

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Speaker Hannig: "The hour of 1:00 having arrived, the House of Representatives will be in order. Members will please be in their seats. 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. We shall be led in prayer today by the Reverend Carey A. Grady with St. Peter AME Church in Decatur. Reverend Grady is the guest of Representative Flider."

Reverend Grady: "Let us pray. Guide me, oh thy great... pilgrim through this barren land. I am weak but thou art mighty. Hold me with thy powerful hand. Bread of Heaven, feed me 'til I want no more. Bread of Heaven, feed me 'til I want no more. Gracious God, we give You thanks and praise. We recognize You as our creator. We recognize You as our guide. We recognize You as our protector and our healer. We thank You, Lord, for life. We thank You, Lord, for health and strength. We thank You, Lord, for the necessities that we often overlook. We thank You, Lord, for our predecessors and ancestors on whose shoulders we all stand and the legacies and customs they have passed on to us. We thank You, Lord, for our country. We thank You, Oh Lord, for the State of Illinois. We thank You, Oh God, for the various cities and counties in which we live. We thank You, Lord, for America and her ideals. We thank You, Lord, for government. We thank You, Lord, for democracy. We thank You for the executive, legislative and judicial branches. We thank You, Lord, for servant leadership who

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

uphold the laws of freedom, justice, truth and equality. We thank You, Lord, for our state leadership who uphold the ideals of life, liberty and the pursuit of happiness for all citizens regardless of ethnicity, gender and national origin. We ask, Oh God, that You would intervene in the affairs of humanity as our state political leadership serves us in a more perfect way by serving humanity and by... and providing for her needs. We ask that You... You will forgive us for our sins and our trespasses and shortcomings and give us the spirit to forgive others as You have dealt mercifully with us. We ask, Oh God, that You will heal our land and help us love one another as You have loved us. We ask, Oh God, that You will instill virtues such as humility, wisdom, nurture, understanding, peace and compassion to all of our leaders as they attempt to serve us. We ask, Oh God, that You will guide them and direct them as they create a city of brotherhood and sisterhood that we will all be proud of. For the Lord is our shepherd and we shall not want. Amen."

Speaker Hannig: "We will be led in the Pledge today by Representative Patterson."

Patterson - 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 Hannig: "Roll Call for Attendance. Representative Currie."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Currie: "Thank you, Speaker. Please let the record show that Representatives Rich Bradley, Colvin, Will Davis, Fritchey, Granberg, McKeon, Osterman, Yarbrough and Younge are excused today."

Speaker Hannig: "Representative Bost."

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

Speaker Hannig: "Mr. Clerk, take the record. There are 108 Members answering the Roll Call, a quorum is present. Representative Froehlich, for what reason do you rise?"

Froehlich: "Thank you, Mr. Speaker. I rise to a point of personal privilege."

Speaker Hannig: "State your point."

Froehlich: "It's my pleasure to recognize two of our colleagues who are celebrating birthdays today, Ron Stephens and my seatmate Don Moffitt. So, please us join us in celebrating. We have some cake over here in the first row. Please join us today in celebrating."

Speaker Hannig: "Mr... Mr. Clerk, do you have any Committee Reports?"

Clerk Mahoney: "Committee Reports. Representative McCarthy, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on February 17, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 815 and House Bill 1343. Representative McKeon, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

February 17, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 1370; 'do pass as amended Short Debate' House Bill 188. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on February 17, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 610, House Bill 748, House Bill 806, House Bill 1071, House Bill 1134; 'recommends be adopted' House Joint Resolution #1; 'do pass as amended Short Debate' House Bill 398 and House Bill 1316. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on February 17, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 875, House Bill 1177 and House Bill 1178; 'do pass as amended Short Debate' House Bill 561. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on February 17, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 595 and House Bill 765; 'do pass as amended Short Debate' House Bill 480 and House Bill 1148. Representative Fritchey, Chairperson from the Committee on Judiciary-Civil Law, to which the following measure/s was/were referred, action taken on February 17, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate'

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

House Bill 1102; 'do pass as amended Short Debate' House Bill 582. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on February 17, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 250, House Bill 404, House Bill 676, House Bill 678, House Bill 755 and House Bill 1324; 'do pass as amended Short Debate' House Bill 402. Representative May, Chairperson from the Committee on Environmental Health, to which the following measure/s was/were referred, action taken on February 17, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 472; 'do pass as amended Short Debate' House Bill 672. Representative Soto, Chairperson from the Committee on Child Support Enforcement, to which the following measure/s was/were referred, action taken on February 17, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 785; 'do pass as amended Short Debate' House Bill 726. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on February 17, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 413, House Bill 720, House Bill 832, House Bill 973, House Bill 1101, House Bill 1323, House Bill 1333, House Bill 1367; 'do pass Standard Debate' House Bill 997. Representative Mendoza, Chairperson from the Committee on

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

International Trade & Commerce, to which the following measure/s was/were referred, action taken on February 17, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 805. Representative Holbrook, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on February 17, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 474 and House Bill 1149; 'do pass as amended Short Debate' House Bill 729."

Speaker Hannig: "The Chair is now prepared to go to the Order of House Bills-Third Readings. It's the Chair's intention to go through House Bills-Third Readings and then to go to Second Readings and then after we've finished our work we'll adjourn for the weekend. So, we'd ask for your cooperation. Be prepared and we'll move through this as rapidly as we can. On page 5 of the Calendar, under the)rder of House Bills-Third Reading, is House Bill 29. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 29, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring you a Bill that... that basically passed out of here with 113 votes last year. This is a Bill that disallows minors from entering tattoo parlors without their parents being present. In order to have a consistent age that the local law enforcement can determine whether or not

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

they should be in there, we had to make one other adjustment and that was to align the age of body piercing which is 18 in Illinois with tattoos which is 21. Seeing as how most of the surrounding states either have no age limit or 18 as an age limit, we felt it was a positive move to change that tattoo age from 21 to 18 so that it's consistent with this Bill then law enforcement will have law to back up their attempts to keep minors out of tattoo parlors which has been a complaint in my district. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 29. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bassi, would you like to be recorded? Representative Coulson, would you like to be recorded? Okay. Mr. Clerk, take the record. On this question, there are 73 voting 'yes' and 35 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Rita, would you like us to read House Bill 43? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 43, a Bill for an Act concerning health. Third Reading of this House Bill."

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

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 43 creates the Construction Site

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Temporary Restroom Facility Act. This Bill was part of the Administrative Code which was taken out in 2003 and basically follows the OSHA requirements, but we'd like to put this into statute so that we can get local authority... so locals can enforce the... this Act. Be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 43. And on that question, the Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, forgive me, I haven't... I haven't read the Bill. Let's just make sure we're on the same page. You're talking about portable toilets, not... not restrooms that would have water and that sort of thing, right?"

Rita: "Yes, portable toilets, porta-potties."

Black: "All right. So, we're not... we're not making the contractor build some temporary facility that might be heated and have running water and all of that. These are what you and I are used to seeing on construction projects, porta-potties, that kind of a facility. Correct?"

Rita: "Yes."

Black: "Okay."

Rita: "And what we... we did amend it for the homebuilders and they're in agreeance(sic-agreement) with it now. As far as I know there's no opposition to this."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Black: "All right. And I think, as amended, the homebuilders are neutral and I... I can't find that anyone signed in opposition to the Bill. Is that correct?"

Rita: "That's correct."

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

Speaker Hannig: "Is there any further discussion? Then Representative Rita to close."

Rita: "Just urge an 'aye' vote."

Speaker Hannig: "Okay. The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 98 voting 'yes' and 10 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 119."

Clerk Mahoney: "House Bill 119, a Bill for an Act concerning state employee group insurance. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Sangamon, Representative Poe."

Poe: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 119, what that will do that'll give you an option. Right now there's only one option for eye care, one option for dental care and your insurance would have to offer two, just like you would in your health insurance. And this would give you a choice. And we feel it's revenue neutral and... I'd ask for a favorable vote."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Speaker Hannig: "The Gentleman has moved for passage of House Bill 119. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Delgado, would you like us to call 215? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 215, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Delgado: "Thank you, Mr. Speaker and Members of the House. House Bill 215 amends... I'm sorry, I have the wrong piece of legislation up, it did not pop. Give me one second, please. Thank you. House Bill 215 protects women that have been sexually assaulted by multiple defendants from having to testify separately against each defendant. This Bill addresses the fact that victims of sexual crimes have to testify on numerous occasions if a group of defendants is tried separately, which has an emotional impact on the victim. I introduced this Bill because concerns from sexual assault victims regarding the psychological comfort which is put at risk every time a victim has to repeat the traumatic story of his or her sex abuse. House Bill 215 will also allow judges that are deciding motions to sever

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

multiple charges and try multiple defendants separately to consider the impact that separate trials will have on the alleged victim. And I would ask for your 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 215. And on that question, the Lady from Kane, Representative Lindner."

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

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

Lindner: "Yes... We had quite a discussion about this in the Criminal Law Committee, Judiciary II Committee, and there was a lot of opposition by the public defender. Could you explain that and why you don't think that applies to your Bill?"

Delgado: "Yes, thank you for that question, Representative Lindner. The public defender's office was concerned about the... right... if a judge is basing their decisions solely on that position then there would grounds on... for appeal. And... and however, this legislation is permissive and allows 'em to consider it only."

Lindner: "So this is up to the discretion of the judge and it's actually just another criteria that the judge can consider when he is looking at whether to sever cases or not."

Delgado: "That's correct."

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

Speaker Hannig: "Is there any further discussion? Then Representative Delgado to close."

Delgado: "Thank you. I would only ask for your 'aye' votes. This is a very piece... of important legislation."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 237."

Clerk Mahoney: "House Bill 237, a Bill for an Act concerning landlords. Third Reading of this House Bill."

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

Nekritz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 237 amends the Illinois Landlord and Tenant Act. Right now, that statute invalidates as... against public policy any provision of a real estate lease which exempts the landlord from liability for damages for injury to person or property caused by the negligence of the landlord. The statute does not differentiate between residential and nonresidential properties. House Bill 237 would remove nonresidential leases from that exemption for property damage only. This Bill does not impact residential leases or any personal injury resulting from the landlord's negligence. Just like to give you a quick example. If a landlord leases industrial space to a company which assembles and warehouses computers, those computers obviously have substantial value. The tenant will certainly insure against the risk of accidental loss for the use... for the computers and all of the equipment.

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Under the current law, the land... if the landlord or his employee or agent causes a fire and damages equipment, the landlord would also be responsible for the loss. This means that both the landlord and the tenant are required to insuran... to carry insurance not only on the real estate but also on the contents and equipment. The results is that the contents will be double insured. House Bill 237 will eliminate the stat... the statutory requirement and make the allocation of risk in a nonresidential setting a matter for negotiation between the landlord and tenant. And I ask for your support."

Speaker Hannig: "The Lady has moved for the passage of House Bill 237. Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, I... I find this Bill somewhat confusing and maybe you can clarify what it does or does not do. If I rent space in a nonresidential building and I sell a product, I'm certainly advised to... to insure my business and its contents. Correct?"

Nekritz: "And... and you are the tenant under your..."

Black: "Right, I'm... I'm a tenant."

Nekritz: "Yes, yes. You would be..."

Black: "All right."

Nekritz: "I would think you would be advised to do that."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Black: "Now, in the case where the landlord of a nonresidential property, in attempting to save money in the winter months, decides he'll cut the heat down and this is a multi... we'll say it's a multistory building. Because of that, the sprinkler system freezes and then as the temperature warms up say, 4 or 5:00 in the morning, I sustain thousands of dollars of water damage. Now, that wasn't my fault but my insurance will cover my loss. Now, what does this Bill do? Does it mean, I, the renter, have recourse against my landlord or my insurance company has recourse against the landlord?"

Nekritz: "This legislation makes that a matter of the contract betwe... or the lease between you and the landlord. It does not dictate any thing in particular. It just makes that... that subject to negotiation."

Black: "Okay. And if we do not have any such language in our lease agreement, then... then what happens? If... If my insurance company pays me for the loss due to water damages, is the current practice that my insurance company would then seek to be made whole by suing the landlord's insurance policy? Is that... is that what you're trying to stop or is that what you're trying to aid? I... I honestly find this a little bit confusing."

Nekritz: "Well, the goal... the goal is to really to... to change the situation where both landlords and tenants are currently forced to insure the contents and to make that allocation of risk a subject of negotiation. And... and I believe under your example if I'm following you correctly,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

that currently, yes, the... the tenant's insurer would have... if that... if that act is an act of negligence and I'm not so sure that it is, but if it were an act of negligence then they would have a right to go against the landlord's insurer."

Black: "What... what is your Bill attempting to solve? I... I think that's where I'm having a hard time focusing."

Nekritz: "There... there was a recent court case from the 4th District that said that... that affirmed this statute that a la... you could go after the landlord's insurer if... if the landlord was negligent. And... and in a commercial setting I'm not sure that that really makes sense. That the... that the risk should be a matter contract not a matter of law."

Black: "So, if I understand what our staff person just told me, what... what this Bill will attempt to do is to prevent an insurance company from really suffering no loss. They... they pay my loss then they go after the landlord that may have even better insurance and say, 'Hey, this was your fault and we just had a hundred thousand dollar claim and we want or we'll sue for a hundred thousand dollars from your policy.'"

Nekritz: "Well, I think that's right, yes, that's... yes."

Black: "Okay. So, this Bill would... would say, 'Look, in the absence of an agreement, you're not gonna to do that. You... you're not gonna recover your loss.' The tenant has insurance. The insurance company pays and if I understand it right what your Bill will do, in the absence of any agreement, then the insurance company can't turn around and

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

say, 'Well, we're gonna try to recover our loss from the landlord because he probably has higher limits on the insurance anyway.' "

Nekritz: "Because he probably... I didn't hear the last part."

Black: "If... if I'm a tenant, I recover on my insurance company..."

Nekritz: "Right."

Black: "...for... for damages."

Nekritz: "Right."

Black: "And then, what you're try... saying if I hear it correctly, then my insurance company is barred from going to the landlord and saying, 'Hey, we just paid a hundred thousand dollar claim to a tenant in a building you own. We're suing you and your insurance company for our loss.' "

Nekritz: "I... that would be correct, Representative, unless... unless you negotiated..."

Black: "Okay. Right."

Nekritz: "...a different deal under your lease. Right."

Black: "Yeah. And in the absence of an agreement, then what you're attempting to do is... is not to create a windfall situation for the insurance company."

Nekritz: "Correct."

Black: "They pay the loss, they get reimbursed for the loss but my premiums still go up."

Nekritz: "Correct, correct. Exactly."

Black: "Okay, fine. Thank you."

Nekritz: "Thank you."

Speaker Hannig: "The Lady from Will, Representative Kosel."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

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

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

Kosel: "Thank you. A question to... going to the previous discussion with Representative Black. You said that unless there is a negotiated agreement. Will there be an automatic coverage protocol, so to speak, without a negotiated agreement? I guess what my concern is, is under your Bill, could a commercial lessor assume that the lessee has the property damage and do that vice versa and not have any coverage at all?"

Nekritz: "Well, I suppose that could happen but I can't imagine a commercial tenant that would not insure their own... their own contents because..."

Kosel: "Yeah, that's my concern."

Nekritz: "...there are lots of risks that are not... that are not necessarily the result of the landlord's acts. I mean, if... if a tenant causes a fire and they're uninsured, they can't go against the landlord under any scenario."

Kosel: "I'm not concerned about the large commercial corporations that are renting multiple floors in the downtown Chicago building. I'm concerned about the mom and pop that are running a... a 500 square foot in a store-front of a commercial building that may not know the intricacies or have the legal backup to know the intricacies. And when you say that... that we have to have an agreement between the lessor and lessee as to who's going to cover it..."

Nekritz: "No."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Kosel: "I just want to make sure that the Bill calls for specific protocols for who is going to carry the coverage, unless there is knowledge of another agreement. I don't want ma and pa who are running the scrapbookin' store to think that the landlord has coverage for their personal items and the landlord to think they have coverage."

Nekritz: "I... I... Representative, I don't think that... that any tenant... I mean, currently, the tenant would not be relying on a landlord's coverage for every risk under their insurance. They would only... they might only think that the landlord might be protecting them against the landlord's negligence. So, they would still have to carry their own insurance to cover the contents for any risk other than a landlord's negligence and that doesn't change under this. And that would be true whether it's... a, ya know, a Best Buy or the mom and pop store."

Kosel: "Okay. I... I don't know that I'm... I'm not still uncomfortable with the fact that... that I'm afraid that there might be a group of our smaller commercial tenants that don't have coverage and don't realize they don't have coverage under this."

Nekritz: "Okay. Well, they... this... this does not change anything with regard to their standard liability or... or casualty... insurance for something other than the landlord's negligence. They would still have to carry that insurance regardless, whether we change this legislation or not."

Kosel: "Okay."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Nekritz: "And this is just allocating the risk in that one small instance of... of a landlord's possible negligence."

Kosel: "Thank you."

Speaker Hannig: "Representative Nekritz to close."

Nekritz: "Ask... I think this is a good Bill to properly allocate risk in a com... in a nonresidential setting and I ask for ya... your support."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106 voting 'yes' and 2 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 264?"

Clerk Mahoney: "House Bill 264 is on the Order of Third Reading."

Speaker Hannig: "Return that to the Order of Second Reading at the request of the Sponsor. Mr. Clerk, would you read House Bill 374."

Clerk Mahoney: "House Bill 374, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. House Bill 374 amends the School Construction Law. Provides that all school construction projects financed pursuant to the law are subject to the local building codes. This came about as a result of the Gavin School issue. All of you were there to

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

help me last year during what we had to do for Gavin School in my district. I feel very strongly that if a extra set of eyes were present when the construction of this school was happening 7 years ago that perhaps we wouldn't have had the occasion of having to help the citizens in the Gavin School District last year. So, I'm hoping that you'll be able to support this issue."

Speaker Hannig: "The Lady has moved for passage of House Bill 374. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 89 voting 'yes' and 19 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 386."

Clerk Mahoney: "House Bill 386, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Madison, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is designed to address an issue that was brought to my attention. The surviving spouse of an individual who was killed in Iraq, she would like to get a Purple Heart license plate in order to honor her.. her fallen husband. This sim... simply indicates that the Secretary of State upon receipt of proper application can give her, a surviving spouse of a person who was killed in

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

a foreign war, a Purple Heart license plate. Currently, you could only give it to the individual who received the Purple Heart."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 386. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Winters, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 444."

Clerk Mahoney: "House Bill 444, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative D'Amico."

D'Amico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 444 would add to the aggravated arson statute that if a correctional officer is injured in the line of duty as a result of fire or explosion, the offender has committed an aggravated arson instead of simple arson. Currently, we have protections in place for firemen and police officers and we should extend these protections to correctional officers, also. If anybody has any questions, feel free."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Speaker Hannig: "The Gentleman has moved for passage of House Bill 444. And on that question, the Gentleman from Cook, Representative Lang."

Lang: "Will the Sponsor yield?"

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

Lang: "Thank you. Just... just for the record, I think, we would like to know, is this your first Bill, Representative?"

D'Amico: "Yes, it is, Representative."

Lang: "Now, just a personal aside, I don't think anyone will listen to your answer all over the building or whatever, but do you think it was appropriate to give such an important Bill to a person like you?"

D'Amico: "Sure, I do. I... I was contacted by State's Attorney Dick Devine's office to bring this Bill to the House."

Lang: "So, this is Repres... this is State's Attorney Devine's Bill? Well, this doesn't affect him directly, does it?"

D'Amico: "Affects all states... all... all the state's attorneys throughout the state."

Lang: "So, the term 'correctional officer' applies to assistant state's attorneys?"

D'Amico: "No, but correctional officers work for the jails that work for the state's attorney."

Lang: "So, is he technically their employer?"

D'Amico: "What was that? I didn't hear that."

Lang: "Is he their employer?"

D'Amico: "No, he's not their employer. State's attorney visits the jails."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Lang: "So out of the goodness of his heart, State's Attorney Devine came to a freshman Legislator and said, 'Will you help these poor correctional officers that work in the jails?'"

D'Amico: "Correct."

Lang: "Now, did he come to you personally, Sir? Did he come to your office?"

D'Amico: "No, he did not."

Lang: "So, have you had any direct contact with Mr. Devine personally on this Bill?"

D'Amico: "No, I did not."

Lang: "So, you don't really know of your own personal knowledge of say... if State's Attorney Devine is interested in this Bill, other than hearsay from what, members of his staff?"

D'Amico: "Yes, I had representatives from his staff that came to my office."

Lang: "Now, do you think it's appropriate to waste the time of the Members of the General Assembly with a Bill based on your hearsay knowledge of... of the... the background of this Bill?"

D'Amico: "I thought... I thought the guy that came to my office was being truthful with me."

Lang: "But... but it was hearsay. Was it not?"

D'Amico: "Yes, it was."

Lang: "Now, have you visited these correctional officers? Have you gone to the jails to ask them if they want this Bill?"

D'Amico: "Well, I know, currently, there was 12 fires in Cook County alone where there were 12 officers injured."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Lang: "Well, yes, I understand, but we're here to talk to you about your Bill. And so, these correctional officers that your adding to this Bill, have you talked to any of them regarding whether they want to be in this law, whether they want to be covered this way?"

D'Amico: "I have not personally talked to them, no, but I would... I would just assume that they'd want the protections provided for them."

Lang: "You assume?"

D'Amico: "Yes."

Lang: "So, do any of these people live in your district?"

D'Amico: "No."

Lang: "None... there are no correctional officers that live in your district?"

D'Amico: "None of the 12 that were injured."

Lang: "Ah. But how about in general?"

D'Amico: "Definitely, I have correctional..."

Lang: "Have you talked to any them about this Bill?"

D'Amico: "I contacted a couple of 'em."

Lang: "Did you?"

D'Amico: "Yes."

Lang: "Did you go to their homes or did they come to your office?"

D'Amico: "They came to my district office."

Lang: "Ah. Now, did any of them come to Springfield to testify on this Bill?"

D'Amico: "No, I did not. I had someone from the State's Attorneys Office testify."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Lang: "All right. So, on the record of the committee in the House of Representatives, the state's attorney of Cook County was not there personally, you did not talk to him personally nor did anyone who's affected by this Bill come to testify about this Bill. Is that correct?"

D'Amico: "No correctional officer, but someone from the State's Attorneys office came to testify."

Lang: "Ah. And did he or she just say, 'We like this Bill, pretty much?'"

D'Amico: "Well, he wants... he wants to provide protection for them... for the correctional officers that were injured."

Lang: "What is the cost of this Bill, Representative?"

D'Amico: "I don't... I don't... the cost is gonna be very minimum. It's gonna be whatever you extend their stay in jail."

Lang: "Can you explain what you just meant by what you just said?"

D'Amico: "I'm saying if... if they get... they have a prolonged jail sentence, that's gonna be the cost. There's gonna be no cost to..."

Lang: "So..."

D'Amico: "...to us."

Lang: "So, keepin' someone in jail 60 days as opposed to 30 days has no cost to the State of Illinois?"

D'Amico: "That's... that's what I'm saying. That's... that's gonna be the cost."

Lang: "And what is that cost?"

D'Amico: "I don't... I don't have that available at this time."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Lang: "So, you're pretty lucky that no one requested a fiscal note, aren't you?"

D'Amico: "Yes, I am."

Lang: "And you're pretty lucky that no one requested a correctional impact note, aren't you?"

D'Amico: "You're right."

Lang: "Would you like to take the Bill back to Second Reading so that Representative Black can request those notes? He would normally request those. Why don't you take this Bill on back to Second Reading. I'm sure the correctional officers won't mind, the state's attorney won't mind. He's not here anyway, doesn't even know you're doing the Bill. Maybe we can take this back to Second Reading and get the answers to these important questions about money."

D'Amico: "No, I think I'll go ahead with the vote."

Lang: "So, you're prepared to proceed on this Bill?"

D'Amico: "Yes, I am."

Lang: "As is?"

D'Amico: "As is."

Lang: "And you're prepared to answer the questions of maybe Representative Howard or Representative Bailey, who seem to be looking on with great interest in how you're handling yourself?"

D'Amico: "I'm gonna try."

Lang: "All right. Well, I may have other questions, maybe people will be yielding me their time later. I'm certainly hopeful that Representative Black who's now on the floor

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

will do what he's suppose to do now. Thank you, Representative."

D'Amico: "Thank you, Representative."

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

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

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

Black: "Thank you. Representative, can you explain to me, what is the difference between 'arson' and 'aggravated arson'?"

D'Amico: "Ag... aggravated arson carries a 6 to 30-year sentence and arson carries a 3 to 7-year sentence."

Black: "But what makes... You know, to me, you have to remember, you come from up north, right?"

D'Amico: "Yes."

Black: "I come from downstate and I didn't wear shoes until I came in the House and Representative Lang was kind enough to give me a pair of his. To me, arson is arson, but you're adding the word 'aggravated arson'. What makes arson aggravated? Does that mean the arsonist is mad?"

D'Amico: "No, when you injure somebody... when you injure..."

Black: "So, if... so if an arsonist lights a fire and injures someone, then it's aggravated arson?"

D'Amico: "For the first responders, if a firefighter or a policeman gets injured, it's considered aggravated arson."

Black: "Okay."

D'Amico: "That's why I'd like to add correctional officers to it."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Black: "Oh... oh... so you're adding 'cause I thought we already had an aggravated arson statute. So, you... you're adding correctional officers?"

D'Amico: "Correct."

Black: "So, is your intent then to cover a... a guest of a correctional facility who may set fire to his or her mattress or something of that sort?"

D'Amico: "Correct."

Black: "All right. Now, this would not cover a correctional officer who was injured while trying to help a firefighter or a resident by running into a burning building that later was determined to be arson?"

D'Amico: "No, you have to be in the line of duty."

Black: "Okay. In the line of duty. All right. So, your Bill adds to the statute by adding a... I don't know what the word would be, employee class or whatever. A correctional officer injured in the line of duty while trying to either put out the fire, flee from the fire or whatever and it turns out that the fire was set by an arsonist then that becomes an aggravated offense to whoever set the fire?"

D'Amico: "Correct."

Black: "Okay. And what... what's the burden of proof on a... on someone? What does the court have to do? Do they have to catch someone in the act, he has matches in his pocket or his clothes smell of gasoline? What's the burden of proof?"

D'Amico: "That would be up to the state's attorney to ap... to prove it beyond a reasonable doubt."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Black: "All right. So, you're... you're adding then and you said aggravated arson could add up to, if I remember right, 20-some years... to a sentence?"

D'Amico: "Six to... to 30 years, nonprobationable."

Black: "All right, 6... 6 to 30. Did you check with the Department of Corrections and get a cost impact on what it would cost to keep somebody the additional time?"

D'Amico: "No, I did not."

Black: "Does the... does the person convicted of aggravated arson, because we're on a pay-as-you-go schedule or at least we're gonna try to do that. Does this person have to pay for the extra cost of this... his or her incarceration?"

D'Amico: "No, but we're currently workin' on legislation that may do that."

Black: "Okay. Perhaps we can take the Bill out of the record until we could hear from the Department of Corrections on what the cost might be. And then maybe come up with an Amendment to where we could add... I don't think we can go much higher on the proposed cigarette tax, but perhaps a tax on matches or cigarette lighters that would cover the cost of the incarceration. Does... does that sound reasonable to you to you?"

D'Amico: "I don't wanna pull out the Bill outta the record, though."

Black: "Why not?"

D'Amico: "Well, I wanna go... I think this is important legislation that we can move right now."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Black: "Why... I think it is too. But I'm trying to get at what the fiscal impact might be upon the Department of Corrections. And if we have to come up with a revenue source, would you be willing to look at a... a surcharge on matches or cigarette lighters?"

D'Amico: "I'd be willing to look at something and add an Amendment in the future to it."

Black: "All right. So, I... I can't get you to take the Bill out of the record so you and I could discuss it?"

D'Amico: "Not right now. Mr... Representative, aren't you... aren't you a cosponsor with this?"

Black: "I hope so. That's why I wanted to make sure that we were dealing with the cost. You know, I don't know who the staffer is that just slipped you that secret information, but I'll talk to him later. So, this... obviously, Representative, for your first Bill, this is a serious matter. It appears to me that you have traveled outside of the City of Chicago on more than one occasion. Would that be a fair statement?"

D'Amico: "Yes, correct."

Black: "And were you born at night, do you know?"

D'Amico: "No, I was born in the morning."

Black: "You're supposed to be my straight man. You say... you're suppose to say, 'Yes, I was born at night but not last night.' Get with the program here, will ya? And if you fell off the turnip truck while going to the state fair, you did not fall on your head. Correct?"

D'Amico: "That is correct."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Black: "Well, Mr. Speaker, to the Bill. We're getting a... a little more sophisticated crop of freshman and we're also getting some Democrat staffers who have privy to information that they shouldn't have. I would ask the... the Speaker to reprimand the... the staffer. Whether I'm a not... a cosponsor of the Bill or not, is not for public dissemination. So, I... I guess what we have to do in this case is to vote for the Gentleman's Motion and as you heard him say he's working on some kind of an Amendment that would help defray the cost of incarcerating these people for the extra 20 years. So, I... I can't shake the man. I... I stand in awe of some of these freshmen. It's... Where... where are the good 'ol days, Mr. Speaker?"

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

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

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

Gordon: "Representative, I've heard you say that this was an initiative of Cook County State's Attorney Dick Devine. Is that correct?"

D'Amico: "Correct."

Gordon: "And also his representative is the one who came into the Criminal Law Committee, actually Representative Molaro's committee and he's the one who testified on... with you on this Bill. Is that right?"

D'Amico: "Yes."

Gordon: "Well, see my concern is that you're passing legislation that affects the entire state. Correct?"

D'Amico: "Yes."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Gordon: "But you've only talked to people in Cook County."

D'Amico: "Right."

Gordon: "Well, personally, I... I'm a Member... I'm a Member of the Downstate Caucus and I'm... I'm a vice-chairman actually of the Downstate Caucus, and you... you've never asked to come into speak to us about this, have you?"

D'Amico: "This provides... this provides protection for correctional officers... officers throughout the state, so why would any state's attorney be against it?"

Gordon: "Well, I'm not asking whether or not the state's attorney's against it. I'm asking you if you've taken into consideration the rest of the state in passing... in wanting to pass this type of legislation."

D'Amico: "Well... no, I... I... and what your answer to your question, no, I did not talk to anybody outside of Cook County."

Gordon: "Okay. Well, that concerns me, Representative. Additionally, do you also... obviously, the root of this problem, setting fires in the jails and let's just say it's Cook County jail, is the problem of the possession of the incendiary devices. Is that correct?"

D'Amico: "Correct."

Gordon: "Now, are you going to bring forth any legislation to keep them from getting these devices and setting the actual fires?"

D'Amico: "That... that's a whole 'nother issue. I don't know how they get these devices into the jail."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Gordon: "So, you haven't done any research into that matter at all?"

D'Amico: "No."

Gordon: "Okay. Now, have you checked with... on the statistics in any other state if they... if they have this type of legislation?"

D'Amico: "No, we didn't, but it's... it's a very important issue so we just went ahead with it."

Gordon: "I appreciate that. Thank you, Representative. To the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

Gordon: "Ladies and Gentlemen, I... I absolutely admire the Representative for bringing forth this type of legislation, but what I do find concerning is his failure to research, his failure to contact his colleagues and his failure to completely think through this issue and maybe solve the root of the problem from actually getting these fires started in the first place. I... I think that we should all think very, very seriously before we vote on this issue and subject someone to a Class X felony which is a mandatory 6 to 30 years in the Department of Corrections. Thank you."

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

Molaro: "Thank you. Will the... will the Sponsor yield?"

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

Molaro: "Thank you, Mr. Speaker. Wha... What's the deal with correctional officers? Were you a correctional officer before you came here?"

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

D'Amico: "No, I was not."

Molaro: "Well, then, just so I know because I think it's a great Bill. Where do you get these ideas? I mean, do you... was it on a ride from Springfield or why... how would you think to poret... protect correctional officers? How'd that happen?"

D'Amico: "The state's attorney brought it to my attention."

Molaro: "So, you didn't think of this yourself?"

D'Amico: "We were sitting down talking about it together."

Molaro: "Well, state's attorney brought it ya, he likes it. What do you think of the Bill?"

D'Amico: "I think it's a great Bill, that's why I sponsored it."

Molaro: "Okay. Well, let's hope you keep doing some free thinking and you just don't have state's attorneys telling you what to do. You should be telling them what to do. It's your job to pass laws to let them know what you want, not what they want, so learn that now. Thank you."

Speaker Hannig: "Representative Giles."

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

Speaker Hannig: "The Gentleman has moved the previous question. So, the question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the main question is put. Representative D'Amico to close."

D'Amico: "Thank you. I think this is important legislation and I urge a 'yes' vote. Thank you."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 641 for Representative Flowers."

Clerk Mahoney: "House Bill 641, a Bill for an Act concerning health. Third Reading of this House Bill."

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

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 641 requires that the Department of Public Health to establish, promote and maintain a program to raise awareness for arthritis and also to educate the consumers and to create an advisory council on how to provide nongovernmental input regarding this program. The purpose for this legislation, Mr. Speaker, is that so many of us are living longer and so therefore, we want to live a lot healthier and there's lots of things out there in regards to arthritis that we can do to avoid it or either live with it. And I will be... I will appreciate an 'aye' vote on House Bill 641."

Speaker Hannig: "The Lady has moved for passage of House Bill 641. And on that question, the Gentleman from Cook, Representative Parke."

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

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

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

Parke: "Representative, Wednesday, when the Governor spoke he said that we're all suppose to have a funding source for our legislation. This estimated fiscal impact on the State of Illinois, though the underlying Bill has merit, is \$1.4 million. What is your funding source to pay for this?"

Flowers: "Oh. Well, Representative, I disagree with that amount because the only thing you can do there's lots of stuff out there on the Internet. Just pull it down, publish it, advertise it and ya know, put together a pamphlet that's already out there by the federal arthritis foundation, just publicize it and educate the people."

Parke: "Well, why... then why is the Department of Public Health opposed to your Bill?"

Flowers: "Now, I can't answer that."

Parke: "You what?"

Flowers: "And this is... this legislation came from the arthritis foundation."

Parke: "Well, that's a wonderful organization. That's..."

Flowers: "Absolutely."

Parke: "...not my point. My point is, how come the Department of Public Health is opposed to your Bill?"

Flowers: "I did not know that they were opposed to it. They did not ask me, nor did they come to me in regards to this matter. So, I have no idea, Sir, really I don't."

Parke: "Well, again, the underlying Bill certainly has merit. But again, I just wanna remind the Body that the Governor said that if we're gonna pass a spending Bill that we're

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

suppose to have an accompanying... revenue source. And you do not have one for this legislation. And so, I will remind the Body that if we're going to heed the Governor's message, which I think in some ways had... part of it had some merit, the... specifically the part that said we oughta have a funding source for spending Bills and we don't have one for this one. That the intent of paying for these Bills is not there and with the fiscal constraints that this state has, as worthwhile as your Bill is, we don't have the money to pay for this. And therefore, the Governor will probably have to veto it if he is going to do as he said on behalf of the citizens of Illinois. And it's a shame, but he'll have to do that. Thank you."

Speaker Hannig: "Is there any further discussion? Then Representative Flowers is recognized to close."

Flowers: "I would appreciate an 'aye' vote, please."

Speaker Hannig: "The question is, 'Shall House Bill... excuse... House Bill 641 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mitchell, Bill Mitchell, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 98 voting 'yes', 6 voting 'no' and 4 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Before we move to the Order of Second Reading, the Chair will recognize Representative Verschoore for the purposes of a

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

moment of silence for a fallen soldier. Representative Verschoore."

Verschoore: "Thank you very much, Mr. Chairman, Ladies and Gentlemen. It's with sadness that I report and I ask for a moment of honor and silence for Jessica Housby, a 23-year-old young lady from Milan, Illinois, which is in my district. Once again, one of Illinois's small town mourns a hero... hero who gave her life in support of ongoing missions in Iraq. Jessica was a member of a supply truck convoy on one of the most dangerous routes in Iraq when she fell and she is just the third female Illinois Guard member to be killed in the line of duty. Jessica joined the National Guard while she was still in high school. By all accounts, she was a model soldier who... who excelled in military training. At the age of 17, Jessica's dedication earned her the top honor out of a hundred and eighty-seven during a field training exercise at Fort... Fort McCoy, Wisconsin. Jessica Housby had the strength of character and responded to America's call for service and in her death she gained undying honor. I simply ask for a moment of silence to honor the memory of Jessica Housby, another young hero our region will sorely miss. Thank you very much. Thank you."

Speaker Hannig: "Thank you Representative Verschoore. Representative Jefferson is now recognized for a presentation on Black History Month. Representative."

Jefferson: "Thank you, Mr. Speaker. Today in celebration of Black History Month, I would like to take a moment to honor

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

the spirit, the bravery and the memory of the Buffalo Soldiers. They were ex-slaves and freed men, band together to become the first line of defense on the Western Plains. They scouted and charted unfamiliar territory. They delivered mail as riders of the famous Pony Express and then settled into quiet obscurity with our nation's history. A Buffalo Soldier in the heart of America. The original units of the Buffalo Soldiers were the segregated units of the 9th and 10th Cavalries. The majority of the new recruits had previous combat experience. Over a hundred and eighty thousand black soldiers served in the Union Army during the Civil War and of these, more than 33 thousand died. In July 1866, however, Congress passed legislation establishing two cavalry regiments whose enlisted composition was to be made up solely of African Americans. The mounted regiments were the 9th and 10th Cavalries, soon nicknamed the Buffalo Soldiers. Through an executive order was issued in 1948 desegregating the troops, units of Buffalo Soldiers were still recorded as late as 1951 during the Korean War. They were the Buffalo Soldiers. They were named by the Cheyenne warriors for their unnaturally curly hair which resembled the coat of the buffalo and for their ferocious fighting spirit, which would not allow them to ever give up or retreat. A Buffalo Soldier, trodding through the land, was a force to be reckoned with. The Buffalo Soldier fought to prove their country and to themselves that they were not just men, they were men with honor. Lesser known but equally important,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

the Buffalo Soldiers explored and mapped vast areas of the Southwest and strung hundreds of miles of telegraph lines. They built and repaired frontier outposts around which future towns and cities sprang to life. Without the protection provided by the 9th and 10th Cavalries, crews building the ever-expanding railroads were at the mercy of outlaws and hostile Indians. The Buffalo Soldiers consistently received some of the worst assignments the Army had to offer. They also faced fierce prejudice to both the colors of their Union... uniforms and their skin by many of the citizens of the post-war frontier towns. Despite this, the troopers of the 9th and 10th Cavalries developed in to two of the most distinguished fighting units in the... in the Army. Recently, acts of bravery and heroism perf... performed by these all but invisible men have begun to surface from the footnotes of military annals. Several medals have been posthumously awarded and acknowledgement has been given to the Buffalo Soldiers for their part in the development and preservation of this great nation. It is with great pride and appreciation that we salute the heroes that history forgot. To all the Buffalo Soldiers who have served our country well, thank you and we will never forget. Thank you, Mr. Speaker."

Speaker Hannig: "Thank you, Representative Jefferson. Representative Black, for what reason do you rise?"

Black: "Yes, Sir, Mr. Speaker. To... make a Motion... I'm sorry, I have a Motion to Table a Bill. I'd like to do that before you move to Second Reading. On page 6 of the Calendar, I

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

filed a Motion in writing to table House Bill 276. I would ask the Chair to act on that Motion at this time."

Speaker Hannig: "Representative Black moves to table House Bill 276. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted and the Bill is tabled."

Black: "Thank you, Mr. Speaker."

Speaker Hannig: "Now, we'll go to the Order of Second Reading and the Chair will pres... will go down the list from page 2 where there are no Amendments pending and where all the notes are filed. So, the first Bill will be House Bill 23. Representative Mitchell. Out of the record. Representative Bellock on House Bill 53. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 53, a Bill for an act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 114."

Clerk Mahoney: "House Bill 114, a Bill for an Act concerning elections. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Feigenholtz, has been approved for consideration."

Speaker Hannig: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. Floor Amendment #1 simply removes the words 'prisoners' from the underlying

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Bill to... it is an Amendment that the Department of Corrections wanted."

Speaker Hannig: "The Lady has moved for the adoption of Floor Amendment #1. Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments."

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

Speaker Hannig: "Third Reading. Representative Boland, would you like us to read 130? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 130, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Leitch. Out of the record. Representative Ryg on House Bill 213. Mr. Clerk read the Bill."

Clerk Mahoney: "House Bill 213, a Bill for an Act in relation to Public Aid. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Bassi on 227. Okay. Out of the record. Representative Osmond on House Bill 316. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 316, a Bill for an Act in relation to insurance. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 330 for Verschoore."

Clerk Mahoney: "House Bill 330, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 has been offered by Representative... has been approved for consideration."

Speaker Hannig: "The Gentleman from Rock Island, Representative Verschoore."

Verschoore: "Thank you, Mr. Speaker. House Amendment 1 replaces a previously deleted reference to county boards. As the Bill was originally drafted, a county board would not have had to submit a resolution pertaining to the creation of new Public Building Commission or the expansion of the powers of an existing Public big... Building Commission to the voters of that county. This could've had the effect of allowing counties to create Public Building Commissions without allowing county taxpayers to vote on whether they wanted a Public Building Commission or not. This Bill will still allow limited purpose building commissions to expand their powers beyond the purpose for which it was created but it must take a resolution for that expansion to the voters of that county. And I'd ask for adoption of that resolution."

Speaker Hannig: "The Gentleman has moved for the adoption of Floor Amendment #1. Is there any discussion? Then all in favor of the mo... of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

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

Speaker Hannig: "Third Reading. Representative Joyce, would you like us to move... okay. Out of the record. Representative Rose, would you... would you like 361? How about 363? Okay. 368? Okay. On page 4 of the Calendar, House Bill 503. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 503, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Ryg, would you like us to read 544? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 544, a Bill for an Act in... concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Hoffman. Mr. Clerk, read House Bill 665."

Clerk Mahoney: "House Bill 665, a Bill for an Act concerning gaming. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Wait on House Bill 744. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 744, a Bill for an Act concerning school students. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Speaker Hannig: "Third Reading. Representative Sacia on House Bill 892. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 892, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Flider on House Bill 942. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 942, a Bill for an Act concerning warehouses. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. And Representative Flider on House Bill 9... okay, 943 is out of the record. House Bill 1043, Representative Franks. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1043, a Bill for an Act concerning conservation districts. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Black, would you like us to read House Bill 1132, from Second to Third? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1132, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Dugan on 1181. Mr. Clerk, would you read the Bill."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Clerk Mahoney: "House Bill 1181, a Bill for an Act concerning fish and aquatic life. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Washington on House Bill 1195. Would you like us to move it from Second to Third? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1195, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Collins, would you like us to read 11... 1321? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1321, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Millner, would you like us to read 1334? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1334, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative McAuliffe, would you like us to read 1377? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1377, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. No

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

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

Speaker Hannig: "Third Reading. Representative Hoffman, would you like us to read 1386? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1386, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. And Mr. McCarthy... Representative McCarthy, would you like us to read 1387? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1387, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay, on the Order of Supplemental Calendar... Okay. 1387 is Third Reading. Now, we're going to the Order of the Supplemental Calendar #1. And again, we'll go down the list of Bills that the Chair is aware have no Amendments pending or no notes pending. The first one on this order will be House Bill 398. Representative Lang. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 398, a Bill for an Act concerning finance. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Speaker Hannig: "Third Reading. Representative Eddy on House Bill 402. Okay. Out of the record. Representative Ryg on House Bill 413. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 413, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Rita on House Bill 561. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 561, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Feigenholtz on House Bill 582. Would you like us to read the Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 582, a Bill for an Act concerning families. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative McAuliffe, would you like us to read 595? Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 595, a Bill for an Act in relation to educational materials on hepatitis C for veterans. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Speaker Hannig: "Third Reading. Representative Reis, would you like us to read 610? Okay. Out of the record. Representative Yarbrough, would you like us to read 672? No, okay. Out of the record. Representative Chapa LaVia, would you like us to read 676? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 676, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. How about 678, Representative Chapa LaVia? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 678, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Leitch. Okay. Mr. Clerk, read House Bill 720."

Clerk Mahoney: "House Bill 720, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read the House Bill 726."

Clerk Mahoney: "House Bill 726, a Bill for an Act concerning children. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Speaker Hannig: "Third Reading. Representative Reitz on House Bill 729. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 729, a Bill for an Act concerning safety. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 755."

Clerk Mahoney: "House Bill 755, a Bill for an Act regarding schools. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk... or Representative Franks, do you want us to read 675? Mr. Clerk, read the Bill. 765."

Clerk Mahoney: "House Bill 765, a Bill for an Act concerning public aid. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Bradley, would you like us to read 805? Out of the record. Representative Watson, would you like us to read 815? Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 815, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Leitch, would you like us to read 832? Mr. Clerk, read the Bill."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Clerk Mahoney: "House Bill 832, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Saviano, would you like us to read 875? Okay. Out of the record. Representative Moffitt. We'll read... Okay. Mr. Clerk, read House Bill 973."

Clerk Mahoney: "House Bill 973, a Bill for an Act concerning revenue. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Wait, would you like us to read 997? Okay. Out of the record. Representative Munson on House Bill 1071. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1071, a Bill for an Act concerning procurement. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Millner on House Bill 1101. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1101, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Froelich on House Bill 1102. Mr. Clerk, read the Bill."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Clerk Mahoney: "House Bill 1102, a Bill for an Act concerning juries. The Second... Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Pritchard on House Bill 1134. Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1134, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1148."

Clerk Mahoney: "House Bill 1148, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Millner on 1149. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1149, a Bill for an Act concerning environmental safety. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Saviano on House Bill 1177. Okay. Out of the record. Representative McCarthy on House Bill 1316. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1316, a Bill for an Act concerning transportation. Second Reading of this House Bill."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

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

Speaker Hannig: "Third Reading. Representative Black on House Bill 1323. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1323, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. And House Bill 1324, Mr. Black. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1324, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. House Bill 1333, Representative Mathias. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1333, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Delgado on House Bill 1343. Okay. How about Representative Moffitt on House Bill 1367. Okay. Out of the record. And Mr... Okay. Representative Washington is recognized on House Joint Resolution #1. The Gentleman from Cook, Representative Washington. Excuse me, the Gentleman from Lake, Representative Washington."

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Washington: "Thank you, Mr. Chairman. Mr. Chairman, I am very pleased that this is a House Joint Resolution probably recognizing one of the most important citizens we have in the State of Illinois. A person that I... I won't even attempt to say the many things that would take a full Session for us to mention. And I'm talking about Ms. Oprah Winfrey. And the genesis of this Bill is a personal outgrowth of emotion for me personally, especially when I witnessed the thing that she did as an American citizen when she embraced the world community and the effort she put in South Africa with the number of Christmas toys she gave the children, the education that she extended to those that never thought that they would see a silver lining in a black cloud. I mean, so many wonderful things that this woman has contributed in terms of educational factor with those who watch her show, her... her ability to give unselfishly to the audience participation, to the point now, that the program called The View, now they give their... their... people who are in the audience gifts. And I just think it goes on and on and on. And that Ms. Winfrey, in my personal estimation, is definitely godsent. I mean, I feel her spirit and the fact that God has blessed her with so much resources that she can just at random be probably the best ambassador of the human family, which is definitely the rainbow coalition. I thought, it behooved me that no one had done this even before now, to recognize a person who brings so much notoriety as a natural resource to the State of Illinois. And so, the essence of this Bill

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

was to take the month that was designated as Black History Month and take a small portion a week, of 7 days of that month, in honor and recognition of one of our best citizens in the State of Illinois. And I'm hopin' that it's a hundred percent support from both chambers, both the House and the Senate. And I ask for support of this House Joint Resolution. Thank you."

Speaker Hannig: "The Gentleman from Lake, Representative Washington, has moved for the adoption of House Joint Resolution #1. Is there any discussion? Then all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Mr. Clerk, are there any announcements? Representative Turner, for what reason do you rise?"

Turner: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I'd like to remind the Members again, that on next Wednesday it's African Heritage Day. We're asking Members to wear or bring their Caribbean or African garb that they have. This is for all Members. Next Wednesday night at 6:00, there's going to be a dinner, a soul food soiree, at the Governor's mansion. Starts at 6, it goes until 9. For those who are interested, there will be an open bar there. You don't have to pay for the beer. We will have shawls for all of the Members who don't have something to wear. Every Member will be given a shawl next week but if you've got something... Kente cloth, and anyone that has something different that they may want to wear, certainly we encourage you on next Wednesday. That

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

is the first day back, so we're just trying to remind you now to put it in your suitcase and bring it with you on next Wednesday. We look forward to celebrating together on Wednesday. Thank you."

Speaker Hannig: "Are there any other announcements? Mr. Clerk, would you read the Agreed Resolutions."

Clerk Mahoney: "Agreed Resolutions. House Resolution 125, offered by Representative Granberg. House Resolution 129, offered by Representative Feigenholtz."

Speaker Hannig: "Representative Turner moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, read the Adjournment Resolution."

Clerk Mahoney: "Senate Joint Resolution #16.

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, February 17, 2005, the Senate stands adjourned until Friday, February 18, 2005, in Perfunctory Session; and when it adjourns on that day, it stands adjourned until Wednesday, February 23, 2005, at 12:00 noon; and the House of Representatives stands adjourned until Friday, February 18, 2005, and when it adjourns on that day, it stands adjourned until Wednesday, February 23, 2005."

Speaker Hannig: "Representative Monique Davis moves for the adoption of the Adjournment Resolution. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Representative Giles moves that,

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

providing perfunctory time for the Clerk, that the House stand adjourned until Wednesday, February 23, at the hour of 12 noon. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Resolution is adopted and the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Referred to the House Committee on Rules is House Resolution 124, offered by Representative Currie. House Resolution 126, offered by Representative Black. House Resolution 127, offered by Representative Osterman. House Resolution 128, offered by Representative Lang. House Joint Resolution 17, offered by Representative Cross. House Joint Resolution 18, offered by Representative Reis. And House Joint Resolution 19, offered by Representative Bost. Committee Reports. Representative Daniels, Chairperson from the Committee on Developmental Disabilities & Mental Illness, to which the following measure/s was/were referred, action taken on February 18, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 1283. Representative McAuliffe, Chairperson from the Committee on Veterans' Affairs, to which the following measure/s was/were referred, action taken on February 18, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 497. Representative Howard, Chairperson from the Committee on Computer Technology, to which the following measure/s was/were referred, action taken on February 18, 2005, reported the

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

same back with the following recommendation/s: 'do pass Short Debate' House Bill 907. Representative Molaro, Chairperson from the Committee on Judiciary-Criminal Law, to which the following measure/s was/were referred, action taken on February 18, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 457, House Bill 527, House Bill 611, House Bill 747, House Bill 763, House Bill 816, House Bill 880, House Bill 884, House Bill 887, House Bill 888, House Bill 893, House Bill 992, House Bill 1002, House Bill 1088, House Bill 1095, House Bill 1106, House Bill 1151, House Bill 1173, House Bill 1319, House Bill 1339 and House Bill 1351; 'do pass as amended Short Debate' House Bill 172 and House Bill 245, House Bill 596 and House Bill 885. Introduction and Reading of House Bills-First Reading. House Bill 2515, a Bill for an Act concerning education, offered by Representative McCarthy. House Bill 2516, offered by Representative Schock. House Bill 2517, offered by Representative Colvin. House Bill 2518, offered by Representative McGuire. House Bill 2519, offered by Representative McGuire, a Bill for an Act concerning public aid. House Bill 2520, offered by Representative Millner, a Bill for an Act concerning criminal law. House Bill 2521, offered by Representative Rose, a Bill for an Act concerning wildlife. House Bill 2522, offered by Representative Sacia, a Bill for an Act concerning revenue. House Bill 2523, offered by Representative Sacia, a Bill for an Act concerning revenue. House Bill 2524, offered by

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

Representative Moffitt, a Bill for an Act concerning hypnosis. House Bill 2525, offered by Representative Saviano, a Bill for an Act concerning business. House Bill 2526, offered by Representative Bradley, John, a Bill for an Act concerning employment benefits. House Bill 2527, offered by Representative Bradley, John, a Bill for an Act concerning State Government. House Bill 2528, offered by Representative Bradley, John, a Bill for an Act concerning finance. House Bill 2529, offered by Representative Joyce, a Bill for an Act concerning regulation. House Bill 2530, offered by Representative McCarthy, a Bill for an Act concerning appropriations. House Bill 2531, offered by Representative Joyce, a Bill for an Act concerning regulation. House Bill 2532, offered by Representative Coulson, a Bill for an Act concerning elections. House Bill 2533, offered by Representative Jones, a Bill for an Act concerning local government. House Bill 2534, offered by Representative Schock, a Bill for an Act concerning appropriations. House Bill 2535, offered by Representative Feigenholtz, a Bill for an Act concerning regulation. House Bill 2536, offered by Representative Mulligan, a Bill for an Act concerning state finance. House Bill 2537, offered by Representative Pritchard, a Bill for an Act concerning aging. House Bill 2538, offered by Representative Brauer, a Bill for an Act concerning safety. House Bill 2539, offered by Representative Soto, a Bill for an Act concerning unemployment insurance. House Bill 2540, offered by Representative Moffitt, a Bill for an Act

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/18/2005

concerning the State Government. House Bill 2541, offered by Representative Franks, a Bill for an Act concerning health. House Bill 2542, offered by Representative Franks, a Bill for an Act concerning public aid. House Bill 2543, offered by Representative Flowers, a Bill for an Act concerning criminal law. House Bill 2544, offered by Representative Flowers, a Bill for an Act concerning health. House Bill 2545, offered by Representative Flowers, a Bill for an Act concerning hospital care. House Bill 2546, offered by Representative Flowers, a Bill for an Act concerning revenue. House Bill 2547, offered by Representative Flowers, a Bill for an Act concerning human rights. House Bill 2548, offered by Representative Flowers, a Bill for an Act concerning health care. House Bill 2549, offered by Representative Flowers, a Bill for an Act concerning health. House Bill 2550, offered by Representative Moffitt, a Bill for an Act concerning recreation. House Bill 2551, offered by Representative Franks, a Bill for an Act concerning revenue. House Bill 2552, offered by Representative May, a Bill for an Act concerning civil law. House Bill 2553, offered by Representative Hoffman, a Bill for an Act concerning public employee benefits. House Bill 2554, offered by Representative Smith, a Bill for an Act concerning State government. House Bill 2555, offered by Representative Saviano, a Bill for an Act making appropriations. There being no further business, the House Perfunctory Session will stand adjourned."