could be levied against you."

Lang: "One more question, I think, there may be others, but I think one more. Under your scenario... Can you hear me, Representative, while you're signing? Okay. Under your scenario it would be possible, would it not, for someone who has shot someone who they say is in self-defense and they use it as affirmative defense, they could get off of the charge of shooting someone, but still themselves in the same case be accused of having an illegal gun or having a

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weapon without a FOID card. Could we not have a situation where they're let off the hook on the shooting, but they... they have a problem from having... for having an illegal weapon at the same time?"

Bradley, J.: "That would be analogous to the situation we have now, I think."

Lang: "But that could happen?"

Bradley, J.: "I believe it could, yes."

Lang: "All right. I'm gonna think this through carefully, Representative."

Bradley, J.: "I appreciate your consideration."

Lang: "But I do think this would be a stronger Bill if you limited this affirmative defense to people who are using a weapon that's a legal weapon, people who have a FOID card. I think it would be a much stronger affirmative defense."

Bradley, J.: "I appreciate your comments and suggestions and I'm gonna go forward with the Bill as written. But I appreciate..."

Lang: "All right. Thank you."

Bradley, J.: "...your wise words."

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

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

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

Rose: "Representative, I didn't have a chance to hear you. What did you say about jaywalking a moment ago?"

Bradley, J.: "I'm sorry, I'm sorry."

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Rose: "I didn't have a chance to hear you. What did you say about jaywalking a moment ago?"

Bradley, J.: "I said it's analogous to the situation where someone goes across the street to put someone out on... that's on fire and they get prosecuted for jaywalking."

Rose: "To the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

Rose: "Ladies and Gentlemen, I'd like to take just a moment to maybe correct a few misunderstandings. An affirmative defense is a legal defense that comes up after a charge is brought. Essentially, nothing would preclude a municipality or a county from charging someone with illegal possession of a handgun. What would happen is after that charge is brought, if the weapon was used in self-defense, then the individual charged could raise the defense as an affirmative defense. So, I full well appreciate concerns that were mentioned by other Members regarding, you know, conceal and carry and the like, but the bottom-line is if someone is walking through the streets in a municipality that has banned handguns with a handgun and doing nothing more than walking down the street, they're still gonna be able to be charged with illegal possession of a contraband item under that municipal ordinance violation. The case in point that brought this Bill to us is what happens after a charge is brought and the weapon was used in self-defense. What happened... what would've happened here, folks, if this had not been a handgun, but instead when the person comes through the door he's stabbed? Nothing, knives aren't

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illegal. Knives are not illegal. The person was acting in self-defense. A prosecutor can always bring the charge. This would be an affirmative defense available to the defendant. Another thought on this, is it really when you stop and think about it, the arguments against this don't make sense. We have a natural right to protect ourselves and to protect our families. That's a God-given right, life, liberty and the pursuit of happiness. Life, this is what it's about. Someone comes after you, you have a right to protect your life; you have a right to protect your family's life. This isn't that hard, Ladies and Gentlemen. The bottom-line is if the weapon was not being used in self-defense, the charge would stand. All we're asking for is a right. And by the way, let me note, that if this was a criminal case, the affirmative defense would already be available. If this was charged as a battery, if this was charged as a misdemeanor, if this was charged as a felony, you would have a right to self-defense. Why is a municipal ordinance any different? It doesn't make any sense. All we're asking to do today is to extend the right to defend yourself and your loved ones to municipal ordinance violations. I would urge an 'aye' vote. Thank you very much."

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

Hamos: "Thank you, Speaker, Ladies and Gentlemen. This is a Bill that arose from an incident that happened in Wilmette, which is in my district. And I would like the opportunity to speak to this Bill. So, this is to the Bill. And let

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me start by first expressing my respect for Mr. Del... DeMar of Wilmette in my district. He demonstrated a great deal of courage by resorting to self-defense when he was faced with the intruder in his home. However, the Village of Wilmette has chosen to ban handguns in that community. And the village leaders stand by that ordinance and are opposing this Bill. And the community, while they are sympathetic to Mr. DeMar, stands by their local ordinance and opposes this Bill. The truth is that House Bill 4075 has little to do with the situation in Wilmette. It's a strategy by the NRA to undermine the local control of the communities to regulate the possession and use of handguns. That's what this Bill is about. If this Bill becomes law, there will be a new defense, as we have heard, to local gun ordinances. The new defense is any weapon, anywhere, anytime, no matter who gets shot. And that's why I'm standing today to urge everybody to vote 'no'. If you vote for this Bill, you will be approving a backdoor attempt by the NRA to authorize concealed carry in Illinois. And that's because the way the Bill is drafted. It didn't have to be drafted this way. People urged the NRA to negotiate on this. But the way the Bill is drafted, it is not limited to defense of an... of one's home. In fact, the self-defense could be used anytime, anywhere by a person carrying a gun on the streets. If you vote for this Bill, you will also be approving a backdoor attempt by the NRA to preempt Home Rule gun ordinances. House Bill 4075 undermines the Illinois Constitution, which does in fact

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provide that local municipalities may enact gun ordinances. Somebody here talked about the fact that we have a God-given right to protect ourselves. We also have an Illinois Constitution which allows municipalities to pro... to decide on the protection of their own streets, in their own way. Municipalities under this Bill would continue to have the right under the Illinois Constitution, but they would have no teeth to enforce it. Now, you may have heard, as you did today, that the Criminal Code already protects in these situations and will allow for prosecutions when the gun possession or use is illegal. And that in fact somehow these local gun ordinances are kind of irrelevant. That's seemingly what people are suggesting. But this is important, Ladies and Gentlemen, what I have learned, and what you may not know, is that these local gun ordinances are used by municipalities to confiscate contraband weapons... contraband weapons. In the Village of Wilmette, they have used this gun ordinance in many cases to take guns away in domestic violence cases when they encounter them. They have also reduced burglaries by 66 percent because of local gun laws. If you vote for House Bill 4075, you will make it impossible for municipalities to confiscate weapons. And as we said, not only when innocent homeowners are exercising their self-defense against an intruder, but also in cases when a situation has escalated... a domestic violence case has escalated and a gun is being bandied about. Now Congress is currently considering whether or not to extend the ban on assault weapons. The

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NRA, for example, believes that that ban on assault weapons will not be extended. And even though I think it's... law enforcement is supporting a continued ban. So, if you are voting for this Bill, you will make it also impossible for municipalities to add a ban on assault weapons, something they may want to do if in fact the federal ban expires. So, now we're not no longer talking about handguns or rifles or guns that are used in sport or hunting, we are talking about assault weapons. With this Bill, you will make it impossible for municipalities to a... to ban assault weapons it for... based on what their own needs are. So, Ladies and Gentlemen, I urge you to vote 'no' on this very far-reaching Bill. Local communities should have the right to meet their own safety needs any way that they find most appropriate. Thank you."

Speaker Hannig: "The Gentleman from Lake, Representative Mathias."

Mathias: "Yes, I just wanted to... since there was discussion on Home Rule, could I have a ruling from the Chair as to how many votes this Bill will take to pass?"

Speaker Hannig: "The Parliamentarian will... will take a look at that. Did you wish to address the Bill?"

Mathias: "No..."

Speaker Hannig: "Oh, excuse me..."

Mathias: "...I just wanted to have that question answered."

Speaker Hannig: "Representative, he's prepared to rule at this time."

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Parliamentarian Uhe: "Representative Mathias, on behalf of the Speaker and in response to your inquiry, House Bill 4075 does not preempt Home Rule and therefore will require 60 votes to pass."

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

Molaro: "Thank you, Mr. Speaker. I know this is gonna sound like dog bites man, and I just heard the eloquent speech by Representative from Evanston. I'm actually gonna vote 'yes' on this Bill and I'm gonna tell you why. First of all, I wanna move it along. And I'll certainly talk to you, maybe we could talk if it gets over to the Senate as to whether I'm right or wrong on my thinking and someone could tell me about it later. I look at this as actually an anti-NRA Bill. And I'm gonna vote for it for just the opposite reasons that were said by some of the people on that side of the aisle. And I'll tell you why. The charges in this Wilmette case, for those of you who didn't follow it, the charges were dropped by the State's Attorney. The State's Attorney declined to prosecute. And the reason is, is obvious for what everybody said. Here's the local ordinance. You can't have a handgun in a home; you can't own a handgun anywhere in that city. That makes sense to me, I'm for that. I've always been for it. I don't want anybody owning handguns in Chicago. But the reason I think this Bill is important, because what we do now is, we now allow the State's Attorney not to have to decide whether or not to prosecute. Under this Bill, the

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State's Attorney or the local ordinance official or the city attorney now can easily prosecute, because now he leaves it up to the judge to decide whether there were circumstances not to make it a crime. This now takes it out of where the State's Attorney or the village prosecutor has a moral dilemma where they don't have to listen to what all the people were saying. If you saw the headlines, the problem was that everybody was writing the prosecutor saying, how could you charge this man, how could you bring him to trial? Well, I say, he violated the ordinance, bring him to trial. All this Bill will allow is him to bring up the defense of self-defense. So, I think this is a perfect compromise. You break the law, you break the ordinance, you should be charged and you should be brought to trial. And this just allows that homeowner to say, but hey, I was defending my life. So, I think this is a good Bill and I think it should move forward. So, I say let's vote 'yes' from the opposite end and say it's a good gun control Bill. Thank you."

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

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

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

Graham: "One of the other Representatives asked the question that the valid... the validity of a person carrying a registered or unregistered handgun. And you said that that didn't... that didn't come into play in here."

Bradley, J.: "This... this Bill does not make a distinction."

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Graham: "Okay. Is it fair to say in order to own a handgun that you... in order to purchase one that you must have a legal FOID card... FOID card?"

Bradley, J.: "You'd have to talk to somebody with more expertise in that field, but generally that's the case, yes."

Graham: "I'd have to talk to someone with more expertise."

Bradley, J.: "Yeah, but you're..."

Graham: "You're running a piece of gun legislation and you don't know whether or not if you have to purchase one that you need a regist... a legal FOID card?"

Bradley, J.: "Well, I... the reason I said that is 'cause I think a child with their parent can purchase one without a FOID card."

Graham: "I couldn't hear your answer, Representative."

Bradley, J.: "I think a child without their parent can purchase a gun without a FOID card."

Graham: "Mr. Speaker, I can't hear his response."

Bradley, J.: "I think a child with a parent can purchase a gun without a FOID card is why I brought that up."

Graham: "I have some concerns about this piece of legislation. I... I understand the gentleman being in his home and being paranoid and... and what happened in his home. But where you live and where I live is two different places and that this Bill would actually give gangbangers an opportunity to run rampant on us. I think that they would actually prey on us and everything would become, I did this in self-defense. I think that this Bill will open up a window that you don't

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plan to open up. I believe that we should have the opportunity to protect our families. I think that that's a valid point that you're making. However, if this legislation opens us... opens us up to a bigger problem, I think that we are... we are opening ourselves up for legislation to come that's gonna... we're gonna have to come back and undo what you're trying to do here."

Bradley, J.: "May I respond?"

Graham: "Yes."

Bradley, J.: "If somebody is using a gun in a wrongful way, there are serious criminal charges, which can and will be filed against them currently. This law only applies to local ordinances. A gangbanger who is out violating the more serious charges, which are felonies, which are Class IV felonies, has a defense of self-defense already. Under the local ordinance, there is no affirmative defense of self-defense. So, I don't agree with the argument this is gonna proliferate gangbanging."

Graham: "Well, no. You see, what I'm saying is that gangbangers are slick. They're not just gonna go out and say, I'm a gangbanger and commit this act. They're going to spin the table into their court. They're gonna make this Bill work for them. They're not just gonna go out there like a regular gangbanger and commit the crimes and appear as a gangbanger. They're gonna make this law work to their defense. They're not gonna make it work in the way in which..."

Bradley, J.: "But there..."

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Graham: "...you're talking about in self-defense."

Bradley, J.: "...there are already affirmative defenses for citizens of the State of Illinois for the higher or greater charges. This is an affirmative defense which applies only to local ordinances. And moreover than that... And I respect your position and I hope... I don't want you to feel that this is personal in any way and I hope that there's..."

Graham: "Not at all."

Bradley, J.: "And I appreciate the differences between the areas that we represent and I don't want this to, at any point, become something other than a spirited and lively debate on the issue."

Graham: "Absolutely. I agree."

Bradley, J.: "However, you know, you've still gotta go to court and prove that it was self-defense - under either of the circumstances, the higher crimes or the local ordinance violations. I mean the defendant still has to come to court and prove they were using it as self-defense. And so you still have the judges and the juries, which you're relying upon, to exercise commonsense in administering this particular law."

Graham: "Why is the State's Attorney against this Bill?"

Bradley, J.: "I have no idea."

Graham: "You don't know why the State's Attorney is against this Bill?"

Bradley, J.: "No."

Graham: "Were there any eyewitnesses in this gentleman's home that said he was... he was operating in self-defense?"

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Bradley, J.: "I... I couldn't answer that."

Graham: "The reason why I ask that question is that a gangbanger would put somebody in a secluded place and if there's no eyewitnesses, claim that he was doing this in self-defense when he could be operating out of another kid. So, if he is putting himself in a secluded area where there are no eyewitnesses, but he then later claim that this is self-defense. That we open this door... we're opening... this legislation will open the door for many excuses that we haven't thought of."

Bradley, J.: "Representative, with all due respect, if in fact there was a scenario where someone was trying to abuse this law, then they are likely trying to abuse laws which are far more serious than the one that we're dealing with today. Again, we are dealing with an ordinance violation, a local ordinance. There are charges under the State Law which are much more significant and which carry much higher penalties where the affirmative defense of self-defense is already afforded that defendant. So, if in fact they were... they were of the inclination to do something of that nature, they already are afforded that for the higher crimes, and it's not likely that they are gonna start doing that. They probably already are doing that."

Graham: "To the Bill."

Speaker Hannig: "To the Bill, Representative."

Graham: "I would ask this Body to seriously think about this piece of legislation. This legislation will open up doors and windows for people to make all kinds of excuses to use

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handguns. They make 'em up now and this will only increase that. I have sympathy for the gentleman who was defending himself in his household. I... I totally sympathize with that. But where he lives and where I live in the City of Chicago, it opens up a lot more other opportunities for wrongful... wrongful actions to take place. Last Session I submitted to you statistics of the murder rate. The murder rate is higher in the City of Chicago than anywhere else in the State of Illinois. So, I'm asking you to seriously take a look at this legislation and oppose this legislation, because it is not a good Bill. I do sympathize with it. We should have the right. And I also would like verification of the vote if this Bill should receive its required number of passing, I would like for a verification. I urge you all to vote 'no'."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I did not intend to speak on this Bill and I don't think debate will sway anyone from their predetermined position on how they are going to vote on the Bill. But in hearing some of the comments made by Members, I feel compelled to say, you know, give me a break here, folks. This Bill does not expand the excuse of the use of a handgun. It does not preempt Home Rule. It does not prevent a city from passing a restrictive ownership ordinance. All this Bill does, as amended by the Sponsor in committee, is if you use a handgun... and let me quote

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from the Amendment, if you use a... your privately-owned firearm in an act of self-defense, yours or another, that is a defense to be used against prosecution of a municipal ordinance that says you shouldn't have owned the handgun in the first place. It does not preclude a State's Attorney from saying you used excessive force or that the person was not in your house, only threatening to get in your house. You could still be charged with murder under this Bill or manslaughter or aggravated assault. The municipality involved could still charge you with a violation of their ordinance. It simply says, if in fact you're found not guilty or adjudicated not indictable by a grand jury because you were acting in self-defense, that gives you a defense to use against a 1 thousand, 2 thousand, \$5 hundred, whatever it is, penalty that the city may want to impose upon you because you owned that handgun in violation of their local ordinance. It does not expand any excuse to shoot somebody. And you are still liable for prosecution. You'd better have a pretty strong case that your life or the life of your loved ones was in danger before you use that firearm. That's the responsibility that any owner of a firearm must assume if he or she wants to use it in any lawful way. And yes, the courts and case law are full of people who have been able... who have been adjudicated not guilty by reason of using a firearm responsibly to save their life or the life of their loved one. This Bill doesn't allow submachine guns to be sold on the street. It doesn't allow me to put a hundred and five millimeter

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Howitzer in my house. It does not allow me to have a hand grenade in my house. At my age I can't see, so I wouldn't know what I was aiming at. A hand grenade might be better for me; it would give me more firepower. All of these things are red herrings. It is still up to the grand jury and the State's Attorney as to what prosecution you may be liable for if you use the handgun. And then this Amendment... this Bill as amended simply says if you are found not indictable, you can use... you can use as an affirmative defense that you used this gun to save your life or the life of your wife, your children or your grandchildren. That does not mean you're automatically innocent. The city may very well choose to prosecute you, but at least it gives you a defensible argument, and then the administrative law judge or the court or the jury will determine your guilt or innocence. It's a reasonable Bill. I commend the Sponsor. It's time to vote."

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

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

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

Fritchey: "Representative, I've... I've got a... I guess a logistic question that really doesn't get to the substance of the Bill and what the Bill purports to do. And I appreciate that you've come to talk to me a couple of times on this, I really do. What the Bill purports to do is create an affirmative defense to a municipal ordinance in certain enumerated circumstances. My understanding is the only

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municipalities that are empowered to enact such an ordinance would be a Home Rule municipality. I also heard a ruling from the Parliamentarian that this Bill does not preempt Home Rule. So, as I'm sitting here listening to all the debates... all the debate on the substance of the Bill, I'm just wondering if per... if logistically we are in a situation where the Bill really won't do anything. And I don't mean that dismissively. I'm just saying if the Bill can only impact a Home Rule community who can enact this type of ordinance, but we've got a ruling that the Bill doesn't overrule Home Rule. Do you see where I'm going, John?"

Bradley, J.: "I don't see that problem, Representative. I don't... I don't see that problem, Representative."

Fritchey: "How so?"

Bradley, J.: "This is a specific affirmative defense to a charge. A municipality can still levy the charge. A municipality still has all the rights that the municipality had before. All this does is... is give a crim... a defendant in a particular case an affirmative defense."

Fritchey: "No, no. I... I follow you and I'm not even getting to that part of it. What... let me... and maybe I did... I did a bad job of laying out my... my question here and it's a sincere question. Let me lay it out on a few parts here. Only a Home Rule municipality could enact the type of ordinance at issue here. And this Bill would... Correct?"

Bradley, J.: "Yes."

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Fritchey: "Well, here, let's just stop it right there. The rule from the Parliamentarian is that this Bill does not preempt Home Rule."

Bradley, J.: "That's correct."

Fritchey: "So, how then can we create an affirmative defense to a Home Rule municipal ordinance via a piece of legislation that doesn't preempt Home Rule?"

Bradley, J.: "It does not preempt Home Rule. It's apples and oranges."

Fritchey: "So, give me an example of a non-Home Rule municipal ordinance that would be impacted by this legislation."

Bradley, J.: "It... it... it's apples and oranges."

Fritchey: "Well, and I'm not... I'm not trying to trip you up, but can a... can a non-Home Rule municipality enact an ordinance that would be impacted by this legislation?"

Bradley, J.: "You're talking about a technicality that's not gonna affect the validity of this Bill."

Fritchey: "With all due respect, I think this gets to the crux of the Bill. For example, if this were to happen in Chicago or Wilmette, which are Home Rule communities, this Bill would not be... have an impact because it does not preempt Home Rule. Correct?"

Bradley, J.: "That's correct."

Fritchey: "So, you still would not have an affirmative defense by virtue of this Bill. Is that correct?"

Bradley, J.: "You have an affirmative defense on the charges could be levied against you for the other charges. So, this makes the... it consistent..."

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Fritchey: "Ah, but..."

Bradley, J.: "...it makes the local ordinances consistent with..."

Fritchey: "With... with... with all due respect... Here, let me let you confer with staff, 'cause she may have... she may know where I'm going here. In Chicago, if... if this offense happened in the City of Chicago, would this Bill create an affirmative defense to a Chicago Municipal Ordinance?"

Bradley, J.: "No."

Fritchey: "Would it create... had this Bill been law, would it have created a municipal... would it have created an affirmative defense to Wilmette's Handgun Ordinance?"

Bradley, J.: "It does not preempt Home Rule."

Fritchey: "Is it your under... is it your understanding that this Bill would create an affirmative defense in Wilmette or Chicago or any other Home Rule municipality that has a handgun ordinance?"

Bradley, J.: "Can you repeat the question?"

Fritchey: "Without going around in circles and I think both of us are doing this sincerely here, John. The... Go ahead, Representative. I'll tell you what. Ya know, I don't want to belabor this. You've given me... I think I understand where we're going here. Based upon your intent and based upon the ruling of the Parliamentarian that this Bill does not preempt Home Rule, I'll consider my question answered. I do appreciate your efforts of what you're trying to do."

Bradley, J.: "Thank you."

Fritchey: "Thank you."

Bradley, J.: "Thank you, John."

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Speaker Hannig: "Representative Kelly."

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

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

Kelly: "I just wanted a point of clarification. When someone visited me about the Bill, when they explained it to me, they said that if a robber, let's say, came into my house, and I legally had a gun, that I could use that gun to protect myself. And is that what you're saying that the Bill is solely about?"

Bradley, J.: "It... there... makes no distinction between legal and illegal."

Kelly: "Okay."

Bradley, J.: "It does not make that distinction."

Kelly: "Okay. Thank you, Representative."

Speaker Hannig: "Representative Bradley to close."

Bradley, J.: "I appreciate all the questions and all the lively discussion. And I hope that everyone will exercise commonsense in this particular case. And I request an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall House Bill 4075 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Granberg. Mr. Clerk, take the record. And on this question, there are 86 'yes' and 25 'no'. There's been a request for a verification. Does the Lady persist?"

Graham: "Mr. Speaker, I withdraw the verification."

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Speaker Hannig: "The Lady withdraws her request for the verification. And so, with 86 'yes', 25 'no' and 5 voting 'present', this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 4023."

Clerk Mahoney: "House Bill 4023, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

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

Speaker Hannig: "State your point."

Gordon: "Thank you. Ladies and Gentlemen, we have a very important group here in our gallery today. I'd ask them to rise, a group from the John Marshall Law School. It is not only my alma mater, but also the alma mater of Representative George Scully. Specifically, we have a very honored guest, the Dean of the Law School, Ms. Patricia Mell. I would ask you to welcome them to Springfield."

Speaker Hannig: "Welcome to Springfield. And Representative Froehlich on House Bill 4023."

Froehlich: "Thank you, Mr. Speaker. This Bill's pretty simple. It simply says if someone assaults an umpire, a referee or a coach in or around an athletic facility, it's an aggravated assault instead of a simple assault. So, we're just upgrading the penalties from regular assault to aggravated to try and reduce the incidents of irate fans that abuse umpires and coaches. Be happy to answer any questions."

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Speaker Hannig: "And on that question, the Gentleman from McHenry, Representative Franks."

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

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

Franks: "Paul, I'm glad to see you brought this Bill up. We had passed this very similar Bill on two separate occasions three and four years ago and each time the Governor had vetoed that Bill. How is this substantively different than the Bills that we had passed, I believe unanimously in the House, on two other occasions?"

Froehlich: "I know just last year we had something similar on battery that passed, and I'm not sure why that did not ultimately... ultimately make it. I think those other Bills were a little more complicated; they did more things. I wanted to just take assault, make it simple, make it clean and just upgrade the offense. That's all."

Franks: "I think you've... I think it's a very important Bill. We've seen this happen much too many times. And have you had a chance to talk to the Governor's Office? Are they in favor of this Bill? Because whenever we've gotten to the goal line before, we've always been tripped up by the Governor. Has their office shown any willingness to sign this Bill or to veto the Bill?"

Froehlich: "I've heard nothing from their office. I know Governor Ryan did veto a previous similar Bill."

Franks: "Yeah, it was my Bill."

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Froehlich: "Yes. But it hasn't ha... I've heard nothing from them at this time. And the Bill passed unanimously in committee."

Franks: "Terrific. I rise in strong support of the Bill. I appreciate you bringing it forward. And hopefully, we'll get it passed now with a new Governor. Thank you."

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

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

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

Molaro: "Why... you know, since it was unanimous twice, I'm certainly gonna be the only one voting 'no'. The only thing I would ask is this. Do you feel sometimes when we do this that if I'm at a hockey game and I happen to be a coach, or whatever game we're talking about here, and you're at the same hockey game and your son's watching the game. We're standing next to each other, pretty close. And let's say Representative Sacia gets mad at both of us and beats us both up, which he probably could take us. Why should it be that it's a... enhanced penalty, because I happen to be a coach, and it's not an enhanced penalty because you're just a fan. In other words, why should I not be or you not be accorded the same status in the law? You know, I would just like at least get on the record why we're doing this, that's all."

Froehlich: "Sure. Really, you raised an interesting point. And looking at the statute, the General Assembly in its wisdom has already included large numbers of other people

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where it's an aggravated assault. That includes not only police officers and firemen, but teachers, park district employees, public aid caseworkers, EMTs, transportation workers, employees of the State of Illinois or of a municipality, handicapped person or anybody 60 years of age or older. So, you know, you've got a big chunk of the population already covered."

Molaro: "Yeah, I... well, I will tell you this. In my liberal days in the Senate, I voted 'no' on all those Bills. But I came here with more wisdom and I'm a little more conservative nowadays, so I'm gonna vote 'yes' on this Bill. But I do think that there comes a time where we're gonna make the class so big that we're gonna include everybody. I mean, so, I... you know, I just... I just would make sure that we're not making anybody a second class citizen. And if I'm a fan and you're a coach, when I get hit, it hurts just as much; when I get, you know, so... But you get the point, so we'll stop."

Froehlich: "I do."

Molaro: "Thank you."

Froehlich: "I do. Thank you."

Speaker Hannig: "The Gentleman from Cook, Representative Joyce. The Gentleman declines to speak. So the question is, 'Shall House Bill 4023 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 1 voting 'no'. And this Bill, having

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received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 4962."

Clerk Mahoney: "House Bill... House Bill 49..."

Speaker Hannig: "Mr. Clerk, would you take that out of the record at the request of the Sponsor. Mr. Clerk, would you read House Bill 3979."

Clerk Mahoney: "House Bill 3979, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. This Bill has passed out of this co... this House twice and got to Second Reading in the Senate and didn't get heard. The Bill states that any student who is suspended for one or more days, the parent has the right to take the child to an education facility in the community or an organization that offers education in the community. There is absolutely no dollars that will change hands. The money will stay in the original school district. But it does allow us, Mr. Speaker, an opportunity to have our children in a supervised, and hopefully, educational environment rather than home alone or in the mall unsupervised. And I would urge an 'aye' vote."

Speaker Hannig: "The Lady has moved for passage of House Bill 3979. And on that question, Representative Eddy. Representative Eddy."

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

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

Eddy: "Thank you. Representative, as you know, one of the... one of the main concerns of school districts across the state, especially this year, is the lack of funding. Funding is a real issue, 80 percent of school districts in the state estimated are probably gonna be in deficit spending for this year. Several have had many years of deficit spending. And as a school administrator, I understand the necessity for a child to be supervised during a period of suspension. However, the cost involved with this could be a problem for districts. Do you have an estimate..."

Davis, M.: "There is no cost."

Eddy: "...as to what the cost..."

Davis, M.: "There is no cost. If you have, for example, a YMCA and that YMCA has educational program, that child with the consent of his or her parent is registered at absolutely no cost. There is not one dollar attached to this Bill as I explained and talked to Representative Black, who removed his request for a Fiscal Note."

Eddy: "I understand the Amendment removes the provision that the district has to pay the community-based education program."

Davis, M.: "That is removed with Amendment #1."

Eddy: "Yeah. My... my question then becomes, if the school district doesn't have to pay them, however they have to provide that supervision, how do you envision the district providing that supervision if they're not gonna pay for it?"

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Davis, M.: "I think you're a little confused here. I'm gonna try... ya know, I'm not being smart, but I don't think you understand this Bill. Let me make it really simple. Number one, a child is suspended from any school. Number two, the parent has the option of taking that child to an educational facility in that community that has been approved by the State Board of Education. Number three, the child is in that facility as long as the educational suspension is in... in effect. That's the end of it. There's no money that is involved. There's no transfer of funds. There's no loss of funds. It merely says, I'm a mother or a father, I don't want my child suspended for five days and I don't know where he is, 'cause I have to go to work. So, I have taken my child to the 'Y'. I have taken my child to some other educational facility in the community that has agreed to accept my child for those days. It is my decision as a parent to do that."

Eddy: "Representative, my question is, what stops you as a parent from doing that without this legislation?"

Davis, M.: "That's just what stops it, not having this legislation."

Eddy: "Does this legislation require the parent to take this?"

Davis, M.: "It does not require; it is a parent's option."

Eddy: "So, at this moment, before this legislation is acted upon, if a parent wanted to do this, they could?"

Davis, M.: "If a community-based organization decided to make that decision, they could."

Eddy: "So..."

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Davis, M.: "And another reason it's good, Representative, is suppose you have a child who gets a number of suspensions, suppose you have a family where there seems to be something lacking. And if this child is frequently brought to a particular educational facility for suspension, it gives that agency, who has been approved by the State Board of Education, an opportunity perhaps to counsel."

Eddy: "Okay. So, the State Board of Education has an administrative function here to approve the agencies that... an administrative function to review and approve the agencies..."

Davis, M.: "Yes."

Eddy: "...where these students would be housed?"

Davis, M.: "Yes, they do."

Eddy: "And that would... that would explain their continued opposition. My understanding is, the other groups that had opposition to this Bill have removed their opposition based on the fact that the mandate..."

Davis, M.: "Funds."

Eddy: "...funding would not be there?"

Davis, M.: "That is correct. I think..."

Eddy: "This simply then allows for the creation of a list of approved and reviewed places where parents can look up or refer to, to find a place for their children to go, and it kinda puts the burden on the State Board."

Davis, M.: "That is correct. I think that all of the agencies who were opposed removed their opposition once the Amendment was in place. Because I, too, Representative

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Eddy, realized the financial constraints under which our schools are operating. I did not in any way want to take any funds from those schools."

Eddy: "Appreciate that. Has the State Board given you any indication of what the administrative costs would be for them to set that list up? Have they responded at all?"

Davis, M.: "There's absolutely no cost. There is... let me repeat this three times. There is absolutely no cost, no additional funding required."

Eddy: "And this is totally up to the parents whether they use it or not?"

Davis, M.: "It is certainly, totally up to the parent."

Eddy: "If a school district suspends a student for cause, the parents then have the responsibility, not the school district?"

Davis, M.: "The parent has the option."

Eddy: "The option of the responsibility. Great. Thank you very much."

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

Speaker Hannig: "Is there any further discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 4389."

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Clerk Mahoney: "House... House Bill 4389, a Bill for an Act concerning trusts. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from DuPage, Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. This is an issue that was brought to me by the Illinois Corporate Fiduciaries Association. It's an issue that deals with trust. Right now there is a limitation on when a trust is paying out to beneficiaries. It is unable to, unless specifically stated in the trust, to be able to payout to another trust. So, if there's a child with a disability, there may be a trust in place before the parent's trust was created. What this will simply allow it to do is allow the parent's trust, if they were to pass on, to be able to pay as beneficiary to a child's trust or another person's trust as beneficiary. There are many more sophisticated estate plans that already have this language in it, but this just allows it if for whatever reason the parent's trust has failed to put this language in it as it allows this payment to be made for the benefit again of the beneficiary within their own trust. And I'd be glad to answer any questions and would appreciate your support."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 4389. Is there any discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question,

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there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 6564."

Clerk Mahoney: "House Bill 6564, a Bill for an Act concerning adoption. Third Reading of this House Bill."

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

Currie: "Thank you, Speaker and Members of the House. Under current Illinois Law, an individual parent who is terminally ill may petition the court in a standby adoption situation. That is to say, naming the person who will become the adoptive parent of that child upon the death of the parent. And that system has worked well. In part it means that children who have might otherwise become wards of the state go without funding for two or three months while probate decisions are made are protected during that interim period. This measure would expand the program so that people who are not terminally ill would also be eligible to petition the court to name the future parent, adoptive parent of that child. The situation arises frequently when an elderly person takes over the care of a deceased child's child. That grandmother may not be terminally ill, but she may be anxious about what will happen to the child in the event that a heart attack or some other disaster befalls. I know of no opposition to the Bill. And I'd be grateful for your support for passage of House Bill 6564."

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Speaker Hannig: "The Lady has moved for passage of House Bill 6564. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 4444."

Clerk Mahoney: "House Bill 4444, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Hultgren."

Hultgren: "Thank you very much. This is a small step on an issue that I think is a significant issue that we need to be talking about further over the next year or two; it's bleacher safety. Had a young child in my district who had fallen through, a six-year-old girl, fallen about 15 feet through bleachers. Sitting right next to her parents and just slipped right through. Fortunately, she wasn't too seriously injured. But I do think this is a very serious issue with many bleachers that maybe you have seen in your own area that need work and need attention. Obviously, this is a very expensive process to update bleachers. What this Bill would do, what House Bill 4444 would do is allow school districts to be able to recognize updating bleachers as a life safety issue, so they'd be able to access life safety iss... bond money that they would already have to be able to use to make their bleachers safe. This is

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something that is supported by ED-RED and others as well. I know of no opponents at this time. I'd be happy to answer any questions that you might have. Otherwise, I'd ask for your support."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 4444. Is there any discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 97 voting 'yes', 19 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 4730."

Clerk Mahoney: "House Bill 4730, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Hannig: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. This Bill does two things. It... one of the... the... one thing it does is an initiative of the Department of Public Aid expanding the program to allow treatment for other cancers detected by the breast and cervical cancer screen Bills that we've been working on in this chamber. The second thing does is provide for either state or federal minimum wage law, whichever is higher, to be used to calculate the required number of hours of work and wage for workfare type programs."

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Speaker Hannig: "The Lady has moved for passage of House Bill 4730. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 5215. Excuse me. Mr. Clerk, would you read House Bill 4239."

Clerk Mahoney: "House Bill 4239, a Bill for an Act concerning counties. Third Reading of this House Bill."

Speaker Hannig: "Mr. Clerk, let's take that out of the record for a few minutes. Mr. Clerk, read House Bill 6618. Out of the record. Let's... Mr. Clerk, let's return to House Bill 4239."

Clerk Mahoney: "House Bill 4239, a Bill for an Act concerning counties. Third Reading of this House Bill."

Speaker Hannig: "Representative Lindner."

Lindner: "Thank you... thank you, Mr. Speaker. This Bill was brought to me by the Domestic Violence Coordinating Council of the 16th Judicial Circuit. There is already... there are already neutral site custody exchanges in many counties. This just allows counties with a population of under 100 thousand to also access this program if their county board so approves. It just changes the number."

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Speaker Hannig: "Is there any discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 83 voting 'yes' and 33 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 3942. Representative Mary Flowers."

Clerk Mahoney: "House Bill 3942, a Bill for an Act relating to schools. Third Reading of this House Bill."

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

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3942 does a couple things. It would require that the schools publish the lunch menu and the nutritional contents and how many calories it may be for that particular meal. And it also would require the school, through the Comprehensive Health Education Program, to include an instruction on suicide. And I'll be more than happy to answer any questions you may have in regards to this legislation."

Speaker Hannig: "The Lady has moved for passage of House Bill 3942. And on that question, Representative Eddy."

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

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

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Eddy: "Representative, are you aware of any fiscal impact of this Bill? Has there been questions regarding what this might cost school districts?"

Flowers: "Well, you know what, I'm glad you asked that question, because I have not heard from any schools in regards to the fiscal impact because they could print it on the Internet. But more importantly, there is a very important fiscal impact if this does not occur because of the obesity of the children and the health crisis that our children are in. And every newspaper that we've been reading in the last couple of weeks have talked about the obesity of our children and the effects it have on their heart, their lack of exercise and the food that they eat. So, if a parent who's trying to save their child's life and want to count the calories, if they knew how much the school gave the children that day and then so what the mother is fixing that evening will be in correspondence with what the doctor has required on behalf of that child's health."

Eddy: "So... so many schools, in fact, most schools do publish a menu either on their Internet site or in a newspaper or somewhere. This would just simply require them to include additional information in what they already publish and that being more specific as to what the nutritional content for parents."

Flowers: "Yes."

Eddy: "Is that... is that accurate?"

Flowers: "Yes."

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Eddy: "And the... the impact then, if any, would be very minimal to school districts?"

Flowers: "Very minimum."

Eddy: "Okay. Thank you very much."

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

Fritchey: "Thank you, Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Fritchey: "Ladies and Gentlemen, this Bill is labeled on the board with respect to the obesity issue. The real gem in this Bill is requiring instruction on clinical depression, suicide prevention among kids. This is an issue that I don't know is growing as much as our recognition of it is growing. And for children to be able to recognize the signs of depression, who to turn to for help, where to go, that it's okay to go somewhere for help. They need to learn these lessons early on. Being able to teach these kids that early is going to not only prevent unnecessary loss of lives among kids, but among teenagers and adults as well, because they're gonna recognize these signs early on. Ladies and Gentlemen, however you feel about the obesity component of this, the other component of this Bill is so important. I can't imagine how anybody could vote against it. Please support this Bill. Thank you."

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

Yarbrough: "Thank you, Mr. Speaker and Members of the House. Will the Sponsor yield?"

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

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Yarbrough: "Representative, I wanna commend you on this Bill. I know we had a lot of debate on this Bill in committee. But I can't see how it's gonna cost so much money to publish anywhere to, you know, this... this information. The other Representative that spoke on the Bill mentioned something about cost; I would think it would be negligible."

Flowers: "I agree with you, Representative."

Yarbrough: "Thank you for sponsoring this legislation."

Flowers: "Thank you."

Speaker Hannig: "Is there any further discussion? There being none, the question now is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 81 voting 'yes' and 35 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 5020. House Bill 5020."

Clerk Mahoney: "House Bill... House Bill 5020, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Hannig: "Representative Millner."

Millner: "House Bill 5220 (sic-5020) provides a penalty for those who use cell phones who commit traffic violations at the same time. And I would urge a 'yes' vote."

Speaker Hannig: "The Gentleman's moved for passage of House Bill 5020. Is there any discussion? There being none,

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then the question is, 'Shall this Bill... Excuse me, Representative Tenhouse, on this issue.'

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Hannig: "He indicates he'll yield."

Tenhouse: "Let's just talk a little bit about this, Representative. You're saying right now that under this Bill if you're using a cordless headset or a... even... a phone that does not have any type of a... You're not really handheld is what I'm trying to say. If this person... if you have to be stopped for going three miles over the speed limit, you can still get a \$79 ticket?"

Millner: "Well, I suppose that's possible, but highly unlikely."

Tenhouse: "Well, but the point is you could... you know, we keep talking in this Body about the fact that going to cordless headsets or wireless type of a mechanism so that we're not physically holding the telephone. We've got a lot of phones and certainly a lot of these new cars are equipped with this type of technology. You're... you're saying that this is going to be... How... how much revenue do you think the state's going to be able to pick up as a result of this, Representative?"

Millner: "I don't think very much. I think what this is designed for is we have countries, we have, nationally we have legislations trying to prevent all cell phone use in vehicles. I've done a lot of research on this. I looked at the country. I looked at what was happening throughout

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our country and the research that's out there. And there are some people that can't drive and use cell phones at the same time. However, why should we all be punished? What this does, it says that if you are driving, you're committing a moving violation and..."

Tenhouse: "Someone just tried to call me and I can't multitask. So, I was... what happened. Sorry... pardon me, Representative."

Millner: "Anyway. If you're... we've all seen 'em. People drivin' their cars not paying attention; they're whipping back and forth. This provides that the police officer that they're committing a moving violation could write a secondary ticket for distracted use of that cell phone."

Tenhouse: "You're also saying that for the first year an individual has a driver's license, if they get stopped in this type of situation... well, I'm getting called from everyone here. Then once they... During the first year of driving, if they get stopped, they can also get a \$79 fine, regardless of whether they're doing anything wrong. Is that correct?"

Millner: "Well, they have to be stopped for something they did wrong. I mean, yes, you're not allowed to use that cell phone for your first year of driving. Your first year of driving should be primarily used for your motor skills, learning how to drive. We have a young girl that was killed recently in DeKalb that was talking to her mother on the cell phone. She went through the light and a semi drove right through her as her mother was talking to her.

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The mother wishes this were a law now and asked me to do what she could to promote this."

Tenhouse: "Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Tenhouse: "I have a lot of respect for the Representative who introduced this legislation. But I would ask that Members on both sides of the aisle look at this and where we're heading. It's not that we can't talk about the... trying to restrict the use of cell phones. But for instance, you're talking about some young person that could be driving along the highway three miles over the speed limit. They get a call from mom and dad; they pick up the telephone. They're gonna get a \$75 speeding ticket, plus a \$79 ticket for use of the cell phone. Even if they have a wireless or... or have a... don't have a headset... or... or they have on a headset or they're using a built-in phone that's within the car. I think this goes a lot further than I think we need, certainly this will be interesting to see how this is gonna be enforceable. Frank... frankly, I have real concerns about some law enforcement agencies using this as a means to be able to stop young people. How do you decide when you look in a car whether someone has only been driving for one year or not? If they happen to be using that telephone, I think this is certainly a question in terms of civil liberties. It's an issue that certainly bothers me, too, is the fact that how in the heck you're gonna enforce this thing. I really think this is way too much, way too far, and as a

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result, I would certainly encourage people to look very seriously at this Bill."

Speaker Hannig: "Representative Franks."

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

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

Franks: "Representative, I'd like to clarify a few questions that the previous Speaker had asked. I'm looking at House Amendment #1, which makes a couple of changes. In my understanding, this clarifies language on page 1, line 18 that this indicates this only applies to those who have never held a driver's license under the laws of another state, correct?"

Millner: "That's correct."

Franks: "So, how... who does..."

Millner: "This is... this is..."

Franks: "...this law apply to then?"

Millner: "...this applies to anybody who's driving, making a moving violation, because they're on the cell phone, distracted. The... the people that we see just cutting us off, not paying attention, that's who this is for. And also it's for new drivers, whether you're 30 years old and you've never driven before, or whether you're 16 years old. You really shouldn't use a cell phone, except for emergency uses which was listed in the Bill."

Franks: "Okay. Now you couldn't get a ticket just for using a cell phone while you're driving?"

Millner: "No, absolutely not. Using a cell phone is legal and it remains legal and that's what I'm saying. We don't want

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to punish everybody, just those people who are not using it responsibly. And... and the game plan here is to create an awareness for everybody. To say you know what, if you're gonna use your cell phone, if you can't chew gum and walk at the same time, don't use your cell phone while you're driving. Pull over if that's the case, if you can't pay attention. Many people cannot multitask. Those who can't shouldn't use a cell phone while they're driving."

Franks: "Now the additional citation that one could receive, let's say they're... they're stopped for speeding or reckless driving and they happen to be on the cell phone as well. And that would be an additional fine up to \$79?"

Tenhouse: "That's correct."

Franks: "Would that also be considered a moving violation?"

Tenhouse: "No, that would only be considered an equipment violation, not a moving violation."

Franks: "Oh, can you tell us the genesis of this Bill?"

Tenhouse: "Yes. Actually, it was based upon some of the situations that have been occurring around this state and nationally and I personally took an interest in this. And I... I wanted to be able to craft a Bill that would be one that didn't punish everybody using a cell phone. In fact, there are numerous countries that ban cell phone use and driving completely. And in our country only New York bans the cell phone use with the exception of the heads free... or hands free."

Franks: "Thank you. To the Bill."

Speaker Hannig: "To the Bill."

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Franks: "When you... when you had first told me about this Bill, John, I remember I would criticize ya and I did... I didn't like the Bill. And then yesterday I'm driving down to Springfield and I called you on my cell phone, and you explained the Bill and how you had changed it, and I think you've come up with a very workable solution to the problem and you were kind enough to include me as a cosponsor on it. And I think you've been very thoughtful on this legislation, and I think the bottom line is this legislation could help save lives. But we're not looking to be punitive and I think it's something that could... that could help because in... in, what I'd like to see, hopefully next year, is that we're able to expand this Bill to folks who are shaving while driving. Anytime when they're, you know, doing things they shouldn't be doing while driving. You know, I... I've seen... I've heard stories of people putting on their makeup, talking on the cell phone, eating a hamburger and driving with their knee. I think what we have to... that's very talented, folks, but it worries me. So, obviously, if people are not paying attention, wha... there should be an extra violation. So, I think this is a good first step to addressing that issue and I re... and I think everyone should vote 'yes'."

Speaker Hannig: "The Lady from Kane, Representative Lindner."

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

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

Lindner: "Yes, Representative, I know we had a lot of debate on this in committee and you changed it with some of the

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committee's recommendations and I appreciate that. But if you get stopped for an equipment violation, for instance, if you have a light out, what is that? That's not..."

Millner: "No, this... we..."

Lindner: "...a moving violation?"

Millner: "...made a change in committee to say that only moving violation, if you were stopped for only moving violation. So, if your taillights are out and you're using a cell phone that's... You're not distracted, you don't get stopped for that."

Lindner: "Okay, I just wanted to make sure that... change."

Millner: "Yeah, we made those... those three corrections that the committee requested."

Lindner: "All right. And is there any law in the Vehicle Code that talks about how many equipment violations one can get?"

Millner: "I don't... I don't think so. But that has no bearing on this law at all."

Lindner: "Okay, thank you."

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

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

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

Miller: "Just... Representative, just one quick question. In committee there was some discussion on dealing with youngsters and how this will affect them from being able to keep their license. I'm a... I'm a little confused here..."

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Millner: "Now, we... we corrected that problem. That was the issue of the moving violation. When this was written, it was a moving violation and we took that out and made it an equipment violation, not a moving violation."

Miller: "And made it what, I'm sorry?"

Millner: "An equipment violation. It's in that section. Not a moving violation. It does not affect their driving, their driver's license."

Miller: "Okay, thank you."

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

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

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

Dunkin: "All right. According to my analysis, it says that the Secretary of State is confused. The law is unclear as it relates to the offense against laws and ordinances regulating the movement of traffic. What I'm trying to do is to find out where this is leading to. I mean, it... it's gonna restrict folk with driver's permits. Is the next prelude for adult to be restricted as relates to driving with a cell phone?"

Millner: "Ken, I can't hear you."

Dunkin: "Okay. According to my analysis, it says that the Secretary of State's Office is con... says this Bill is confusing and the law, excuse me, quote 'Offenses against laws and ordinances regulating the movement of traffic is unclear as to whether this would be a moving violation for which one would assign points or if it'll be... entered on a...

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on a record similar to a seatbelt violation.'. So, my question is, are you aware of the confusion with the constitutional office that actually regulates this particular area?"

Millner: "The... the... the analysis... the analysis that we had and also the slip that was put in, they're proponents of the legislation."

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

Millner: "The Secretary of State is a proponent of the legislation."

Dunkin: "But I... I'm just... I'm trying to understand why his office was so unclear and confused about the moving violations and the various offenses, especially when it come to defining traffic... moving traffic and how you penalize someone."

Millner: "No, this is not a moving violation. In fact, I'll call you here... Ken."

Dunkin: "You'll call me? Oh, that's a joke. I'm... Did you answer the question?"

Millner: "It's not a moving violation."

Dunkin: "I... I'm just trying to... okay, after this pretty soon you and I are gonna be restricted with using our cell phone while we're driving, am I right?"

Millner: "We're not restricted to use a cell phone."

Dunkin: "I understand. But I'm saying, what is this a prelude to?"

Millner: "It's not a prelude to that. The idea is so that doesn't happen. The idea's that we shouldn't be punished

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if we're driving legally. That's what this is about. It's for those people who are unsafe because they're using their cell phone. That's all this Bill's for. It's a safety issue trying to save lives. No more than that."

Dunkin: "So, if I have a driver's permit, isn't that legal?"

Millner: "No. If you have a driver's permit, you can't use a cell phone except for emergenshy... emergency use only."

Dunkin: "In the State of Illinois?"

Millner: "In the State of Illinois."

Dunkin: "Then why is this Bill so necessary at this moment?"

Millner: "But that's what that Bill does."

Dunkin: "Wait a minute. You're saying that there's a... an existing law of what this Bill does now?"

Millner: "No. No. There is no existing law. This law... what I'm trying to do is promote a piece of legislation that will do that. About..."

Dunkin: "Are there... are there any..."

Millner: "...Seven or eight House Members have called me on this phone already since I've been standing here talking."

Dunkin: "...are there any glaring issues that have resulted in severe accidents or deaths as a result of people driving with permits with their cell phones, Representative?"

Millner: "I'm sorry, Representative, I missed... I missed what you said."

Dunkin: "Are there any empirical evidence illustrating deaths caused by accidents with individuals who are..."

Millner: "Yes. I have a lot of research on my table here I'd be willing to..."

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Dunkin: "Can you express that to us?"

Millner: "Yes. The... the accidents quadruple with cell phone use. But the research also shows that not everybody does that. And that's what I'm trying to do. To prevent legislation that's going to... we're seeing the movement now is to prevent cell phone use. And what this does is says that those of us who drive safely and use our cell phones, we are not to be penalized."

Dunkin: "Okay, you said quadruple from like..."

Millner: "Quadruples."

Dunkin: "...from two to eight?"

Millner: "The research is..."

Dunkin: "I mean what are the... what are... what are the exact numbers with this?"

Millner: "Representative, I have a bunch of pages of... of research here; I don't have it right in front of me."

Dunkin: "I'm sorry, can you repeat that? We're not hearing you?"

Millner: "It says it quadruples; I have the research here on my desk someplace. But it's quadruple."

Dunkin: "Okay... okay, so, okay, I don't, you know, again, I'm not sure. Mr. Speaker, can you get order in the chamber? Okay, again, what... I guess my question is, I'm trying to find out im... the empirical or the factual numbers, the empirical evidence that says if it went from 200 accidents or deaths to 400 to 800 or if it's from 2 to 8. I'm trying to find out the real merit for this Bill."

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Millner: "Representative Dunkin, I have it some place on my desk, the exact numbers. But there's literally 60 pages worth of data here..."

Dunkin: "Okay."

Millner: "...and different pieces of research project conducted worldwide about this issue."

Dunkin: "Okay, well, I'm speaking of Illinois. I will narrow it down. What I would like to do, I mean, actually I'd like to ask you, since this is on Third Reading, if you can hold this legislation until, if it... if it's not a problem, if you can provide that information. Again, empirical evidence as of why this legislation is needed, especially as it relates to death in Illinois with individuals using permits to drive in our state in Illinois."

Millner: "Mr. Speaker, can you pull this Bill from the record until I work the rest of this crowd here?"

Speaker Hannig: "All right. Out of the record. Mr. Clerk, would you read House Bill 6618?"

Clerk Mahoney: "House Bill 6618, a Bill for an Act concerning labor. Third Reading of this House Bill."

Speaker Hannig: "Representative Flider."

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 6618 is a... was introduced at the request of the local YMCA chapter, and it's also sponsored by the Illinois Association of YMCAs. And this legislation would amend the labor law which currently requires that a parent or a guardian would accompany a 12- or 13-year-old minor who is officiating youth sports activities for nonprofit

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youth club, park district or municipal park and recreation department. And this Bill would allow this requirement to be met if an adult who is designated by the parent or guardian accompanies the may... the minor. And I would appreciate your support."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 6618. And on that question, Representative Scully. And the Gentleman does not wish to... does not seek recognition. Is there any further discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 6745."

Clerk Mahoney: "House Bill 6745, a Bill for an Act concerning taxes. Third Reading of this House Bill."

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

Lyons, E.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I think we can all agree, given the political landscape and the campaigns that we just heard, that our greatest concern, especially here in Illinois, has got to be jobs. We recognized the error of our ways in this chamber in that regard when we voted to reinstate the rolling stock exemption for the trucking industry before there was a mass exodus of jobs in that industry from the

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state. This is an effort as part of a bigger package to stop the hemorrhaging of other jobs here in Illinois. We have lost 150 thousand manufacturing jobs here in Illinois. We cannot compete for those jobs that are sent to foreign countries anymore because unless we lower the minimum wage to 25 cents an hour. However, in order to maintain and keep the higher level jobs, we must be able to compete in today's technological work environment. Illinois is now the only industrial state without a tax credit. Wisconsin is even luring technology companies by providing credit for just locating in this state. An Associated Press report has determined that if companies in Illinois want to survive, they have to be faster, better and smarter. House Bill 6745 reinstates and expands the R&D tax credit to companies in Illinois so we can compete so that we can maintain the jobs that are going to produce yet even more employment due to new products, new designs and new approaches to... par... new approaches to pro... productivity. I would encourage your 'aye' support."

Speaker Hannig: "The Lady has moved for passage of House Bill 6745. And on that question, Representative Currie."

Currie: "Thank you, Speaker, Members of the House. Representative, could you give us an idea the cost of this particular tax break?"

Lyons, E.: "The estimate from the Ec & Fisc Commission that I was given was \$15 million. I think that is probably the minimum that it will be. But I know the Department of Revenue has considered it to be more, but there's no way of

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telling that and my argument is the return on that investment is going to be so much greater in the jobs that we... that we will procure in the state, this state."

Currie: "Now we used to have a research credit that was sig... significantly smaller, more narrowly crafted than this one would be. And that I suspect is why the estimates of the cost here could be 30, 50 million dollars, we don't know. It's not clear to me that we ever were able to evaluate the effectiveness of the old research credit. In fact, it isn't clear to me at all that we created jobs that otherwise would not have been created, rather we just asked the taxpayers to fund this particular activity. I would just like the Members of the House... to the Bill, Speaker, to note that this is not a freebie. What this Bill says is that we're gonna be spending 15, 30, 50 million dollars of the state budget on a program that may or may not bring economic development to the State of Illinois, moneys that are not in the Governor's budget, moneys that if they are in the budget will mean something that was in the Governor's proposed budget will not be there at the end of the day. So, when you decide how you want to vote on House Bill 6745, think about what it is you plan to cut from the Governor's proposed spending plan before we finish our work at the end of May. Thank you."

Speaker Hannig: "The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Frankly, this is one of the most important Bills of

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this Session as it woul... would relate to job creation and the future of Illinois. One of the most ill-advised things we could have possibly done last year was to eliminate the research and development tax advantages. I know in our area alone, Caterpillar and others are doing over a billion dollars in research in new products for fuel cell technology, nanotechnology. The future is being researched and soon as to be implemented by virtue of the investment they're making in research and development aided by the tax credits. Why do we want to drive the creative people, the inventive people, the corporations who are creating jobs and will create the jobs in the future out of Illinois? All of our surrounding states have taken great measures to take advantage of the idiocy of Illinois. Indiana has put into place a permanent venture capital fund, permanent research and development, tax incentives greater than we do. Wisconsin, Iowa, Missouri, even Kentucky, they are all scrambling to draw the best and the brightest that we have in Illinois out of Illinois across the borders into their states. This is an absolutely essential Bill to pass to restore these tax credits and to give hope to the future, the economic future, of our state. I don't know why we seem to think that we can't be the best. Why can't we reach out for excellence? We need to be in the vanguard of research and development and not driving it out of our state. Thank you, Mr. Speaker, and I'd strongly urge support for this Bill."

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

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. I couldn't say it any more eloquently than Representative Leitch, nor could I say it more eloquently than the Sponsor of this piece of legislation. And this is not a partisan issue. These jobs are important whether you live in the County of Cook or whether you live downstate or whether you live in Cairo or wherever you live in the State of Illinois. The outflow of manufacturing jobs that generally pay a higher wage is of critical importance to everybody in this state. We lead the Midwest in the loss of manufacturing jobs. And the only way we're going to pick it up is to create a climate where new ideas, new technology and new products are brought to the marketplace by entrepreneurs, people who are willing to invest huge amounts of capital dollars into new products and new ideas. Just to give you a few. Gasoline prices may... every... everything that I read says the price we'll pay for a gallon of gas by July will probably be a record high of \$2.70 a gallon. Look at what we import. In 1972 - 73 when OPEC started, we imported less than 50 percent of our oil from the Asian Rim. Thirty years after they sent us this warning shot, we are now importing 56 percent of the oil from OPEC producing countries. It cannot continue. I would submit to you research on ethanol or other grain-based renewable energy is a possible answer to our over-dependence on foreign oil. There has been

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remarkable research done on a corn-based de-icer that you would put on the roads in the winter. Much more research needs to be done. But it's environmentally friendly. Much more so than rock salt. It isn't going to rust out your car. And it certainly gives a market for our agricultural product. But it takes money to develop that product and bring it to market, huge sums of money. I would further submit to you that soy diesel, that more and more buses are beginning to turn to, again, a market for our crops much more environmentally friendly. And last but not least, I was at a meeting in a facility in Bloomington on... on Monday. We worry about security in this Capitol and we can't seem to reach agreement on what we have. I was in a facility that uses our ID card, but it's a barcode. There doesn't have to be anybody at the door. Your... your ID card is barcoded with your name and your access point. You swipe it at the door and if you have the necessary access clearance, the door opens and you go in. Everywhere you go you use your barcode to open a classroom door, to open a seminar door and... and a computer records that that was opened at what time by the... by the holder of this card. That technology is out there and available and yet it... again, it takes huge numbers of dollars to bring these products to market. Now stop and think, are you going to invest your personal fortune, cash in all your life insurance policies, the savings bonds that your grandparents gave you as a youngster and take a risk on a product in Illinois when you... when you don't get the tax

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break that any other state in the Midwest will give you? Say come to Indiana, we'll let you write off a portion of that cost because we know if you develop that product, your plant will probably be in Indiana, you will hire Indiana people at good, decent, living wages. This only makes sense. It is not a partisan issue. And the Majority Leader, as is her rule, does make a caveat that we all need to be aware of. And I'll tell you right now where I intend to get the money for this program that I think would fund it in its entirety for the first year. The Dolly Parton Imagination Library giving books from children from 0 to the age of 5 is a good idea. It's being done in a county just south of me in Edgar County. It's been... being done there for ten years. They don't ask the state to pay for it; they raise the money and they pay for it. But the Governor proposed it in his budget address at a cost of \$26 million. There's where I'll get the money for research and development. And later on, maybe when we have money in the treasury and when we're not in a fiscal crisis, maybe that imagination library is a good idea. But I'd much rather invest \$26 million today in the hopes that it would turn out hundreds of millions of dollars of new factories, new tools, new equipment and new products to hire Illinois workers. This is an investment in the future of the people of Illinois. It's an investment in the State of Illinois. I urge your 'aye' vote."

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

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

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

Lang: "Representative, we had an R&D credit, which disappeared last year, and you're attempting to reinstate an R&D credit. But this is different than the one we originally had, is that correct?"

Lyons, E.: "Yes."

Lang: "Can you tell us how it differs?"

Lyons, E.: "Sure. The original R&D tax credit would take a company who invests \$1 million the first year, \$1 million the second year, and \$1 million the third and after the third year whatever increase over the 1... \$1 million, they would get a 6½ percent credit for that. This Bill would do it yearly. So, they would get a credit on the... the entire... the entire \$4 million."

Lang: "So, this is a broader credit than the one we originally had?"

Lyons, E.: "It is."

Lang: "And what would the rationale be for returning not simply to an R&D credit but to a different R&D credit that's broader?"

Lyons, E.: "For the... for the sole reason for the R&D credit to begin with is that we want to encourage companies in Illinois to first of all to keep the jobs we have here in Illinois. We have got to get into the technological age. As I mentioned in my introduction, we have lost manufacturing jobs in this state and those jobs that have gone overseas we cannot compete with because our... unless they said the minimum wage goes down to 25 cents an hour.

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We have got to keep these higher level jobs in the State of Illinois. We are the only industrialized state that does not have an R&D tax credit. We have got to enhance it to allure companies to Illinois and to keep the ones we have to make sure we... we keep those higher level jobs."

Lang: "So, you brought up an issue that I was gonna ask you about next, other states. How does this compare to the... what you're proposing... how does it compare to the R&D credits that other states have?"

Lyons, E.: "Oh, I don't have that... Well, I can't give you individualized comparisons. All I can tell you is that all... that all the Midwest states do have a R&D tax credit. I'm sorry, I can't give you an individual comparison."

Lang: "Well, do you have one or two? Does staff, perhaps near you, have one or two to compare it to? No. All right, thank you. To the Bill."

Speaker Hannig: "To the Bill."

Lang: "Well, I think there's some considerable concern regarding the cost of this measure. The fact remains, Ladies and Gentlemen, that we're losing jobs in our state. We're losing good jobs. We're losing lower level jobs. And while there's a... in some corners they rush to judgment to try to get more and more money from business. I do think we have to recognize that business is at a crossroads in our state, too. Not only does the State of Illinois right now have trouble making ends meet, funding education and health care, et cetera, but business all over our state really is having some difficulty making ends meet as well.

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And it seems to me that while we may not want to give up the amount of money that this Bill will cost GRF, the fact is we in the long run have to encourage business to keep jobs here to improve the economy. And so while it may surprise some, I intend to vote 'aye' on this legislation."

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Actually, to the Bill. I... I think we all agree that, you know, there are some exemptions that we need to restore. I appreciate the Representative's efforts here. But the bottom line is we still have a \$2 billion deficit. I think anything that we do should be: one, probably toward whatever particular business that is, not just carte blanche for any research and development or any type of business. It should add and be a good investment for the state for economic development. But all of these issues should be directed and part of the budget negotiation to make sure that we can leave here with a balanced budget. So... so while I appreciate the efforts, I'm going to have to oppose this measure. Thank you."

Speaker Hannig: "The Lady from Cook, Representative Lyons, to close."

Lyons, E.: "Thank you, Mr. Speaker. And thank you to the previous speakers for their comments. I just want to let you know that a vote for this Bill is a vote that you want to enhance the business climate in the State of Illinois. This is a vote for increasing jobs in the State of Illinois. We do not appropriate R&D and as... as someone

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mentioned earlier is that it hasn't been proven that these R&D tax credits have helped the economy. But no one's tracking that and the fact that it does not and I mean, you... it's very difficult to prove a negative. We are convinced that this is going to help the business climate in this state and I would urge an 'aye' vote."

Speaker Hannig: "The question is, 'Shall House Bill 6745 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 76 voting 'yes', 32 voting 'no' and 7 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 7029?"

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

Speaker Hannig: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 7029 would increase the scholarship funding for nurses. And I'll be more than happy to answer any questions you may have in regards to the Bill."

Speaker Hannig: "The Lady has moved for passage of House Bill 7029. Is there any discussion? The Lady from Cook, Representative Mulligan."

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

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

Mulligan: "Representative, there was some concern because in JCAR the Department of Professional Regulation asked us to

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increase the nursing fees. In part of the agreement I think with the nurses was that there would be an increase in the scholarship fund. But some of the questions that we asked were... there was a concern that because the fund has been raided over the last couple of years, we wanted to know if there was anything that would say that the scholarship money comes out first. Now is there anything in your Bill that mandates that the money for the scholarship comes out of the fund first, set aside as opposed to allowing them to raid the fund and then say there's not enough money to fill the scholarships?"

Flowers: "Representative, the Bill deal with the scholarship increase specifics. It doesn't say what comes first or in the order in which it occurs. It mere... it deals with the scholarship fund in increasing the amount."

Mulligan: "All right. But it would be your intent that that money should come out of their fees first for the scholarships before it is raided and moved to the General Revenue Fund?"

Flowers: "I'm sorry, would you please repeat that."

Mulligan: "I want to go to legislative intent here because the concern is that the nursing fees are going up from \$20 a year to \$30 a year, which would be \$60 for every two years and that's how they collect them. But over the past several years, that fund has been raided. Now in order to get the nurses to agree that it was all right to raise the fee for their license, they were told that your Bill would go forward to increase the moneys for the scholarship fund.

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What I want to do is to create some legislative intent that it is the Legislature's intent that the scholarship money comes out first before they raid the fund, because the nurses are putting their money in to raise the license fee so that with it... with the agreement that the scholarships will be there."

Flowers: "You know what, Representative, the only intent of this legislation is to increase the fee to make sure that the nurses are gonna be there. Now as far as the question that you're asking, I think that's a separate piece of legislation and that should be addressed separately and not... I don't want to give any implication one way or the other. I just want to stick to House Bill 7029, which would increase the amount of moneys for more nurses across this state."

Mulligan: "Okay. To the Bill."

Speaker Hannig: "To the Bill."

Mulligan: "I'd like to support this Bill. I think it's really important, particularly because the nurses shortage. And although the Representative I'm sure is reluctant to make... put any restrictions on it for any number of reasons, which I won't go to, I would think it should be the Legislature's... Legislators who vote for this, the intent behind this Bill, to make sure that the money for the scholarship fund comes out of that fund of the nursing fund that... that is collected from their license fees first before any money is taken and moved to the General Revenue Fund. Because nurses in good faith went along with the

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fact that they were gonna have their license fees raised from \$20 to \$30 a year or \$60 for every two years. And JCAR went along with that because the Department of Professional Regulation had already sent out the notices, and if they don't... if they miss the window of opportunity to move ahead with the fees now, they would miss the two-year period in order to enlarge that fund. But I think it should be documented from a legislative point of view as it was in JCAR, that as a Legislator I personally expect the money to go into the fund for the scholarship first since that is a crucial area in Illinois where we need to fill those types of jobs. I commend the Representative for bringing this Bill. And I certainly hope that everyone will vote for it. And I hope that we will track the fact that we should make sure the money goes into the scholarship fund first."

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

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

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

Flider: "Representative, I was reading our analysis and the analysis indicates that the Department of Regulation intends to increase fees by \$20 to \$60. And, I guess my question is relating to a meeting that I had earlier this week in my district with some nurses where they were actually concerned that their fees had already been increased. And I was wondering if this legislation, in

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fact, increases those fees or if those fees have already been raised?"

Flowers: "Representative, this Bill merely says that the nurses... that they... that the department can spend more moneys out of the funds. This has nothing to do with the fee increase."

Flider: "Thank you very much. In fact, I think the representative at... at the meeting that I had at my district the representative of the Department of Regulation had indicated that, in fact, it was the intent of the department to utilize additional funds to create a scholarship program. So, I think this is consistent with what he was telling the nurses, whether or not they necessarily were pleased at that point with the fee increase, it was at least the commitment he was making. So, I just wanted to clarify that. Thank you very much."

Flowers: "Thank you."

Speaker Hannig: "The Gentleman from McHenry, Representative Franks. Representative Franks."

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

Flowers: "Yes."

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

Franks: "Mary, I'm reading the analysis here and I'm a little confused and I'm reading the Bill as well. Will the net result of this Bill increase the fees that the nurses pay or has that already been done and there's no fee increase in this Bill?"

Flowers: "There is no... there is no increase in fees."

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Franks: "Okay."

Flowers: "This will only make more moneys available for scholarship to increase nurses across the state."

Franks: "That's a wonderful idea. And I..."

Flowers: "Thank you."

Franks: "...I also see in here you have a law saying that the moneys can only be used for scholarships. So, hopefully we won't have diversion of funds."

Flowers: "As..."

Franks: "As we've seen in other areas in the budget."

Flowers: "...you're absolutely right..."

Franks: "Well, thank..."

Flowers: "...because it's dedicated specifically for that."

Franks: "Well, I appreciate you clarifying it because there's been some confusion. I think that makes it easier for all of us to vote 'yes' since there's absolutely no fee increase in this Bill."

Flowers: "Thank you."

Franks: "Thank you. I'd like to... I'll talk to you. Thank you."

Speaker Hannig: "Is there any further discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority,

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is hereby declared passed. Representative Lang, for what reason do you rise?"

Lang: "Thank you, Mr. Speaker, point of personal privilege, please."

Speaker Hannig: "Sta... state your point."

Lang: "Thanks. I've been asked to introduce the Village Board and the Chief of Police and the Village Clerk of the Village of Maywood somewhere up in the gallery. Thank you for coming."

Speaker Hannig: "Welcome to Springfield. Mr. Clerk, would you read House Bill 4739."

Clerk Mahoney: "House Bill 4739, a Bill for an Act concern... concerning criminal law. Third Reading of this House Bill."

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

Lyons, E.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4739 merely removes the reporting requirement from marital rape. Women who are raped by their husbands should be treated the same under the law as women raped by acquaintances or strangers. This is just an... inadvertent... part of the law that was left on the books that really should be removed. It's past its time. And I'd be happy to answer any questions."

Speaker Hannig: "The Lady has moved for passage of House Bill 4739. Is there any discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 4395."

Clerk Mahoney: "House Bill 4395, a Bill for an Act concerning protective orders. Third Reading of this House Bill."

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

Fritchey: "Thank you. House Bill 4395 actually combines a couple initiatives of the Illinois Coalition Against Sexual Assault and the Illinois Coalition Against Domestic Violence. And it has some cleanup language that was sought by the State's Attorneys Offices and various judges. We know of no opposition to the Bill. I request an 'aye' vote. Thank you."

Speaker Hannig: "The Gentleman's moved for passage of House Bill 4395. Is there any discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are... there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4120."

Clerk Mahoney: "House Bill 4120, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

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Speaker Hannig: "The Gentleman from Lake, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. House Bill 4120 is similar to a Bill that we had in the... the last Session, which was House Bill 1604, which passed the House on a vote of 113 to 0. Basically, this is a lit... is different than the Bill that you had earlier today that Representative Froehlich presented. What this Bill does is creates a minimum fine for battery on a sports official or a coach as opposed to his Bill dealt with aggravated assault. What this does is takes the battery statute and where there is a fine right now, but it is discretionary, and instead creates a minimum fine, hopefully, sending a message to those that we may of heard about or read about or even experienced in our own... with our own children. Sometimes parents or spectators who are out there and lose their tempers and obviously can create some very a... bad situations and... and, hopefully, if they get hit in the pocketbook they'll think twice between... before creating a situation. It only takes one person to start basically a... a mob action and I think that this, hopefully, will discourage it. And I urge your 'aye' vote."

Speaker Hannig: "And on that question, the Gentleman from Cook, Representative Molaro."

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

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

Molaro: "Well, we've... we've had this little bit of a debate before. It's like an offshoot of the other Bill. But this

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one even is a little more bothersome to me. In misdemeanors now, Class A misdemeanor, up to a year in jail, up to \$25 hundred. Okay. So, we can do what you're asking us to do already, in that we can fine them a \$1 thousand. So, I guess the reason you're doing this is because of these laxical, (sic-lackadaisical) lazy judges that won't impose the fine? Because obviously we can get that now, is that correct? I mean are you sending a message to this... to the judiciary today? Is that why we're doing this?"

Mathias: "No. I'm sending a message to the spectators today to say that it's gonna hit you in the pocketbook generally... generally..."

Molaro: "But they can... but they can go to jail up to a year and they can be fined up to \$25 hundred."

Mathias: "...and generally..."

Molaro: "So..."

Mathias: "...a first offender..."

Molaro: "Right."

Mathias: "...and I know there's many attorneys in this... in the... this Body here who will verify this. Generally a me... a first offender will be fined probably..."

Molaro: "Well..."

Mathias: "...maybe his bond'll be taken away which usually is a hundred dollars. Generally, he'll be given supervision..."

Molaro: "I..."

Mathias: "...and obviously it's..."

Molaro: "...well..."

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Mathias: "...a break..."

Molaro: "...well..."

Mathias: "...which is fine. I'm not asking for these people to be thrown in jail."

Molaro: "...but... but..."

Mathias: "But I think in order to stop it, we need to hit 'em in the pocketbook. I... I'm sure that wasn't for me."

Molaro: "Did... did somebody just walk in? I wasn't paying attention. I was talking on a Bill over here and someone walked in..."

Mathias: "I'm sure that wasn't for me."

Molaro: "Nah. Well, anyway."

Mathias: "Or for you."

Molaro: "Well, yeah, no, it wasn't for me. Right. Nobody was listening to me anyway, so what difference does it make. Well, let's... let's hope they don't. But, Representative, I just got to do this and say it. Let... let's hope everybody votes for the Bill. I'm not... I hope they do vote for the Bill, because it's probably a good one. And we need to send a message. Unfortunately, I'm gonna have to vote 'present' or 'no', because I'm just worried about the fact that it's bad enough we did it with felonies. Now we're gonna start creating classes within misdemeanors. What... what is a mandatory fine? So, in other words, I think of a lot of bad actions and one of 'em is certainly this beating up on coaches. But there's so many bad actions that we're just gonna start coming back and I'm just afraid that we're gonna start coming up with minimum fines within

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misdemeanors for more and more classes of... of misdemeanors. So, it kind of scares me. The second thing, Representative, second thing that bothers me is this. And ... I don't want to rile anybody up, so I hope I don't. But I'm still always worried about fines. So, we have a minimum fine of a thousand dollars. I would almost want it to be minimum swap program, minimum community service. And the reason that is, is if you make \$200 thousand a year, you'll write the damn check. If you don't make any money and the judge must fine you, no matter what, he has to fine you a thousand dollars. You know, what the defendant's gonna say? I don't have a thousand dollars. Are we gonna... do... does your Bill call for a payment plan? I mean what happens if someone doesn't have a thousand dollars?"

Mathias: "I... I believe..."

Molaro: "What are we gonna go, stay minimus? That way you don't show up and you don't pay it. We're gonna have to issue a warrant for their arrest, and we're gonna be doing all of this when maybe we should do community service instead of a thousand dollar fine - because I do want to stop people from beating up coaches."

Mathias: "Well, you know, somehow I think it's working, because somebody should think about all the things that you stated before they run up on a field and hit a coach, then they don't have to worry about being fined."

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

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Black: "Yes. Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Hannig: "Yes. State your inquiry."

Black: "During the debate on this very serious issue, the House was disrupted by an outrageous display of applause, whistles, catcalls. Could you enlighten me as to what went on?"

Speaker Hannig: "Representative, I think they were... they were looking at you."

Black: "Oh, well, there wouldn't have been any applause and whistles, I can assure you of that. Catcalls, yes. But did... did someone walk in the chamber who many of us have been looking for, for a number of hours today? Would that..."

Speaker Hannig: "I think, Repre... Representative, we have a..."

Black: "...would that have been Representative Huff... Hoffman."

Speaker Hannig: "I think the esteemed State Senator Barack Obama has joined us."

Black: "Oh. Well, I... I might applaud for that. Can we invite Jack Ryan down at some point in the future?"

Speaker Hannig: "Absolutely."

Black: "Under... under the equal time provision?"

Speaker Hannig: "Ab... absolutely, Representative."

Black: "All right... all right. Mr. Speaker, I do just want to announce to the Body, we're waiting on the Space Needs Commission to give us the approval to install a number system by Representative hhh... Hoffman's desk. If you want to see him, you'll have to take a number, and then it will

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be announced that he's now seeing number 20, number 21. I think it'll be a much more orderly process in the Body... in the work of the House. And now, Mr. Speaker, having said absolutely nothing that makes sense for the last three minutes, would the Sponsor yield?"

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

Black: "Representative, this Bill will not become law until after the University of Illinois completes its game at Atlanta, right? I hope to see that game and I don't wanna be... it depends on how it goes, all right. So, I'm... I'm in the clear if anything goes wrong Friday, right?"

Mathias: "The Bill probably would not go into effect..."

Black: "Right."

Mathias: "...until obviously the Senate passes it..."

Black: "Well..."

Mathias: "...and the Governor signs it."

Black: "...well, Representative, as you know obviously in jest I would certainly do nothing of the sort. There are those in this chamber that I worry about. I, on the other hand, have always practiced good sportsmanship and levelheaded... a level... a levelheaded coolness under pressure. I think most people would agree with that. But it... this will not happen until long after the NCAA tournament is over?"

Mathias: "That's correct."

Black: "All right."

Mathias: "And fortunately there are no coaches or..."

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Black: "Well, that... that makes it easier for me to vote for it. I thank you very much. I would just close, Ladies and Gentlemen of the House, by saying, go Illini."

Speaker Hannig: "And on... and on that, the question now is, 'Shall House Bill 4120 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on this question, there are 114 voting 'yes', 1 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 6786."

Clerk Mahoney: "House Bill 6786, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "The... Representative Osmond, for what reason do you rise?"

Osmond: "Thank you, Mr. Speaker. Could I be recorded as a 'yes' vote on House Bill 4395?"

Speaker Hannig: "The record will show your intentions of wishing to vote 'yes', Representative. And now on House Bill 6786, Representative Gordon."

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Bill merely makes specific conditions... of parole man... mandatory supervisory leave for sex offenders. Right now when a sex offender's released from prison, they're subject to the same parole conditions as for example, a car thief. This Bill clarifies that. Puts specific conditions on a sex offender's... It is... it is an

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excellent Bill. It is... this is a... part of society that we need to control that we need to watch over a little bit more closely. And I urge an 'aye' vote."

Speaker Hannig: "The Lady has moved for passage of House Bill 6786. Is there any discussion? There being none, the question is, 'Shall this... Excuse me, Representative Black, the Gentleman from Vermilion."

Black: "I'm sorry, Mr. Speaker, thank you very much. Would the Sponsor yield?"

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

Black: "Representative, there's no doubt in my mind that this is going to get a sufficient number of votes to pass. But you know, I... I think... if I remember reading in the newspaper not long ago, there was a newspaper columnist that did a front page story on sex offenders and where they lived in this community and I, forgive me, I cannot remember the name of the community. But when they publicized this with pictures and addresses, in one particular case, neighbors became outraged and the person was murdered. And that gave me pause to ask you this question. How far are we going to go in identifying, registering and locating sex offenders and for how long?"

Gordon: "As far as it takes to keep our children safe and our community safe, Representative."

Black: "So, in other words, there would never be a point in an offender's life when he or she would not have to be registered, regulated, and, as that recent newspaper which has sparked a... a debate among the publishers and newspaper

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people, subject to front page news of where they live, even though the crime may have been 30 years ago."

Gordon: "Well, under... under this Bill that... the... how long the regulations last and the specific regulations that they're going to be subjected to are at the discretion of the Prisoner Review Board, taking that into consideration if... if a offense was that far in the past and... and now... and now they're at that situation."

Black: "What... what level of sex offense would have to be triggered to enforce this Bill?"

Gordon: "This..."

Black: "Would it have to be a felony?"

Gordon: "...anyone who's subject to the Sex Offender Registration Act. So, a... a felony sex offense."

Black: "What if a juvenile was charged with a sex offense at the age of 15, found guilty, but sentenced to conditional confinement?"

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

Black: "What if a 15-year-old was convicted of a sex offense against another minor, was sentenced to treatment, released upon obtaining... obtaining the age of majority, 18, had a clean record for 20 years? Would they still have to register, be tracked, et cetera?"

Gordon: "Under existing law, yes."

Black: "Wouldn't it be easier just to make them wear a big red 'S' on their forehead for the rest of their life, a tattoo?"

Gordon: "Possibly."

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Black: "I'm not making light of it, Representative, I know it's a seri..."

Gordon: "No, and I understand that."

Black: "...I... I know it's a serious issue and I know it's a serious crime. But lately I'm... I'm a little concerned at how eager we are in the name of being tough on crime, and I intend to vote for the Bill. But I do think at some time, we must address in serious debate how far we're going to put the Bill of Rights on the shelf because of the nature of a crime. If that person is released from custody, then at some point, that's gonna be an issue. You're either released or you're not. You're either found to have been rehabilitated or you're not. So, if you're released and it... and it was made national news just two weeks ago, if they are dogged and followed and... and publicized all the rest of their life, then what we saw happen will not be an isolated case where this individual was murdered as a result of the newspaper story. It... it's a... I know, I agree with you, you have to protect children. You have to protect those who aren't able to... to protect themselves. But we must keep in mind that the rights of none of us are safe if we're willing to abrogate too quickly and too severely the rights of anyone. I intend to vote for this, but at some point we're really gonna have to discuss how far we want to go and for how long. It..."

Gordon: "I look... I look forward to that discussion, Representative."

Black: "Thank you very much."

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Speaker Hannig: "Is there any further discussion? There being none, the question now is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Yarbrough, for what reason do you rise?"

Yarbrough: "Point of personal privilege."

Speaker Hannig: "Yes. State your point."

Yarbrough: "I'd like to welcome the West Central Municipal Conference which represents the Villages of Bellwood, Berkley, Broadview, Countryside, Elmwood Park, Forest Park, Franklin Park, Harwood Heights, Hillside, Maywood, Northlake, Oak Park, Riverside, Western Springs. Welcome"

Speaker Hannig: "Welcome to Springfield. Mr. Clerk, would you read House Bill 7026."

Clerk Mahoney: "House Bill 7026, a Bill for an Act concerning public safety. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Lake, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. House Bill 7026 requires that the Department of Public Health provide links to child... child's product recall information and other information on its website. This way there could be a direct link to the Federal Trade Commission's recall information. And I urge a... 'aye' vote."

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Speaker Hannig: "The Gentleman's moved for passage of House Bill 7026. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 5016?"

Clerk Mahoney: "House Bill 5016, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Okay. Out of the record at the request of the Sponsor. Mr. Clerk, would you read House Bill 4862?"

Clerk Mahoney: "House Bill 4862, a Bill for an Act concerning hospitals. Third Reading of this House Bill."

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

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have House Bill 4862, which was brought up to me from a constituent in my district, and what we're trying to do is make organ donation awareness more better in the State of Illinois. Her experience was that her husband fell off a ladder. They knew he was not gonna survive and her last hope was to have his organs donated. But because of the way he died and at the hospital that he was at, his organs were not able to be donated. And I would like to

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see this Bill pass and be happy to answer any questions that anyone would have."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 4862. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4086."

Clerk Mahoney: "House Bill 4086, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Hannig: "Representative Graham"

Graham: "Thank you, Mr. Speaker. House Bill 4086 is... It's kind of clarifying what the state already does. There's been a number of incidents, and we'd like for the state to track them, backover incidents and power windows. Right now the Department of Children and Family Services track those incidents. But because there's not a detailed report that goes along with the death certificate, it is hard for them to tell how the child died. So, we're asking that a detailed report go along with the death certificate so the Department of Children and Family Services can track how the child actually died. And also, we're asking that the hospitals' trauma units report if there has been an injury due to a power window incident or a backup... a backover incident. Asking that the registrars report those

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incidents so that we can clearly understand what's happening, if there's a large number of fatalities or injuries due to backover or power window incidents. As well as when we were doing this research on this particular legislation, we found out that detailed reports will further assist the Department of Children and Family Services in learning how a child dies. If it's due to drowning, if the death certificate says the child died, it doesn't say whether the child died in a swimming pool, bathtub or a toilet. It will help them understand how the child actually dies. So, I urge an 'aye' vote on this Bill."

Speaker Hannig: "The Lady has moved for passage of House Bill 4086. And on that question, the Gentleman from Cook, Representative Parke."

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

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

Parke: "Representative, in committee there were people who voted against your legislation. Just summarize why they... why would... what was the objections to your legislation?"

Graham: "I think the objections to the legislation that there was a Bill that ran prior to that one that I expressed some discomfort in. And the committee felt uncomfortable with me explaining to them how I felt about the Bill and elected to vote 'no' on this study."

Parke: "Is that the Bill for backing up?"

Graham: "Yes, that's the Bill that..."

Parke: "And with children..."

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Graham: "...House Bill 4085 that is asking that automobile dealers put sensors on the back of all of their vehicles."

Parke: "Okay, well, this Bill simply says is that this is registry. Is that the... in essence? There's a registry for this?"

Graham: "No. This Bill is in reference to injur... injuries and the deaths of children. It is now asking the state, which they already do, but when we started doing the research going back to find out how many children had been actually backed over the Department of Children and Family Services told us that they had three. But upon further research, they found out that the number was clouded because the death certificate only said 'car accident'. Because the state doesn't track nontraffic, noncollision accidents. So there's only a report that goes out but does not follow the death certificate all the way specifying how the child actually died. So, the statistics are diluted because all the details have not gone along with the death certificate. Therefore, the Department of Children and Family Services are not able to track specifically how the child died."

Parke: "What... what... what do you do with the report once it's filed? What... I mean, is it just gonna sit in an office?"

Graham: "There is a state... there is a body of people called the Illinois Child Fatality Review Team. This review team reviews all children's deaths across the... the state and combines, sends that information up to the Federal Government who then put forths, maybe create legislation to

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prevent what has been happening once the ret... review team has gotten together and looked at various incidents."

Parke: "What's... what's the fiscal impact?"

Graham: "There isn't any. Because they already... there's an incident report that's already generated by the police... by the police departments. Those reports will go along with the death certificates to... to give them further details on how the child died. They already do 'em. But right now the death certificates do... the incident reports do not follow a chain of command so that they can make it to the person who is actually putting together the statistics."

Parke: "Okay. Now are you saying we already have a trauma registry? We already have one? And this is just a report that will go to that trauma registry?"

Graham: "The trauma registry as of today when we talk with the Department of Children and Family Services are not doing what the state has already asked them to do. So, this is telling them to... We're asking them to again go back and put those reports together and... and submit those on. It is a registry that's in place. Everybod... every hospital has one. But at... if they're actually submitting in the reports, we don't know that."

Parke: "Okay. Thank you, Representative."

Speaker Hannig: "The Gentleman from McLean, Representative Brady."

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

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

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Brady: "Representative, much like Representative Parke, I'm just trying to understand a little bit here. The... the reason you want to do this and we're not talking just fatalities here, correct?"

Graham: "That's right."

Brady: "You're talking any injuries into a trauma..."

Graham: "Yes, absolutely."

Brady: "... facility in the emergency room of a... of a child under 18 years of age?"

Graham: "Yes."

Brady: "Okay. Can you... can you explain to me then, I believe in your remarks you were saying that the Child Death Review Team, which is a regional concept throughout the State of Illinois of experts in different areas in death investigation that review individuals' death, young people's death, how is it that DCFS is gonna be under this law releasing a report that would be helpful to them?"

Graham: "The Department of Children and Family Services is a point person. They have a point person who serves on that board. They're a point person. Everyone sends their reports to the Department of Children and Family Services for when a child dies. When a child, if it's not a fatality, then those reports are coming from the registry, the trauma registry. Then they send the reports for the statistics for children who did not die in an incident."

Brady: "So... so, your legislation is just specifically addressing deaths under DCFS jurisdiction?"

Graham: "No."

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Brady: "Your clients, is that correct?"

Graham: "No. DCFS tracks all children's deaths, whether the child had involvement with the detro... with the Department of Children and Family Services or not. They track every child's death in the State of Illinois, whether they had involvement with the Department or not. That is their job as part of being... a part of the review team."

Brady: "That... that's... that's news to me. And in the years I served as county coroner, I was not aware that the Department of Children and Family Services, if it was not their client, had anything to do with keeping records regarding a individual, young person's death. That... that's news to me. And... and I'm not... I'm not saying I'm against your legislation. I'm just trying to find out more that any record of any individual that dies in the county of occurrence or the county of death, these records can be obtained by going to the county coroner's office presently right now for any type of review and released by the coroner. Are you aware of that?"

Graham: "I... say what you just said again. Say what you said again, I didn't hear you."

Brady: "What I was... what I was trying to say was that any records in a death investigation, once that investigation is closed by the county coroner's office where the death occurred, those records can be obtained right now and reviewed by any... anyone, quite frankly, who fills out a Freedom of Information Act."

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Graham: "Okay. What the problem is, excuse me, I can't see with this Gentleman standing here, I can't see. You're absolutely right in stating that if you went to investigate how a child died with the Freedom of Information Act, you or I could go and find that information out. But what happens is, the coroner does send his report to the Department of Children and Family Services. And in his report, he indicates only car accident. The details of how the child died is left behind with the coroner. So, when the Department of Children and Family Services goes to the review team, they just said the child died in a car accident. The rest of the details on how the child died is lost. The only way that they go farther investigating the child's death is if that child had some sort of involvement with the Department of Children and Family Services already. So, that the state could have a clearer depiction of how a child in their custody died. If the child was not in their custody, they do no further research."

Brady: "What I'm simply saying, Representative, is that the coroner is only forwarding on his or hers investigation regarding a death of a child if... if that child is a client or was under the jurisdiction of the Department of Children and Family Services. That's not automatically done for every death in the state."

Graham: "No... no, it's not. I... I understand that you may have worked for the coroner's office before. But I'm telling you that I've investigated this. And I'm telling you that the Department of Children and Family Services receives

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that death certificate because it's part of a rev... review team. Now just because you've worked for the coroner's office and it's us... if you're telling me you saw everything behind the scene what happened, I'm telling you that that's incorrect. I'm telling you, in fact, that those re... those reports are passed on, not the report, but the death certificate."

Brady: "And... and those reports is... is what I'm simply getting at is..."

Graham: "The death certificate, not the report. We're asking that the dea... I spoke with them, all the way from the federal level. They told me how they got their information. And I went backwards to find out how that information was fed up to them."

Brady: "Okay."

Graham: "So, I've done the research, Representative."

Brady: "I... I'm not... I'm not challenging your research. I'm just basing it on my experience as coroner, basing it on my experience of serving on the child death review team that the records are available presently right now through the coroner's investigation. All I'm trying to get to is under your law by doing this, what... what are we gaining here by mandating..."

Graham: "We're asking that once a... annual report is put together on how a child dies that that report has all the details necessary in it to understand how the child dies."

Brady: "...and..."

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Graham: "Yes, there is a report out there. But that report does not go along with the coroner's report to the Department of Children and Family Services. I agree with you that there's a report somewhere that you can fill out a Freedom of Information Act and get. But once an annual report is done by the review team, th... that stuff is missing information, vital information that has not been passed on to them. We've already determined that."

Brady: "If... if you could just clarify for me the objective of your Bill. And that's what I'm trying to get at, is that you are... you are requiring..."

Graham: "We want those reports to go on."

Brady: "...I'm sorry, I can't..."

Graham: "The objective of this Bill is..."

Brady: "...Mr. Speaker, can you ask the chamber to quiet it down for just a minute so I can hear the Representative respond to me, please. Thank you."

Graham: "The objective of this Bill is the very report that you're talking about that is in the coroner's office that report should follow its death certificate on to the Department of Children and Family Services. We should not have to apply for independent piece of... independent freedom of information to get it. That information should freely go along 'cause it's already done filled out to the person who is putting together an annual report when the news media says 'XYZ number of children died because of this and that and the other', he's getting that from these reports. But we're saying that the reports are not a clear depiction

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of how the child died. So, if those detailed reports go along with the death certificate, they'll have a clear depiction in their statistics when they do these reports."

Brady: "Okay. Representative, I... I don't want to belabor the point anymore with you other than the information is available from my experience presently right now to the authorities that need to review that. What... what I simply will do... I'm not trying to be against your Bill; I'm trying to understand your Bill more from my experience of things. So, what I intend to do is vote 'present' on your Bill 'cause I... I'm not sure I understand what exactly it is you're trying to do when... when these reports in my opinion in my experience are available right now. And... and that's simply what I want to share with you and the Body."

Graham: "Representative, they are available for you and I to go and get. But for the people who are accepting these reports from places all over the counties, all over the State of Illinois, they're not gonna go and file Freedom of Information Acts for all of these incidents. Those reports should follow the death certificate all the way to the person who is keeping the statistics for the state. Why should they have to come back and file a Freedom of Information Act when those reports can go in the first place on to the person who's keeping the main statistics for the state? That... that's the problem."

Brady: "Well, what... what I'm simply trying to do here, one, understand it completely; two, keep the agencies that keep telling us they're short staffed and not having to mandate

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for the things upon those agencies when it may already be done at another level and available. And that's simply what I'm trying to get at, Representative. And that... that's simply what I want to share with you and the Body. And as I said, I... I'm not sure I understand the entire intent. I... I'm not going to belabor the point anymore. I want to move on to other Bills like everybody else does."

Graham: "Well, I just want to add something else. You just made something very important to me. You said that for the staff if they're shorthanded, they won't have to do any more research because the information will already be in front of them. All they would have to do is review the documents that have been sent to them with the death certificate. They won't have to do any more leg work. They won't have to do anything in additional. Right now, if someone dies who is in custody of the Department of Children and Family Services, they have to go and investigate because the reports did not follow the death certificate. That's according to the Department of Children and Family Services. They have to go and investigate, get the additional information that was not sent along with the death certificate to them. All I'm saying is that they won't have to do anything else. The reports will follow the death certificate."

Brady: "Which takes me back to my original point. I... I appreciate..."

Graham: "Thank you, Representative."

Brady: "...your time, Representative. Thank you."

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

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

Speaker Hannig: "The... the... yeah, the..."

Black: "Rep... Representative, as I read your Bill, the Bill does not simply pertain to people in the custody of DCFS. As I read it, it says anyone who dies under the age of 18 in a motor vehicle accident or an accident involved their throat being caught in a power window. That... there's... there's no delineation. That... that's everybody, not... not just those in... in custody of DCFS, correct?"

Graham: "Absolutely. That's everyone, absolutely."

Black: "Ahh. What... what's the leading cause of death of people under the age of 18, do you know?"

Graham: "No, I don't."

Black: "It's accidents. Probably, if... if my memory serves me correctly, it's automobile accidents. And I think what... I think what Representative... I don't speak for Representative Brady. He doesn't need me to do that; he's been a coroner for many years. I think what he's saying is the information is collected and it's available. If DCFS wants to track this, all they have to do is request it. Why... why don't they just do that?"

Graham: "What's happening now is that it's supposed to be in place that they send those detail reports now. But they're not. All they're required to send is the death certificate and I... and this law is now mandating that they send the

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reports. That's what this law does. Yes, that information is available for them to do additional paperwork and to follow the deaths of all these kids around the State of Illinois. Yes, we can do that. But why do that if we can have those reports sent automatically."

Black: "But, Representative, you're asking for literally thousands of death certificates and if there was an inquest..."

Graham: "The death certificates are going anyway."

Black: "...for this material... for this material... Representative, would you let me answer the quest... or ask a question and then you can answer?"

Graham: "I apologize, yes."

Black: "You're asking for thousands of... of death certificates and accident reports to be sent to the Department of Children and Family Services, thousands of them. They will then have to go through and I assume separate out those that are killed in head-on collisions, roll-over accidents, rear-end collision, automobile fire, because what... what the information as I recall in committee that you want is in... information on children who are killed by a motor vehicle in the act of backing up or who are caught in a power window. Why would you want to burden DCFS, an agency that can't even track where foster children are, lose children in the system, and that's their primary responsibility. They're going to have to sift through thousands of death certificates in the course of a six-month or quarterly period to find out the information that you said in

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committee that you wanted. Because what good does it do to know that 5 hundred children were killed in a head-on collision? I mean, what... what are you going to do with that information?"

Graham: "I'm sure, Representative, that's not the only information that those reports will be used for. The Department of Children and Family Services, as I stated before, did say that they had a problem with being able to track children that may have been in their custody when the death certificate only says that the child may have drowned."

Black: "Well, now..."

Graham: "It does not specify how the child died."

Black: "Now, wait a minute... wait a minute, Representative. Let's get one thing straight. Your Bill says nothing about a death of anyone under the age of 18 in DCFS custody. It says anyone in the State of Illinois who dies in an accident under the age of 18, that death certificate and coroner's inquest, if there is one, must be forwarded to DCFS."

Graham: "Yes, yes. Representative, track... they already track the children they... this would be all inclusive. It doesn't matter whether the child was in DCFS custody or not. This report would be all inclusive. It wouldn't matter whether they had... whether they had involvement or no involvement. This Bill would be all inclusive internment... in determining how a child died, no matter how the child died. This Bill just simply highlights a little bit about the fact that

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backover or power window incidents. But this Bill tracks every incident. And this just not about power windows or backover. It attra... it... it..."

Black: "Repre..."

Graham: "...tracks every death."

Black: "Representative, in all due respect to you, that is impossible. You couldn't track every death in this state unless you added a bureaucracy of hundreds of people. Are you telling me you want death certificates from people who die in a hospital of a childhood disease?"

Graham: "Upon my research, Representative Black, when I spoke to the Illinois... when I spoke to the Department of Children and Family Services and the trauma unit, the Department of Children and Family Services currently track every child's death in the State of Illinois. What's wrong with the statistics that they have when they are asked to give up statistics regarding how a child dies, it's... it's not clear always how a child dies if the death certificate just says car accident. These reports will help them have clearer statistics on how a child dies. This was an ex... an expression... this is what they expressed to me, the problems in what they had in having a... in giving clear statistics. That's what this is all about."

Black: "Representative, what statistics do you want? What specifically are you after?"

Graham: "You know what, Representative, I'm after how any child dies in the State of Illinois. And I did look at the fact that I saw on a report that children were being backed over

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by their own mothers and fathers in driveways and that they were being... that they were dying, rolling themselves up in power window accidents. And when we looked at trying to find out the accurate statistics of how those children died, it was not clear. The death certificate only said car accident. But when they went further upon investigation they found out more because of the vet... investigation that the children, and it was not a collision or a non-tra... traffic... it was nontraffic it was done in a driveway bases... versus being on the street. So, that's how we were able to find out how many children that they knew about that had been backed over or killed themselves in a power window incident."

Black: "Representative, if you want to know how many people are killed in a back or rollover accident or those caught in a power window, why don't you specify that in the Amendment? That's going to narrow the number of death certificates in coroners' inquest reports that DCFS will have to sift through. Why not focus on the... on the data that you want, rather than requiring DCFS to examine thousands of death certificates every year?"

Graham: "Because DCFS told me themselves. The point... the point person..."

Black: "Who told you that, Representative."

Graham: "Sherry Barr from the Department of Children and Family Services."

Black: "Is she the director?"

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Graham: "She's... she's not the director. She's the person who's the point... she's the point person over collecting statistics. I have documentation from her, Representative, and I'd like to share that with you if... if I may? I have the reg... the... the trauma registry people, I can share that information with you."

Black: "Why... why are they not signed in then as proponents of this Bill? There's nothing in our file from the agency. There's nothing in our file from the trauma region or the coordinators of any trauma region in the State of Illinois. Why... why aren't they letting us know about this Bill?"

Graham: "Representative, I'll be happy to pull this rec... this Bill out of the record until I get some of your questions answered."

Black: "Thank you, I appreciate that."

Speaker Hannig: "Okay. Out of the record at the request of the Sponsor. Mr. Clerk, would you read House Bill 4779. Representative Moffitt."

Clerk Mahoney: "House Bill 4779, a Bill for an Act concerning cemeteries. Third Reading of this House Bill."

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

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4779 was an issue brought to me by the largest municipality in my district, and they maintain a municlas... municipal cemetery. The... the use of cremation of remains has been a significant... has seen a significant increase in recent years and is expected to increase even

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more in the future. Municipalities lack the authority to establish an area where remains can be scattered and they, as a municipal cemetery, they would like the ability to establish a scattering garden. They'd like to have that authority. This legislation is permissive. It would allow a very respectful and dignified and attractive area that if... if a family opted to use that they could and then it would be a place for a plaque where names could be put. It's gonna be used more and more in the future. What they're finding in other municipalities that operate cemeteries would... would like this, too, is that some ashes are being scattered without authorization and this would make a specific place. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 4779. And on that question, the Gentleman from Vermilion, Representative Black."

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

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

Black: "Mr. Speaker, I think we should have some order in the chamber. This... this affects every one of us in this chamber, some sooner than later. But at some time, Ladies and Gentlemen, this Bill is going to affect every one of you. If I understand what this man wants, he wants to create gardens all through Illinois where they can scatter your ashes. Is that right, Representative?"

Moffitt: "That's not... that's not correct, Representative."

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Black: "Oh. What does it do? A scatter garden? You're gonna create a scatter garden where my wife, who will probably be in mourning for all of five minutes, is gonna scatter my ashes in some vacant lot in the city?"

Moffitt: "I'm not sure she's gonna go for that dignified manner, Representative."

Black: "I wouldn't be able to take it."

Moffitt: "In all seriousness, I would emphasize this is permissive and it would allow a municipal authority to establish an area designated as a scattering garden. It'd be very dignified, very respectful..."

Black: "And that..."

Moffitt: "...if they want to."

Black: "...that's all right with the Department of Public Health? There's no problem with that?"

Moffitt: "There are no opponents. The Municipal League is a proponent. It is permissive and would simply allow them to establish it if they wanted to."

Black: "And... and Home... Home Rule units already have this authority, correct?"

Moffitt: "Well, it was a Home Rule unit that brought it to me. They... it is their opinion, they do not have this authority and they'd like to have it."

Black: "But, Representative, I will say that there is a scatter garden, if that's the correct word, in... in my hometown and it's beautiful. It's well maintained. And cremation is more of a... an option now than it was when I was a young lad many, many years ago. But I... and I'm gonna vote for your

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Bill. But I just... I... I have to admit that as I stand here thinking of my bereaved widow scattering my ashes in a scatter garden, that just burns me up."

Speaker Hannig: "The Gentleman from McLean, Representative Brady."

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

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

Brady: "Representative, you and I have talked about this Bill. And for the entire Body, I'm sure sorry the afternoon has turned into a kind of a very somber occasion of talking about legislation to say the least. My question though is similar to what Representative Black had. We're talking about just giving a Home Rule authority communities this, not privately owned. What..."

Moffitt: "It ju... it'd be municipal... municipalities that operate a cemetery."

Brady: "And my... my question to you was I... I haven't heard from any other a... associations, Illinois Funeral Directors, Illinois Cemetery Association, anyone along those lines that's opposed to this particular piece of legislation, have you?"

Moffitt: "No. There's no opposition that I'm aware of. And the municipality that brought it to me is a Home Rule unit. But their... their legal counsel feels they do not have the authority to establish a ce... ash scattering garden. They'd like to have that because of the increased requests for it."

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Brady: "You haven't heard from the Master Gardeners Association either on this, have you?"

Moffitt: "No."

Brady: "I... I just and I did have a serious, serious concern was the commingling aspects of remains. And I'm not gonna go into details of your organic bone fragments that are left in cremated remains for everyone's treat this afternoon. But my question is, is this the commingling status? And apparently there's been no other association to speak out with that concern to your knowledge, correct?"

Moffitt: "That's correct. Not... no one has in... expressed opposition or concern. It is a practice that's used more and more across the country. There will be more and more calls to be able to do this. And this is just a.. getting out front and allowing a municipality to do this if they want to."

Brady: "And... and right now, this is only municipalities under the law?"

Moffitt: "Under this legislation. Yes."

Brady: "Only municipality-owned cemeteries, correct?"

Moffitt: "Yeah. Under this legislation, that's all that we would be enabling."

Brady: "I see Clint's shaking his head. I know he's a cemeterian expert there. Clint, thank you very much. All right. Thank you, Representative."

Speaker Hannig: "Any further discussion? There being no further discussion, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. And the

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 4996."

Clerk Mahoney: "House Bill 4996, a Bill for an Act concerning veterans. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Speaker. House Bill 4996 is continuing the tradition here in Illinois of rewarding our veterans when they return with a small bonus. In this case, it... continuing with the hundred dollar bonus. It's just as we have ever since World War II through Vietnam, Persian Gulf and Korea. I know of no opposition to the Bill. I'd be glad to take any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 4996. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4431."

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Clerk Mahoney: "House Bill 4431, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Munson."

Munson: "Thank you, Mr. Speaker and Ladi... Ladies and Gentlemen of the House. House Bill 4431 provides financial relief for school districts experiencing mounting debt due to the rapid growth of student enrollment by establishing a grant program for fast growth school districts. This Bill is subject to appropriation and it defines a fast growth district as districts with less than 10 thousand students experiencing 10 percent growth over 2 consecutive years or districts with more than 10 thousand students experiencing 1.5 percent increase in growth. In these fast growth districts, schools must provide teachers, aids, books, classrooms and more for hundreds of students without aid from the state or from property tax revenue for a year or more. These districts just never catch up. School districts throughout the state would benefit, including some districts located in the Counties of Kane, Winnebago, DuPage, Will, Cook, Scott, Massac, Lake, McHenry, Kankakee, Vermilion, Kendall, Grundy, Marian, Union, Clinton, Hancock, LaSalle, Pulaski, and Bureau. Growth in some areas of our state has placed a heavy burden on some of our schools. This Bill, while not nearly enough, provides some measure of relief. I'll take any questions and move for passage of this Bill."

Speaker Hannig: "The Lady has moved for passage of House Bill 4431. Is there any discussion? Then the question is,

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'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you real... read House Bill 4338."

Clerk Mahoney: "House Bill 4338, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Winnebago, Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker, Members of the House. This Bill amends the Illinois Vehicle Code. It provides that a local agency may delegate to a superintendent of highways the authority to set reduced speed limits within construction or maintenance zones. It provides that if a superintendent of highway sets a reduced speed limit for construction or maintenance zone under the new provision the local agency must maintain a record of the location of the construction. And I would ask for a 'no' vote... for an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 4338. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there 116 voting 'yes' and 0 voting 'no'. And

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this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 5131."

Clerk Mahoney: "House Bill 5131, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Lake, Representative Osmond."

Osmond: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5131 amends the Illinois Vehicle Code with regard to the sale and distribution of information by the Secretary of State. Provides that the information that may be sold includes information regarding violation, convictions or driver's license revocations, suspensions or cancellation activities that occur within the most recent monthly period. Provides that before providing design... designated summary information the Secretary of State must deem that this provision of the requested information will cause the actual purchase of the abstract of the driver's record. I know of no further... no opposition to this Bill."

Speaker Hannig: "The Lady has moved for passage of House Bill 5131. And on that question, the Gentleman from McHenry, Representative Franks."

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

Speaker Hannig: "The Lady indicates she'll yield."

Osmond: "Yes."

Franks: "Thank you. Representative, I see in my analysis here that one of the proponents is Explore Information Services. What kind of business are they?"

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Osmond: "They're a business that insurance companies hire to... on a renewal of a policy, they would get... hire them to go and look at JoAnn Osmond's driving record and come back to them and say that I don't have any violations or points against my record. It's all rating information."

Franks: "Would any of this information that... what this Bill would allow to be sold, would it be able to go to private entities to be used for commercial purposes?"

Osmond: "It does not expand the scope of this utilization of information. It's no."

Franks: "But right now are they able to take our personal information and sell it for commercial purposes? That... that'd be a better question."

Osmond: "Individually, yes. This is going to be where they go in and get all of what's called, I believe it's called a point file where they will go in and the last month, February, 2004, they will pull the records for anybody that has points assessed to their driver's license."

Franks: "I see what you're trying to do. But I... I tell ya what my concern is and maybe you can alleviate it. I'm worried that this information can be manipulated in such a way that it can be turned to third parties beyond just the insurance. I don't know if there's any procedural safeguards placed here, because I certainly don't want to start getting phone calls at home if I've gotten a traffic citation from someone... from some lawyer for instance saying we want to help you on your ticket because you had points written on here. Or I don't want to get a call from some

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third party manufacturer of after market parts for my Corvette Stingray that I may own."

Osmond: "But this is not set up for that purpose. I mean, I guess I'm confused as to what point you're trying to make."

Franks: "Oh, what I guess I'm trying to do is to limit. Let's assume that this information gets out and this information obvious... obviously has a value. Or else people wouldn't want it. I'd like to see some restraints on this being used only for this informational purposes that you're talking about for insurance companies."

Osmond: "Yes."

Franks: "Because I don't want them then to be able to turn around and sell this information to somebody else, so they can make money on it."

Osmond: "But the... but the Secretary of State already right today gives out this information with a fee of \$12 per file. So..."

Franks: "No, I understand what he's doing now. But I'm just worried that our private information, because this is very personal information. I wonder what kind of procedural safeguards are put into effect if this doesn't turn in... if it's not turned over to additional parties. Because once they use it for one information for your insurance company, what's stopping them from then turning around and using that same database and marketing it to just a number of marketers?"

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Osmond: "It's not the same issue, though. I mean, what this Bill is doing is allowing them to sell it to the different agencies on a renewal."

Franks: "I... I understand that. But I'd... what I'd like to see if we allow that, to expand it, that we also have a concurrent contractor saying you can get this but nobody... but then you can't turn around and sell it. I don't want this to become a commodity. They're doing this for legitimate insurance purposes correctly... correct?"

Osmond: "Yes, yes. There's other agencies out there that do this."

Franks: "Sure. But then they can use this for not so pure reasons. They... because I believe that the... that the information that they have is invaluable to direct marketers."

Osmond: "It's not expanding anything right now. All it's doing is allowing them to sell point files. That's all it's doing."

Franks: "Well, it is expanding because it's allowing them to sell the... what I'd like to see, if they're gonna sell it and you'd like to get this done, I'd like to also see then that they're not allowed, the people who purchased this, to then turn around and sell it. Because I think our most fundamental right is the right to be left alone. And I don't want somebody because I have to give the government my personal information that the government should then turn it over to someone who could then sell it to whoever they want to, to come bother me at my house."

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Osmond: "Basically, the Secretary of State has it on an individual basis already. And I would assume that they could do that with individual files. This is to put it into a group."

Franks: "I guess I'm confused on this 'cause I know I had a Bill up a couple years ago trying to limit the sale of this and the Secretary of State, as I recall, was in support of that and this seems to be an expansion, rather than a contraction."

Osmond: "Representative, commercial purchasers of driver and vehicle record database must enter into a written agreement with the Secretary of State that includes disclosure of commercial use of information to be purchased. That's already current law."

Franks: "I... I understand the data... Okay, what you're saying is that they have to enter into a database?"

Osmond: "Yes."

Franks: "But is there any restrictions on how they can use it? 'Cause if there aren't, I think there ought to be. That's my point. And... and I'm wondering if... and if we have time if we... if you'd be willing to amend your Bill, I... I've got no... I understand what you're trying to do. But I think we also have to place a limit on how this information is being used. Because I think that's our private information and I've got a philosophical problem with the government profiting on our private information."

Osmond: "Representative, this Bill, I mean this information cannot be used on anything but the driver's license. It

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can't be in a homeowners or anything like that. It's strictly on automobile insurance."

Franks: "But see I disagree. I think once you have the information, it can then be turned out to a vast number of other marketers. After you've extrapolated the information that you need for the insurance industry, you're still gonna have many other things in there."

Osmond: "But the Statute requires a writ... written agreement, so it couldn't be handed out."

Franks: "Is that... is it... is there a written agreement that's... that prohibits the transfer of that information? 'Cause if there does, then I have no objection."

Osmond: "That's what I just read. Yes."

Franks: "Okay. Then thank you. I appreciate you making that clear to me."

Osmond: "I'm sorry."

Franks: "Thank you very much."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last call. Mr. Clerk, take the record. On this question, there are 103 voting 'yes', 10 voting 'no' and 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 4403?"

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Clerk Mahoney: "House Bill 4403, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Hannig: "Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker and Members of the House. This amends the Illinois Vehicle Code. Provides that a person shall not be granted and shall not be able to retain his or her driver's license privileges if convicted of aggravated driving under the influence of alcohol, drugs, intoxicating compounds in a case in which the offense was approximate cause of a death. Provides that if the person's driving privileges have been revoked, he or she may not apply for a driver's license within two years. I would urge a 'no' vote. I'm sorry, I would urge an 'aye' vote. Let me see, 'aye' vote."

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

Black: "Well, Mr. Speaker, I'm thoroughly confused. I don't... am I voting with the Sponsor or against the Sponsor? Now I don't know what to do. Will... will the Gentleman yield?"

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

Jefferson: "No."

Black: "Thank you. Representative, there's reference in here to a peace officer."

Jefferson: "Yes."

Black: "Well, are we changing the definition of... of what a peace officer is?"

Jefferson: "We changed the definition from 'police officer' to 'peace officer'."

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Black: "What's the difference?"

Jefferson: "Peace officer can be someone enforcing the law. Police officer is a person that's designated to police the area. Peace officer might be someone that is in law enforcement, but is not a policeman."

Black: "Well, let me make sure I understand this. It's been something I've been concerned about for a long time in Illinois. We have more police power agencies in Illinois than any state in the country. Many of them have peace officers status. But in Illinois a peace officer status allows you to pull somebody over, write a traffic ticket, make an arrest. In other words, if you go home and a conservation officer, who enforces game laws, the conservation officer gets in behind you and sees you're speeding, that conservation officer can give you a traffic ticket. All right, so how are we changing the definition of a 'peace officer' vis-à-vis a 'police officer'?"

Jefferson: "Well, it was just my understanding that the Secretary of State's Office figured it would be a better definition so that we could make sure that all people in law enforcement in... in a position to enforce this."

Black: "I... I see that no one has spoke in opposition to the Bill. So, is it fair to portray this as a... a technical cleanup of the Vehicle Code? Is that... would that be a fair assumption?"

Jefferson: "That is what this is."

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Black: "All right. Now it... it does enumerate certain clarifications on how you may lose your driver's license, correct?"

Jefferson: "Yes."

Black: "Now, the one that I didn't quite understand was the one of aggravated driving under the influence of drugs, alcohol or... or a... or intoxicating compounds."

Jefferson: "Yes."

Black: "And if that causes a death, then is that a permanent revocation?"

Jefferson: "No. He cannot apply for at least two years after that revocation. He or she."

Black: "Times I think it ought to be longer than that, but... Is there anything in this Bill that says if I use my OnStar cell phone I lose my license?"

Jefferson: "There's nothing in this Bill that relates to that. No."

Black: "Oh, that's good. How about if I forget to fasten my seatbelt? Is that a cause to losing my license?"

Jefferson: "It probably... it should be, but it isn't related to this Bill."

Black: "You... you sure it should be?"

Jefferson: "It's not related to this Bill."

Black: "Oh, all right. And what are... what are you doing to the graduated driver's license program? That's relatively new and from what I gather, it's working very well. And... and it says it will not be granted to a person under 16. I wasn't aware that a person under 16 in Illinois could get a

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graduated driver's license. Did I miss something under the original law?"

Jefferson: "Yeah. Again, I think this is just cleanup language to make sure that this is clarified that no person..."

Black: "Okay. All right."

Jefferson: "...under 16..."

Black: "Well, Representative, I usually take your advice. But you told me very clearly to vote 'no'. And I just stand here to tell you I intend to vote 'yes'."

Jefferson: "Thank you, Mr. Black."

Speaker Hannig: "Any further discussion? The question now is, 'Shall House Bill 4403 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4489."

Clerk Mahoney: "House Bill 4489, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Hannig: "The Lady from DuPage, Representative Pankau."

Pankau: "Thank you, Mr. Speaker and Members of the House. House Bill 4489 deals with bronze star and silversar... silver star license plates. Was brought to me by a constituent who had been awarded a silver star. And upon applying for the existing silver star, bronze star license plate found out that he had to pay an additional \$15 to obtain that plate. Quite honestly, he was insulted. He

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thought he had already paid enough. So, this Bill eliminates the \$15 initial additional fee that you have to pay in order to get a bronze star or a silver star license plate. I ask for your favorable approval."

Speaker Hannig: "The Lady's moved for passage of House Bill 4489. Is there any discussion? The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 5562?"

Clerk Mahoney: "House Bill 5562, a Bill for an Act in relation to education. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Lou Jones."

Jones: "Thank you, Mr. Speaker and Members of the House. House Bill 5562 basically allows the Chicago School... School Board to designate attendance boundaries for no more than 1/3 of chartered schools permitted in the city if the Board designates that the attendance boundaries are needed to relieve overcrowding and better serve low-income and at-risk students. Now there are no chartered school priorities in Chicago given to students based on geographical boundaries. And this Bill would allow the Chicago Board of Education to designate attendance boundaries for those chartered schools. The reason for this Bill, there's a school in my district that wants to

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become a chartered school and it sits right in the middle of a low-income children, students-at-risk area. And I agreed to support that chartered school as long as the children in that designated ar... school area were allowed to attend it first, and if there's extra seats or seats left in the school, they would be open to a lottery for the entire city. And I'd ask for a favorable vote."

Speaker Hannig: "The Lady has moved for passage of House Bill 5562? Is there any discussion? The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Slone, for what reason do you rise?"

Slone: "Thank you, Mr. Speaker. Would the record please reflect that I hit the wrong button on the previous Bill and my intent was to vote 'yes'."

Speaker Hannig: "The record will reflect your intentions. And, Representative Morrow, for what reason do you rise?"

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Committee of Appropriation on Public Safety, which was supposed to of been held at four o'clock, will be postponed till next week."

Speaker Hannig: "Okay. Mr. Clerk, would you read House Bill 5050."

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Clerk Mahoney: "House Bill 5050, a Bill for an Act concerning museums. Third Reading of this House Bill."

Speaker Hannig: "The Lady from DuPage, Representative Pihos."

Pihos: "Mr. Speaker, Ladies and Gentlemen of the House. The purpose of House Bill 5050 is to modify the eligibility requirements for public museums so as not to exclude bona fide outdoor museums from applying for capital grant funding. Some outdoor facilities have unintentionally been excluded from eligibility because their collections are generally displayed and enjoyed by the public outdoors. There are no opponents to this Bill that I'm aware of. And I ask for your favorable vote."

Speaker Hannig: "The Lady has moved for passage of House Bill 5050. Is there any discussion? The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there 115 voting 'yes' and 0 voting 'no', 1 voting 'present'. And this Bill, having rec... received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 4109."

Clerk Mahoney: "House Bill 4109, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

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

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, this Bill does one small thing with IMRF. The Village of Morton

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Grove, when they had an opportunity to do... to get involved in IMRF, for whatever reason did not do so; this Bill would allow them to get into IMRF. The IMRF folks have approved this. There seems to be no opposition. I would ask for your support."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 4109. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4005."

Clerk Mahoney: "House Bill 4005, a Bill for an Act concerning disaster service volunteers. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Sangamon, Representative Poe."

Poe: "Yeah, Mr. Speaker and Ladies and Gentlemen of the House. This is a Bill that we've seen in previous years; it's a Bill that received 114 votes last year. And what it does, it amends the Disaster Service Volunteer Leave Act and basically, all we're saying, we're not gonna change nothing in law. It will be administered the same way it is now. All we're saying is that a volunteer... that volunteers for the Red Car... Cross can go out of state. For example, a few years ago when we had the flood on the river, there was

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people who couldn't cross the river and volunteer. Another one was whenever we had the 9-11 catastrophe, we couldn't let volunteers go from Illinois. So basically, this is the same law. We're just letting them go across state lines."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 4005. Is there any discussion? With no discussion, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4495."

Clerk Mahoney: "House Bill 4495, a Bill for an Act concerning the investments of public funds. Third Reading of this House Bill."

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

Lyons, J.: "Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 449... 4495 is a oppose... proposal to amend the Public Funds Investment Act to accommodate a public agency's deposits that exceed a hundred thousand dollars. Currently, requirements imposed on public agencies and on Illinois financial institutions make it difficult, if not impossible, for public agencies and financial institutions to take advantage of certain opportunities. These opportunities include the ability of a public treasurer to deposit funds in the bank, pursuant to an agreement that

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would allow funds in excess of a hundred thousand dollars to be transferred to other financial institutions, thereby maintaining full Federal Deposit Insurance coverage. Under House Bill 4495, the public treasurer would be assured that deposited funds would, at all times, be fully insured, either at the initial bank of deposit or within the network of banks that can offer accounts insured up to a hundred thousand dollars. Finally, House Bill 4495 would involve a voluntary program that a public treasurer and... and the selected financial institutions could choose pursuant to a formal agreement. This passed out of committee unanimously. It was brought to me by the Community Bankers Association of Illinois and I'd appreciate your support. And be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 4495. And on that question, the Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I feel obliged, since Representative Black does not appear to be on the floor, to not let people sleep through all the rest of the Bills that we're passing. And so, unfortunately for Representative Lyons, I ask if he would allow some questions."

Speaker Hannig: "The Gentleman will yield."

Lyons, J.: "At your service, Representative."

Mulligan: "What does this actually do? I mean, in our analysis it says that it allows banks to do less to obtain public funds than they have before is what it appears. Would you

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explain to me exactly why you're doing this and... and what it actually does?"

Lyons, J.: "Representative, currently we all know there is a hundred thousand dollar guarantee by the Federal Deposit Insurance Corporation on savings accounts. If a governmental agency starts putting money into a savings vehicle, not a working checking account, they would go over the hundred thousand dollar insurability status. This allows them by a prearranged agreement, if we're banking at bank A, to have bank B, C, and D in position to take those savings dollars, above the original hundred thousand, and put em' in other agreed to banks."

Mulligan: "Right."

Lyons, J.: "That's all this does."

Mulligan: "But, what it would allow them to do is break them up into individual hundred thousand dollars accounts, so they are covered if anything should happen to the bank and the state would not lose their funds."

Lyons, J.: "The state or any governmental agency, correct."

Mulligan: "Or local government, or whoever."

Lyons, J.: "Right."

Mulligan: "So, it requires that if we wanna put a million dollars in a bank, that they would have to divide that up into hundred thousand dollar accounts in order for us to be covered by the federal insurance."

Lyons, J.: "Correct. Just like if you and I were doing the same type of thing and wanted that insurability."

Mulligan: "All right, so currently do we not do that?"

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Lyons, J.: "There's... there's a way that... previously they have to get... there was different provisions under the law which they can still follow through, if you... if you want to know the other option that was available and/or will remain available to them, a... if a... let me grab my notes here, Representative, just to... Among the requirements, let's see... I have this in front of me... Previously, among the requirements, it would no longer be applicable are the requirements that the... each bank furnish the public agency with copies of its two most recent statements of condition and the requirement that the initial bank pledge securities for public deposits that exceed the hundred thousand dollars. This requirement would not be necessary because the public deposits now would be fully insured. However, Representative Mulligan, the answer... to further answer this, any public treasurer that prefers the existing statutory scheme, and proceeds, such as taking deposits to multiple financial institutions and requiring the previous pledges, can still do so. So, that's already there for them if the bank wants to pledge additional securities to a governmental agency that wants to exceed the hundred thousand dollars. This just sets up another set of ways to do that, an easier, prearranged way to do that."

Mulligan: "And this is the Bill, as amended, according to what the Illinois Bankers Association wanted in order for them to be... give a favorable report on the Bill to people to vote on."

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Lyons, J.: "This was brought to me by the Community Bankers, Representative, not the Illinois Bankers Association, the Community Bankers Association."

Mulligan: "Are... did you put Amendment 1 on this Bill?"

Lyons, J.: "There was an Amendment 1 in committee that was put on there that basically said the bank did not have to be an Illinois charter bank, just have a bank in the state of Illinois. There was a technical Amendment on language."

Mulligan: "So, any entity that has a bank in Illinois could now receive funds?"

Lyons, J.: "That's... that has the federal insurance, yes."

Mulligan: "And that's all right with both the Community Bankers Association and the Illinois Bankers Association?"

Lyons, J.: "Nobody in the Financial Institutions Committee slipped against this Bill. So, I'm assuming that nobody has a problem with it."

Mulligan: "And the Treasurer..."

Lyons, J.: "And there's none that I know of at this time."

Mulligan: "...neither the Treasurer nor the Comptroller made any statement about this Bill?"

Lyons, J.: "There were no slips filed that I... to my memory had objection to any of this, Representative."

Mulligan: "Does it require that they must break it up into smaller accounts so that we are covered? Or that the municipality or entity of government is covered?"

Lyons, J.: "I would... I don't... there may be government regulations on how that has to be done that I'm not familiar with by the Treasurer's Department. I... I would

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think, I don't want to speak for the Treasurer or the Comptroller, but I would think that they would wanna have some type of an assurance agreement, even... under the previous rules with the bank or have done this on their own instead of having an agreement with one individual bank who automatically disperses it for them."

Mulligan: "So, what is the main reason for this? It allows them to transfer money easy... easier?"

Lyons, J.: "The main reason for this, Representative, is 'cause the Community Bankers wanted this authority to do this. It's a prearrangement, so all a sudden when the money is put into one bank, the dominoes go down to other financial institutions that will allow them to automatically take a hundred thousand dollar chunk of whatever dollars are coming in, in excess of the original hundred thousand."

Mulligan: "All right. Thank you."

Speaker Hannig: "Is there any further discussion? The question now is 'Shall House Bill 4495 pass? All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 115 voting 'yes', 0 voting 'no', and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4288."

Clerk Mahoney: "House Bill 4288, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Sangamon, Representative Poe."

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Poe: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill also was passed out of here last year and what it does, it amends the Unified Code of Corrections and it takes the fine for sexual assault from \$1 hundred to \$2 hundred. And this is one way that we can create more funds for domestic violence shelters and the service fund and also sexual assault service funds. And that's what the money will be spent for. It's a small way that the offenders can go ahead and contribute to help us run our shelters, and this is strictly upon conviction, and this is above any other fines. I'd ask for a 'yes' vote. Thank you."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 4288. And on that question, the Lady from Cook, Representative Mulligan."

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

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

Mulligan: "Representative Poe, I think this is an excellent idea. I only have one or two questions. The main one being, has the Governor taken any money out of this particular fund?"

Poe: "Thi... this fund is a little separate from others, and this is collected now above the other funds and it goes to as designated. Now, far as other funding to go to these shelters, I'm not real sure whether those funds have been cut or not. But this designated fund is one we cut... collect above regular fines."

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Mulligan: "All right. So, it's over and above, and it goes into a fund that is a designated fund that cannot be raided and only be used for the intention of what the fine is being raised for?"

Poe: "Yes. It designates, there's a 10 percent administration fee and the rest of the money will be divided up for the Illinois Coalition Against Domestic Violence and for sexual assault service funds."

Mulligan: "Thank you."

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

Molaro: "Thank you, Mr. Speaker. Representative Poe, I think you're gonna have to raise this; otherwise, it's a thousand dollars if you beat up your coach, but only two hundred bucks if you beat up your wife. And I think we send in the wrong message. Let's raise this when it comes back."

Poe: "Okay. Now, this... This is just above the normal fines. This isn't... this isn't count what fines can be there."

Molaro: "Well, those fines better be pretty hefty, that's all I can say."

Poe: "Thank you."

Speaker Hannig: "Any further discussion? The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a

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Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4493."

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

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

Lyons, J: "Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 4493 is a follow up, cleanup language for the Assisted Living Act, which we passed about four or five years ago here in the State of Illinois. Does several things: It grants the Department of Public Health subpoena power to enable them to fully investigate allegations of abuse and neglect. Secondly, it clarifies the intent of the statute is to issue prohibit... probationary licenses to any applicant who has not previously been licensed under the Act. And this caps the licensur... licensure application period at six months. It also requires the establishments that offer medical... medication administration to provide vaccinations for influenza and pneumonia, similar to the Bill that we passed last year. And lastly, it merges the Department of Aging Assistant Living Advisory Committee with the Department of Public Health's Advisory Committee and that was don... done by an agreement between the two... two departments. I'd ask for your favorable... we did have one Amendment on it, a technical Amendment in committee, and I would ask for your favorable consideration on this Bill."

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Speaker Hannig: "The Gentleman moves for passage of House Bill 4493. And on that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I simply rise to support the Sponsor in his attempt to pass this Bill. The most important part of this Bill, correct me if I'm wrong, Representative, has happened in my district. Assisted living is a relatively new phenomena, and it's growing and it is cost effective, much more so than nursing homes. What is happening happened in my district. We have an assisted living facility completed, ready to go, could not open. It couldn't open. It took almost six months to get the Department of Public Health and all the other inspectors out there, a waiting list by the day they opened. This Bill makes sure that the inspections 'shall' be carried out in a timely fashion, not 'may' be carried out at the discretion of the department. It's absolutely unconscionable that some of these facilities are not being inspected in a timely fashion. And when we need the room, and need the space, and need the services that they provide, it's just unconscionable that we had one in my district that was not able to accept residents for so many months after it was ready to open. And I know all of the excuses, and they're not excuses. I shouldn't say that. I know the people are short staffed. I know it's difficult, but that is still our responsibility and we simply must meet it. And I think this is an initiative of AARP. I

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don't believe, as the Sponsor said, there's any opposition to it. It's a Bill whose time has come. I urge an 'aye' vote."

Speaker Hannig: "Any further discussion? So now the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 7263."

Clerk Bolin: "House Bill 7263, a Bill for an Act concerning flag displays. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from DeKalb, Representative Pritchard."

Pritchard: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I rise for this Bill. It is a Bill that allows counties that take a strict interpretation of the non-Home Rule authority to be able to display the Prisoner of War/Missing in Action flag over their county courthouse building. And I would be happy to answer questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 7263. Is there any discussion? The question is then, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a

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Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 393."

Clerk Bolin: "House Bill 393, a Bill for an Act in relation to insurance. Third Reading of this House Bill."

Speaker Hannig: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 393 would.. under the Federal Law right now, they allow for a federal tax exemption for qualified charitable risk pools. And a risk pool is qualified if it's organized and solely operated for someone who has been registered as a 501N federally, or a 501c3 here in Illinois. Currently, California and New York are able to do this. What this would allow is, for example, the United Way, or the Boys and Girls Clubs of Chicago, the Jewish Federation, Catholic Charities to organize a risk pool that they could use for property insurance. It would not be able to cover medical insurance. It would strictly be for property. And I know of no opposition. Companies from outside of Illinois can currently write these programs here, and they would have to be structured by a qualified charity. I ask for an 'aye' vote."

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

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

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

Black: "Representative, one quick question. Does this exempt them only from the Illinois income tax? I don't think we

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have the authority to exempt 'em from the feds. Is that... that separately?"

Mautino: "It's currently in Federal Law..."

Black: "Okay. So..."

Mautino: "We'll just be complying with the Federal Law."

Black: "...this just exempts them from the Illinois income tax?"

Mautino: "Correct."

Black: "Now, this isn't one of those corporate welfare loopholes, is it?"

Mautino: "You know, I would say if you were looking at the Jewish Federation or Catholic Charities and those that do good trying to keep money to insure their properties..."

Black: "So it's..."

Mautino: "... I guess that would be a decision that they would have to make..."

Black: "All right."

Mautino: "...but no, it doesn't."

Black: "And these community-based organizations operate under a corporate charter?"

Mautino: "Yes."

Black: "And are they chartered in Bermuda or any offshore country?"

Mautino: "Well, you know, they do look happy. So they got a nice comfortable setting, but I think they're all chartered here in Illinois and they have to meet our 501c3."

Black: "Well, I... I just wanted to make sure, you know we got that message, so these are good Illinois companies doing

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the work of the people and are deserving of the exemption.
Correct."

Mautino: "You know, I would agree with you 100 percent on that,
Representative."

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

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

Slone: "Thank you, Mr. Speaker. Will the Gentleman yield?"

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

Slone: "Representative Mautino, is this Bill still a shell
Bill? Or it is not any longer a shell Bill?"

Mautino: "No, it's actually... the Amendment was adopted in
committee. And that's been... been placed on the Bill,
stating that we would allow them to meet the federal
guidelines to form these in Illinois."

Slone: "And this does not deal with some of the liability
issues that these agencies are experiencing, that only with
their prop... in effect their property insurance. Is that
right?"

Mautino: "Yeah. Property insurance and general liability, but
nothing on... there is no health or if it is an organization
that has, for example, a hospital associated wouldn't be
the mal... the malpractice side. Just general liability on
commercial property lines."

Slone: "Okay. So, it'd be, like I don't know, slip and fall
kind of liability, that type of thing."

Mautino: "Yes."

Slone: "Okay. Thank you very much."

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Speaker Hannig: "Is there any further discussion? The question is, 'Shall House Bill 393 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4453."

Clerk Bolin: "House Bill 4453, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

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

Rose: "Thank you, Mr. Speaker. House Bill 4453 amends the Illinois Vehicle Code requiring restitutionary relief to a person who has suffered personal injury or property damages as a result of the misdemeanors and felonies committed under the Illinois Vehicle Code. If I may, Mr. Speaker, briefly the issue is that there's a weird quirk in criminal law. If an offense is committed under the Criminal Code, the Crime Victim's Bill of Rights provides the right of restitutionary relief to that victim. However, because the Vehicle Code is a separate statute from the Criminal Code, there is no restitutionary right to relief. For example, if I may, if someone hits you as a DUI driver, you do not have a right to restitution for your property or personal injury, as part of the sentence that's handed down for that crime. If someone hits you in the course of fleeing and eluding, it becomes an aggravated fleeing and eluding

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felony, you don't have a right to restitution. Interesting enough, Mr. Speaker, this Bill came to me from my home county where I used to be a state's attorney where we had done this for some time and actually had restitution provided until a bright defense attorney actually read the Vehicle Code and realized that the right to restitution is actually in the Criminal Code. And so we're here trying to correct that today. And I would ask for an 'aye' vote. Thank you."

Speaker Hannig: "Is there any discussion? The Gentleman from Cook, Representative Molaro."

Molaro: "Well, this again is a good Bill, but will the Sponsor yield for a question?"

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

Molaro: "Okay. Use an example of DUI, someone being injured. That certainly makes sense, but now how are you gonna award... the word 'restitution' usually means where someone would come in with a receipt. Most of the time when you're talking about restitution, you're talking about an amount that's easily and readily identifiable by a criminal court judge."

Rose: "Correct."

Molaro: "When you start using the words 'personal injury', if you look at the definition of 'personal injury', now you're starting to talk about time lost in work and pain and suffering. So what... I guess what I'm asking is, if you're telling the court that they could do this, some criminal court and misdemeanor, I guess, do you have two-day

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hearings on what the personal injury would be? I mean, are you gonna then allow witnesses where they're gonna bring in lost work, lost wages, pain and suffering, doctor's reports and then could the defendant come in and we're gonna start bringing expert testimony and longevity of lives... you know, that's what the civil courts are for. And I'm not saying this is a bad Bill, cause most of the time, and I do some prosecution work in villages, you know, they come in and they're... they're looking for their damages. But how far are you taking it with this? Maybe for legislative intent, I just don't know where you wanna go. That's all."

Rose: "Thank you, Representative, it's an excellent question. In fact, the funny thing about this is the Crime Victims Bill of Rights of reference to restitution is actually one sentence, that the right to restitution shall be made available. That's the extent of the Crime Victim's Bill of Rights definition. LRB, in this instance, has drafted something that's, you know, two pages long. I... Let me give you an example of what we did in Champaign County. Typically, this involved the property claim. Typically... occasionally, it was health... health insurance. If there was the need for a hearing, yes, a hearing would be set aside and it would go to a separate hearing, but usually this agreed in advance between the defense counsel as well as the prosecution. I think probably in a year and a half in traffic court, I maybe did three or four hearings, Representative. I will also note, too, and I think this is very important, this concern came to me in a different

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fashion from the Bar Association and from the Judiciary, in that the way the Bill was originally worded was it 'shall provide restitution', and some courts had a problem making this mandatory. So what my Amendment did was make it permissive. And if a court deems that this is necessary, the court can go ahead and do that, but we did make that accommodation to the Bar Association at their request. So..."

Speaker Hannig: "Any further discussion? The Lady from Grundy, Representative Gordon."

Gordon: "Thank you, Mr. Speaker. Representative, as a fellow prosecutor, spending many times... many, many hours in traffic court, is... is this going to be a problem and back up the already overrun traffic court calls across the state? How much more pressure is gonna be put on, you know, the prosecutor, the judge, the victims in the case and everything else?"

Rose: "Representative, as I noted, that was the concern of the Bar Association..."

Gordon: "Right."

Rose: "... and the Judiciary that contacted me on the earlier version of this. And that's why we changed it to make it permissive..."

Gordon: "Right."

Rose: "... rather than mandatory. I will note that this has been a standard practice, not just in Champaign County, but Douglas County as well, and a couple other counties in my district. And we've just sort of been doing it, for lack

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of a better phrase, and then suddenly, like I said, the bright defense attorney finally figured out that the restitution provision didn't apply to the Vehicle Code because it was in the Crime Bill. And they were right, and all we're trying to do now is allow those counties that have previously been doing this to go back to that practice. As far as I can tell you as a practitioner, it's not very much time at all. You have a standard form order. You check the restitution box. You say the amount and maybe what it's for, and that's it, and it goes into the order."

Gordon: "Is this also gonna be a situation where, I mean it... it... I understand that you said property damage. So this is also gonna cover a situation where maybe there's a DUI case, the defendant goes off the road, hits a guard rail that's state property or county property, is it gonna... it's gonna cover this as... that type of situation as well..."

Rose: "Yes."

Gordon: "...not just another person?"

Rose: "Yes."

Gordon: "Okay."

Rose: "Yeah. In fact, quite often I might add, a lot of the restitutionary orders were decomp... to townships and county government to replace a guardrail or to replace a stop sign or something to that effect when there was no injury whatsoever. And it was essentially the defendant hitting a stop sign or a rail... guardrail and this is a way to, you know, help the taxpayers locally recoup the costs for

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replacing that stop sign or guardrail. Again, our county have been doing this, not thinking anything of it, for, ya know, forever. And then we stood to be corrected, and we were."

Gordon: "Okay. It's... my only concern, and believe me, I'm definitely on your side, it's just a matter of... my only concern was you're saying it was standard practice in your county. The counties that I practiced in, it wasn't standard practice. And I just remember constantly taking phone calls from the insurance companies saying hey, can you, you know, get this, can you do this and the people saying I... you know, their deductible and everything. And I just... knowing how large a traffic court call is."

Rose: "And that is... that is why we made it permissive."

Gordon: "Permissive."

Rose: "If your county doesn't want to do it, hey, and your local judge doesn't want to accept it, that's up to you and your local judge."

Gordon: "Thank you, Representative."

Rose: "Thank you, Representative."

Speaker Hannig: "The Lady from Cook, Representative Monique Davis."

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

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

Davis, M.: "Representative, if a person has insurance, wouldn't the insurance take care of whatever they should have to pay?"

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Rose: "It could. Yes, but the right to the insurance company would also have the right to recoup any claim that was paid out against the defendant."

Davis, M.: "So, if the... if the insurance company refuse to pay a portion, then the... the worker, whomever the employed person is, they would have to pay. Is that correct?"

Rose: "I apologize, I was interrupted there, Representative."

Davis, M.: "I just said, if the insurance company... if they said, 'Well, we're only gonna pay a thousand dollars on this', and there's more that's needed, you're saying it has to come out of the pocket of the insured?"

Rose: "No, I'm not saying that at all. What I'm saying is this provides another... another venue for the victim to recoup any costs. And in fact, usually what happens is the order is written such that it would be the entire cost. And if the insurance company picks up, say \$3 thousand of a \$5 thousand damage award, the defendant would get credit for the three... the defendant would owe the \$5 thousand in two parts, \$3 thousand to the insurance company, \$2 thousand to the victim and make the victim whole. This simply provides another... another avenue for which the victim can try to recoup the cost. And again, the vast majority of cases that I dealt with were property-based cases where you're dealing with 5 hundred bucks, 6 hundred bucks. They weren't even being covered by an insurance company, because there was a... you know, the premium and the policy called for a deductible."

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Davis, M.: "Under what circumstances, according to your Bill, can people seize the property of the perpetrator? Now according to this, their property can be seized and sold."

Rose: "I... For a sheriff's sale?"

Davis, M.: "Well, according to this, it says the Bill provides that in fixing the amount of restitution, the court must assess certain factors, the amount paid by the insurance carrier and whatever's out of the pocket. If a defendant fails to pay restitution in the manner or time prescribed, the court may enter an order to seize any real or personal property of a depend... a defendant and conduct a public sale."

Rose: "Representative, thank you. Yes, that is actually... a sheriff's sale is something that happens all the time pursuant to a judgment. I would note that there's all kinds of protections put into this."

Davis, M.: "But, we're not talking about judgment, Representative Rose. We're talking about providing restitution to someone you have harmed accidentally."

Rose: "And this would be part of a judgment order that in the defense, a judge would sign..."

Davis, M.: "So... so if a mother has children and the man owns a home, and they live there, and he fails to pay whatever that amount is, you're saying that his... the home that this family owns can be seized and sold?"

Rose: "No. No. As with any sheriff's sale, the discretion would... would lie with the judge. And also, there's..."

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Davis, M.: "But this Bill would give the judge the opportunity to make that decision."

Rose: "Representative, that opportunity's available in almost any judgment available."

Davis, M.: "To the Bill, Mr. Speaker. You know, I know we all want to do what's right and to, let's say make whole a victim who has been harmed. But I think in doing that, we must be careful not to create other victims. If a person has an accident, and the insurance does not pay what one perceives or would desire to be the whole amount, and the person who has committed this... this accident is said, well, you have to give restitution and make up this other amount, and then the person doesn't do it. Your Bill will allow a judge to seize the home of children, to seize the home of anyone who is living in that property. It could be a mother, a senior citizen, and I don't think we want to do that in this Body. I think your intention is noble and excellent, but I do not think... I agree with the person who said, 'Do we want to clog up the courts?' But more importantly, I am truly concerned when a person has an accident, perhaps something happens along the way and their finances are not what they should be. Then we're saying that you can seize their property and have it sold. We're creating additional victims here, and I don't think we want to do that. I urge a 'present' vote."

Speaker Hannig: "Any further discussion? Then, Representative Rose, to close."

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Rose: "Thank you, Mr. Speaker. I would simply say that... to my colleague that sheriffs' sales are governed by statute in the first instance. A judge is gonna have all the facts and figures in front of them then when they make an order. I will also note, Representative, that you cannot be found in... you cannot have your probation or your conditional discharge or your supervision revoked if, in fact, you did not knowingly and willfully not pay the judgment. So, if someone is disabled, if someone is legitimately disabled and cannot pay the Bill, that... there will be no action. When it comes to a financial matter, you have to be knowingly and willfully in violation of that court order. All I'm trying to do here is provide another avenue for victims to recoup the money they're out. I full well appreciate your concern, but I would rather have a defendant pay the Bill for the damage they caused than the victim. And I would urge an 'aye' vote and I would thank the Body."

Speaker Hannig: "The question is, 'Shall House Bill 4453 pass?' All in favor vote 'aye; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes', 1 'no' and 4 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4478."

Clerk Mahoney: "House Bill 4478, a Bill for an Act concerning insurance. Third Reading of this House Bill."

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Speaker Hannig: "Representative May."

May: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill asks the Comprehensive Health Insurance Board, or CHIP, to conduct a feasibility study to determine the establishment of a small employer health insurance pool to provide health insurance coverage for employees of small businesses. There is a huge need in the state, 1.7 million of our citizens have no health insurance, 700 thousand of them are full-time employees. It passed unanimously out of committee. There are no known opponents, and it will not result in any expenditure of state funds."

Speaker Hannig: "The Lady has moved for passage of House Bill 4478. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. So... So... For the... if the Members would pay attention for a second, I just want to understand we're gonna switch gears now to the Order of Second Readings. So, we're gonna work off a lift... a list of people we believe that want to move Bills forward, from Second to Third. First on that is House Bill 4856. Mr. Clerk, would you read that Bill."

Clerk Mahoney: "House Bill 4856, a Bill for an Act concerning disclosure of utility services to be provided by landlords. Second Reading of this House Bill. Amendment #1 was

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adopted in committee. Floor Amendment #... Floor Amendment #2, offered by Representative Morrow, has been approved for consideration."

Speaker Hannig: "Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 to House Bill 4856 requires the statement to be provided by the landlord detailing which utilities the landlord is responsible for under the terms of the lease. This should be a signed and sworn affidavit. The Illinois courts define an affidavit as a declaration of oath, in writing, sworn to by a party, before some person who has an authority under the law to administer oaths. It... as such, requiring the landlord to provide an affidavit containing which utilities they are responsible for paying, requires the landlord to swear before a notary or other person who has the authority to administer oaths that the statement that they provide is true. I'll be glad to answer any questions to Floor Amendment #2."

Speaker Hannig: "On Floor Amendment #2, is there any discussion? Then all in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1921... Excuse me, Senate Bill 1921."

Clerk Mahoney: "Senate Bill 1921, a Bill for an Act in relation to agriculture. Second Reading of this Senate Bill. No

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Committee Amendments. Floor Amendment #1, offered by Representative Molaro, has been approved for consideration."

Speaker Hannig: "Representative Molaro."

Molaro: "This is part of the horse slaughter Bill that hopefully later in the week or possibly tomorrow, Friday or next week that we'll be calling the Bill. The Amendment just makes the necessary changes that would make the Bill palatable for this particular General Assembly."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 5105."

Clerk Mahoney: "House Bill 5105 has been read a second time previously. No Committee Amendments. No Floor Amendments. All Notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 4640."

Clerk Mahoney: "House Bill 4640, a Bill for an Act concerning community revitalization. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 7006."

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Clerk Mahoney: "House Bill 7006, 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 Hannig: "Third Reading. Mr. Clerk, would you read House Bill 4271."

Clerk Mahoney: "House Bill 4271, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, excuse me, would you House Bill 5130."

Clerk Mahoney: "House Bill 5130, a Bill for an Act in relation to courts. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. All Notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk... Mr. Clerk, read House Bill 6989."

Clerk Mahoney: "House Bill 6989, a Bill for an Act concerning child labor. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 4135,"

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

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Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4558."

Clerk Mahoney: "House Bill 4558, a Bill for an... House Bill 4558 has been read a second time, previously. Amendment #1 was adopted in Committee. Floor Amendment #2 was adopted. All Notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4241. Okay. Representative, there's a Note on... on that Bill, so that'll be taken out of the record. Mr. Clerk, read House Bill... Okay. To clarify, the Chair incorrectly moved House Bill 4558 from Second to Third. There's been a req... There's still a Note outstanding. And so that Bill will remain on the Order of Second Reading, pending the receipt of a Note here at the well."

Clerk Mahoney: "House Bill 4241, a Bill for an Act concerning employment. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4491."

Clerk Mahoney: "House Bill 4491, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4393."

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Clerk Mahoney: "House Bill 4393 has been read a second time, previously. No Committee Amendments. No Floor Amendments. All Notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 5875."

Clerk Mahoney: "House Bill 5875, a Bill for an Act in relation to business transactions. Amend... Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, what is the status of House Bill 4059?"

Clerk Mahoney: "House Bill 4059, a Bill for an Act... On the Order of Third Reading."

Speaker Hannig: "Okay. Return that to the Order of Second Reading at the request of the Sponsor. And, Mr. Clerk, what is the status of House Bill 4640?"

Clerk Mahoney: "House Bill 4640 is on the Order of Third Reading."

Speaker Hannig: "Would you return that, Mr. Clerk, to the Order of Second Reading at the request of the Sponsor. And Representative Franks is recognized on House Bill 3906."

Franks: "Thank you, Mr. Speaker. I'd like to make a Motion to Table that Bill and recommit it to Rules."

Speaker Hannig: "The Gentleman moves that House Bill 3906 be tabled. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And House Bill 3906 is tabled. On the Calendar under Resolutions is House Resolution 627. Representative Franks. House Resolution 627, Representative Franks."

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Franks: "Thank you, Mr. Speaker. This is a Resolution that was brought to me by an appellate judge to recognize the historical contributions of the Church of Latter Day Saints in Illinois. I'd be glad to answer any questions."

Speaker Hannig: "The Gentleman moves for the adoption of the Resolution. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the Resolution is adopted. On the Order of Supplemental Calendar #2 is House Resolution 750 by Representative Howard."

Howard: "Yes. Thank you, Mr. Speaker. My colleagues, if you saw my sorority members here today who were wearing pink and green, you know that this was the day that they annually come to learn about government, to talk to their Representatives and Senators, and to get information to pass back to their constituents or people in our various chapters of the organization. We would like you to designate this day as Alpha Kappa Alpha Sorority Day. This is our sixth such day since I've been a State Representative."

Speaker Hannig: "The Lady moves for the adoption of the Resolution. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the Resolution is adopted. Mr. Clerk, would you read House Bill 4560."

Clerk Mahoney: "House Bill 4560, a Bill for an Act concerning public health. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All Notes have been filed."

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Speaker Hannig: "Third Reading. And now, Representative Currie moves that allowing for perfunctory time, that the House stand adjourned until Thursday, March 25 at the hour of 11 a.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the House stands adjourned."

Clerk Mahoney: "The House Perfunctory Session will come to order. Introduction and First Reading of House... House Bills. House Bill 7285, offered by Representative Black, an Act making appropriations. House Bill 7286, an Act making appropriations, offered by Representative Black. The House Perfunctory Session will stand adjourned."