

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

122nd Legislative Day

5/4/2004

Speaker Turner: "The hour of one o'clock having come and went, the House shall come to order. We shall be led in prayer today by Pastor Joe Meyer with the First Assembly of God Church in Marengo, Illinois. Pastor Meyer is the guest of Representative Franks. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. Pastor Joe Meyer of the First Assembly of God Church in Marengo."

Pastor Meyer: "Let's bow in prayer please. Father, we come to You in Jesus' name. We thank You, God, for the service that we provide for this state. I thank You for each and every one of these Representatives here. And today, Father, we come because we know with all the talents and all the abilities that we have they will only go so far. And so we look to You today. I pray that You'll bless each and every one of these Representatives with the wisdom that they need to make the right judgments and, God, the right choices, Lord, that would be pleasing in Your sight. Lord, the items that are before them today they need clarity of thought. Lord, some could be weary; some would need lifting up today. I pray that You'll give them strength. I pray, God, that You'll help them through the order of the business today. We just confess to You, Lord, that without Your help that we cannot do anything. God, we can make our plans, but Lord we need You and we need Your help and Your guidance today. And so we look to You and to Your strong arm to help and to lead, Lord, this agenda today. Father,

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we thank You and praise You, God, that You are on the throne. And Lord, all power and all authority comes from You. And Lord, You have entrusted, Lord, positions to these men and women today. God, Lord, You've entrusted them to make the decisions today. So, God, guide them, Lord, and lead them with honor and strength, Lord. Help them to represent the people entrusted to their care. And we ask it all in the name of Jesus. Amen."

Speaker Turner: "We'll be led in the pledge today by the Lady from Lake, Representative Osmond."

Osmond - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Turner: "Roll Call for Attendance. The Gentleman from Jackson, Representative Bost, for what reason do you rise?"

Bost: "Thank you, Mr. Speaker. Just let the record reflect that there are no excused absences on the Republican side of the aisle."

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

Currie: "Thank you, Speaker. Please let the record show that I have no excused absences to report among House Democrats."

Speaker Turner: "We have 117 Members answering to the roll. And the House does have a quorum and we shall proceed. The Gentleman from Cook, Representative Osterman, for what reason do you rise?"

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Osterman: "Thank you, Mr. Speaker. Two quick announcements. First, tomorrow evening, Ladies and Gentlemen, the House and the Senate will be playing in the annual softball game which we've been successful in the last four years. We're going to have a quick practice tonight at Sacred Heart School at Washington and Amos at 5 o'clock for those that want to play tomorrow. Additionally, yesterday was the birthday of Barbara Flynn Currie who is up in the front and she is celebrating a birthday. There's a cake down there for all to celebrate with her."

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

Bost: "Thank you, Mr. Speaker. If I can have the... for a point of personal privilege and if I can have the attention of the Members?"

Speaker Turner: "State your point."

Bost: "Yesterday... yesterday evening at 7:30 in the evening a former Member and Senator... former Senator, Ralph Dunn, passed away. He... many of us here have served with him. And... and the arrangements have been ama... have been arranged for Friday, 2 o'clock will be a memorial service at First Baptist in DuQuoin. There'll be a visitation from 12 to 2. Just wanted to give that announcement and let everyone know."

Speaker Turner: "Thank you, Representative. The Gentleman from Morgan, Representative Watson, for what reason do you rise?"

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

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Speaker Turner: "State your point."

Watson: "I would like to welcome and congratulate the eighth grade and seventh grade basketball teams from Carrollton, Illinois, St. John's Grade School. The eighth grade girls won state title and the seventh graders got third place, so welcome and congratulations."

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

Currie: "Thank you, Speaker, Members of the House. In an effort to clear out our Calendar, I move to recommit to the Rules Committee, Senate Bills 2205 through 14; Senate Bills 2216, 2218, 2219, 2220, 2235, 3195 and 3196."

Speaker Turner: "The Lady asks leave to recommit those Bills to the Rules Committee. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And leave is granted. The Lady from Grundy, Representative Gordon, for what reason do you rise?"

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

Speaker Turner: "State your point."

Gordon: "Ladies and Gentlemen of the House, prior to our session beginning this afternoon I had some business with some of our esteemed colleagues across the hall and I stepped into the Senate chamber to speak with them. While I was there on true business for this job, I noticed that over in the Senate it immediately kind of become a pep rally over there regarding the softball game that is going to occur tomorrow evening. My mission immediately became

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one of fact-finding. Ladies and Gentlemen, they are truly using subterfuge and methods that are not fair to try to win this game tomorrow evening. I am now a Member of this esteemed chamber and I wish to continue the winning tradition and be victorious tomorrow evening. Please know that they want to steal away the honor of this title for the Senate chamber. And I ask you, I plead with you not to let that happen. Thank you, Ladies and Gentlemen."

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

Mendoza: "Just to make an announcement, Mr. Speaker."

Speaker Turner: "State your point."

Mendoza: "For any of you who are hungry we have some delectable truffles in a box over there that are left over from yesterday's very, very successful COWL fundraiser for... our scholarship fundraiser. So, anyway, please dig in. They're delicious and they won't last long. They're in the front by the cake. Thanks."

Speaker Turner: "Mr. Clerk, Rules Committee Report."

Clerk Mahoney: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or joint action Motions were referred, action taken on March... May 8... May 4, 2004, reported the same back with the following recommendations: 'approved for floor consideration' House Bill 5385 referred to the Third Reading Short Debate; House Bill 5662 referred to Second Reading Short Debate; House Resolution 840 referred to the Order of Resolutions;

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Senate Bill 1553 referred to Second Reading Short Debate;
Senate Bill 1604 referred to Second Reading Short Debate."

Speaker Turner: "On page 8 of the Calendar we have Senate Bills on Second Readings. For the Members attention we're going to go through Second Readings, Senate Bills-Second Reading. Please take a look to make certain as your Bill come up whether you want to have it called or not. We're going to go in order down the Calendar starting on page 8 of the Calendar. First Bill we're going to call is Senate Bill 2106, Representative Dugan. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2106, a Bill for an Act in relation to the transfer of real property. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. We have Senate Bill 2112. Read the Bill, Mr. Clerk. Representative Osterman."

Clerk Mahoney: "Senate Bill 2112, a Bill for an Act in relation to taxes. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No... no Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2122. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2122, a Bill for an Act concerning vehicles. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2140. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 2140, a Bill for an Act concerning property taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2145. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2145, a Bill for an Act concerning environmental protection. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2158. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2158, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2166, Representative Colvin. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2166, a Bill for an Act concerning the Metropolitan Water Reclamation District. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2175, Representative Ryg. Read the Bill, Mr. Clerk. No, out of the record. Senate Bill 2196, Representative Nekritz. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2196, a Bill for an Act concerning stormwater management. Second Reading of this Senate Bill."

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

Speaker Turner: "Third Reading. Senate Bill 2201, Representative Colvin. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2201, a Bill for an Act concerning forensic laboratory oversight. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2270, Representative Mendoza. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2270, a Bill for an Act concerning the Department of Public Health. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2290, Representative Lyons. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2290, a Bill for an Act in relation to alcohol. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2339, Representative Holbrook. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2339, a Bill for an Act concerning insurance. Second Reading of this Senate Bill. No Committee Amendments. All notes have been filed."

Speaker Turner: "Out of the record. Senate Bill 2360, Representative Froehlich. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 2360, a Bill for an Act concerning schools. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2362, Representative Dugan. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2362, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2367, Representative Coulson. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2367, a Bill for an Act concerning Medicaid. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments and no Motions filed."

Speaker Turner: "Third Reading. No, out of the record. She would... the Lady asks leave to leave the Bill on Second. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Turner: "State your inquiry."

Black: "Once again I would express my concern and I know you're... you're under pressure to get through this and not only to the Chair, but to the Members. Why don't you go to your desk, look at this thing and if you want to move it to Third give you a signal."

Speaker Turner: "Right."

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Black: "And on the other hand if they don't want to move it to Third give you the appropriate signal. It'll sure save a lot of hassle later on when they find out a Bill they wanted to amend is already on Third Reading."

Speaker Turner: "Your point is well-taken. Ladies and Gentlemen, again we're going down the Calendar. We're on page 10 of the Calendar, we're doing the Second Readings, moving Bills to Third. If you do not want your Bill moved to Third either signal to me in the Chair or notify staff and we will not call your Bill. We're going in order down the Calendar. So, please be prepared as we move forward. We have Senate Bill 2370 on page 10 of the Calendar. 2370. Read the Bill, Mr. Clerk. Representative Reitz."

Clerk Mahoney: "Senate Bill 2370, a Bill for an Act concerning taxation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2374, Representative Bradley. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2374, a Bill for an Act concerning vehicles. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. We have Senate Bill 2375, Representative Osterman. Read the Bill, Mr. Clerk. Out of the record. We have 2377, Representative Coulson. Out of the record. 2386, Representative Mathias. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 2386, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2411, Representative Washington. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2411, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2424, Representative Feigenholtz. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2424, a Bill for an Act concerning health. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2448, Representative Hultgren. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2448, a Bill for an Act concerning children and families. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2495, Representative Osterman. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2495, a Bill for an Act concerning orders of protection. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. Senate Bill 2547, Representative Slone. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2547, a Bill..."

Speaker Turner: "Out of the record. Senate Bill 2577, Representative Fritchey. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2577, a Bill for an Act concerning alcoholic liquor. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2578, Representative Brosnahan. Read the Bill, Mr. Clerk. Out of the record. Senate Bill 2630, Representative Mathias. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2630, a Bill for an Act in relation to estates. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2635, Representative McCarthy. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2635, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. Amendments #1 and 2 were adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2654, Representative Lindner. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2654, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill."

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

Speaker Turner: "Third Reading. Senate Bill 2665. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate..."

Speaker Turner: "Representative Howard. Out of the record. Senate Bill 2665... sorry, Senate Bill 2683, Representative Pihos. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2683, a Bill for an Act concerning ethics. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2690, Representative Lindner. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2690, a Bill for an Act concerning child support. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2731, Representative Delgado. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2731, a Bill for an Act concerning utilities. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2755, Representative Chapa LaVia. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2755, a Bill for an Act concerning higher education. Second Reading of this Senate Bill. No

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

Speaker Turner: "Third Reading. Mr. Clerk, we have Senate Bill 2757. Read the Bill, Mr. Clerk. Representative Hamos."

Clerk Mahoney: "Senate Bill 2757, a Bill for an Act concerning courts. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2768, Representative Joyce. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2768, a Bill for an Act concerning health facilities. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments."

Speaker Turner: "Out of the record. Senate Bill 26... Senate Bill 2830, Representative Hultgren. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2830, a Bill for an Act concerning insurance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Am..."

Speaker Turner: "Out of the record. Sorry. Out of the record. Senate Bill 2839, Representative Mitchell. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2839, a Bill for an Act in relation to certain land. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2847. Out of the record. Senate Bill 28... 2878. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 2878, a Bill for an Act concerning human rights. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2900. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2900, a Bill for an Act concerning public aid. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 20... 2918, Representative Delgado. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2918, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2940, Representative Miller. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2940, a Bill for an Act concerning public health. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2944, Representative Sommer. Read the Bill, Mr. Clerk. Out of the record. Senate Bill 2946, Representative Fritchey. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2946, a Bill for an Act concerning civil rights. Second Reading of this Senate Bill. No

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

Speaker Turner: "Third Reading. Mr. Clerk, what's the status of Senate Bill 2731?"

Clerk Mahoney: "Senate Bill 2731 is on the Order of Third Reading."

Speaker Turner: "The Sponsor asks leave to bring the Bill back to Second Reading. Leave is granted. The Bill will be returned to Second. We have Senate Bill 300... 3013. Out of the record. 3014, Representative Bellock. Representative Bellock. Read the Bill, Mr. Clerk. 3014."

Clerk Mahoney: "Senate Bill 3014, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 3069. Out of the record. Senate Bill 3091, Representative Flider. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3091, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 3107, Representative McCarthy. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3107, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. Senate Bill 3109, Representative Bradley. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3109, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 3166, Representative Delgado. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3166, a Bill for an Act concerning sexually violent persons. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 3174. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3174, a Bill for an Act concerning civil liabilities. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 3189. Read the Bill, Mr. Clerk. Representative... out of the record. Senate Bill 3200, Representative Bradley. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3200, a Bill for an Act in relation to executive agencies. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. Senate Bill 3211, Representative Joyce. Out of the record. Mr. Clerk, Senate Bill 2839. Read the Bill."

Clerk Mahoney: "Senate Bill 2839, a Bill for an Act in relation to certain land. Third Reading of this Senate Bill."

Speaker Turner: "Out of the record. Mr. Clerk, what's the status of Senate Bill 2548?"

Clerk Mahoney: "Senate Bill 2548 is on the Order of Third Reading."

Speaker Turner: "The Gentleman asks leave to have the Bill brought back to Second. All those in favor should say 'aye'; opposed say 'nay'. Leave is granted. What's the status of Senate Bill 2382, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2382 is on the Order of Third Reading."

Speaker Turner: "The Gentleman asks leave to have that Bill brought back to Second Reading. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' it. And leave is granted. What's the status of House Bill 4883, Mr. Clerk?"

Clerk Mahoney: "House Bill 4883 is on the Order of Second Reading."

Speaker Turner: "Gentleman asks leave to have that Bill brought back to Second Reading. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And the Bill will be brought back to Second. And what's the status of Senate Bill 2835, Mr. Clerk? On the Order of Second Readings, page 3 of the

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Calendar we have House Bill 6078, Representative Pankau.
Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6078 has been read a second time
previously. No Committee Amendments. Floor Amendment #1,
offered by Representative Pankau, has been approved for
consideration."

Pankau: "Thank you, Mr. Speaker. House Amendment #1 gives the
Department of Commerce and Economic Opportunity the
authority to establish the certified business park program,
in which it would set standards for the development and
maintenance of business in industrial parks and make them
easily accessible to businesses and employers. This has no
money attached to it. It is a badge of distinction program
that is being put into place. The department itself would
set the regulations. I ask for your approval of this
Amendment."

Speaker Turner: "Seeing no questions, the question is, 'Shall
the House adopt Floor Amendment 1 to House Bill 6078?' All
those in favor should say 'aye'; all those opposed say
'no'. In the opinion of the Chair the 'ayes' have it. And
Amendment #1 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. The Lady from Cook,
Representative Graham, for what reason do you rise?"

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. I have a school from my district here that was
performing in the rotunda, a jazz band, Percy Julian Middle

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School from Oak Park. Please welcome them to the General Assembly."

Speaker Turner: "Welcome to Springfield. Mr. Clerk, read House Bill 6078."

Clerk Mahoney: "House Bill 6078, a Bill for an Act in relation to economic development. Third Reading of this House Bill."

Speaker Turner: "The Lady from DuPage, Representative Pankau, on House Bill 6078."

Pankau: "Thank you, Mr. Speaker. I explained the Amendment which then becomes the Bill. It is a program to put in place a certified industrial park program. There is no money attached to it and it is part of the jobs initiative of this House. I ask for your favorable approval."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 6078?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Second Readings we have House Bill 6200, Representative Rose. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6200 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Rose, has been approved for consideration."

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Speaker Turner: "We'll take it out of the record. The Gentleman from Boone, Representative Wait, for what reason do you rise?"

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

Speaker Turner: "State your point."

Wait: "Yes, I'd like to introduce Jay Paris' son's class from Spectrum School in Rockford, Illinois. He has 23 eighth graders from Spectrum School and if we could show 'em a Springfield welcome. They're right up here to the right."

Speaker Turner: "Welcome to Springfield. On page 4 of the Calendar... and for the Members edification, we're going to go down the Calendar, Senate Bills-Third Readings. If you do not wish to call the Bill, please let the Chair know. The first Bill on that order of business is Senate Bill 1576, Representative Lindner. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1576, a Bill for an Act in relation to zoning. Third Reading of this Senate Bill."

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

Lindner: "Thank you, Mr. Speaker. This is a Bill that's in agreement with all the telecommunications companies and it provides for a notice to be given to people who are in unincorporated areas when a cell tower is going to be constructed."

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

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

Speaker Turner: "She indicates she will."

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Franks: "Representative, we've had... we tried to pass legislation similar to this a couple of years ago, where we would actually allow people to object to the siting of cellular towers. Would your legislation allow for people to object or would this merely notify them?"

Lindner: "This legislation would allow them to be notified and it would require certain information on who they could talk to, you know, to object to it. But, it would... it's for a notification."

Franks: "When... the notice requirement is only... is it 30 days before it's to be constructed, right? So, by this time they've already... the county has already approved the cellular tower. Would that be correct?"

Lindner: "I don't... I don't think so. I think there is room for the people then to go to the county and to object with their county. But, this just addresses the notification of it. Now to commencing construction."

Franks: "I see what you're trying to do. I'm just not sure it does anything. Because the way I'm reading the Bill it says that within 30 days of construction they'll have notice. But... so they have notice that something's going up, but it isn't... does not seem that they're able to do anything about it. Could you please show me in the Bill where this would give anyone the ability to do something about it?"

Lindner: "Well, since the county is the one deciding where to construct the facility they could go to the municipality, they could go to the county, they could go... if the notice

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gives the name and address of the company responsible for the construction, the governmental entity. And so, then it... it's at least better than it is now. Which right now there's no notification at all and all of the sudden you look and there's a cell tower that goes up. So, this provides them with some means to object to certain people."

Franks: "Now... the notice requirement... you're requiring the telecommunications carriers to do this. How are... who are they going to notify and how will they do it?"

Lindner: "Well, if you read the legislation, I believe it says everyone within... let's see..."

Franks: "Within 250 feet of the proposed cell tower."

Lindner: "Yeah. Within 1.5 miles of the municipality and with that, yeah, the footage of the cell tower."

Franks: "So, what they're saying is, if you're within two... the way I read this is that the only people who are going to get notification are those that happen to live within 250 feet of the proposed facility? Correct?"

Lindner: "Yes. This is in unincorporated areas. This is because..."

Franks: "Right."

Lindner: "...in an unincorporated area previously there was no notice give at all."

Franks: "I understand, but..."

Lindner: "One of these things could just pop up next to your house at any time."

Franks: "...in unincorporated areas 250 feet there might not be anyone who resides there. Oftentimes these facilities are

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put in the middle of cornfields. Where I live in McHenry County, for instance, most of these cell towers or many of them I should say are put out in cornfields and no one lives within 250 feet. So, would then... the telecommunications folks would not have to give anyone any notice under this Bill."

Lindner: "Yeah. It has to be the people that are adjacent to the property. So, people that are adjacent to that property will be notified."

Franks: "That's... I'm not sure that's what the legislation says."

Lindner: "From the property line."

Franks: "Pardon me?"

Lindner: "From the property line."

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

Lindner: "Oh, are you waiting for me?"

Franks: "Yeah."

Lindner: "I'm sorry. It is to... the... reading the legislation, it's 250 feet from the parcel."

Franks: "Right."

Lindner: "So, that would be... if they're in the middle of a cornfield, whatever that parcel is then they have to... it wouldn't... the parcel doesn't mean just the cell tower, the parcel is the property that it would go on. So, it would be within 250 feet of that."

Franks: "Okay."

Lindner: "This is the legislation that was worked on by Senator Link for quite sometime in the Senate and I had a Bill that

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was much more far reaching than this and this was in negotiation with all the companies. So, this is a good start."

Franks: "Okay. To the Bill. I appreciate what the Sponsor's trying to do. And the best I can say, it's a baby step. And hopefully we can go much farther with this because I think people need to have an opportunity to object to these cell towers if they so choose. And I think we also need to give the municipalities and the counties much more ability to control where these things go. I tell ya, in McHenry County our county government does not give anyone notice even though they could. What they do is they actually send it to my office and I end up sending them to the... to everyone who lives in that area and use it through the state. We... I think we need to do much more comprehensive Bill, but I understand this is a start and I guess that's one way to go down the slippery slope. So, in that... for that reason, I will stand in support. But, hopefully, next year we can do better."

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

Fritchey: "Thank you, Speaker. Simply to declare that as a result of a possible conflict, I'll be voting 'present' on this matter. Thank you."

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

Poe: "Mr. Speaker, also due to maybe a conflict of interest I will be voting 'present'."

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

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

Speaker Turner: "To the Bill."

Bellock: "I would just like to speak in strong support of this Bill because while serving on the DuPage County Board this was a major problem of these that would pop up with people that were living right outside of a municipality. So, I strongly support this. Thank you."

Speaker Turner: "The Lady from Kane, Representative Lindner, to close."

Lindner: "Yes, thank you. As I said, I would thank all the communications... telecommunications people that worked on this Bill. It is a start and I think a start that is needed in particularly my areas, in my unincorporated areas. And I'd ask for a favorable vote."

Speaker Turner: "The question is, 'Shall Senate Bill 1576 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 3 voting 'no' and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings we have Senate Bill 1914, Representative Holbrook. Read the Bill... out of the record. On the Order of Third Readings we have Senate Bill 2134, Representative Delgado. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 2134, a Bill for an Act in relation to criminal law. Third Reading of this Senate Bill."

Delgado: "Thank you, Mr. Speaker and Members of the House. Senate Bill 2134 creates a new offense within the Criminal Code entitled, criminal use of a motion picture exhibition facility. The Bill is an initiative of the Motion Picture Association of America as an effort to combat illegal recording and piracy of first-run movies. The Bill establishes elements for offense, corresponding penalties and exception for various activities outside the purview of piracy, tapings made for law enforcement purposes. Basically, what this Bill does is prevents a person from going into a movie theater with their video cam and recording the movie that you're watching. They then take that movie and go out into the communities and sell these movies as first runs. Well, they're pirated movies with a lot people's heads in the way and they go in there and record them. So, many times you might see the credits and you might see someone you know because you say, 'I know that person.' Because it's someone who's watching the movie along with you. So, this is a very simple Bill. We want to protect the indus... the interest of the industry and not let someone produce those movies and come out into the streets of Aurora or Chicago selling them on our corners. I would ask for your 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2134 pass?' All those in fav... all those in favor should vote 'aye'; all those opposed vote 'no'. The

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voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 1 voting 'nay'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings we have Senate Bill 2135, Representative Davis. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2135, a Bill for an Act relating to schools. Third Reading of this Senate Bill."

Davis, M.: "Thank you, Mr. Speaker. Senate Bill 2135 amends the School Code and it states that those schools that are on the early academic warning or watch list that have grades K through 3 are eligible for a grant in order to reduce and maintain a class size reduction of no more than 20 pupils. If a school does not have the physical facilities to allow them to decrease class size to no more than 20 then they're eligible to hire a particular aide for the classroom. We have a number of Sponsors and we urge an 'aye' vote."

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

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

Speaker Turner: "She indicates she will."

Meyer: "Representative, what are the parameters in terms of applying for this grant? Is it only on... what do you have to do to be eligible for it?"

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Davis, M.: "You have to be on the early academic warning or the academic watch list and also maintain grades K through 3 in your building."

Meyer: "And how... how is the definition of 'class size' determined? Is that..."

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

Meyer: "...Is the definition of 'class size' written into the Bill or is it the same parameters that the State Board of Education's... currently uses for class sizes?"

Davis, M.: "Well, this Bill states, 'of no more than 20 pupils.'"

Meyer: "But, how is that calculated? And the reason why... I guess every time we talk about class size I probably have asked these same questions. I don't have a problem with what you're trying to do, I just... if we continue to count everybody, including the janitor in as having touch with these kids, we'll never get down to what we're really trying to do. Case in point, my daughter teaches in a school that claims that the class size is 26 for her grade and she happens to teach the third grade. However, she's got 30 kids in her class and somebody else has less than 26 and then they average it out. And yet, the school would on their report card or whatever... whatever they file with the State Board they... they say they meet that class size of 26 or whatever it is."

Davis, M.: "Because..."

Meyer: "That's what I'm concerned about."

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Davis, M.: "...I understand what you're saying, Representative. You're saying that some schools use administrators as a ratio to the pupils. And sometimes they do that in order to have freed personnel. But this Bill states that in a classroom of children K through 3, there can be no more than 20 children in that classroom. This would not fit the ratio that you're speaking of."

Meyer: "So, it's each and every class in that building then that..."

Davis, M.: "No, no, not each and every class. Just those grades K through 3."

Meyer: "...Well, again each and every class in those grades K through 3?"

Davis, M.: "That is correct, Representative."

Meyer: "Yeah. Okay. Well, I certainly think you've got a good point in what trying to do. I only hope that it works given the problems that we sometimes have with the... the State Board of Education and our other administrators on how they report these class sizes. I.. I just don't think it really lends itself to... to having that class size."

Davis, M.: "I understand what you're saying exactly. And some buildings, for example, use a ratio of adults to children to state their class size. This in no way is affected by that or attempts to do that. This Bill merely says in every grade that's K through 3 of classes... or schools on the academic warning or watch list they will have 20 or fewer primary children in those classrooms."

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Meyer: "What would it take to expand that into all schools regardless of whether they're on the watch list?"

Davis, M.: "Well, I do know that figures have been purported and they're really very, very high; many, many millions of dollars. And that's the only reason we are limiting it to those on the early watch list or warning list because at this point it is phenomenal."

Meyer: "Well, you know, and I'm not, again, I'm not trying to be argumentative with you, but it... it seems to me that the figures that I see from the school systems from around that state that I've been privy to, oftentimes the high cost of education's blamed on the teachers and yet I see there are excessive administrative fees. Certainly by putting more teachers in front of a classroom I don't know as to why that would increase the cost of education to the state that much when the majority of the work... the majority of the expenses does not go to that teacher standing in front of the classes, but rather to the administration of the school. I... I think that we ought to join hands on both sides of the aisle and... and take a look at education and into how we can get accurate accounting of... of how the money is allocated and reported so we can get a good picture of what it really does cost to educate our children."

Davis, M.: "That's... that's an excellent point, Representative."

Meyer: "Thank you."

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

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

Speaker Turner: "She indicates she will."

Eddy: "Representative, is there a estimate as to... and I understand this is subject to appropriations?"

Davis, M.: "That's correct."

Eddy: "Is there an estimate of the number of schools that would be affected that have... that are academic early warning at this time that would be eligible for this grant?"

Davis, M.: "You know I really don't want to misquote, but I believe it's a little over 300."

Eddy: "300 schools?"

Davis, M.: "About 340."

Eddy: "And in those schools have you... has anyone identified the possible fiscal impact, the total cost if this were to be appropriated, how much it would cost?"

Davis, M.: "You said have the figures been... probably, but I don't have them. We probably talked about it in committee, but I don't remember what they were."

Eddy: "Well, we... we have some estimate on our analysis and it may not be correct because it would be hard to... to pinpoint this unless the appropriation was made. But the estimate is that to take care of the schools that are on academic early warning that may have the class size problem would be approximately \$100 million. Does that sound..."

Davis, M.: "No, it doesn't sound... that doesn't sound like what we've talked about at all. No."

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Eddy: "But, this... this grant is to provide for any school on the academic early warning list that has class sizes larger than 20 to allow them to reduce that class size down to 20 or below?"

Davis, M.: "That's correct."

Eddy: "But, really, at this time there's no accurate way to know how much that appropriation would be?"

Davis, M.: "There... there's no what?"

Eddy: "No accurate way to put a price tag on how much this program would cost if appropriations became available?"

Davis, M.: "Well, the reason, Representative, is some schools will come off of the academic watch list. A school may be on in 204 (sic-2004), but may be off in 2005. This legislation has received phenomenal support from the IEA, the IFT, the LEND Corporation, South Cooperative Organization for Public Education, SCOPE, ED-RED, CTU, AFL-CIO, Carpentersville District, Illinois State Board of Education, IBEW, ATU and the list goes on of their support for this legislation."

Eddy: "And I have no question about that, in fact I intend to support. I just wanted to see if there was any way to estimate what the cost was. But, I wanted especially to make the point that this is subject to appropriations and at this time that would only be... the \$400 million that... that perhaps might become available if the appropriation were to go for that. That's... that's the only way this would be appropriated."

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Davis, M.: "Well, I believe that if the dollars are available this... this grant will be available and they could come from federal dollars or state dollars. But if it's available this is what Illinois plans to do."

Eddy: "So, this... this would also then allow for the use of some federal dollars for this purpose?"

Davis, M.: "If so, yes."

Eddy: "Okay."

Davis, M.: "Yes."

Eddy: "Thank you."

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

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

Davis, M.: "I thank all the Sponsors who have signed onto this legislation and I would just urge an 'aye' vote, Mr. Speaker."

Speaker Turner: "The question is, 'Shall Senate Bill 2135 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'nays', 0 'presents.' And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 2151, Representative Brauer. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2151, a Bill for an Act concerning municipalities. Third Reading of this Senate Bill."

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Speaker Turner: "The Gentleman from Menard, Representative Brauer."

Brauer: "Thank you, Mr. Speaker, Members of this Assembly. This Bill's a very simple Bill. It allows the area known as Curran, Illinois, a community of about 200 people to deal with an EPA violation on septic tanks. All this does is allow them to incorporate so they can address this problem. Curran was laid out in 1835, they made their first step to incorporate in 1857 and now they're ready for their second step. I'd appreciate an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2151 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings we have Senate Bill 2156, Representative Grunloh. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2156, a Bill for an Act concerning wildlife. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Effingham, Representative Grunloh."

Grunloh: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 2156 creates the... the Illinois Hunting Heritage Protection Act. Basically, what it does is it provides for no net loss of public hunting ground in State of Illinois."

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Annually, the DNR will assess if there is ground taken out for a natural or nature area they will open up and additional area for hunting. But it's not adding ground, it's just no net loss of hunting ground. Be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2156 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 voting 'aye', 4 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading we have House Bill... Senate Bill 2164, Representative Franks. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2164, a Bill for an Act in relation to vehicles. Third Reading of this Senate Bill."

Speaker Turner: "Thank... thank you, Mr. Speaker. Senate Bill 2164 is identical to House Bill 3821 which Representative Kurtz carried and passed in the House unanimously 112-0. This Bill passed also in the Senate unanimously 58-0. What it does is it stiffens penalties for watercraft accidents. I'd be glad to answer any questions."

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

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

Speaker Turner: "He indicates he will."

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Parke: "Representative, just a quick question. It's our understanding you were supposed to hold this on Second Reading?"

Franks: "We were going to... we were thinking of possibly putting on an Amendment and I spoke to the Senate Sponsor and she and I decided not to put an Amendment on, to run the Bill as it was. There was no agreement to hold it. I... I suggested in committee that we may come back with an Amendment, but there was no agreement to hold."

Parke: "You're sure there's no agreement at all on this legislation to hold it until an workable agreement... Amendment was cut?"

Franks: "Absolutely positive."

Parke: "Okay. Thank you, Representative."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2164 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading we have Senate Bill 2167. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2167, a Bill for an Act concerning the Office of the Secretary of State. Third Reading of this Senate Bill."

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

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Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, Senate Bill 2167 creates the offense of bribery to obtain driving privileges. It broadens the class of people that are subject to the bribery statute. It includes... well the present bribery statute as written includes the intent to influence any public officer, public employee, juror or witness. This Bill, 2167, adds more classes of individuals including employees of the Secretary of State's Office, owners and employees of commercial driver training schools licensed by the Secretary of State and any other individuals authorized by law to give driving instructions or administer all or part of a driver's license examination. This offense would also be a Class II felony as of the regular bribery statute is. It has passed out of Senate committee and out of the Senate unanimously, as well as out of House committee unanimously. I ask for your 'aye' vote."

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

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

Speaker Turner: "He indicates... she indicates she will."

Fritchey: "There's no way to do this without having my back to you. We already have the offenses of bribery; we already have the offenses of bribery of a public official. I understand the underlying issue that gave rise to this, but why... I guess why is this necessary as opposed to just throwing another statute on the books? I... any type of bribery involving public safety, any type of bribery

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involving a public official or health and welfare is a serious issue. And I'm just worried that we're going to start to micromanage and microlegislate where we wind up with 20 or 30 classifications of bribery based on the underlying offense."

Gordon: "Is that... why are we expanding... the current bribery statute doesn't cover the... the commercial driver training schools and the other individuals authorized by law, that's why we're expanding it. This... this is something that's necessary coming out of the issues that occurred in the Secretary of State's Office so that we can have criminal prosecutions for these offenses."

Fritchey: "Oh, so maybe I didn't... so I may have misunderstood. So, it's not just bribery of a state official then? If somebody bribes a private individual toward obtaining a government privilege of driving they would be covered under this?"

Gordon: "Yes."

Fritchey: "Good answer. Thank you."

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

Black: "Thank you very much, Mr. Speaker. The real reason I rise is just to make sure I still could at this hour, but I would like to know if the Sponsor would yield?"

Speaker Turner: "She indicates she will."

Black: "Representative, let me follow up on some... Representative Fritchey and I are thinking on the same lines which probably scares him more than it scares me."

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What... I don't see any language in the Bill that says if the person is found innocent of the attempted bribery charges, it doesn't appear to me that there's any language that the court would say, you... you... you may not or shall not suspend his license or her license. It seems to me that the complete power to determine whether or not a driver's license is issued or reissued rests with the Secretary of State and not a court of law."

Gordon: "Well, first of all, Representative, if I can correct you. No one is ever found innocent, they're just found not guilty. Second of all, the 120-day provision, I believe, is what you're talking about. I would compare that to the statutory summary suspension provision in the DUI statute. If you are given a ticket for DUI, if you're found guilty... but then found... later found not guilty of driving under the influence, your driver's license can still be suspended civilly through the Secretary of State's Office under the statutory summary suspension statutes. And I would say that this Bill has that comparable type of situation that is available."

Black: "So, if I'm accused of attempting to bribe a Secretary of State official, how is that different from attempting to bribe any state official? They're both Class II felonies, aren't they?"

Gordon: "Yes, Sir."

Black: "Can a felon have a driver's license?"

Gordon: "Yes, Sir."

Black: "While they are incarcerated?"

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Gordon: "Well, they can have one while they're incarcerated, but I don't think..."

Black: "Well, it's awful hard to drive, though, isn't it?"

Gordon: "...exactly."

Black: "Yeah. Yeah, I have a prison in my district and not much room inside to drive. So, the... the Secretary of State... what... who does the Bill determine or does the Bill give specific language as to who in the Secretary of State's Office will make this determination? Is it the Secretary of State, his designee, the inspector general? Who... who's going to make the determination whether or not a person is issued or reissued a license?"

Gordon: "It's the... it's the Secretary of State's Office, Representative."

Black: "The Secretary of State, Jesse White, in other words?"

Gordon: "It... it... possibly I'm sure that Secretary White has the... has the power to do that. Although, I'm sure that there are some administrative officers within the Secretary's Office who can make that decision."

Black: "Let me... let me go back to what Representative Fritchey was saying. Why do you want to add another classification of a Class II felony when the law... the existing law on the books says you cannot bribe an official? And if you are found guilty of that offense, depending on the judge and jury and/or the mood of whoever's in the courtroom, you may do some time. Why do we need to add the specific offense of trying to bribe a driver's license examiner?"

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Gordon: "Well, Sir, this is in response to the license for bribe scandal that occurred. This... the way the bribery statute was written the people in the commercial driver's training schools and the other... other individuals who are allowed to give driving instruction authorized by the state were not covered under that type of bribery statute. So, now with this offense, bribery to obtain driving privileges, those classes of people are now covered."

Black: "Okay. What if the driver's license examiner solicits the bribe? What's the punishment for that?"

Gordon: "They... they also would be able to be prosecuted under this, Sir."

Black: "About six months ago there was a driver's license examiner... I can't remember where it was, in the Chicago area I think, that solicited a bribe and I... I will give Secretary of White full credit. The inspector general discovered that attempt and I think that individual was... was fired as well... as well he should have been. But, I don't believe he was prosecuted. Was he not prosecuted because there are no applicable law to prosecute a state employee for soliciting a bribe?"

Gordon: "I don't know, Sir, I have not reviewed that case."

Black: "Okay. Could I ask you a favor?"

Gordon: "Maybe."

Black: "Yeah, well, don't... don't call me sir. I call my, you know, that's my father. It makes me feel very old."

Gordon: "Represen..."

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Black: "I don't care what you call me, but you don't have to call me sir."

Gordon: "...Well, I..."

Black: "You can call me Bill or you can call me William or you can call me to dinner, but don't call me sir. It makes me feel very old."

Gordon: "I..."

Black: "But, whatever."

Gordon: "...I don't mean to offend, Representative Black. It's merely a term of respect that I use for... for a Legislator such as yourself."

Black: "Well, as well it should be. Just as long as it isn't a term of endearment because that may be against the law, I'm not sure. Unless it was welcome and in my case such a term of endearment is always welcome. But, anyway I... I... where was I? Oh, yes."

Gordon: "I... I believe you were about to say that you were going to vote 'yes' on this Bill and give it back to..."

Black: "I... I don't know... I..."

Gordon: "...the Sponsor."

Black: "...I'm thinking very seriously of charging you with elder abuse referring to me as sir. And I think that's a Class III felony, I'd like to get that increased. But anyway... it's... I guess... I guess I have just have a problem and I think Representative Fritchey framed it more eloquently than I. To bribe a state official is against the law and I don't see any distinction in bribing a driver's license examiner or bribing or attempting to bribe a state

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official. I mean, do we really need... one of the things I think Representative Fritchey and I could agree with and I hope you would as well, we need to completely rewrite the Criminal Code in this state. It is so confusing and so cobbled together and we keep adding penalties and classifications and so forth. But... but... but, that... that aside, do we really need this classification of... of a felony?"

Gordon: "Yes, Sir. Yes... Yes, Representative. Excuse me."

Black: "All right. Now, let me go back to my earlier scenario. If I am charged and if I am indicted and if I go to court and a jury of my peers feels that there is insufficient evidence that I in fact attempted to bribe a state official to get a driver's license, would the Secretary of State still have the authority under this Bill to say, 'Well, I don't agree with the court. I think you did. And therefore, I'm not going to give you a driver's license.'?"

Gordon: "Yes, Representative, but it's not that the Secretary of State is saying that they disagree with the court, they're using a different standard under a civil penalty, not a criminal penalty."

Black: "So, if I was denied my... on the other side of that then. If I were denied license privileges even though a court of law and a jury of my peers found me not guilty of an attempted bribe and I was still denied my driver's license, could I then use the civil courts for an injunction or relief against the Secretary of State?"

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Gordon: "That's something you'll have to explore with an attorney, Representative. It's... it's... it's under the same... in the same way that a statutory..."

Black: "All right."

Gordon: "...summary suspension for a DUI..."

Black: "Wouldn't... wouldn't it be simpler if we just made people who were accused of trying to bribe a driver's license official... couldn't we just make them put on a pink license plate on their car? So, that they would be readily identifiable as a potential bribest... well, whatever the word is."

Gordon: "If that's the... if that's the particular color that you want that would be fine, Representative."

Black: "I think pink would send a strong message."

Gordon: "Okay."

Black: "And we tried that on DUI, didn't we? Wasn't that going to be an orange plate or something like that? All right. I... I... I'm, you know, I'm like Representative Fritchey; I don't really think this is necessary. I think it's probably politically motivated more than motivated to clarify the law or to make certain that nobody attempts to bribe a driver's license official. But, you've given reasonable explanations for all my questions and I.. I do appreciate that."

Gordon: "Thank you."

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

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

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Speaker Turner: "She indicates she will."

Gordon: "No. No."

Lang: "Representative, you don't have to call me Sir either."

Speaker Turner: "She said no."

Lang: "She said 'no'? It'd be the first time. Just a quick... No, no, I... that's not what I meant. So, Representative... I was completely misinterpreted, I'll have you know. Representative, according to my analysis the Department of Transportation took no position on this Bill, is that correct?"

Gordon: "Yes."

Lang: "Does that mean they said nothing or they... they affirmatively said we have no position on this Bill?"

Gordon: "I don't know."

Lang: "Don't you think it's odd that the administration has nothing to say about this issue?"

Gordon: "No."

Lang: "That's it, you answered my question."

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

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

Speaker Turner: "She indicates she will."

Molaro: "By seeing the Bill, L.. I, you know, as far as the state official that part, maybe they're right, maybe we don't need the statute. But, would you explain to me about when it's in... these driving schools, okay? Do you need a certificate or... from a driving school to be able to get a license, in certain instances I would assume?"

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Gordon: "No, but this... some people go to the commercial driver training schools for truck training or depending on what type of license that they want to... to receive."

Molaro: "So then, what you're also trying to stop which probably isn't in present law why I kind of like the Bill, is that someone may go to these driving schools and try to bribe that instructor to get some type of certificate that has really nothing to do with the Secretary of State? Is that... is that in your law now that that is... that is now illegal?"

Gordon: "I'm sorry, I don't know if I... if I heard you all the way? I don't understand."

Molaro: "So... Senator, how are you, nice to see you? Good, doing fine. Apparently, as I read this... it says, 'or an individual authorized by the laws of the state to give driving instructions or administer... or administer part of the test.' In other words, is there... does this Bill have anything to do with the fact that if I went to a driver's school where they would certify that I went there or if traffic court sent me to school and they certified I went there and I went to bribe one of those people, not a Secretary of State employee, the people that we go to school for while it implies, would this Bill cover that or not at all?"

Gordon: "Well, I think you're talking about two different situations."

Molaro: "Right."

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Gordon: "If someone is sent to traffic school to receive supervision, for example, on a ticket..."

Molaro: "Right."

Gordon: "...that's not what this is addressing."

Molaro: "Okay."

Gordon: "This is addressing people who go to these driving schools to learn how to drive so that they then go to the Secretary of State's Office to receive their driver's license. The private driving schools..."

Molaro: "Okay. Well, I... does your Bill cover if I try to bribe an owner of a driving school? Would your Bill cover that instance? Are we talking about strictly Secretary of State employees?"

Gordon: "No, no, no, no, not strictly Secretary of State employees. It also covers those individuals who are... who are authorized by law to give the driving instructions such as in those schools."

Molaro: "Okay. Thanks."

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

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is good legislation. It... it closes... it broadens bribery to people who have the public safety in their hands to put people on the streets, other drivers that we come into contact with every single day. There has not been a vote in opposition to this Bill since it originated in the Senate. And I ask for your 'aye' vote."

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Speaker Turner: "The question is, 'Shall the House approve Senate Bill 2167?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Davis, for what reason do you rise?"

Davis, M.: "Thank you, Mr. Speaker. First of all, we've been asked, why are women wearing red today? And we just want to announce that this is the beginning of Women's Health Week. Today is the kickoff for women's heart. More women are dec... become deceased or die from heart disease than any other disease. More Americans die in this country, 1 out of every 2.5 Americans dies from heart disease. We're urging all women who are wearing red or who are wearing the red dress to come forward and we're going to have our picture taken. So, we invite the women and men if you have on the red dress. So, we're kicking off Heart Health Week. Thank you."

Speaker Turner: "You may want to wait till Representative Coulson finishes this Bill. On the Order of Third Reading we have Senate Bill 2171, Representative Coulson. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 2171, a Bill for an Act concerning professional development. Third Reading of this Senate Bill."

Coulson: "Thank you very much, Mr. Speaker. And I would appreciate passing Senate Bill 2171 which basically takes the Great Start Program that we passed three years ago and makes it permanent by removing the sunset clause from the original legislation. And I can answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2171 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Gordon, you want to come down? The Gentleman from Cook, Representative Giles, for what reason do you rise?"

Giles: "Thank you, Mr. Speaker, for a personal announcement."

Speaker Turner: "State your point."

Giles: "To some of the Black Caucus Member and any Member that would love to participate, tonight we're going to have our 3rd Annual Strike For A Cure bowling tournament... benefit for the National Children Cancer Society. We're looking for bowlers. If you would love to bowl and have fun and raise donations for a good cause, this event will take place at the Strike N Spare West, 2660 West Lawrence in

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Springfield. The time is from 6:30 p.m. to 9:30 p.m. There will be lots of food and fun, beverages for everyone. So, if you would like to be on a bowling team please see me. We would love to have you. Thank you, Mr. Speaker."

Speaker Turner: "On the Order of Third Readings we have Senate Bill 2272, Representative Black. Read the Bill, Mr. Clerk. Out of the record. We have Senate Bill 2273, Representative Froehlich. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2273, a Bill for an Act concerning recreational trails. Third Reading of this Senate Bill."

Froehlich: "Mr. Speaker, Senate Bill 2273 is a fairly simple Bill. It just increases the percentage of the Off-Highway Vehicle Trails Fund that must be used for its intended purpose which is to accommodate motorized recreation. Currently, 60 percent of the fund must be used for its intended purpose. This Bill would raise that to 92 percent. It... the Bill passed committee unanimously. And I'm happy to answer any questions about it."

Speaker Turner: "Seeing no questions... the Gentleman from... the Lady from Cook, Representative Lyons, for what reason do you rise?"

Lyons, E.: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Lyons, E.: "Representative, under this legislation will ATVs or these vehicles be able to go into nature preserve areas?"

Froehlich: "No."

Lyons, E.: "And so does this fund... is it now used for enforcement of the present trails?"

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Froehlich: "Yes. Some... some monies are used for enforcement purposes."

Lyons, E.: "I have heard from constituents who are concerned that this will take funds away from the appropriate enforcement of present trails. Is that true or not?"

Froehlich: "Well, we did not hear... DNR is neutral on this. Had... had DNR... if they had a concern about too few resources for enforcement they never expressed it in committee or up until now. They're neutral on this Bill. So, if there is a problem it's not coming from the agency whose job it is to enforce the law."

Lyons, E.: "Okay. The other concern is coming from environmentalists who are concerned that this is going to infringe on natural resources. So, I guess, I would like assurance from you that this is not going to allow these off-track vehicles to infringe on protected areas."

Froehlich: "No, there's nothing in this Bill that changes the... the intended purpose of the Off-Highway Vehicle Trails Fund. All we're going is changing the percentage that must be spent for the intended purpose."

Lyons, E.: "So, the... but, do the funds go for the creation of more trails?"

Froehlich: "Yes. To... to..."

Lyons, E.: "And that's their concern. Is that... there'll be more trails, therefore more pollution, more invasion of property."

Froehlich: "But, not in designated parks. It's... remember it's people who... the people who buy these vehicles and use them

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are paying a fee. And that's where the money comes from. And that money is supposed to be used to provide accommodations for those people. And... and that's what's being done here."

Lyons, E.: "So, again, I just wanted to get reassurance that the drivers of these vehicles pay into the fund, correct?"

Froehlich: "That's right."

Lyons, E.: "And previously, there was a smaller amount of money going into the upkeep and provision of more trails and now you're taking more money to be able to make more trails. And that that will not diminish the ability for law enforcement to protect those vehicles from going off the present trails?"

Froehlich: "I have no reason to think so from DNR. If DNR had come and said, 'Gee, this... this 8 percent that's left isn't sufficient,' then I would have hesitated on this. But, they never said a word about this. So, the concerns about too little monies are not coming from the state agency in charge of enforcement."

Lyons, E.: "Thank you very much."

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

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

Speaker Turner: "He indicates he will."

Sacia: "Ladies and Gentlemen of the House, there was just a question raised regarding this Bill and I think there's a great deal of concern for off-road recreational ATV vehicles that they are going to be operating in forest

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preserves and so forth. One of the things that I think is very important to recognize that each of these vehicles pays \$17 in a registration fee that goes to the DNR for grants and so forth to ultimately create areas that are noninvasive. A good example, in the Rockford area right now there's an initiative going forward in an area of town that's an old quarry to establish the very vehicle areas that... that the Representative that is sponsoring this Bill is talking about. And so, I think that the concern about the increase in funds going to this really hits the nail right on the head in that it's simply creating a situation where only 8 percent of the funding goes to administration and the rest goes to grants and other situations to create these trails that will be beneficial to everybody, that will be very conservation oriented. And I think it's an exceptionally good Bill and I'd like to be added as a cosponsor. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall Senate Bill 2273 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 94 voting 'aye', 24 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. We'd like to welcome to the chamber the Senate All-Stars, we have Representative... I should say, Senator Severns (sic-Syverson) in the back and Senator Maloney getting a

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briefing from the House ball players for tomorrow. We want to welcome to the chamber. Looking forward to seeing you out there tomorrow, Senator Syverson, I know it's going to be great. We have Senate Bill 2320, Representative Winters. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2320, a Bill for an Act concerning utilities. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Winnebago, Representative Winters. Don't give away all our tips for tomorrow."

Winters: "Thank you, Mr. Speaker. Senate Bill 2320 is a relatively simple Bill that amends the Public Utilities Acts. It states some of the goals that we have for renewable energy in the state and then asks the public universities to use the Clean Energy Community Trust to fund these renewable projects. The only difference between the Senate Bill is we did add biomass along with solar and wind energy."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2320 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings we have Senate Bill 2327, Representative Grunloh. Read the Bill, Mr. Clerk."

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Grunloh: "Senate Bill 2327, a Bill for an Act concerning vehicles. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Effingham, Representative Grunloh."

Grunloh: "Thank you, Mr... thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2327 attempts to correct a problem that we saw last year with some of the temporary scales and being set up ticketing farmers for overweight permits or over... being overweight in their vehicles. This is... this... this... we've worked this Bill out with a compromise between DOT and township officials. It basically does four things. It permits local jurisdictions and the Illinois Department of Transportation to issue excess weight permits year round for agricultural commodities including plants, livestock, ensilage and fruits and vegetables. It also states the gross weight vehicle, such vehicle... it may not exceed the gross weight of the vehicle, the maximum gross weight of the registration class of the vehicle under the Vehicle Code. It also allows for the issuance of fees for special permits for increased axle loads for hauling agric... agricultural goods. Fees shall be \$5 per axle instead of \$10 per permit. Requires all implements of husbandry to... that are operated between sunset and sunrise to be equipped with amber lights. Be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2327 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now

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open. Have all voted who wish? Have all voted who wish?
Have all voted who wish? The Clerk shall take the record.
On this question, there are 118 voting 'aye', 0 'noes', 0
'presents'. And this Bill, having received the
Constitutional Majority, is hereby declared passed. The
Lady from Cook, Representative Davis, for what reason do
you rise?"

Davis, M.: "Mr. Speaker, I just want to add for the record that
the American Heart Association and the Illinois Heart
Association along with the Illinois Department of Public
Health are the sponsors of Women's Heart Health Day. Thank
you."

Speaker Turner: "We have Senate Bill 2335, Representative
Feigenholtz. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2335, a Bill for an Act in relation
to health. Third Reading of this Senate Bill."

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

Feigenholtz: "Thank you, Mr. Speaker. Senate Bill 2335 amends
the Community Health Center Expansion Act. Provides for an
additional three years of funding after an initial three-
year grant, subject to appropriation. I'd be glad to
answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall
Senate Bill 2335 pass?' All those in favor should vote
'aye'; all those opposed vote 'no'. The voting is now
open. Have all voted who wish? Have all voted who wish?
Have all voted who wish? The Clerk shall take the record.

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On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading we have Senate Bill 2337, Representative Granberg. Out of the record. We have Senate Bill 2372, Representative Reitz. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2372, a Bill for an Act concerning agriculture. Third Reading of this Senate Bill."

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

Reitz: "Thank you, Mr. Speaker. House... Senate Bill 2372 is cleanup language from the Production Contract Code that Representative Mautino had last year. This changes the Flesch Code reading on contracts and basically cleans up language from last year. I'd be happy to answer any questions."

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

Mautino: "Thank you. For the purposes of legislative intent, I have a few questions I'd like to ask the Sponsor. This applies to production contracts signed on or after January 1st of 2005. Does this also apply to what I would call a standard or ordinary contract for the sale and purchase of regular commercial crops, such as #1 yellow soybeans or #2 yellow corn?"

Reitz: "Thank you for asking that question, I was hoping you would. What?"

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Mautino: "Glad to."

Reitz: "It has never been and is not now the intent of the legislation to cover standard ordinary contracts for the sale and purchase of such simple commercial crops as #1 yellow soybeans, #2 yellow corn, assuming the... those contracts do not contain the elements specified in the code which would otherwise make them production contracts."

Mautino: "Could..."

Reitz: "You have other questions?"

Mautino: "You know, actually I do. I couldn't tell you read that at all. To be sure we're talking about the same thing, what do you mean by standard or ordinary contracts?"

Reitz: "I was hoping you'd ask that also. We mean contracts which provide for the sale and purchase of regular commercial crops such as #1 yellow soybeans or soybeans of lesser quality or #2 yellow contractor corn of lesser quality, which contracts do not, for example, designate a specific input such as seed variety or contain directions for... as to planning, cultivating, harvesting or handling or require crops to have any value enhanced characteristics or are for the production of seed or contain any grain specifications or standards beyond those normally and customarily associated with the types of commercial crops we are discussing."

Mautino: "Thank you."

Reitz: "Is that all?"

Mautino: "Actually, there's one more. It'd be under question three."

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Reitz: "I see that, yes."

Mautino: "So, I have producers in my district that grow #2 yellow corn and #1 yellow soybeans. The producers sign a contract in the spring to deliver a crop in the fall and in this example the price has been set. Am I correct in saying that it's not your intent that this type of contract be considered a production contract?"

Reitz: "Thank you. Answer: that is correct. Unless there are... that is correct unless there are present in the contract any of the elements mentioned previously."

Mautino: "It's amazing; we're on the same page."

Reitz: "Yes, we are."

Mautino: "Thank you for your... for your patience and your work on the Production Contract Act. I simply ask for an 'aye' vote."

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

Bost: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Bost: "The last communications back and forth, it seemed a little scripted. I... I... I'm wanting to know, you know, if that was planned or..."

Reitz: "It's just our personalities, I think. Do you have any questions? Would you like to do question #2?"

Bost: "Oh sure, I could do that. Thank you, Representative."

Speaker Turner: "The Gentleman from Macon, Representative Mitchell. The Gentleman from Randolph, Representative Reitz to close."

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Reitz: "Thank you, Mr. Speaker. I think we've had a good 'off the cuff' conversation and questions about this. And I'd appreciate an 'aye' vote."

Speaker Turner: "And the question is, 'Shall Senate Bill 2372 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take... the Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading we have House... Senate Bill 2378, Representative Miller. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2378, a Bill for an Act concerning child care. Third Reading of this Senate Bill."

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

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2378 requires the Department of Children and Family Services to notify child care facilities during license examination and any monitor... monitoring visits of unsafe... unsafe children's products. And in this way in which facilities can access comprehensive lists of recalled and unsafe products. I ask for a favorable vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2378 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The... Representative Colvin, Marlow Colvin. Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading we have Senate Bill 2381, Representative Howard. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2381, a Bill for an Act concerning nursing. Third Reading of this Senate Bill."

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

Howard: "Yes, thank you, Mr. Speaker. Senate Bill 2381 increases the amount of money from the Nursing Dedicated and Professional Fund to be appropriated to the Department of Public Health for nursing scholarships. It increases the amount from 750 thousand to \$1.2 million beginning July 1st. And of course, this is in accordance with the Nursing Education Scholarship Law."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2381 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. We have House Bill 2395 (sic-Senate Bill). Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 2395, a Bill for an Act concerning professional regulation. Third Reading of this Senate Bill."

Speaker Turner: "Out of the record. The Gentleman from Macon, Representative Flider, for what reason do you rise?"

Flider: "Yes, Mr. Speaker. Apparently, I had a malfunction, I pushed the 'green' button, I meant to be recorded 'green' on that previous vote."

Speaker Turner: "Done. The record will so reflect. On the Order of Third Reading we have Senate Bill 2429, Representative Slone. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2429, a Bill for an Act in relation to transportation. Third Reading of this Senate Bill."

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

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is an initiative of the State Police. It would require uniformity in bumper heights for trucks of a certain size that under existing law are not covered. Trucks below 9 thousand pounds are covered and those above 10 thousand pounds are covered. This would fill that gap. I'd be happy to answer any questions and appreciate your 'aye' votes."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill...' I'm sorry, the Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

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Black: "Representative, in the case where a production vehicle may be manufactured, such as a third generation Hummer or a generation of sport utility vehicles, if that... if the production run of those cars has a bumper that does not meet this height restriction off of the street, what do we do in that case?"

Slone: "As far as I know, Mr. Black, those bumpers... I mean they would be required to meet the minimum standard. However, the standard sets a height restriction and anything below that, I believe, is satisfactory. I'm not aware of any production vehicles within that size range that would have higher bumpers than what the statute would call for."

Black: "The reason I'm asking these questions is we... we got ourselves in trouble a year ago when we tried to tweak the second division vehicle over 8 thousand pounds. And that includes a number of pickup trucks, we call them in our area duallys. Dual wheels on the back, quad cab, means two seats, four doors on a pickup truck. They exceed 8 thousand pounds. And I... I don't... I'm not going to belabor the point, I've made it before. Those trucks, even though they are personal vehicles for personal use, have to pay the new CDF fee. But, the real rub comes in is that they can exempt from sales tax. That is a mistake that was made by the administration a year ago which they have not yet closed off. And they wonder why their income projections aren't meeting what they had hoped to do. My fear is with this Bill... if an SUV is... is manufactured by a... an automobile manufacturing company and because of the

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popularity of bigger pickup trucks, SUVs, they want more ground clearance so that they can actually go off-road. And if the height of that rear bumper is only... well not only, is 33 inches off the road, rather than 30, I don't think we can ticket a commercial vehicle that's put out on the street because that would be interstate commerce. Now, we don't have any... the... the states don't have any legal authority to regulate interstate commerce. And I believe in... in... in committee if I remember correctly the liaison for the Illinois State Police said, 'that's right.' If it's a production vehicle then we can't... we can't regulate the height of that bumper."

Slone: "It's... it's certainly true that if it is a production vehicle that's used in interstate commerce that is a commercial vehicle..."

Black: "Okay."

Slone: "...it would certainly be exempt, yes, that's right."

Black: "All right. Now, are you familiar with what we call high riders? Where you take a pickup truck and you put the body of that truck on higher springs, maybe air-inflated shocks and so the truck may sit 40 inches off the road. And so, that bumper is not going to meet this standard. So, if I understand the intent of your Bill, a high rider that has been for lack of a better word, it's been after market retrofitted. So... and a lot of people think that's really cool, they really like those. The way they got around the Bill that we passed 12, 15 years ago is they would manufacture what I call a 'shade tree' mechanic bumper.

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They would put on a couple of pieces of angle iron and then bolt a piece of steel to the angle iron. And so the... the jury-rigged bumper would meet the standard, but the actual bumper on the truck may be 10 inches over 30. So, if I understand this your Bill's going to bl... close off that... again, lack of a better word, that loophole?"

Slone: "That's the intent, Mr. Black. And it also... based on the recent... fairly recent definition of bumper would disallow the kind of..."

Black: "Right. Okay."

Slone: "...'shade tree' mechanic example that you just gave because the bumper would have to be something that is designed to absorb the impact of a collision. Which that clearly..."

Black: "All right."

Slone: "...would not be designed for that purpose."

Black: "Now, you know, what I... what I... I'm not sure how we're going to do this. If... if a... if a young man or woman buys a \$30,000 pickup and for whatever reason it's over the 8 thousand pound weight limit and they... they modify it so that it's a high rider and sits a considerable... oh, three feet or more off the road. In other words, the oversized tires and the body of the truck may be three and a half, four feet above the road. Now, under the current law, that truck is... is... you're able to license that truck and you're able to drive it on the highway because from what I gather it... it meets the definition currently of... of street legal. Now, if they don't meet this bumper requirement then are..."

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are the statutes going to be in conflict? Because currently if they have fenders, lights, et cetera, that the wheels are enclosed, they're street legal. So, now we're going to have another addition to the statutes, and while your high rider may be street legal, but if your bumper's more than 30 inches off the ground you are not street legal. So, are the two statutes in concert or... or are they going to be in conflict?"

Slone: "My understanding from the state highway patrol is that... from State Police is that this just fills the gap between the current statute which goes up to 9 thousand pounds and the commercial statute that begins at 10 thousand pounds. So, for those larger trucks like the ones you're describing that are still below the commercial limit, the lower commercial limit, this would just fill in between the ones that have that height requirement that are under 9 thousand pounds and those between 9 thousand and 9,999 pounds."

Black: "All right."

Slone: "So, they should not be in conflict in... to answer your question."

Black: "My only fear is and I know what you're after and I have seen and read articles where these high rider trucks will come over the hood of a vehicle, run into a car and obviously the front end of that truck goes right into the passenger compartment."

Slone: "Yeah."

Black: "And that same thing can happen if they come upon a... a car in a rear-end collision. The only thing that concerns

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me is there are people in my district who spend a great deal of money to purchase the vehicle and then a great deal of money to modify the vehicle because for whatever the reason they think sitting four and a half, five feet off the ground is just a cool thing. And on any weekend on television on the sport channels, you see these... I can't remember the names of some of these monster trucks, but they sell out the Assembly Hall, I think they sell out the Prairie Capitol Convention Center... and you have a convention center over in Peoria don't you? A little small one as I recall. I mean, these... these monster trucks and they jump over things and they crush things and they're very popular. So, people try to imitate them with... with vehicles that are street legal. But it appears to me that the bumper requirement is really going to close off that... that ability to put these on the street, right?"

Slone: "Well, you could put them on the street. I suppose you would then run the risk of having a citation because the bumpers..."

Black: "Okay."

Slone: "...would be above what the State Police consider to be a safe..."

Black: "And then..."

Slone: "...level and it would be out of compliance with the statute."

Black: "Now, I... when I drove over here Sunday afternoon, I noticed the semi-trailer trucks, the... obviously they're high off the ground. And... and they appear to have some

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very flimsy bumpers on the back of a semi-trailer truck to me. It appears that I'm going to go right through that bumper and go underneath the bed of that semi and again, right into the passenger compartment. But, if I remember the debate in committee and the liaison for the Illinois State Police, commercial semi-trailer vehicles are not covered under this Bill. Beca... are they exempt..."

Slone: "That's correct."

Black: "...under the Federal Motor Carrier Act or something? They're just..."

Slone: "They're... Yes."

Black: "Okay."

Slone: "They're governed by federal."

Black: "Okay. All right."

Slone: "That's right."

Black: "It just kind of seems odd to me that there are thousands of semi-trailers on the road that we can run under and many people have. And of course, generally, they don't walk away from it. But a pickup truck is going to meet a definition of a bumper. I... I would think more people were at risk with a semi-trailer with... with an inadequate bumper than a pickup truck. But, I understand that the Federal Motor Carrier Safety Act will not let us regulate tractor trailer bumpers. That... that's the purview of the Federal Government, correct?"

Slone: "It's the federal commerce clause."

Black: "Okay."

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Slone: "Those trucks... the newer ones of those trucks do have an additional..."

Black: "Yeah, they're... they're making some improvements..."

Slone: "...item under..."

Black: "...I'll give grant."

Slone: "an additional..."

Black: "So, in other words..."

Slone: "...bar underneath to prevent that type of accident."

Black: "...if your Bill passes I'm going to have to go home and tell my wife that she can no longer drive her Ford pickup, she calls it, 'big bad boy'. She has to get a step ladder to get in that thing. And now, she isn't going to be able to drive it? She isn't going to be very happy with that. She loves to get in that thing."

Slone: "Well, she could certainly drive it on your property, or she could talk to the State Police about an Amendment."

Black: "Oh no, she drives up and down the street and at red lights she really scares people. If... if you don't go on the green, I mean she pulls right up behind you and you know you better get going. So, she isn't going to be able to drive that 'bad boy'?"

Slone: "I'm sorry?"

Black: "She isn't going to be able to drive that bad boy under your Bill?"

Slone: "I'm afraid not."

Black: "Well, it's the end of bigfoot, I hope you know what you're doing. All right. It's... well I... I'm going to have you call my wife. I don't think I want to tell her she

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can't drive that 'big bad boy' anymore. So... Okay. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall Senate Bill 2429 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 104 voting 'aye'... 105 voting 'aye', 13 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading we have Senate Bill 2442, Representative Holbrook. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2442, a Bill for an Act concerning municipalities. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Speaker. Senate Bill 2442 brings the Municipal Code in line with the Illinois Department of Transportation statutes on vacating easements. This Bill passed out of the Senate unanimously. It passed out of our committee 16-0. I know of no opposition with the utilities and the Municipal League all in favor. Be glad to take any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2442 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record."

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On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading... the Gentleman from McHenry, Representative Franks, for what reason do you rise?"

Franks: "On a point of personal privilege, Mr. Speaker."

Speaker Turner: "State your point."

Franks: "I'd like the Body to recognize retired Senator Klemm from McHenry County in the front of the well back with us today. Welcome."

Speaker Turner: "Welcome Senator Klemm. On the Order of Third Readings we have Senate Bill 2444. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2444, a Bill for an Act concerning schools. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from St. Clair, Representative Holbrook, for what reason..."

Holbrook: "Thank you, Speaker. Senate Bill 2444 simply allows dependants of U.S. Military personnel to attend school in the district that they're going to moving into in the next 60 days if they're in temporary military housing. I know of no opposition to the Bill. Passed out of the Senate 55-0, passed out of our committee unanimously. And be glad to take any questions."

Speaker Turner: "The question is, 'Shall Senate Bill 2444 pass?' All those in favor should say... vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. We have Senate Bill 2453, Representative Brauer. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2453, a Bill for an Act concerning vehicles. Third Reading of this Senate Bill."

Brauer: "Thank you, M..."

Speaker Turner: "The Gent..."

Brauer: "...Thank you, Mr. Speaker. This is Bill... Senate Bill 2453. Beginning with the 2006 registration this would take the gold star plates and... for seniors that are eligible for circuit breaker, reduce that price from 78 to \$24. Currently, there are only 77 gold star recipient plates issued by the Secretary of State's Office. I appreciate your support on this. I'll answer all questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2453 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of Senate Bill 2270?"

Clerk Mahoney: "Senate Bill 2270 is on the Order of Third Reading."

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Speaker Turner: "The Lady asks leave to have the Bill brought back to Second. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And leave is granted. On the Order of Third Reading we have Senate Bill 2457. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2457, a Bill for an Act concerning wildlife. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Randolph, Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Senate Bill 2457 allows the use of dogs to track wounded deers... deer... I sound like Representative Forby... it allows the dog to track wounded deer as they move through the woods. If... and it's an issue of DNR and the Illinois Federation of Outdoor Resources. I'd be happy to answer any questions."

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

Hamos: "For a question, Mr. Speaker?"

Speaker Turner: "He indicates he will."

Hamos: "Representative Reitz, is this... I didn't see the... I haven't read the exact Bill like I usually like to do, I'm just reading the synopsis. Is this Bill aimed at dogs? I mean, is this like a Bill that we've written for dogs? That they're... we require them to understand our statutes because otherwise they'll get in trouble? What... what is this?"

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Reitz: "Maybe I need to read it a little closer. I don't think so... I think... the intent is to allow people if there is a deer... deer during hunting season that was wounded to allow... basically, people to use the dogs to hunt the deer to find them so they can capture that deer, instead of just running off and dying in the woods."

Hamos: "And so right now under our current law, dogs are prohibited from tracking wounded deer?"

Reitz: "Correct. Correct."

Hamos: "And what happens if they do?"

Reitz: "They violate the law. It... they... the dogs have to be on a leash..."

Hamos: "I'm sorry, I'm sort of a city girl here so I'm trying to understand this..."

Reitz: "...the..."

Hamos: "...this procedure here."

Reitz: "...the dogs have to be on a leash and... and are used and basically, the hunters use the dogs to track the deer, to track the scent to find a... a deer that may be... that was injured somehow during hunting season."

Hamos: "And then what if they find a wounded deer? What do they do with it?"

Reitz: "They process it."

Hamos: "And what is... what does that mean?"

Reitz: "That means they take it to a plant and usually drain the blood out and then process it for hum... for consumption."

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Hamos: "And so right now under current law, when a dog finds a wounded deer they have to leave the wounded deer there?"

Reitz: "If... if a dog can read, yes."

Hamos: "Well, that's what I'm wondering, I mean..."

Reitz: "This is more specifically for dogs on... on a leash. I actually think if I read this right, I think the intent is more toward humans than dogs, actually."

Hamos: "And who introduced this Bill? Why did we decide that we needed a law on the books for this?"

Reitz: "Senator Sieben. It's actually an initiative from DNR at the request of deer hunters and people that use dogs to track deer. This... this is similar legislation that seven or eight other states have."

Hamos: "Okay. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall Senate Bill 2457 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading we have Senate Bill 2460, Representative Pritchard. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2460, a Bill for an Act concerning gaming. Third Reading of this Senate Bill."

Pritchard: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill provides that before the Governor may enter into

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a compact with a Native-American tribe authorizing the Native-American tribe to conduct gambling in Illinois, the Governor must submit a request for authority to enter into the compact to the General Assembly and receive legislative approval to enter into that compact."

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

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

Speaker Turner: "He indicates he will."

Lang: "Representative, I think you know that in committee I had many significant questions about federal gaming laws and the laws in this state regarding making interstate compacts. And I think you know that I asked staff on both sides to come back with a report as to whether they think we can do this. And it... would you agree that it appears that we can do this if we wish to and that the law's wide open on this?"

Pritchard: "Yes. Our staffs have both found that federal law does provide that before any tribal state compact can be negotiated that states do have the authority to apply the criminal and civil laws and regulations of the Indian tribes, and that the allocation of criminal and civil jurisdiction between the state and the Indian tribe necessary for enforcement of such laws and regulations. Further, we have found through our research, that in New Mexico there has been a case tested in their Supreme Court that was classified as precedent setting, that ruled that

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the Governor could enter into a compact with the Legislature in coming up with a agreement with the Indian tribe. Also, in New York we find a case that their Appellate Division of the New York Supreme Court has ruled unanimously that all gaming compacts negotiated with Indian tribes by the Governor must be approved by the state Legislature."

Lang: "Well, thank you, Representative. Has the Governor's Office indicated to you or to your staff any opinion on this legislation, which purports to take away some power he may have?"

Pritchard: "We've... we've not received any communication about those concerns."

Lang: "Well, and to my knowledge, we haven't either. Thank you, Representative. To the Bill, Mr. Speaker. You know, Ladies and Gentlemen, this is an important piece of legislation. It's important not because it's about gaming, it's important for what... for what it means. And so, last year we heard about Indian tribes that wanted to put a casino in Hoffman Estates and this year we're hearing about Indian tribes that wish under federal gaming laws to take over land in the south suburbs of Cook County to stem the tide of our citizens leaving for Indiana everyday to spend their money in Indiana casinos. And the real issue here is not about the gaming, 'cause there's really nothing pending yet on those issues. The real... the real issue before us is how we going to deal with this. And under the current law which is silent on this, it would conceivable for this

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Governor or any Governor to simply enter into a compact with Indian tribes to allow them to do tribal gaming in the State of Illinois. Now, I think you know that today, Illinois riverboats are paying something like 70 percent tax at the upper end while Indian tribes in Wisconsin and in Minnesota are paying something like a 4 percent fee to the state for that privilege. And so what the Gentleman has here is a Bill that would indicate on this issue that the Legislature is what the Constitution of the State of Illinois has provided that we're a co-equal branch of government. This Bill would say that the Governor could not on his own enter into such a compact taking away from the Legislature any ability to have any final say-so in an agreement with these Indian tribes relative to tribal gaming in the State of Illinois. So, this is about the Constitution. This is about asserting our right as an Illinois House and an Illinois Senate to make the General Assembly a co-equal branch of government. And for that reason, mainly, I support the Gentleman's Bill."

Speaker Granberg: "Representative Granberg in the Chair.
Representative Miller, the Gentleman from Cook."

Miller: "Will the Sponsor yield?"

Speaker Granberg: "He indicates he will."

Miller: "Just a couple of questions. First being, I noticed a wide variety of proponents for this. Do you have any general comments on that? I mean, usually these proponents are anti-gaming and just wanted to get some feedback from you on that."

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Pritchard: "I... I suppose we could say because they see the wisdom of good legislation."

Miller: "Well, the..."

Pritchard: "I... I think that speaks to the heart of it that this is sound policy, that we're involving ourselves as representatives of the people in policy that deals with compacts with a sovereign nation. That it deals with fairness and it deals with allowing local people to express their opinions and attitudes about important public policy issues. So, we are pleased that a broad coalition of proponents and anti-opponents to... supporters and opponents to gambling have come together in support of this legislation."

Miller: "Let... let me get this right. And I couldn't hear some of the answers that were asked of you. Wouldn't this preempt federal law, considering that the... Native-American gaming is... is on a federal level as opposed to a state level?"

Pritchard: "No, it does not circumvent federal law. Federal law says that states... once there is a recognized claim of the Indian nation that states have a obligation to negotiate in good faith with them. And if in fact they do not negotiate in good faith, the courts always are a source of resolution in that matter."

Miller: "So... so... so if the Legis... Legislature did not approve this particular piece what... how would the... interact on a federal level then?"

Pritchard: "No."

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Miller: "If the Legislature said 'no' to whatever was proposed then wouldn't that trigger a feder... federal lawsuit?"

Pritchard: "Excuse... Excuse me? Could you restate that question?"

Miller: "Let me... let me just... let me make... make sure I understand the Bill correctly here. This allows the Governor to seek legislative approval for gaming towards a Native-American gaming proposal, is that correct?"

Pritchard: "What it... what it's stating is that the Legislature becomes a participant in granting any compacts with a sovereign Indian..."

Miller: "Okay."

Pritchard: "...nation. It does not require that. Federal law says that there needs to be negotiations..."

Miller: "Okay."

Pritchard: "...that recognized claims."

Miller: "In that case, assuming... let's say we vote it down. Proposals been, the place is selected and it is brought be from... brought before the General Assembly and it's voted 'no'. Then what happens?"

Pritchard: "So, if the General Assembly says 'no', the Governor has an option, I suppose, to present a new package to the General Assembly. And seeking no agreement, then we come back to the federal overriding legislation that says there must be some agreement in good faith that's in the interest of the citizens. So, what that says is if we fail or the Governor isn't able to move forward or doesn't want to move forward that the Indian tribe then could use as their last resort moving to the courts."

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Miller: "Well, let me ask you this then. Is the... is the... is the intent of... of Native-American gaming to help a underserved or economically depressed population? And also, is it intent for economically distressed areas?"

Pritchard: "So, there's probably lots of intents in allowing gaming. I think it comes back to the sovereign nation being able to do what they feel is in their best interest. And this certainly has nothing to do or to prohibit the... the Indians from doing what's in their best interest as long as they don't harm other people in the sovereign nation of the United States of America. That's what we're most concerned about is that the Legislature and therefore local citizens have an opportunity to weigh in on the Governor and the Legislature's decision of granting such a compact that would perhaps give a license to the Indians."

Miller: "Can I ask who... where did you get this... this Bill from? This info... I mean where did this... what was... what was the... where... where was it derived?"

Pritchard: "So, this piece of legislation really came from the Senate, from Senator Burzynski in the 70th... 35th District. And it really arrived from a lot of local concern that we have in our district with a Native-American tribe that claims to have the sovereign status. And what we're really doing is there is no issue on the table right now. We're trying to... to have policy clearly in place that allows local people to have some impact in the negotiations that might follow."

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Miller: "You're saying... you're saying local in how close. And is that... you're saying local people via... via the General Assembly with their particular Legislator? Is that what you're saying?"

Pritchard: "Yes."

Miller: "Or you're saying a group of town hall meetings? Or what are you saying?"

Pritchard: "So, it could be town hall meetings. It could be a number of ways of assessing local input and allowing local input. That's what we're most concerned about is right now the Governor of his own volition could chose to move forward with a contract that doesn't take into local concerns and issues and needs and costs for having a gaming facility in their neighborhood. So, this would allow a process through the Legislature of local people giving testimony and giving evidence that would allow the shaping of good public policy that could be in a benefit for both the local people as well as the sovereign nation."

Miller: "And... and last question. As of yesterday there was an announcement in regards to a Native-American gaming proposal in the south suburbs. How would that have effect if this Bill is passed? And when... and also when it would be the effective date?"

Pritchard: "Well, right now they don't have a proposal on the table, as I understand. The first step in this process of the Federal Government through the Department of Interior has to grant some standing to the Native-Americans' claim..

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land claim. That hasn't occurred in the south suburbs, it hasn't occurred in my district yet."

Miller: "Well..."

Pritchard: "So, really there is not valid issue on the table right now."

Miller: "...Well... what what is the effective date of this legislation?"

Pritchard: "The effective of this legislation? January 1 of 2005."

Miller: "Thank you."

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

Yarbrough: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Turner: "He indicates he will."

Yarbrough: "Representative, does this measure in any way expand gambling?"

Pritchard: "No, this does not in and of itself expand gambling... gaming. What this does is recognizes the fact that Federal Law is... has jurisdiction here, that if there is a sovereign nation and a sovereign claim that that sovereignty then could negotiate with the state. And this sets up a process where we can then have local input through the Legislature to deal with that request and the parameters to that request."

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Yarbrough: "Okay. And one other question. Someone mentioned something about opponents. On my summary, I don't see any opponents. Are there any opponents to this legislation?"

Pritchard: "No opponents have come forward."

Yarbrough: "Thank you."

Speaker Turner: "Representative Pritchard to close."

Pritchard: "As has been stated this afternoon, Ladies and Gentlemen, this is a good Bill that allows public policy to be developed through input from people. It allows a sharing of ownership in such decisions and policy with the Legislature and the Governor. And I think it's a good Bill when you look at the supporters to it and the debates that we have had. I would urge your support."

Speaker Turner: "The question is, 'Shall Senate Bill 2460 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 109 voting 'present'... no, voting 'aye', 9 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading we have Senate Bill 2480, Representative Moffitt. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2480, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

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

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Moffitt: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2480 is an initiative of the Township Officials of Illinois. Last year under House Bill 1455 we passed legislation that removed the requirement that road projects be approved by the county engineer. And this cleans that up and takes care of all of the language in that Act. There are no opponents. It simply makes it more efficient for township government to... to operate. And this is just cleaning up what was left out in last year's legislation. Be happy to entertain any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2480 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading we have Senate Bill 2502, Representative Froehlich... Froehlich. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2502, a Bill for an Act concerning vehicles. Third Reading of this Senate Bill."

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

Froehlich: "Thank you, Mr. Speaker. Senate Bill 2502 was requested by the Administrative Office of the Illinois

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Courts. It resolves a conflict between State Law and Supreme Court Rules regarding court appearance for... for two traffic violations. It increases the minimum fine to \$100 yet it maintains the mandatory court appearances. There are no groups in opposition. It passed the Senate unanimously. I'll be happily... happy to answer any questions."

Speaker Turner: "The question is, 'Shall Senate Bill 2502 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. We have Senate Bill 2526. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2526, a Bill for an Act concerning military affairs. Third Reading of this Senate Bill."

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

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2526 amends the Military Code of Illinois and requires the Department of Military Affairs to create and make available a publication setting forth the rights and responsibilities. This is to address the problem that... the Illinois Military Family Relief Fund when we checked last year, less than 1/3 of the families that were eligible for this fund had actually applied. The

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Department of Military Affairs has no position on this, but has said it would be of very little cost because the legislation does allow it to be under printed or electronic means. And it's supported by every veterans group in the State of Illinois."

Speaker Turner: "The question is, 'Shall Senate Bill 2526 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Lyons, for what reason do you rise?"

Lyons, E.: "Thank you, Mr. Speaker. I'd like to make a Motion to Table Senate Bill 2227."

Speaker Turner: "The Lady asks leave to table Senate Bill 2227. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Bill will be tabled. On the Order of Third Reading we have Senate Bill 2530. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2530, a Bill for an Act concerning aging. Third Reading of this Senate Bill."

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

Nekritz: "Thank you, Mr. Speaker. Senate Bill 2530 establishes a much needed public private partnership. And allows the Department on Aging to accept monetary grants, gifts and bequests that are to be deposited into the Senior Center

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Grant Fund. To encourage participation in this program, donors can specify either a particular senior center or a geographic area when making a donation. And the department is directed to develop a branded marketing campaign that can be used by individual senior centers at their discretion and expense. I ask for your support."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2530 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all... Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading we have Senate Bill 2545. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2545, a Bill for an Act concerning consumer protection. Third Reading of this Senate Bill."

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

Fritchey: "Thank you, Speaker. Senate Bill 2545 is an excellent piece of consumer protection legislation put forth by the Illinois Bankers Association. In order to take on the pro... ongoing problem of identity theft, what this Bill would do is prevent insurers from printing an individual's Social Security number on their health insurance cards. Like most of you and most of our constituents, I carry my health insurance card in my

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wallet. And if somebody gets their hands on that, that gets them off and running onto a potential crime spree. There's been a lot of work between the bankers association and the insurance companies. The effective date on this is 2006. And with the discussions and revisions that have been made, I don't know of any opposition. I'd be happy to answer any questions. Thank you."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2545 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings we have 2491... Senate Bill 2491, Representative Parke. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2491, a Bill for an Act in relation to insurance. Third Reading of this Senate Bill."

Speaker Turner: "Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is... simply amends the provisions... Insurance Code. Requires notice of assignment, transfer, renewal or cancellation of a policy; to provide that the respective parties and the option to accept notifications electronically. It's very simple. It's just... instead of having it done by paper it can be done electronically. It's more effective. It's going to cost... save money. And

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I think it's a good idea to allow that to happen. It's optional if they wish to do it."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2491 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading we have Senate Bill 2546. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2546, a Bill for an Act concerning sex offenders. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Berrios. Out of the record. We have Senate Bill 2551, Representative May. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2551, a Bill for an Act in relation to public health and environmental protection. Third Reading of this Senate Bill."

Speaker: "The Lady from Lake, Representative May."

May: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2551 is the Mercury Reduction Act. It... last year we dealt with mercury dealing with thermometers, the ban and this year there are some more steps. This Bill defines mercury relays and switches. It sets three different things. Beginning July 1, 2005, no person shall purchase or accept mercury in schools. Beginning July 1st,

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no person shall sell relay switches... switches with... with those components. And July 1, 2006... oh, you know what, I've got the wrong copy here. I'm sorry. We've... we've taken several steps. This was an initiative of the EPA. Several midwestern states got together and we worked on having further reduction in mercury. We have worked with a lot of different groups. There will be some trailer Bills, Resolutions to deal with... switches and relays for they're in cars. I'll be happy to answer any questions."

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

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

Speaker Turner: "She indicates she will."

Parke: "Representative, in committee you stated that you could still own mercury thermometers though, that are their own, right? They just can't... you can't buy them. Is that..."

May: "You... they are no longer offered for sale nor are they allowed to be given out in the state."

Parke: "...Okay, but if somebody was to go to another state and buy... buy one, I mean, that doesn't constitute any breaking of the law if they take it personally, right?"

May: "You are correct, Representative."

Parke: "And in committee was there anybody in opposition to what you... what your Bill was?"

May: "No, this Bill has no opposition now."

Parke: "Okay. Thank you, Representative."

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

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Black: "I'm not real sure, Mr. Speaker, but will the Sponsor yield?"

Speaker Turner: "She indicates she will"

Black: "Representative, did you just tell Representative Parke that you can't buy a mercury thermometer in the State of Illinois?"

May: "No. Yes, I did."

Black: "Why... why do hospitals still have them then? Where... where are they buying them?"

May: "Hospitals buying... the Mercury Act last year banned the sale of thermometers in Illinois."

Black: "Uh uh. Just said an Illinois company couldn't sell 'em. You know... and it helps our employment. You can't manufacture a mercury-based thermometer in Illinois and an Illinois company can't sell them in Illinois, but a repackager or a firm anywhere else can. Because you know they're still used in hospitals in... in considerable numbers. You know why that is?"

May: "I'd be happy to listen to your..."

Black: "It is the most accurate thermometer on the market to determine the temperature of an infant."

May: "Did I miss the question? I'm so sorry."

Black: "That's all right."

May: "Okay."

Black: "Now, they're... they're used rectally, they're not used orally anymore."

May: "We're..."

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Black: "Which is kind of what the Bill did to some Illinois businesses that used to manufacture and sell them, but they can't anymore. So, I guess the rectal thermometer is a good analogy because that's what we did to Illinois companies. Now, your Bill goes even a step further. Automobile recyclers aren't going to be able to scrap out a car if they have a mercury-based headlight element, correct?"

May: "Representative, that part of the Bill that the automobile recyclers found objectionable..."

Black: "Uh?"

May: "...has been taken out."

Black: "Well, I'll be darned. So, every once in awhile common sense does prevail?"

May: "We're... we have worked with them. We've worked with the pharmaceutical industry and other industries. I... it's... it's perhaps not as strong as we should be going with this. I... I... I hope that you are... you and other people are becoming aware of the potent neurotoxin mercury. We're finding that it damages brain function not only of children, but also of fetuses. So, it's very important to take steps. But, this is a small step forward."

Black: "Well, I... well I know..."

May: "We have recognized and worked with many industries."

Black: "...Yes... little baby steps. Absolutely. I... you know I... I grew up in an air conditioning and heating firm, a business owned by my family for more than 70 years. If I had a dollar for every mercury switch I installed I'd retire

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today. Maybe that's what's wrong with me. I've... come to think of it, I don't know."

May: "Oh, I don't think so, Representative."

Black: "And... and do you realize your furnace in your home probably has a mercury switch somewhere in it? 'Cause it's very accurate and it would determine when the fan comes on, when the burner comes on. But... but, we don't want to do that anymore, right?"

May: "We are working to remove them. Quite frankly, the Illinois EPA which has taken a lot of steps forward, this was their initiative, but Representative Froehlich and others and I were at a conference. But, the Illinois EPA tells me that the mercury from auto relays and switches is enough to pollute half of Lake Michigan. Representative, I'm... I'm very sympathetic and understanding of... of your thoughts on the matter. But, I am hoping that we will continue down this path with small steps to recognize the importance of mercury on the children of our state and to also begin to work with our many different industries. This..."

Black: "Yeah, I... I've never... I've never seen a child in an automobile scrap yard and I know no child could figure out how to get to the mercury clicks on switch in my furnace, but you know, that doesn't seem to bother me. Why don't we just outlaw it?"

May: "Rep... Rep... Representative..."

Black: "Why... why don't we just say, 'No, no, you cannot make anything out of mercury effective January 1st.' There can

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be no mercury used in anything in the State of Illinois.
Why don't we just do that?"

May: "...Well, that would be an ultimate goal. But, I'd like to
go back to..."

Black: "Oh, it's the ultimate goal."

May: "...what you said... Representative, I said it would be an
ultimate goal."

Black: "Yes."

May: "But, I'd..."

Black: "Yes."

May: "...to go back to what you said because you raise a very
good point and I would like to explain that. Quite
frankly, when the mercury is encapsulated in the headlights
and the switches or whatever or even in the thermostats
that you talked about with furnaces, it's not really a
danger as long as it's encapsulated. What happens though
is that when they are crushed or shredded or get into the
waste stream it gets into the air and it gets into the
water. Are you aware that every river and stream in the
State of Illinois has a mercury watch so that pregnant
women and even women of child bearing age are not... are told
not to eat fish from our own rivers and streams?"

Black: "Yeah, I... I've read something about that. So, why
don't we outlaw fishing? I mean let's stop things at the
source. If they're not supposed to eat fish from Illinois
rivers and streams, I... I assume it's okay to bathe in the
water that comes from Illinois rivers and streams? But,
why don't we just outlaw fishing?"

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May: "Representative, you brought up such an excellent point, I can't thank you enough today for bringing up all these points. When you say, 'Why don't we outlaw it at the source?' Yes, the source is in the switches and relays and thermostats and thermometers."

Black: "Yep, I agree."

May: "Yeah."

Black: "I agree."

May: "So..."

Black: "Effective January 1st let's outlaw thermostats. And any switch in every automobile that has mercury in it, outlaw all of those, too. Because..."

May: "Representative..."

Black: "...then we can put two candles behind some Saran Wrap and that'll be our headlight."

May: "Representative, you are just making so much sense today."

Black: "I know."

May: "But, we have taken small steps. We have taken small steps to phase thing in... to work with industry to start to get a handle. As I talked to the automobile recyclers about this Bill, when we were wanting to have them help with this, they... they did point out that they don't even know in what makes and what models Detroit has put mercury in car parts. So, we're giving them a reprieve, we're working with them. They're saying that their recyclers wouldn't even know which models. But, we have gotten some good lists from the National Caucus of Environmental Legislators. Many states are starting to recognize the

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importance of mercury and recognizing the importance. Quite frankly, I think that the key is to go to the source. It's not the poor fish, they didn't ask to have this mercury rain down on them from the air. It... it quite frankly, comes from the manufacturers. But, I think even you would agree with your wanting to go out and do something immediately and stronger that you'd agree that we've taken some very positive steps down the path of this very important issue."

Black: "Oh..."

May: "And I'm glad you want to do it this year."

Black: "...ab...absolutely. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I don't know why we wait. I think... I think we should remove mercury from the Chemistry Table of Elements, let's abolish that. And then absolutely no mercury of any kind can be used in anything in the State of Illinois. Then we can wrap the State of Illinois in a chemically, environmentally friendly plastic... Well, wait a minute, that's a contradiction of terms, some kind of bubble over the entire State of Illinois so that absolutely... I want a risk-free environment. I don't want to be subjected to any of those little stinking fish that might have mercury in their gills or whatever. I think we should outlaw salmon. I think we should outlaw McDonald's. I think we should outlaw all food except that that is approved by Dr. Atkins. We need to act quickly, we're at risk. We're... and if we are at such risk then why would we want to take such wittle bitty steps? Let's act

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decisively. Remove it from the chemical element, take it out of schools. Mercury is still available in chemistry labs in high schools and colleges around the country and certainly in the State of Illinois. I... I want NASA to eliminate planet Mercury. I... I want them to send up some kind of a remote control device that will either blow up... no, we couldn't blow up Mercury it might get in our environment. But, move Mercury to another solar system. I mean, listen I'm... I'm serious. We have to move as quickly as possible toward a risk free environment. I... I think I'm going to see if I can buy one of those inflatable bubble suits and I'm not making fun of people with autoimmune deficiency who have to live in one of those. But, maybe that's the only way that I can protect myself. I mean we've already taken my wife's high-rider pickup truck away today and... absolutely, I mean... there's no... there's no end to this. Well, I... I don't think the Bill goes far enough. And I don't think it gets there fast enough. I... I... if we're going to do away with mercury I think we should do away with everything that is harmful to our health. You know I used to play with mercury on my desk as a little boy. When... my father would bring mercury home from these switches and furnaces and it was really neat because it... you could separate it and it would roll back and forth and then I don't know what happened to it, I think the dog ate it. Come to think of it, maybe that's why the dog didn't ever really feel very good. But, I... you know, I mean... Representative Fritchey, I know will join with me. Why do

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we continue to allow cigarettes to be sold in this state? We know it's harmful. Why do we allow Legislators to smoke in this Capitol when it is against the law? I'm getting tired of this second-hand smoke. Why would we sell red meat? Oh, wait a minute that's on the Atkins diet, we're reevaluating that. Two years ago, alcohol would kill you. Now, if you drink in moderation it's good for your heart. I mean, I get so confused about these environmental rules the only thing I can do is to give up reading."

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

Miller: "Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Miller: "Representative, when... I think this Bill was first brought to light... there was some discussion on mercury as it relates in to mercury fillings in a dental office. Does this include that?"

May: "Representative, this Bill never had anything about amalgams in it. It has nothing to do with... with dentists as we've talked about. The Dental Society and the dentists are working with... when you were... when your group was down here just last week I had a great conversation with a constituent who... who talks about his mercury recycling. So, I applaud you for... for recognizing the dangers and I applaud you for working... working with it. But, I know that the Dental Society is... is trying to work on voluntary recycling of mercury."

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Miller: "Well, that's... that's not... that's not the question I have in regards to mercury. I mean, we have filters and things like that, but that's not the point I'm making. And actually a comment you made earlier was that mercury was not allowed in schools. And so as I know some other Representatives are doing some school-based dental programs, that means based on what you said is that those dentists that do provide typically free services in the schools cannot do... cannot perform silver fillings in a school because they do contain mer... mercury. Am I incorrect with that?"

May: "Okay. Representative, the Bill does specify primary or secondary school classroom for classroom use. So, I don't believe that your concern is... is valid. Any of your good work going into schools, working with children and dental health would... would not be covered by this."

Miller: "Under your definition... under your definition of... so, you're saying primarily in the... in the classroom setting is where you're eliminating mercury. So, in a health facility where they may have... where they're providing health services then it would be okay to have mercury? Or is it banning mercury from schools which is what, I believe, is what you said."

May: "Representative, I am... I am just so pleased that everyone who's speaking on the floor wants this Bill to do more and wants it to be stronger. If you'd like to offer that..."

Miller: "I didn't say that."

May: "...Oh."

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Miller: "No, I didn't say that."

May: "I thought you were leading to that."

Miller: "No. My point is, Representative, is exclusion of when you talk about mercury fillings it's actually as you mentioned earlier the word amalgam. Amalgam is a composition of different subject... of different metals. In addition, when it's placed inside the mouth it becomes inert. Actually, there's more harm to the practitioner than it is to most patients who have mercury fillings or those in this room who may have it or even children. So, my point is, is just really to be specific on this piece of legislation. Does it include in that regards the way it is... 'cause when you say mercury in the schools if it's a ban on schools then you are including mercury fillings in a school-based setting."

May: "It does not apply to... it does not apply to that, no. And, you know, you bring out that you are more at risk and I think that we are just all grateful that... that you continue to... your... your good dental services."

Miller: "The Illinois State... in our analysis the Illinois State Dental Society is... is listed as pro... opponent. Have you had any other discussions with members of the society to try..."

May: "I believe..."

Miller: "...to resolve the differences?"

May: "...I believe that is an error. I believe that they are neutral on the Bill. But, perhaps you'd know more than I. I thought the analysis was changed."

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Miller: "I'm sorry, I didn't hear you?"

May: "I thought the analysis was changed. I did not hear that they were... that they were an opponent."

Miller: "So, is that a yes or a no? Or are they..."

May: "The question being, 'Are they an opponent?'"

Miller: "...Yeah."

May: "I don't believe that they are an opponent. No, they are not an opponent. It does not cover... it does not cover any of the Dental Society's work."

Miller: "Okay."

May: "I... I met with them, they've been promising to get me some good analysis, but I don't believe I've received it yet."

Miller: "So, I just want to be real clear. This does not include mercury fillings in regards to in a school-based setting or in any other way, shape or form?"

May: "You are absolutely correct, Representative."

Miller: "Okay. Thank you."

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

Jakobsson: "Thank you, Mr. Speaker. I believe this is a good Bill. I think it's moving in the right direction to make sure that we are not polluting our environment with mercury in these steps that are addressed in the Bill. I have an old thermostat I know in my house and it has the mercury in it. And if I move to a different system and replace that I want to make sure that that mercury is not just thrown into our environment. Because we do know that the amount... a very, very small amount of mercury can pollute and kill all

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the fish in like a 20-acre lake. And we don't need to do that. We need to make sure that we protect our environment, make it safe. And we don't need to have mercury in our secondary and elementary classrooms for children to have the opportunity to play with it like it used to be many years ago. So, I would support a 'yes' vote on this Bill. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall Senate Bill 2551 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 97 voting 'aye', 16 voting 'no' and 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Yes, Mr. Speaker, I'd like the record to reflect that I have my Mercury automobile for sale today on eBay. Thank you."

Speaker Turner: "On the Order of... Mr. Clerk, what's the status of Senate Bill 2424?"

Clerk Mahoney: "Senate Bill 2424 is on the Order of Third Reading."

Speaker Turner: "The Lady asks leave to have the Bill brought back to Second. All those in favor say 'aye'; all those opposed say 'no'. And leave is granted. The Bill will be returned back to the Order of Second. The Gentleman from

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Lake, Representative Washington, regarding House Bill 5736.
Representative Washington."

Washington: "Thank you, Mr. Speaker. I want to make a Motion
to reconsider the vote, please?"

Speaker Turner: "The Gentleman has... pursuant to Rule 65 and
having voted on the prevailing side, he has asked to move
to reconsider the vote by which House Bill 5736 passed.
The question is, 'Shall House...' The Gentleman from
Vermilion, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. Inquiry of the
Chair. This is... perhaps the Chair could enlighten us on...
on what we're doing here. This Bill just passed the other
day. And... and... who made the Motion to reconsider the
vote?"

Speaker Turner: "Representative Washington."

Black: "He's reconsidering the vote on his own Bill? What...
enlighten me. What happened here? This is very unusual
for the Sponsor of a Bill that passed to reconsider the
vote by which the Bill passed."

Speaker Turner: "I will... I will yield to the Sponsor of the
legislation. The Gentleman from Lake, Representative
Washington, do you care to answer that question?"

Washington: "Mr... I mean, Representative Black, I'm trying to
bring it back so I can amend it. I thought it was done in
some kind mix up and I was making sure I kept my word in
terms of..."

Black: "So..."

Washington: "...the Amendment."

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Black: "...the Bill that passed didn't have the Amendment on it?"

Washington: "I thought it did, too, it didn't. No, Mr. Black..."

Black: "All right."

Washington: "...it was a shell Bill."

Black: "Well, that... that's a mistake of the Clerk."

Washington: "Okay."

Black: "And I think you should talk to the Clerk about that."

Washington: "Yes, Sir."

Black: "Clerk Rossi did not make those mistakes. And in all due respect, I know the Clerk is new, he's new. But, he's... he's been here long enough now to prevent these things from happening. He has caused the House embarrassment and consternation. So, I'm going to let this pass this time. However, I would... I would give notice to the Clerk, I do not like to be embarrassed, Mr. Clerk. Let's please not have a repeat of this. Have I made myself perfectly clear? Thank you. I don't expect this to happen again. You will be reprimanded at the appropriate time."

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

Pankau: "A question of the Motion's Sponsor? This is the Bill that is posted for Revenue Committee at 4 o'clock today. Will... does that mean that this Bill will not be heard or what... I'm very confused?"

Speaker Turner: "If the Gentleman's request to reconsider the vote passes, then the Bill will be heard in the committee where you say it's posted later."

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Pankau: "So, if we vote 'yes' to his Motion, then this will be heard in committee? And he wants to put the... the Amendment on in committee then?"

Speaker Turner: "The Amendment is what will be heard..."

Pankau: "Representative..."

Speaker Turner: "...in committee. That's correct."

Pankau: "Thank you."

Speaker Turner: "The Gentleman asks leave. Gentleman asks leave to reconsider the vote by which House Bill 5736 passed. All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes' and 0 'presents'. And this Bill, having received... this Motion, having received the Constitutional Majority... this Motion is adopted. Mr. Clerk, will you move House Bill 50... Mr. Clerk, what's the status of House Bill 5736?"

Clerk Mahoney: "House Bill 5736 is on the Order of Third Reading."

Speaker Turner: "The Sponsor requests that the Bill be brought back to Second Reading. All those in favor say 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Bill will be placed on Second Reading. Supplemental Calendar #1 we have House Resolution 840, Representative Pihos. Read the Resolution, Mr. Clerk."

Clerk Mahoney: "House Resolution 840 proclaims May 4, 2004 as Illinois Clean Air and Asthma Awareness Day."

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Speaker Turner: "The Lady from DuPage, Representative Pihos."

Pihos: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I hope you all join me in strong support of this House Resolution that has the health and well-being of all the people of Illinois, but especially children, at heart by declaring today Illinois Clean Air and Asthma Awareness Day. Because we have strong evidence that diesel emissions from school buses has the potential to cause a multitude of adverse health effects such as asthma and 300 thousand children in this state suffer from asthma, this Resolution encourages all school buses to limit their idling time on this day and every day. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Resolution 840 pass?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. The Lady from Cook, Representative Currie, for what reason do you rise?"

Currie: "Thank you, Sir, to make a Motion to suspend some posting requirements on House Bill 6556 so it could be heard in the Committee on Consumer Protection, Senate Bill 86 in Elementary & Secondary Education; Senate Bill 132 in Judiciary II; Senate Bill 2252 in Registration & Regulation, similarly Senate Bill 2254 same committee; Senate Bill 2274, Judiciary I; Senate Bill 2349, Elementary & Secondary; Senate Bill 2401, State Government; Senate Bill 2528, Elementary & Secondary; Senate Bill 2653, Jud II; Senate Bill 2794, Human Services; Senate Bill 2799, Jud

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II; Senate Bill 2844, Veterans' Affairs; Senate Bill 2880, Human Services; Senate Bill 2924, Revenue; Senate Bill 2926, Human Services and Senate Bill 3207 to State Government. I know of no opposition to the Motion."

Speaker Turner: "The Lady asks leave and leave is granted. If I could have your attention. The House... the House will convene tomorrow morning at 9 o'clock. At 9 a.m. The Gentleman from Cook, Representative Giles, for what reason do you rise? The Gentleman from Cook, Representative Giles. The Gentleman from Cook, Representative Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, I'd like to offer a Motion to suspend the posting requirement for a subject matter hearing for this Thursday at 10 a.m. in Room 118, this Thursday morning, Room 118."

Speaker Turner: "Gentleman asks leave to suspend the posting requirements so that the committee could meet on Thursday at Room 118. All those in favor say 'aye'; all those opposed... In the opinion of the Chair, the 'ayes' have it. And leave is granted. The Gentleman from Randolph, Representative Reitz, for what reason do you rise?"

Reitz: "For purpose of an announcement, Mr. Speaker."

Speaker Turner: "State your purpose."

Reitz: "Director Brunsvold from DNR had... has asked me to remind everyone that he has an open house tonight from 5:30 to 8 at the DNR building. So, stop on by."

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

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

Speaker Turner: "State your inquiry."

Black: "At the open house at the Department of Natural Resources building this evening, can we take our dogs?"

Speaker Turner: "Could you state that again?"

Black: "Can we take our dogs?"

Speaker Turner: "Will your dog be tracking?"

Black: "It will be tracking, but it'll be on a 50-foot leash and it has a bumper less than 30 inches from the road. And it was... it's mercury free. So, can I take my dog?"

Speaker Turner: "Does it have asthma?"

Black: "It did until we passed the Resolution."

Speaker Turner: "You can bring your dog."

Black: "Ah, thank you, she'll be very happy."

Speaker Turner: "Seeing no further questions... to remind the Members again the House will convene at 9 a.m. tomorrow morning. With that, Representative Currie... I'm sorry, the Gentleman from Cook, Representative Molaro, for what reason do you rise?"

Molaro: "Just to make an announcement that there will be a Revenue Committee meeting immediately upon adjournment in Room 118."

Speaker Turner: "Revenue will meet immediately in Room 118. Allowing perfunctory time for the Clerk, Representative Currie does move that the House stand adjourned until tomorrow May the 5th at 9 a.m., 2004. The House does stand adjourned 'til tomorrow May 5th at 9 a.m. All those in

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favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And the House does stand adjourned."

Clerk Mahoney: "House Perfunctory Session will now come to order. Reading of House Bills, First Reading. House Bill 7297, offered by Representative Rose, a Bill for an Act concerning mass transit. House Bill 7298, offered by Representative Black, a Bill for an Act concerning procurement. First Reading of Senate Bills. Senate Bill 3340, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3341, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3342, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3343, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3344, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3350, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3351, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3352, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3353, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3354, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3355, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3356, offered by Representative

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Madigan, a Bill for an Act making appropriations. Senate Bill 3357, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3358, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3359, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3360, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3361, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3362, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3363, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3364, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3365, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3366, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3367, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3368, offered by Representative Madigan, a Bill for an Act making appropriations and Senate Bill 3369, offered by Representative Madigan, a Bill for an Act making appropriations. Continuing with Senate Bills-First Reading. Senate Bill 3325, offered by Representative Cross, a Bill for an Act concerning appropriations. Senate Bill 3326, offered by Representative Cross, a Bill for an Act concerning appropriations. Senate Bill 3327, offered by Representative Cross, a Bill for an

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Act concerning appropriations. Senate Bill 3328, offered by Representative Cross, a Bill for an Act concerning appropriations. Senate Bill 3329, offered by Representative Cross, a Bill for an Act concerning appropriations. Senate Bill 3330, offered by Representative Cross, a Bill for an Act concerning appropriations. Senate Bill 3331, offered by Representative Cross, a Bill for an Act concerning appropriations. Senate Bill 3332, offered by Representative Cross, a Bill for an Act concerning appropriations. Senate Bill 3333, offered by Representative Cross, a Bill for an Act concerning appropriations. Senate Bill 3335, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3336, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3337, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 3338, offered by Representative Madigan, a Bill for an Act making appropriations and Senate Bill 3339, offered by Representative Madigan, a Bill for an Act making appropriations. There being no further business, the House Perfunctory Session stands adjourned."