

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

34th Legislative Day

4/6/2005

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off laptop computers, pagers and cell phones. And we ask our guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Pastor Al Rennert with the Allenville Christian Church in... God has corrected me. All right. Pastor Rennert is with the Allenville Christian Church in Allenville, Illinois, which is close to Decatur. Okay. Pastor Rennert is the guest of Representative Flider."

Pastor Rennert: "Almighty, all holy, all merciful Father, God, we come humbly to Your throne this morning, first to praise and glorify You. For it is from You that all power on earth and in heaven emanates. It is from You that we receive our daily sustenance and even this next breath. It is from You that the complex order of this universe was founded. We thank and praise You as You are God of order and that we may participate in continuing and bestowing that order in this state. We thank You for the hardships even that have made us strong as well as Your blessings which we humbly accept. We thank You for this opportunity to pray forthrightly in this government chamber. Second, we lift up each one of these men and women who have set be... who You have set before us to serve us, guide us and act as our stewards of our resources. Some struggle as we speak, some bask in Your blessings, some do not know You, but You love them, Father, more than any of them can imagine. We pray for a day when each will be held at Your bosom and will eat at Your table.

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We pray for their families and loved ones that after You they may serve their spouses, children, relatives and friends with heartfelt conversation, warm moments of affection and precious times of revelry in Your creation. Thirdly, we pray for those who are served in this chamber. Those constituents who have placed their trust and the wisdom of each of these Legislators, the voiceless as well as the powerful, the speechless as well as the eloquent, the outcast as well as a club member. May these men and women be humble servants of all people. Lastly, Father, we lift up those upon whom we have little or no direct affect, but who, nevertheless, seek Your hand in their lives: victims of ignorance, war, tsunamis, disease, human cruelty and even personal foolishness. We ask that You use each of us even in a small way to offer Your love and comfort to those hurting souls, that our hands become Your hands, that our words are spoken as You would speak, that our ears and eyes listen with full attention and that we forgive as You forgive us daily. We ask these things in the name of Your Son, Jesus Christ. And all of God's children said, amen."

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

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

Speaker Madigan: "Roll Call for Attendance. Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker. Would the record reflect that our Majority Leader Representative Currie, along with

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Representative McKeon and Representative Boland, are excused today."

Speaker Madigan: "Mr. Bost."

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

Speaker Madigan: "The Clerk shall take the record. There being 113 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Mendoza, Chairperson from the Committee on International Trade & Commerce, to which the following measure/s was/were referred, action taken on April 05, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 805. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on April 05, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 3033. Representative Collins, Chairperson from the Committee on Public Utilities, to which the following measure/s was/were referred, action taken on April 05, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 3183. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on April 06, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill

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2248, Floor Amendment #2 to House Bill 2892, Floor Amendment #1 to House Bill 3272. Representative Reitz, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on April 06, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 3095. Representative Mautino, Chairperson from the Committee on Insurance, to which the following measure/s was/were referred, action taken on April 06, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 2190. Representative Bradley, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on April 06, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 3258. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on April 06, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 48; 'do pass as amended Standard Debate' House Bill 870. Representative Molaro, Chairperson from the Committee on Judiciary-Criminal Law, to which the following measure/s was/were referred, action taken on April 06, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 3507; 'do pass as amended Short Debate' House Bill 3504 and House Bill 3648; 'recommends be adopted' Floor Amendment #3 to House Bill 248, Floor Amendment #1 to House Bill 2900, Floor Amendment

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#1 to House Bill 2943 and Floor Amendment #1 to House Bill 2946."

Speaker Madigan: "The Chair recognizes Representative Osmond."

Osmond: "Point of personal privilege."

Speaker Madigan: "State your point."

Osmond: "Mr. Speaker and Members of the House, I share a birthplace of Waukegan, Illinois, with other famous people: State Representative Mark Beaubien, State Representative Ruth Munson and the late comedian, Jack Benny. Jack Benny was noted for celebrating his 39th birthday every year. I ask each of you to help celebrate the 20th anniversary of my 39th birthday with the cake up in front. Thank you."

Speaker Hannig: "Representative Hannig is in the Chair. Representative Eddy, for what reason do you rise?"

Eddy: "A point of personal privilege."

Speaker Hannig: "Yes. State your point."

Eddy: "Ladies and Gentlemen of the House, I'd like you to join me in welcoming a group of students. If they would stand, in the gallery, from my school district in Hudsonville, Illinois. They're here as part of a public policy work group in... with the University of Illinois, Springfield. Please give them a warm welcome here to Springfield and the General Assembly."

Speaker Hannig: "Okay. On page 31 of the Calendar, under Agreed Resolutions, is House Resolution 238. Mr. Clerk, would you read that Resolution."

Clerk Bolin: "House Resolution 238.

WHEREAS, The Lincoln Foundation for Performance Excellence was founded in 1994 and is a publicly and privately-supported

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not-for-profit organization; it was created to significantly raise Illinois worldwide competitiveness by improving the performance of its institutions and businesses; and

WHEREAS, The Lincoln Foundation for Performance Excellence has created an award patterned after the Malcolm Baldrige National Quality Award; the award is an annual recognition of Illinois organizations that have demonstrated exemplary approach, deployment, and results in their overall quality systems and processes; it is presented to organizations that serve as role models for quality, customer satisfaction, and performance excellence; and

WHEREAS, The Lincoln Foundation for Performance Excellence has awarded OSF Saint James-John W. Albrecht Medical Center, located in Pontiac, the 2004 Lincoln Silver Award for Progress Towards Excellence; and

WHEREAS, In addition, eight other Illinois organizations were recognized with the 2004 Lincoln Bronze Award for Commitment to Excellence for their earnest efforts to adopt and apply continuous improvement principles; these recipients include Akzo Nobel Aerospace Coatings in Waukegan, Bison Gear & Engineering Corp. in Saint Charles, Forest View Elementary School in Mt. Prospect, MTM Recognition in Princeton, Mundelein High School District 120 in Mundelein, Preco Electronics, Inc., in Morton, Robert Frost Elementary School in Mt. Prospect, and Salt Creek Elementary School in Elk Grove Village; and

WHEREAS, Award recipients were formally honored at The Lincoln Foundation for Performance Excellence Tenth Annual

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Recognition Ceremony hosted by Michael J. Birck, Tellabs' Chairman and CEO, on December 15, 2004; therefore, be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize The Lincoln Foundation for Performance Excellence and its efforts to assist Illinois organizations to strive for performance excellence; and be it further RESOLVED, That a suitable copy of this resolution be presented to The Lincoln Foundation for Performance Excellence and each 2004 Performance Excellence Award recipient as an expression of our respect and esteem."

Speaker Hannig: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker and Members of the House. I'm honored to introduce to you today the award winners from the Lincoln Foundation for Performance Excellence. These are a group of winners who have been through a very stringent, stringent selection process based on the Malcolm Baldrige National Quality Award. The award is an annual recognition of an Illinois institution that has demonstrated exemplary approach, deployment and results in their overall quality systems and processes. It's an extremely high honor and I'm so glad to have them here today. They're in the upper gallery in front of us. The Lincoln Foundation for Performance Excellence has awarded OSF Saint James-John Albrecht Medical Center located in Pontiac to receive the 2004 Lincoln Silver Award for Progress Towards Excellence. The eight other organizations who have won the 2004 Lincoln Bronze Awards are Akzo Nobel Aerospace Coatings in Waukegan, Illinois, Bison Gear &

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Engineering Corp. in Saint Charles, Forest View Elementary School in Mt. Prospect, MTM Recognition in Princeton, Mundelein High School District 120 in Mundelein, Preco Electronics, Inc. in Morton, Robert Frost Elementary School in Mt. Prospect, and Salt Creek Elementary School in Elk Grove Village. All of these award recipients were formally honored at the Lincoln Foundation for Performance Excellence Tenth Annual Recognition Ceremony held up in DuPage in Tel... by Tellabs. They're all here with us today in the upper gallery. I'd like them to stand and for all of us to give them the recognition of their outstanding excellence in their institutions. Thank you."

Speaker Hannig: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. I just want to briefly second the comments there of Representative Bellock probably some other Legislators want to, too. This is extremely significant, the recognition, and I'd like to ask everyone here in the chamber, what... what's the main souvenir that... memento that a Super Bowl player receives when they play in the Super Bowl? It's a ring. The rings are... in the last 24... 24 out of the last 36 years, the Super Bowl rings were made by MTM, the company from Princeton, Illinois. Right here in the State of Illinois made those Super Bowl rings and they're scheduled to do it again in 2006. Their company had a branch try working in another country. It came back to the United States because they liked the work... work ethic here in Illinois and we're really proud of the example that they set for that. One concluding comment I wanna make. They make jewelry and awards for another state, for the

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State of California. I think MTM should be making awards and sou... in the... the heirloom jewelry for the State of Illinois. We're proud that you're here. We're proud of every company that's being recognized and congratulations on your recognition by the Lincoln Foundation. Thank you."

Speaker Hannig: "The Gentleman from Tazewell, Representative Sommer."

Sommer: "Thank you, Mr. Speaker. It's my privilege to stand and recognize two of the award recipients today. I'm joined by my colleague and our colleague, Senator Dan Rutherford, who also represents these recipients. The first is... is from Pontiac, Senator Rutherford's hometown, the OSF-Saint James Hospital-John W. Albrecht Medical Center. Those of you who drive 55 to get here, as you pass the Pontiac exit a quarter mile to the west, you will see a brand new facility. This hospital is a true gem for rural and small town America. You can feel very safe as you travel that portion of the interstate. They provide excellent services to our citizens. The other company honored is Preco Electronics from my hometown of Morton. Preco is a contract manufacturer for many companies in the state. It also has a proprietary manufacturing plant elsewhere. They employ more than 200 people. The Senator and I join in congratulating Preco on their accomplishments."

Speaker Hannig: "And now, the Lady from DuPage, Representative Bellock moves for the adoption of the Resolution. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Okay. On the Order of... On page 27 of the Calendar, on the Order of Third Reading, is House

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Bill 1080 for Representative Bradley. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1080, a Bill for an Act concerning economic development. Third Reading of this House Bill."

Speaker Hannig: "Representative Bradley."

Bradley, J.: "Mr. Speaker, could I move this Bill back to Second for the purpose of an Amendment?"

Speaker Hannig: "Okay. We'll move that from... Mr. Clerk, would you move this Bill from Third to Second at the request of the Sponsor."

Bradley, J.: "Thank you."

Speaker Hannig: "On page 6 of the Calendar is House Bill 805. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 805 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bradley, has been approved for consideration."

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

Bradley, R.: "Thank you, Mr. Speaker. The Amendment makes some technical changes agreed to by the State Police regarding the registry of copper purchases. Appreciate your support."

Speaker Hannig: "The Gentleman moves for the adoption of Amendment #1. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. On page 3 of the Calendar is House Bill 325. Mr. Clerk, would you read the Bill."

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Clerk Mahoney: "House Bill 325, a Bill for an Act concerning real property. Second Reading of this House Bill. No Committee... Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Representative Black, do you wish to move this?"

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

Speaker Hannig: "Yes."

Black: "The appraisal which is required for this Bill to move to Third. I sent the appraisal over to staff about a week ago. Has it been filed with the Clerk?"

Speaker Hannig: "Mr. Clerk, could you advise us on whether we have the appraisal? The Clerk advises me that he... that he does not have it as of this..."

Black: "All right. We have it in our possession. I'll get it filed today and hopefully we can come back to this, if at all possible."

Speaker Hannig: "I'm sorry. I was distracted. Could you repeat your... your statement, Representative Black?"

Black: "Yes. The Speaker's technical review staff indicated some time ago that we had to have a... an up-to-date appraisal of the land to be conveyed. That appraisal has been done by a certified appraiser and I mailed it over to staff last week. I had hoped it would have been filed with the Clerk, but I'm... I'm not aware of that."

Speaker Hannig: "Representative, I'm advised by the Parliamentarian that we could move the Bill from Second to Third. So, would you wish to do that at this time?"

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Black: "But we can't... we can't act on the Bill without the appraisal being attached. That's my understanding."

Speaker Hannig: "Well, we can't call it on Third Reading today anyway, so..."

Black: "All right. Well, we'll move it to Third then we'll move it back when we get the appraisal filed. If... I mean, I'm at the... I'm at the suggestion of the Chair on how you wanna handle this."

Speaker Hannig: "The Chair's advised that we could move the Bill from Second to Third."

Black: "All right. Fine. Thank you."

Speaker Hannig: "Okay. So, Mr. Clerk, let's move this to the Order of Third Reading. On page... Let's see, on page 25 of the Calendar... Excuse me. Representative Franks, for what reason do you rise?"

Franks: "Point of personal privilege, Speaker."

Speaker Hannig: "Yeah. State your point."

Franks: "Before we went on break, I believe that Representative Wait had passed a Resolution indicating that April 2005 is Car Care Month and that was House Resolution 107. And since we're now in April, I just wanted to keep with the spirit of that Resolution and I spoke with the Automobile and Manufacturers Association and we're to remind you that you should change your oil every 3 thousand miles or 3 months. So, thank you."

Speaker Hannig: "Okay. Returning to page 25 of the Calendar. Representative Brady, does the Gentleman wish to have us read House Bill 245? Okay. Why don't we move on down the Calendar then to page 28 of the Calendar is House Bill 2355

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for Representative Brauer. Okay. That'll be out of the record at the request of the Sponsor. On page 27 of the Calendar is House Bill 1391 for Representative Burke. Would you like us... No. Would you like us to read that Bill, Representative Burke? Representative Burke, would you like to call this Bill on Third Reading? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1391, a Bill for an Act concerning civil law. Third Reading of this House Bill."

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

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1391 very simply amends the Uniform Disposition of Unclaimed Property Act and the Bill deals with funds or stocks distributable in the course of demutualization, rehabilitation and related reorganization of an insurance company. Demutualization is the conversion of a mutual insurance company that is owned by its policyholders that is turned into stock company. While the insurance company continues to exist, the corporation's function and the nature of the ownership is altered. Basically, it permits the insurance companies to transfer unclaimed property to the control of the State Treasurer in a shorter period of time. And certainly, the State Treasurer is a proponent and the Illinois Insurance Association. And I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1391. This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Okay. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 25 of the Calendar is House Bill 220. Representative Churchill. Okay. Out of the record at the request of the Sponsor. On page 27 of the Calendar is House Bill 1318. Representative Chapa LaVia. Okay. Why don't we move on down the Calendar. On page 27 is House Bill 1320. Representative Chavez, would you like us... No. Out of the record at the request of the Sponsor. Okay. I'm advised Representative Chavez wants to move House Bill 1320 from Third to Second. That's not correct? Okay. Let's just leave it on Third Reading and we'll move on. On page 28 of the Calendar is House Bill 1518... 1581. Representative Beaubien on the floor? Okay. We'll return to that one, as well. Page 9 of the Calendar is House Bill 1107. Representative Jenisch. Mr... Mr. Jenisch, do you wish us to read 1107? Okay. Out of the record. How about 3819? Representative Jenisch, we have a couple of your other Bills, 3819. How about 3724? Okay. Mr. Clerk, read that Bill."

Clerk Mahoney: "House Bill 3724, a Bill for an Act concerning higher education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Jenisch, has been approved for consideration."

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

Jenisch: "Thank you, Mr. Speaker. I move to adopt Floor Amendment 1 which provides that the board of trustees at the public universities may adopt any rules necessary to implement the provision of this program. That was it... a Amendment that the committee requested, so we bring it forward today."

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

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

Speaker Hannig: "Third Reading. Mr. Clerk, let's now return to House Bill 1581. And would you read the Bill, please."

Clerk Mahoney: "House Bill 1581, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "And the Gentleman from Lake, Representative Beaubien, will handle this Bill for Representative Cross."

Beaubien: "Yes. Thank you very much. This is a Bill dealing with a diabetes checkoff Bill and the funds would be used for the curing of diabetes, at least 50 percent of which will go to youth... youth diabetes. We've had many of these Bills before. And I would urge its passage."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 1581. This is on Short Debate. Does anyone stand in response? 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?"

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Have all voted who wish? Representative... Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 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 read House Bill 733? Okay. How about Representative Dugan on House Bill 4058? All right. We'll keep going down the list. Representative Dunkin on 2598. Representative Flider on House Bill 780. Mr. Clerk, read the Bill. It's on page 26 of the Calendar."

Clerk Mahoney: "House Bill 780, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Flider."

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 780 makes it an offense to sell stolen property on the Internet. And it specifically provides for three new offenses being created. Those being: online sale of stolen property, online theft by deception and electronic fencing. This legislation was brought to my attention by the Illinois Retail Merchants Association. I know of no opposition. I would request your support."

Speaker Hannig: "This Bill is on the Order of Short Debate. Does anyone stand in opposition? 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 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page

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29 of the Calendar is House Bill 3480. Representative Kosel, do you wish us to call that Bill for Third Reading? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3480, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Kosel."

Kosel: "Thank you very much, Mr. Speaker. I would move for the passage of House Bill 3180(sic-3480). 3180(sic-3480) addresses a... I guess you could call it a loophole that's been in the schools for a while. There has been a policy that allowed administrators or superintendents within a school district to sign contracts for pop machines and other things that the school received reimbursement for without running those contracts through the school board and without having some kind of means of accounting for the reimbursement that would be received from those contracts. This Bill will close that loophole and say that these contracts still can be bid in the way that they are now or however the school chooses to bid them, but that they will have to be approved by the school... by the school board. And I would ask for its passage. Thank you."

Speaker Hannig: "The Lady has moved for the passage of House Bill 3480. 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 112 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page

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26 of the Calendar is House Bill 733. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 733, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Hannig: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. House Bill 733 will require to the State Board of Education to establish a goal that all school districts in the state have a wellness policy that's consistent with the Center for Disease Control recommendations and establishes an interagency working group made up of the Department of Public Health, the Department of Human Services and the State Board of Education to work on model policies. It creates the school wellness policy task force made up of representatives of various state agencies and entities concerned with the health and school-age children, provides that is not to be construed as a curricular mandate on schools. And that's a very important point. In addition, this is part of an overall plan that we... I've been working on in conjunction with the CLOCC organization to lower childhood obesity and to aid Illinois schools in establishing a federally mandated wellness program. And I would ask for your 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone rise in response? 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... Okay. Mr. Clerk, take the record. On this question, there are 113

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voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 27 of the Calendar is House Bill 1318. Mr. Clerk, would you read the Bill. Representative Chapa LaVia."

Clerk Mahoney: "House Bill 1318, a Bill for an Act concerning civil immunity. Third Reading of this House Bill."

Speaker Hannig: "Representative Chapa LaVia, you're up."

Chapa LaVia: "Thank you, Speaker. House Bill 1318 was brought to me by some concerned, engineers and architects, about the possibility of another 9/11 or that magnitude happening in our state. And we put together this Bill called the Good Samaritan Bill that would make it so if they dedicated some of their time and their efforts and the resource that they would not be found liable if something this should to happen."

Speaker Hannig: "The Lady has moved for the passage of House Bill 1318. This is on the Order of Short Debate. Does anyone stand in response? 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 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 30 of the Calendar is House Bill 3822 for Representative Colvin. Mr. Clerk, would you read... read the Bill."

Clerk Mahoney: "House Bill 3822, a Bill for an Act concerning education. Third Reading of this House Bill."

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

Colvin: "Yes. Thank you, Mr. Speaker. Thank you, Mr. Speaker. House Bill 3822 is basically a number of revisions to the early childhood education statutes. Really, it's cleanup language for a Bill dealing with early childhood grants, a piece of legislation that was passed a year ago. It basically codifies and helps clean up a lot of the language with respect to how a lot of the early childhood development grants are... are funded and how they're distributed in the State of Illinois. The Bill came as a result of the work from the Ounce of Prevention Fund. The Bill received unanimous support last year and it received unanimous support in committee a couple weeks ago. And I ask for your support. I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. And in response, Representative Eddy is recognized."

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

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

Eddy: "Representative, I've had a couple of calls regarding this Bill and I wanna make sure we... we clear up a couple of misconceptions possibly that are out there. First... first of all, will this in any way affect existing distribution of grant money for early childhood programs now receiving state grants?"

Colvin: "No."

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Eddy: "Will this in any way change the way grants are prioritized by the State Board of Education as they look at new grant programs through the existing?"

Colvin: "Absolutely not, Representative."

Eddy: "Okay. Thank you very much. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Eddy: "There's... there's been some concern as to whether or not this would change any of the priorities or the way these grants are funded or existing grants. This legislation does not do that. It's a good Bill. And I would urge an 'aye' vote."

Speaker Hannig: "Okay. The Gentleman has spoken in favor of the Bill. Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Flowers, do you wish to be recorded? Representative Winters and Berrios, would you wish to be recorded? Representative Winters. Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 30 of the Calendar is House Bill 4058. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4058, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Dugan: "Thank you, Speaker and Members of the House. House Bill 4058 addresses veterans' issues. And what it does simply is

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it now allows National Guardsmen and Reservists to be eligible for Veterans Home care. Up until this point, they had to have 20 years of service and there was a lot of different items that came into play and really, our National Guard and Reservists were not able to take advantage of the Veterans Home care. So, with the change in what's been happening lately, our... the Reservists and the National Guard people that serve do have the right to have that care in Veterans Home, if they do need it. So, that's all this Bill does is now allow them eligibility. I do wanna state though, that the Bill does specifically state that those that were in conflict would have first priority for Veterans Home care, but it does now allow all of them to be eligible. I'll answer any questions. And would appreciate an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? 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, is Amendment #1 still on the Bill?"

Dugan: "Yes, it is. Amendment #1 is the Bill."

Black: "All right. Let me make sure I understand that because it was adopted on a partisan Roll Call. And if I understand the Amendment, a veteran of the war on terrorism who could be defined, in my mind, you correct me if I'm wrong, as someone who served in Afghanistan or Pakistan or in Special Ops anywhere that the Commander in Chief sent his or her

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unit would not be eligible, if I'm reading this correctly, for Illinois Veteran Nursing Home benefits. Is... is that a correct interpretation?"

Dugan: "No, it is not, Representative. I know that there was some confusion on that and the Veterans Administration put the Global War on Terrorism in this Bill. And it was decided because it specifically then talked about the Global War on Terrorism truly with the expansion requirements that we have listed in the Bill, it now includes everyone. It... The timeframe now includes everyone. It's not just the people in the Global War on Terrorism. It's anyone that served in peacetime duty, in active peacetime duty, so Somalia... Those types of things that also aren't listed in the Bill, that's because the Bill encompasses all of them. And so, even though there was some confusion because Global War on Terrorism was put in and taken out, we took it out because we're not listing every conflict, we're just listing serving in active duty and the timeframes cover everyone."

Black: "So, if I understood your explanation, there... there does not exist a clear definition of a veteran of the war on terrorism, correct?"

Dugan: "Correct. It includes everyone if they were called to active duty no matter what conflict it was."

Black: "Okay. So, with that clarification, then we are not excluding any honorably discharged veteran from being able to avail themselves of services in the Illinois veterans' homes, correct?"

Dugan: "That is correct, Representative."

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Black: "In fact, now, we are including everyone. The correction that you made was, I don't think there are any veterans of the conflicts that you removed. What, the Spanish-American War and something else."

Dugan: "Correct, correct."

Black: "All right. So, this Bill is inclusive of any veteran, correct?"

Dugan: "Yes, it is."

Black: "Okay. And so, with that clarification then, it's my understanding that there are no veterans' groups in opposition: the Department of Veterans' Affairs has no opposition or concerns, the Legion, the VFW, the AMVETS. It's your understanding and for the record, that all veterans' groups are in support of this Bill."

Dugan: "Yes. And it was the Veterans Administration that initiated the Bill. That's who brought it to me to begin with, Representative."

Black: "Okay. Fine. Representative, thank you for clarifying... well, what concerned me. Than... and I appreciate your efforts. Thank you."

Dugan: "No problem. Thank you, Representative."

Speaker Hannig: "Representative Dugan to close."

Dugan: "Again, this is just another benefit for our veterans and those that serve often and protect our safety and freedom. And so, I would appreciate an 'aye' vote. Thank you."

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

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question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 29 of the Calendar is House Bill 2598 for Representative Duncan. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 2598, a Bill for an Act concerning child support. Third Reading of this House Bill."

Speaker Hannig: "Okay. Out... out of the record at the request of the Sponsor. Representative Leitch, would you like us to read House Bill 2892? Mr. Clerk, read the Bill. 2892 on page 18 of the Calendar."

Clerk Mahoney: "House Bill 2892, a Bill for an Act concerning public aid. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Leitch, has been approved for consideration."

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

Leitch: "Thank you very much, Mr. Speaker. House Bill 2892 has to do with extending the data warehouse. When the vision for the then new Department of Human Services was created, one-stop service was the goal of the Human Services system in our state. Such... realization of such a service is not possible without the data warehouse that we have at Public Aid and an expansion of that data warehouse. This Amendment would encourage the department to pursue the one-stop service. It would also create a commission composed of members of the executive branch as well as members to lay a plan and... and in effect, keep score on our progress for finally realizing the dream of one-stop service in the human

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services. I think it's a very, very important Amendment. And I would ask for your approval."

Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. On page 20 of the Calendar is House Bill 3272. Representative Leitch, do you wish us to read that Bill? Mr. Clerk, would you... would you read the Bill."

Clerk Mahoney: "House Bill 3272, a Bill for an Act concerning finance. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Leitch, has been approved for consideration."

Speaker Hannig: "The Gentleman from Peoria, Representative Leitch. You need to adopt the Amendment, Representative."

Leitch: "Thank you very much, Mr. Speaker. I, too, would ask that this Amendment be adopted. It pertains to the Teachers Health Insurance Fund and would prevent the administration from taking money out of that fund as they did in the past. If Members would recall, a year ago the rates were raised on teachers insurance by \$4½ million and then the administration took that money for general revenues. I have many unhappy teachers and no doubt, you do as well. And that's the purpose of the Amendment. And I'd ask for its approval."

Speaker Hannig: "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?"

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

Speaker Hannig: "Third Reading. On page 29 in the Calendar is House Bill 3417. Representative Eileen Lyons. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 3417, a Bill for an Act concerning finance. Third Reading of this House Bill."

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

Lyons, E.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3417 is a truth in spending Bill. If we could have a balanced budget... budget, we wouldn't need this legislation. But in an effort to shift monies around to appear financially stable, we do it on the backs of providers the state contracts with. Thus, we reduce competition in this state and when we reduce competition, it costs the state more money. Last year we paid over \$3 million in late interest penalties, this year we are up to a hundred and fifty thousand already. We need to start the clock ticking for providers so the 60 days start and late interest will be paid to providers of this state. As my colleagues, you all have telephone calls in your district offices from providers in your district who are saying to you, 'we're not getting paid.' And you call the state agency and they say, 'well, we okayed the check'. Then you call the Comptroller's Office and they say, 'well, we didn't get the... the bill.' This legislation will make sure that these checks are... the payments are expedited. We cannot balance the budget on the backs of providers. They should be paid on time and this will provide that the 60 days

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starts clicking when the agency sends that bill to the Comptroller's Office. And I would ask for your support."

Speaker Hannig: "The Lady has moved for the passage of House Bill 3417. This on the Order of Short Debate. Does anyone stand in response? 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 Flowers and Berrios, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 29 in the Calendar is House Bill 2566. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 2566, a Bill for an Act concerning veterans. Third Reading of this House Bill."

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

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2566 would just reassign grant money that's being funneled through the Department of Employment Security to the Department of Commerce and Economic Opportunity that helps the veterans throughout the state. And I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? 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 Phelps,

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you need to be recorded. Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Phelps, for what reason do you rise?"

Phelps: "A point of personal privilege."

Speaker Hannig: "Yes. State your point."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like for you, my colleagues, to welcome me in welcoming to Springfield students and administrators from mine and Representative John Bradley's alma mater, Southeastern Illinois College."

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

Bailey: "Point of personal privilege."

Speaker Hannig: "Yes. State your point."

Bailey: "I would like to... House to wel... give a warm welcome to Chancellor Wayne Watson of City Colleges, President Clyde El-Amin from City Colleges. And Chancellor Watson is also a voter and a constituent. Thank you."

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

Kelly: "Thank you, Mr. Speaker. I'd like to give a warm welcome to students from Prairie State College which is in my district, Representative Miller's, Representative Davis' district and Scully."

Speaker Hannig: "Welcome to Springfield. On page 29 of the Calendar is House Bill 3524. Representative McAuliffe, do you wish us to read that Bill? Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 3524, a Bill for an Act concerning methamphetamine. Third Reading of this House Bill."

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

McAuliffe: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. House Bill 3525(sic-3524) deals with the problems we're having with medamphetamine... methamphetamine and would have the Illinois State Police work in cognizant with statewide reporting requirement so all local law enforcement officers, firefighters, emergency management personnel and other governmental employees engage in public safety so if they have to enter a dwelling where methamphetamine is being produced, they could become more aware and be easier for them to identify this. And I'd be happy to answer any questions."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone stand in response? 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 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 23 of the Calendar is House Bill 3713. Representative Meyer, do you wish us to read that Bill? Okay. Out of the record at the request of the Sponsor. Representative Brady, do you wish us to read House Bill 245? Okay. We... we can get back to that in a few minutes. Mr. Clerk, what is the status of House Bill 1038?"

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Clerk Mahoney: "House Bill 1038 is on the Order of Third Reading."

Speaker Hannig: "Return that to the Order of Second Reading at the request of the Sponsor. And Mr. Clerk, what is the status of House Bill 1320?"

Clerk Mahoney: "House Bill 1320 is on the Order of Third Reading."

Speaker Hannig: "Okay. Return that to the Order of Second Reading at the request of the Sponsor. Mr. Clerk, would you read House Bill 1971, please."

Clerk Mahoney: "House Bill 1971, a Bill for an Act concerning elections. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. Okay. Third Reading. Yes. Move that Bill, 1971, to the Order of Third Reading. Representative Collins, you have House Bill 1397 on the Order of Second. That's on page 11 of the Calendar. Would you wish us to read that Bill? It's on Second Reading. Mr. Clerk... Representative Collins, do you wish us to read it? No. Out of the record. Representative Collins, what... Turn on Representative Collins. Let's ask her what she wishes us to do with the Bill."

Collins: "No. I have an Amendment to add to the Bill, but I don't have it..."

Speaker Hannig: "Is the Amendment in... is the Amendment in Rules or is the Amendment..."

Collins: "No, it's ready..."

Speaker Hannig: "It's on..."

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Collins: "...but I gotta read it. It's in Rules. It came out of Rules, getting ready to go to committee."

Speaker Hannig: "Okay. So, Mr. Clerk, would you read the Bill, please. Representative Collins, we're advised that your Amendment has not been filed. So... so, why don't we take it out of the record and we'll get back to it. Representative Brady, would you like us to proceed with House Bill 245? Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 245, a Bill for an Act concerning sexually dangerous persons. Third Reading of this House Bill."

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

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 245 is a initiative actually through McLean County dealing with sexually dangerous individuals. And it deals with the application process that once an individual who is incarcerated for an offense can apply for a hearing to review their capabilities and their status to be back into society. This would simply limit that particular process to be able to apply for that hearing once per year instead of presently under the statute continuously filing for hearings after they have been denied and clogging up the prosecuting and court system which has occurred in my county. I'd be happy to answer any questions regarding the legislation."

Speaker Hannig: "The Gentleman moves for the passage of House Bill 245. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed

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'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 13 of the Calendar, Representative Fritchey has House Bill 1633. Representative Fritchey, would you like us to read this Bill? Would you like us to read this Bill? It's on Second Reading. Okay. That'll be out of the record at the request... at the request of the Sponsor. Representative Gordon has... On page 28 of the Calendar, Representative Gordon has House Bill 2389. Okay. Let's take that out of the record. Rep... Representative Graham... On page 27 of the Calendar, Representative Graham has House Bill 990. Okay. Out of the record at the request of the Sponsor. Representative Hamos has House Bill 3812. That's on page 30 of the Calendar. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 3812, a Bill for an Act in relation to health. Third Reading of this House Bill."

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

Hamos: "Thank you, Speaker, Ladies and Gentlemen. This is an initiative of the Chicago Bar Association that brought the Bill to me, but it's in exact conformance with the principle that I talk about and I work... I worked with all of you on which is to try to encourage people with mental illness to receive community-based services instead of institutionalization. In this particular Bill, this would provide that the people who are brought into court with a potential for an involuntary hospitalization would be a

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lousy option of accepting a court order for community-based outpatient treatment instead of that voluntary or involuntary hospital admission. The Bill itself sets out standards and procedures for the person or the custodian. It's completely voluntary. It's subject to a court order. It has standards and protections built into it. I think this is an important Bill. It's not going to pertain to everyone in this state because we know there's still a dearth of community-based programs for people with mental illness, but where it exists, this is a really important and good step to encouraging people with mental illness to get hooked up to the community-based programs and to avert hospitalization. And I seek your 'aye' vote."

Speaker Hannig: "This Bill's on the Order of Short Debate. And in response, Representative Parke."

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

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

Parke: "Representative, what community-based organizations do you want these people to go to?"

Hamos: "Well, I mean, the Bill itself, of course, doesn't specify that, but I think we do have, in Illinois, an extensive base, an extensive community-based system of... of mental health treatment programs. What we don't do very well is to make the hook up and under... in this Bill, it would be all subject to court supervision, so the custodian would have to find somebody in the community that would be willing to work with the patient."

Parke: "Do you have any idea how many people you're talking about? Are you talkin' about..."

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Hamos: "You know, I... I don't right off, I'm sorry."

Parke: "...thousands, hundreds?"

Hamos: "You know, I... I don't... I think it would not be difficult to find out from the Department of... DHS from their office of mental health how many people right now are subject to voluntary or involuntary hospitalizations where the state pays Medicaid. We would be able to have that information. We don't know about it for all other people out there who are not under the Medicaid program."

Parke: "Do you think it'd be a couple thousand statewide?"

Hamos: "That would be my guess."

Parke: "Okay. To the Bill. Ladies and Gentlemen, I... I think the Lady's idea has merit, but let me just remind everybody. For those of you who recently had Speaker Madigan's revenue meetings in your district, what did we hear from the community-based outreach people? What we heard was that under the color... current Governor's fee-for-service plan, that a good number of them may go out of business. That there is not enough money to provide the services that they need based on a fee-for-service. Now, well intended, the Lady's Bill who'll probably put in anywhere, I would imagine, anywhere from a thousand to 5 thousand more people in already understaffed, underfunded community-based organizations. Now, I think, unfortunately, this is a mandate on them and there's no money with it. So, I don't know. I'm probably gonna vote for the Lady's Bill, but I think we need to understand is that we are straining, straining our community-based organizations and everybody who attended the hearings around the State of Illinois heard

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from our community-based organizations talkin' about the disaster that's developed because the Governor has shifted to this fee-for-service program that does not have enough money in it. We are already hearing about smaller ones going out of business. We will continue to lose community-based organizations because we are not funding them properly. We are not funding our Medicaid system properly. The... this Governor has not done what he's supposed to do in terms of the CEO of the State of this... of Illinois in terms of his obligation and responsibilities to these community-based organizations. This Lady has a Bill. It's a good Bill. It's a good idea. But we're gonna dump thousands more people on these... these community-based organizations that are understaffed, underfunded and we're gonna exacerbate a serious problem that this Body must address before we adjourn. Ladies and Gentlemen, we are headed towards a disaster, a meltdown in our community-based organizations in this state and I must say that this just exacerbates the problem. But if we're gonna pass this legislation and pass it on to these community-based organizations, we must find money to pass on to these community-based organizations."

Speaker Hannig: "This is on the Order of Short Debate. Representative Hamos opened, Representative Parke spoke in response. It looks like there's a few others that would like to speak on this Bill, so we'll remove it from Short Debate and then go to Representative Black."

Black: "Than... thank you very much, Mr. Speaker. And thank you for removing the Bill from Short Debate. Certainly, I don't

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think anyone will quarrel with the... the concept of the Representative's Bill, but the... the devil is always in the details. Representative, if you would. I'm somewhat concerned that the State Guardianship and Advocacy Commission are generally the guardians of many of these people and would then also be responsible to see to it that they... that the person or persons receive adequate outpatient treatment and yet, we don't hear from them. And, ya know, and I have a theory. I don't wanna say it on the mike. I have a theory why we don't hear from them. Something about, perhaps, micromanaging. But I know that department has been wracked, as all departments have, by budget cuts, retirements, layoffs. I guess my question to you and it's probably rhetorical, I don't know that anyone can answer it. Do we have the people in the proper agency in place to track to make sure these people are, in fact, getting the services that they not only need, but in many cases, they must have?"

Hamos: "Well, Representative Black, thank you for that question because I actually do really, strongly believe in the Guardianship Advocacy Commission and I can tell you that Representative Feigenholtz and I have done quite a bit of work with them in the last few years on even work... talking to them about how we could create a better system to provide more alternatives in the community. I also really agree with the previous speaker that we have a problem in not adequately funding our community-based programs, but I want to point out to the Members here is that, first of all, the community-based system is going to take these clients a few days or weeks after admission to a hospital... people are

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admitted to a hospital for short-term emer... psychiatric emergencies. We need to have the backup in the community anyway. They're going to accept them. They need to be there. Second of all, this is a way to avert the hospitalization in the first place and I can tell you that a hospital bed costs a thousand dollars a day, a nursing home bed costs a hundred dollars a day and community-based supportive housing services cost even less than that. If we do the math and if we really had a system in place in the State of Illinois, we could make sure that people were... that we were accounting for the savings in not putting people into hospitals and then driving those dollars right back into the community. So, yes and no. Are the community-based programs there in all parts of the state? No, they're not. Do we need to fund them more adequately? Yes, we do. This Bill is not a mandate, it's completely voluntary. The Chicago Bar Association wrote this Bill just to create some legal guidance for the courts that they can avoid an involuntary or voluntary admission to a hospital by letting the patient and the custodian, let's say the Guardianship and Advocacy Commission, if they have the resources in place in the community, they can... the judge can order the person into those community-based facilities instead of into the hospital."

Black: "Now, I... And I don't think anyone fundamentally disagrees... By the way, Mr. Speaker, my question took 30 seconds, the answer took a minute... three and a half minutes, but whatever."

Hamos: "I talk a lot."

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Black: "I don't think anyone disagrees with what you're saying. But and I don't wanna... God forbid that we use a tragedy like the federal judge's spouse that was murdered. That individual appears to have fallen through many cracks when he should have received some help. My only fear is, Representative, and I... you've tried to address it and I know there's no silver bullet. We are not making the investment in the services necessary to treat people on an outpatient basis. And I... I'm glad the Chicago Bar Association has stepped forward, but it's not the Chicago Bar Association who will treat the people in need of treatment. I... I just question whether the services are there and I'm... I'm glad to know that it's voluntary... that are so vital and necessary... I just... it seems to me there are an awful lot of gaps in the service provider network and that..."

Speaker Hannig: "Representative Black, could you bring your remarks to a close."

Black: "Thank you... thank you very much, Mr. Speaker. And I think you've... you've alluded to this and I'll listen to the rest of the debate. It's those service gaps that are somewhat frightening in this Bill. If somebody is not institutionalized and that certainly is not always the answer, but if there aren't the outpatient, quality outpatient services, then we may be setting ourselves up for a tragedy that no one... no one wants to occur. I... I appreciate your bringing the Bill forward and I will certainly listen with some interest to the debate."

Speaker Hannig: "Representative Mulligan."

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

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

Mulligan: "Representative, not having seen this Bill before, I'm quickly running through it trying to figure out exactly where you're going. But the thing that threw up a flag to me, that I don't understand, is why would this have come through Executive Committee rather than either Human Services or Health Care or a law committee because it would have gotten a different kind of debate and there would be more people on the House Floor now that would know what's actually in your Bill and whether we believe it has merit that we want to vote for. So, rather than standing here having this discussion and running around trying to figure out where you're going with it, we would have known. So, why was the decision for this to go through Executive Committee? I don't get it."

Hamos: "Is that a question to me?"

Mulligan: "Yes."

Hamos: "Well, I do not know the mysteries of the Leadership either."

Mulligan: "Well, usually things that are sent through Executive Committee are sent through Executive and it looks like this was always your Bill. It wasn't a shell Bill that you got from the Leader, correct?"

Hamos: "Right."

Mulligan: "All right. So, then there'll be a reason why it went to Executive Committee first, but it's always your Bill. So, I'm looking at it and I'm going, Executive Committee, that usually means there's something controversial about the Bill that needs work from a group that's gonna pass your

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Bill, you know, no matter what and I'm not real comfortable with that at this point."

Hamos: "Well, let me... let me give a different explanation as I understand it. This Bill was brought to me wi... by the Chicago Bar Association very late in the process and I think a number of Bills were being assigned to Executive Committee simply because the... the staff had not had adequate time to really analyze them and to send them to the right committees before the deadline. So, I really think it went to Executive only because it was a parking place, not only for these... this Bill, but for a lot of Bills that were assigned out the same way. And then, just because of the deadlines, it was released from Executive and get... came to the House Floor. I agree with you that this would have been a Bill to have had a conversation about in committee, but I think there's actually nothing at all controversial about it and no one is in opposition."

Mulligan: "All right. Then the second concern I have with the Bill is, it appears that some of these people may actually have to be resent... represented by Guardianship and Advocacy. Guardianship and Advocacy is under constraint right now. They have cut their budget several years in a row. They don't have enough lawyers and they don't have enough money to... to really do the job they need to do although they've been getting by admirably with advocates from law schools and different people that have been helping them, but unfortunately because other supplementals have been tied up, they have not received the money that they need in order to be able to adequately represent people particularly on an

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emergency basis, because that's where they have the most problem is getting somebody out there. And this seems like a Bill that would cause more problems there without adequate money at that agency. We knew at the end of the budget year or the end of the discussion when we voted on a budget, that they would need a supplemental. We've known it all this time and the supplemental still is not forthcoming. So, has anybody asked for a fiscal note or decided what kind of a burden this would put on that particular agency?"

Hamos: "Well, again, Representative Mulligan, this is... I don't see that this would add to the workload of the Guardianship Advocacy Commission. They're already in court under this Bill. They're already standing there with the respondent, with the patient. And the only thing that happens under this Bill is that instead of directing the patient and agreeing to an order to send the patient to the hospital, it would go into community-based care, voluntary, agreed to and only if the programs in the community are there. So, that's not gonna be every place in the state. And again... and what's also written into this Bill is that the custodian is not held liable for... for mis... ya know, making a wrong judgment about this. So, it's... it's gonna take... it's going to be useful in some situations, not all. But the Guardianship Advocacy Commission people would already be in court. This is more of a legal structure for the courts."

Mulligan: "So, what's the basic problem, you believe, this Bill solves?"

Hamos: "I believe that what the Chicago Bar working with Mark Heyrman and the Mental Health Association was try... this was

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actually his initiative. I... I should have mentioned that, too. Is I think they were trying to..."

Speaker Hannig: "Representative Mulligan, your time has expired. Why don't you finish Representative Hamos in answering her question."

Hamos: "Okay. I think that what they were trying to do was to create a... another option for the court instead of admission to a hospital and they wanted to create the standards under which that could happen."

Speaker Hannig: "Representative Feigenholtz."

Feigenholtz: "Thank you. To the Bill. Representative Mulligan and Black both have asked some very astute questions. First of all, the magical question of how Bills go to the Executive Committee and why. And I believe that the Sponsor has answered that, but I'd like to speak to the merits of this Bill. I know that Representative Black has worked long and hard on... on working on income retention issues for people who are in nursing homes, very often those are people living with mental illness. And there was a report that came out recently that said that we can't afford to do that. Well, what this Bill actually intends to do, as I see it, is something that the Conference of Women Legislators has been working on for years, trying to appropriately evaluate somebody or at least give the court direction on how to appropriately evaluate them and put them in a setting that is appropriate for them that's going to cost the state as little money as possible. That is what this Bill does. And so, I stand in strong support of it. I'm sure now that Representative Mulligan has a better understanding of what

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it does. She... she, too, I hope will see that this is worth supporting. And I encourage everybody to give it an 'aye' vote."

Speaker Hannig: "So, we've had three speak in response and 1 in support. We need... we have room for two more under the rules of Standard Debate to speak in support. Representative Bellock, do you speak in support?"

Bellock: "Thank you very much, Mr. Speaker. Will the Speaker(sic-Sponsor) yield?"

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

Bellock: "I just had a few questions, even though I'm going to support it just because I wanted to make sure because on our analysis there were no proponents from the mental health summit. So, you started to clarify that."

Hamos: "Again, this was brought to me actually by the Chicago Bar Association but I can tell you that Mark Heyr... they were working with Mark Heyrman and just yesterday he sent me an e-mail to thank me for supporting the Bill."

Bellock: "Oh, okay. So, they're in support. I just wanted to clarify, also, that in our analysis, which I think might be wrong, it talks about 'involuntary' admission into a mental health facility. I think they meant 'informal'?"

Hamos: "No, this would actually apply to situations in which there's a potential voluntary or involuntary admission to a hospital. But this would be a way to divert people from that as long as there is this alternative treatment plan in place."

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Bellock: "But are you giving the discretion of switching somebody out of a mental health facility to the director of the facility or strictly to the court system?"

Hamos: "No..."

Bellock: "Because in our analysis it says, 'to the director of the mental health facility'."

Hamos: "Well, no. I think that what this Bill does is this is within... this is under a court order. So, this is at the point when the court must decide whether or not to move somebody to a hospital, to have an involuntary or voluntary admission to a hospital and they're standing in court. This would be a court-approved plan for alternative treatment."

Bellock: "Okay. Because in our analysis it says, 'creates a standard to govern the exercise of discretion by a facility director in determining whether to deny voluntary admission'."

Hamos: "Well, the... the beginning part of this Bill which amends a different section... amends a different section, takes the current law. The current law already says, 'a respondent may request admission as an informal or voluntary recipient at any time prior to an adjudication that he is subject to involuntary admission'. And then it says, 'if the facility director approves such a request, the court may dismiss the pending proceedings'. Now, that's current law. This Bill would amend that part of the law as well. That's different than the rest of the Bill that I was talking about and would give some guidance to the facility director under what situations they would have to approve the request. So, it would go on to say..."

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Bellock: "I guess my..."

Hamos: "...the facility director shall approve such a request unless the facility director determines that the respondent lacks the capacity to consent to informal or voluntary admission or that informal or voluntary admission is clinically inappropriate. The director shall not find that voluntary admission is clinically inappropriate in the absence of a documented history of the respondent's illness and treatment'. So, it gives some guidance to the facility director, but the rest of the Bill that I've been talking about really has to do with what the court is looking at as part of an agreed order for alternative treatment."

Bellock: "I'm... I'm fine with the court making the decision, my question was about the ability of a facility director to change a plan, especially of a person who is being committed involuntarily."

Hamos: "And... and again, I don't think... I think that... I'm just guessing right now. I have... This has not come up before. I'm guessing that what the mental health summit folks would say is that they're trying to give some guidance here, les... legislative guidance, under what situations the facility director would approve or not approve, because already it says, that the fac... if the facility directors have to approve. It's already part of the law without any of those standards and this would add some standards to go along with that."

Bellock: "Okay. Well, I'm in support of the Bill. I know that we need to keep as many people out of the hospitals as we can and into community settings. But I also strongly

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support the Governor giving more attention to the public policy of community settings, especially with a Bill like this, because we don't wanna take the people out of a mental health facility and not provide them services within the community which is so important and that's my main concern. Thank you."

Speaker Hannig: "And now, under the rules of Standard Debate, will Rep... we'll recognize Representative Leitch for five minutes and then we'll go to a Roll Call. Representative Leitch."

Leitch: "Thank... thank you. Will the Lady yield?"

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

Leitch: "At what point does the psychiatrist enter into this? In other words, if you look at this and you read 'facility director', I'm not sure, perhaps I'm wrong, but are all facility directors psychiatrists? I'm... I'm sure they're not, as a matter of fact."

Hamos: "I'm sure they're not."

Leitch: "So, what is the... Why would a psychiatrist not be involved in the decision?"

Hamos: "Again, just to clarify again. This Bill amends two different sections of the Mental Health and Developmental Disabilities Code. The one section that I think is the... the key component of this Bill has to do with court-ordered decisions, under court supervision. The second part of what I'm getting questions about, right now, takes in existing law and adds some standards. The existing law, Representative Leitch, already refers to facility directors approving these requests. I'm sure that the facility

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directors in both private and public hospitals allocate those decisions to psychiatrists, but the existing law refers to facility director."

Leitch: "Well, one of the problems that I've found in the course of working on this issue is the disparity between different counties with involuntary admission and with those court decisions. For example, the Guardian(sic-Guardianship) and Advocacy Commission and the court process in Winnebago County is very differently interpreted than it is in Peoria County. And I've learned subsequently throughout the state there are all these different interpretations that revolve around especially someone under the care of Guardian and Advocacy, that should as probably come as no shock to you there are many bureaucratic items that show up along the line. We've had people, for example, from Peoria who have not gone through the right steps to be taken to Singer in Rockford and then be told to come back to Peoria in order to get the... processed there. The two different pieces to an actual admission involving the psychiatrist and others are very complicated in that process and have to be done perfectly. So, my only concern about your Bill is that I don't thoroughly understand how this works from a logistical standpoint because I think there are a lot more complexities in the actual on the ground work in these situations than may be apparent by what either the association or the Chicago Bar Association knows. I mean, I'll support your Bill, but I'm very concerned about the implications of some of the details that may surface in the course of attempting to implement this Bill because it is a very convoluted

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system in some cases and widely and differently interpreted process in many cases. So, I'm very concerned about how this would work. I mean, the concept is a good concept, but there are a number of practical ramifications that I just would raise to your attention."

Hamos: "And I would be... I would be pleased to work with you, Representative Leitch, to clarify some of those issues. I don't believe that this Bill changes any existing procedures as to the voluntary or involuntary procedures. This creates a separate option for the courts to use in the case of agreed to voluntary alternative treatments."

Speaker Hannig: "Okay. Representative Hamos is recognized to close."

Hamos: "Thank... thank you, Ladies and Gentlemen. I think this has been a good debate. I, too, regret that this did not have the benefit of a full hearing. I think we would've all learned more about the existing procedures, but I think on the face of it, this conforms exactly to what all of the speakers have wanted to do generally as a theme which is to get, in the cases where appropriate, to keep people out of hospitals and into community-based treatment programs. And I seek your 'aye' vote."

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? Representative Younge... Would Representative Younge wish to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 1 voting 'no'. And this Bill, having

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received a Constitutional Majority, is hereby declared passed. Representative Howard, for what reason do you rise? Representative Gordon, for what reason do you rise?"

Gordon: "A point of personal privilege, Mr. Speaker."

Speaker Hannig: "State your point."

Gordon: "Thank you. Ladies and Gentlemen of the House, in a true showing of bipartisanship there's a very special young man here. He does not live in my district. He lives in the district of Representative Wait and goes to school in the district of Representative Winters. I... His name is Sean Dickson. I met him when I was judging a speech contest and saw an outstanding public speaker very early in the season. He proved me right when I gave him first place, when I gave him first place in that round because he went on to win first place in impromptu speaking at the IHSA school... IHSA speech contest and fourth place in extemporaneous speaking. He'll be attending the University of Chicago this fall. And it would not surprise me, and I will say no matter where he ends up living in the state, if one day he does not join us on this House Floor. I would like you all to welcome Mr. Sean Dickson, one of our outstanding high school students in the state."

Speaker Hannig: "Representative Bradley."

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

Speaker Hannig: "Yes. State your point."

Bradley, J.: "I've got some special guests here today. I'm gonna ask them to stand up, up here. We've got the career and technical education students from Herrin High School way

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down in Herrin, Illinois. We appreciate you all being here and glad to have ya. Tha..."

Speaker Hannig: "Welcome to Springfield. On page 4 of the Calendar, under the Order of House Bills-Third Reading, is House Bill 448. Representative Hoffman, do you wish us to call that Bill? 448. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 448, a Bill for an Act concerning gaming. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. On page 16 of the Calendar, Representative Howard has House Bill 2487. Would you like us to read that Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2487, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Howard, has been approved for consideration."

Speaker Hannig: "Representative Howard."

Howard: "Yes. Thank you, Mr. Speaker. This Amendment, Amendment #1, imposes a requirement on the reporting entity to also make the report available in a reasonable time on its website."

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

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

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Speaker Hannig: "Third Reading. On page 19 of the Calendar, under the Order of House Bills-Second Reading, Representative Hassert has House Bill 3183. Does the Gentleman wish us to read that Bill? Okay. We can come back to that at another time. So, we'll take that out of the record. On page 28 of the Calendar, under the Order of House Bills-Third Reading, Representative Jakobsson has House Bill 2500. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 2500, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. This Bill provides that if an agreement is authorized by the courts, the municipal... municipality and a drainage district may enter into and implementing agreement to provide for an automatic detachment of land from a drainage district when that land is annexed by the community... by a municipality."

Speaker Hannig: "This Bill's on the Order of Short Debate. And in response, the Gentleman from Cook, Representative Parke."

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

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

Parke: "It says in our notes here that the opponents also argue that urban areas tend to create more water runoff than rural areas and the language provides that municipals may not necessarily take responsibility of storm water and just drop it in the district's infrastructure. They can take it to court, but the court there's a lot of expenses to that. Are they still opposed or have you done something to alleviate their concern?"

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Jakobsson: "The Amendment that was agreed and passed out of the committee and then we amended it again here yesterday was one that came from working with the Illinois Association of Drainage Districts and they are in agreement with it now."

Parke: "So, the Bill has no opposition at this time? The Bill has no opposition at this time?"

Jakobsson: "As far as I know."

Parke: "Okay. Thank you."

Speaker Hannig: "Is there any further 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, does this Bill come out of a... of a dispute between the City of Urbana and Wal-Mart? Is that the genesis of the Bill?"

Jakobsson: "I don't believe so, Representative."

Black: "All right. Because there was a lawsuit, I believe, filed about the drainage that Wal-Mart... that that huge expanse of asphalt might create in that particular corner of Urbana."

Jakobsson: "I don't believe so."

Black: "Okay."

Jakobsson: "I think this is something that the cities of Urbana and Champaign..."

Black: "All right."

Jakobsson: "...have been working together with."

Black: "The only concern that I had with the Bill and Representative Parke covered this, let me follow up just a

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little bit. I've been here long enough to see all of the errors we've made in storm water management. I... I... One of the first Bills I voted on down here and the people from Cook County and the suburbs can relate to this, I had never heard of it. We passed a Bill putting speed limits on drainage water coming from developments in Cook that then would flow downstream and the damage that it did downstream might be significant, but the municipality that created the storm runoff said, well, gee, that's too bad. I guess my fear is that when you develop... and the threshold in this is very small, a town of 35 thousand people. If they develop a retail shopping center or an industrial complex on the outer fringe of that community, that alters natural drainage. And if you pave a lot of that, then you're going to put a lot of water in the drainage plain and you get out of the communities corporate boundary and the drainage tile and/or the drainage ditch may simply not be adequate to handle the amount of water and that creates downstream damage. I... I'm curious as to how the drainage districts and the municipalities have evidently worked this out. Wha... What's your understanding of where the liability might be?"

Jakobsson: "Representative, this, ya know, further amends that it provides that a municipality and a drainage district may enter into an agreement for the automatic detachment. So, this doesn't just, ya know, keep them outta..."

Black: "All right."

Jakobsson: "...the discussion, but they can enter into an agreement."

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Black: "So, before any annexation could be completed by the municipality... as I was just talking with... with our staff. The drainage district has to agree, correct?"

Jakobsson: "That's my understanding."

Black: "Okay. So, I'm going to assume that the drainage district has looked into the ability to handle the increased runoff so that we don't get in to downstream complaints that, let's face it, Representative, you and I are gonna handle."

Jakobsson: "Ya know, the... whether there's this agree..., ya know, the disconnect or not, that drain off could be there. And so that's why we do have this agreement and that they'll work together."

Black: "Well, as you have seen in the City of Urbana and as I have seen in Vermilion County, drainage law in Illinois goes back decades if not more than a hundred years. And it's getting more and more of a problem as... as urban sprawl develops and alters historic drainage flow and of course, we're losing the grassland that slows the water down. It's becoming, in part of my district and part of your district, a... a headache. And I just wanna make sure we're not creating an additional headache that you and I will have to go to meetings and try to figure out how to solve."

Jakobsson: "Part... part of this is that when the municipalities have this agreement and they... and it's annexed to them, they will have the responsibility of taking care of that."

Black: "Okay. That... I think that's the key. I appreciate the Amendment and the work you've done on the Bill because as you know there's nothing more contentious than water showing

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up on someone's property and they come into your office and say, water's never been on my property before and I want you to straighten it out. I think this Bill gives adequate protection for those in the unincorporated areas and I think that the responsibility because of your Amendment will fall upon the district..."

Speaker Hannig: "Representative Black, could you bring your remarks to a close."

Black: "I think you've done a good job of making sure the responsibility rests with the entities involved to make certain they aren't creating more problems than they're solving. I... I appreciate the work you've done on the Bill."

Jakobsson: "Thank you."

Speaker Hannig: "Representative Jakobsson to close."

Jakobsson: "Thank you, Mr. Speaker. I urge an 'aye' vote for this important Bill."

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 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Yarbrough, for what reason do you rise?"

Yarbrough: "Point of personal privilege."

Speaker Hannig: "Yes. State your point."

Yarbrough: "Please help me welcome the students from Triton College up in the balcony. Triton College, you wanna stand up? There they are."

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Speaker Hannig: "On page 27 of the Calendar, Representative Jefferson has House Bill 1315. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1315, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Hannig: "Representative Jefferson."

Jefferson: "Let's... Thank you, Mr. Speaker, Members of the Legislature. All this Bill does is simply repeals the need to declare a permanent disability if, in fact, you go into the polls and you are disabled, you don't have to declare it as a... as a permanent disability. You can determ... you can declare a temporary disability, but they have to assist you in the voting booth at that time. So, this removes the... the ability to have to declare whether or not you're permanently disabled. And I would ask for a favorable vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in... Excuse me. Representative Giles, do you stand in response?"

Giles: "Thank you, Mr. Speaker. Just a question... just a question of clarity."

Speaker Hannig: "The Gentleman will yield."

Giles: "Representative Jefferson, could you just... because I'm not on the Elections Committee, could you just briefly explain once again the process of removing these individuals from the voting rolls? I just wanna be clear on it. I've always tracked this type of information. I just wanna be clear, so that as I continue to talk to my constituency I would have a good knowledge of the actual procedures."

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Jefferson: "Yes, Representative. That part of the Bill was removed. That's no longer a part of the Bill. There's was an Amendment to that that said we would not deal with the obituary part of this Bill. So, that's no longer a part of this Bill. It's simply dealing with the disability aspect of it."

Giles: "Okay. So, just the individuals that are disabled..."

Jefferson: "At that point, yes."

Giles: "...those individuals will be able to exactly what?"

Jefferson: "Be able to request assistance without having to declare whether or not they're permanently disabled or temporary disabled. They don't have to disclose that information."

Giles: "And... and they still can have assistance from, say, family members or an individual from the Board of Elections. Is that correct?"

Jefferson: "That's exactly right. A member from the Board of Elections."

Giles: "All right. Thank you, thank you."

Jefferson: "Thank you."

Giles: "Thank you, Mr. Speaker."

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

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

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

Black: "Representative, as... unfortunately it can be very difficult to hear in the chamber. As I understand it now, with the Committee Amendment the Bill has nothing to do with

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the purge of registered voters, correct? That... that has all been eliminated."

Jefferson: "Yes, that's right."

Black: "What the Bill does now is to say, if I... if I tell my election authority I'm physically disabled, I no longer have to give them a timeline, am I totally and permanently disabled or am I just, ya know, like..."

Jefferson: "That's correct."

Black: "...like maybe Representative Flider needed help getting in the booth on his crutches. Why... why did the election authorities wanna remove any reference? I mean, I... I can see somebody abusing this in every election just to say, well, ya know, I need a little help and I... I'm disabled, ya know. And they may not be disabled at all. Why do they wanna remove the... the existing requirement that you have to show some indication that you're permanently disabled in order to get voting assistance?"

Jefferson: "Well, because of what you just asked, Representative. All people sometimes can be disabled, but it doesn't have to be a permanent disability. At that particular time, they've got proof that they are disabled and all they have to do is show that to the individual that they're requesting assistance from. It might not be a permanent disability so the next time when they come into the Board of Elections or to come in to vote, they don't have their declaration then..."

Black: "Okay. All right."

Jefferson: "...they don't get the assistance."

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Black: "There won't be any notation on that individual's voter registration card will there?"

Jefferson: "No."

Black: "That... that the voter is physically disabled?"

Jefferson: "They would have something from their physician..."

Black: "Okay."

Jefferson: "...that would say that they're temporarily disabled at that point."

Black: "All right. So, that accommodations could be made for them to vote, right?"

Jefferson: "Exactly."

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

Jefferson: "Thank you."

Black: "...for clearing that up. I appreciate it."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Represen... Okay. Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 4 of the Calendar is House Bill 483 for Representative Joyce. Representative Joyce, do you wish us to call 483? 483. Okay. Out of the record. And Representative Joyce, how about 452? Mr. Clerk, read House Bill 452 on page 26 of the Calendar. Mr. Clerk..."

Clerk Mahoney: "Hou..."

Speaker Hannig: "...House Bill 452. 483 is out of the record."

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Clerk Mahoney: "House Bill 452, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Joyce."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 452, as amended, would codify and state clearly what is in the Department of Regulations... Professional Regulation and Registration's regulations requiring those who operating tanning facilities to get written permission for children to use the facility between the ages of 14 and 17. It also deals with some of the penalties and this is... this was discussed at great length during committee. We agreed to amend it. The opponents... the original opponents have removed their opposition to this Bill and this is a negotiated agreement."

Speaker Hannig: "This Bill's on the..."

Joyce: "I'd be happy to answer any questions."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone stand in opposition? 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... Mr. Clerk, take the record. On this question, there are 82 voting 'yes', 31 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hassert, would you wish to have us call 3183? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3183, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by

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Representative Hassert, has been approved for consideration."

Speaker Hannig: "Okay. That'll be out of the record then at the request of the Sponsor. Representative Gordon has a Bill on page 28 of the Calendar, House Bill 2389. Mr. Clerk, would you read that Bill."

Clerk Mahoney: "House Bill 2389, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Hannig: "Representative Gordon."

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 2389 expands a person's ability to collect money pursuant to the Ill... the Crime Victim's Compensation Act. It's an initiative of ICASA. I... It went through committee without any votes. We put the Amendment on it yesterday. And I would be honored for your 'yes' vote. I would be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? 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 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Joe Lyons has, on page 29 of the Calendar, House Bill 2580. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 2580, a Bill for an Act concerning utilities. Third Reading of this House Bill."

Speaker Hannig: "Representative Lyons."

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Lyons, J.: "Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 2580 provides for some commonsense homeland security protection for Illinois electric, water and natural gas facilities. Part one of the Bill allows for voluntary rules to be made by municipalities that own or operate a municipal utility. Basically, we prohibit an employee or subcontractor employee from any... entering any area, a particularly sensitive areas of the facility. The facilities include a pumping station, electric transfer station, electrical generation facility, et cetera. The second part of the Bill actually requires Illinois' public utilities to file with the National Security Standards of the North American Electrical Liability Council to restrict access to critical infrastructure and databases. This passed out of committee unanimously. I'd be happy to answer any questions. Would ask for your favorable consideration."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone stand in response? 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? Okay. Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. And Representative Lyons, on page 24 of the Calendar you have House Bill 3851. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 3851 has been read a second time, previously. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Do you wish to move this to Third, Representative Lyons?"

Lyons, J.: "There's an Amendment... I'm waiting for an Amendment to be approved from Rules..."

Speaker Hannig: "Okay."

Lyons, J.: "...on this Bill."

Speaker Hannig: "So, we'll just hold this then on the Order of Second..."

Lyons, J.: "Hold that on Second. Thank you."

Speaker Hannig: "On page 30 of the Calendar, Representative Froehlich has House Bill 3831. Mr. Clerk, would you read that Bill."

Clerk Mahoney: "House Bill 3831, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Froehlich, the..."

Froehlich: "Yes."

Speaker Hannig: "Is this your Bill?"

Froehlich: "We just switched it to me..."

Speaker Hannig: "Okay."

Froehlich: "...today."

Speaker Hannig: "So you've signed the paperwork and..."

Froehlich: "Yes, we did."

Speaker Hannig: "Okay."

Froehlich: "Yes, we did. Thank you."

Speaker Hannig: "Represen..."

Froehlich: "Thank you, Mr. Speaker. This House Bill is an initiative of the Fire Caucus. It's put forward by fire protection districts to allow them to on rare occasions when they both agree to disconnect territory from one district to

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annex it to another one for public safety purposes to make this more feasible. It's amended to assure that the affected homeowners or landowners are given plenty of due process before it happens. I'd be happy to answer any questions."

Speaker Hannig: "Okay. This Bill's on the Order of Short Debate. Does anyone stand in response? 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 Younge, do you wish to be recorded? Representative Tryon, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mautino has, on page 30 of the Calendar, House Bill 3576. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 3576, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Hannig: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3576 and I'm joined with cosponsor Representative Biggins, who was the past and long-time member of the audit commission, this is the annual transfer Bill. And the... this will transfer funds from several state special funds to the Audit Expense Fund and this is the Auditor General's Bill. Basically, we put the money in

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there to conduct the over a hundred and fifty audits he does per year. And I simply ask for an 'aye' vote."

Speaker Hannig: "Okay. This Bill's on the Order of Short Debate. Does anyone stand in response? 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 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mautino on 3577. Okay. Out of the record at the request of the Sponsor. Representative Millner has, on page 30 of the Calendar, House Bill 3597. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3597, a Bill for an Act concerning law enforcement. Third Reading of this House Bill."

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

Millner: "Thank you, Mr. Speaker. House Bill 3597 amends the Illinois Police Training Act to authorize Law Enforcement Training Standards Board to initiate, administer and conduct annual firearms certification courses for retired law enforcement officers but only if they're qualified under the Federal Law to carry a concealed weapon. And I ask for an 'aye' vote."

Speaker Hannig: "Okay. This Bill's on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye';

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opposed 'nay'. The voting is... Excuse me. Representative Franks, do you wish to stand in response?"

Franks: "Yes."

Speaker Hannig: "Okay. We'll give you an opportunity."

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

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

Franks: "Representative, you brought this through our committee and at that time I had some questions. And can you tell us a little bit more about exactly what this Bill does? I know some of my colleagues have some questions."

Millner: "Yes. In fact, I'll read the language directly from the Bill if you think it may help."

Franks: "Thank you."

Millner: "It says, the board, which means the Law Enforcement Training Standards Board, may initiate, administer and conduct annual firearms certification courses consistent with the requirements enumerated in the Peace Officer Firearm Training Act for retired law enforcement officers qualified under Federal Law to carry the weapon."

Franks: "So, what we're doing is bringing this in line with the Federal Law, as I understood it?"

Millner: "Yes, that's correct. And what we'd like to do... There's agencies throughout the state that have their own qualification courses. This would kinda unify it under the training board and they may put together a course. It allows them to do that."

Franks: "We're not allowing more people to be able to conceal and carry, are we?"

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Millner: "No. The goal is to certify those officers who wish to participate in this particular program by having uniformity across the state. And this would allow... Currently, the training standards board is not allowed to do it, but they can at this point."

Franks: "Thank you very much."

Millner: "Thank you."

Speaker Hannig: "There seems to be a little interest, Representative Millner, so we'll move this to Standard Debate so that Rep... so a few others could ask questions. Representative McCarthy."

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

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

McCarthy: "Representative, I was listening to your explanation for Representative Franks and is there anything in the Bill that has an age limit?"

Millner: "No. They have to be... according to the Bill and the language, is that the training board would certify, but they have to be certified. In other words, if they go through that particular course, they have to complete it. So, age is not a factor. But if they don't..."

McCarthy: "But would it..."

Millner: "...and also in this Bill, which we don't have now, it would be an annual certification. So, annually they would have to do it and if they can't do it because of whatever reason, whether it's their age or their physical condition or whatever it may be..."

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McCarthy: "Maybe... But is it your intent by the legislation to put some age limit in there, say, retired officers that are 75 years or older shouldn't have a gun."

Millner: "No, not at all. Because that would be... at that particular age, typically, they're not gonna be able to qualify and they wouldn't be able to carry a weapon."

McCarthy: "So, even a person like my father who's a retired Chicago policeman, he just turned 86, he could go and..."

Millner: "If he could..."

McCarthy: "...pass this training if he wanted to."

Millner: "If he could pass the muster of this, yes, he could. I don't wanna age discriminate."

McCarthy: "So, what is the real intent of this Bill then and why... why do we need this?"

Millner: "The... the intent..."

McCarthy: "I mean, we did this with the Federal Law and kinda grandfathered these people in, correct?"

Millner: "Yeah. But well, the reason is 'cause there's so many different agencies that have their own programs and every program's different from each other. This would provide uniformity throughout the state, number one and number two; it'll mandate an annual qualification."

McCarthy: "So, is it... is it your intent that this is actually more control instead of..."

Millner: "It's my belief..."

McCarthy: "...in addition to the... and in addition to the federal..."

Millner: "It... it... it's my belief that uniformity brings more control and better control, more quality to the state. And it would be up to the training board to decide whether or

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not they can do that. This is a 'may' language. It allows them to provide this particular qualification course for law enforcement throughout the state."

McCarthy: "All right. Thank you."

Speaker Hannig: "Representative Osterman."

Osterman: "Osterman, Representative Hannig. Thank you. Will the Sponsor yield? Representative Millner, a couple questions. This is an initiative of the Illinois Chiefs of Police?"

Millner: "Yes, it is."

Osterman: "Is there any opposition to the Bill?"

Millner: "On our analysis the opposition is a... opposed by the Illinois Coalition Against Handgun Violence."

Osterman: "Okay. The definition of 'peace officer'. How is that enumerated either in the Bill or in statute now?"

Millner: "The definition is a qualified officer... I mean, this is the federal law now that has been passed, it's a law of the land. That we're not changing at all."

Osterman: "I know, but my question is, with peace officers, is that a Cook County sheriff, is that a University of Illinois security officer..."

Millner: "Let me... let me... let me read these to you so you got an idea. I'll... I'll read it from... Representative Osterman, let me read from the Bill. 'A peace officer is any person who by virtue of his office or public employment is vested by law with the primary duty to maintain public order or to make arrests for offenses whether that duty extends to all offenses or is limited to a specific offense and who is employed in such capacity by any county or municipality or

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retired law enforcement officer qualified under the Federal Law to carry a concealed weapon.'"

Osterman: "Okay. Your board then is gonna come up with the requirements in Illinois by which those retired officers could be able to conceal and carry in the State of Illinois? And your Bill, I mean..."

Millner: "It must... it must follow Federal Law."

Osterman: "Okay. My question though is, underlying that is, your Bill as drafted now, if this passed and signed by the Governor, would give these retired law enforcement officers the ability that they do not have today to conceal and carry a firearm?"

Millner: "I'm not sure I understand what you mean by that 'cause today there are... For example, Rockford has a program, I believe, Waukegan has a program, Naperville has a program. Various municipalities throughout the State of Illinois have different programs, but they're not uniform, they're not consistent and I... frankly, I think it's..."

Osterman: "I appreciate that..."

Millner: "Yeah."

Osterman: "...and I... I... uniformity in that is not my question. I... I think that's a good thing, uniformity in laws. The question is, though, does your Bill give retired law enforcement officers or peace officers, under the definition you described, does that give them the ability to carry a concealed firearm?"

Millner: "Yes, they can currently do that now under Federal Law."

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Osterman: "So, a retired Chicago police officer under Federal Law can have a concealed and carry a firearm?"

Millner: "Well, I believe so, but it depends."

Osterman: "That's a big..."

Millner: "It's a matter of opinion."

Osterman: "Can you repeat that?"

Millner: "Yeah. I think it's a matter of opinion. Some would say 'yes'; some would say 'no'. But the law is clear. The Federal Law is clear that they can."

Osterman: "When did that Federal Law go into effect?"

Millner: "This last year."

Osterman: "And was that passed as a individual piece of legislation or was that, as we frequently see and you've seen and I've seen, part of an omnibus budget Bill or something else?"

Millner: "You know... It was a stand-alone Bill."

Osterman: "Okay. Representative Millner, I have a lot of respect for you coming from your background, but also your work here on gun control and on a lot of issues and I think that that's a critical, critical question which your staff is telling you, you believe is to be true. I think others probably wanna chime in, if it is true or not. Allowing retired law enforcement officers the ability to have a concealed firearm I think a lot of people on this floor will have a lot of opinions about. I think..."

Millner: "But... but currently, as I said, there are numerous agencies throughout the state that certify and qualify, so, ya know, and..."

Osterman: "But what you're do... your Bill is doing..."

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Millner: "And... and many officers who aren't certified and qualify apparently are carrying it based on the Federal Law. This will mandate... We... It gives us the opportunity, in this chamber, to mandate that those officers be trained. It mandates that not only are they trained, but they are trained annually and certified to do it. Other than that, we have this willy-nilly process here which needs, I think, to be controlled."

Osterman: "Have municipalities tried it themselves? Has... has, ya know, Schaumburg, has Chicago, has Coal City, have they implemented their own rules that interpreted the Federal Law?"

Millner: "Some have and some haven't. Those particular communities I don't have the answer to, but many of the communities have set their own standards and their own rules for it which I think this is beyond that. It should be a state mandated, not mandated, but a state certified situation so if those people can't qualify, as the one Rep..."

Speaker Hannig: "Representative, your... your time has expired. Could you bring your remarks to a close?"

Osterman: "Let me just, if I may... if I may close. Representative Millner, again, I appreciate trying to have a uniform issue. I think it's vague and everyone should pay attention to this legislation. Oftentimes, the Federal Government implements rules and then advocates say, it's the Federal Law and that's the way it should be. This law and others can ask this question, will allow retired law enforcement officers, Cook County, people that are public peace officers, the ability to have a conceal and carry

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weapon. That is large public debate that I think each person should know how they're gonna vote and if they wanna have that. I appreciate the uniformity aspect, but this Bill ultimately would give those people that some would say don't have the ability now, the ability to carry a concealed weapon in the State of Illinois. And I will be voting 'no' on this Bill."

Speaker Hannig: "So, now under the rules of Standard Debate, Representative Franks, McCarthy and Osterman have spoke in response. We're looking for people to speak in support. Representative Saviano."

Saviano: "Thank you, Mr. Speaker. I just have one question to the Sponsor."

Speaker Hannig: "Okay. The Gentleman will yield."

Saviano: "Currently, the Illinois State Police has implemented a program to address this situation. In no way does this impede on what the State Police have been doing?"

Millner: "No. State Police has a program in effect only for their members."

Saviano: "Thank you very much."

Speaker Hannig: "Okay. Okay. We... Under... again, under the rules of Standard Debate, there's room for two additional proponents to speak. Representative Sacia."

Sacia: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in strong support of the Gentleman's legislation. In deference to what Representative Osterman said earlier and I think he understands where Representative Millner is going with this Bill. And the very important part here for all of us to understand is Congress has now

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authorized all of us who are retired law enforcement officers to carry, if certain criteria are met. Representative Millner's legislation is doing the one important thing we must have and that is provide uniformity. I think that's imperative that we have a training system in place. I applaud him for bringing this legislation forward. This simply improves the federal legislation that is already in place and in no way takes from it. I urge all of us to give a strong 'aye' vote. Thank you."

Speaker Hannig: "So, now under the rules of Standard Debate, we've had two speak in favor and three speak in response. Does anyone else wish to speak in response? Representative Molaro."

Molaro: "I... I... I haven't been here long enough."

Speaker Hannig: "In support?"

Molaro: "I'm for the Bill. So, I don't know what that means."

Speaker Hannig: "In support?"

Molaro: "Yes."

Speaker Hannig: "So, you're recognized in support."

Molaro: "All right. Thank you. Ya know, I'm in..."

Speaker Hannig: "Excuse me. That was my... my error."

Molaro: "All right."

Speaker Hannig: "Representative Molaro."

Molaro: "Thank you, Mr. Speaker. The reason I'm in support of this Bill. I'm on the same side as Representative Osterman. I... I read the Bill itself. I gotta tell ya, I don't... in reading of the Bill, I don't think it says that Illinois supports or doesn't support it. It just says that if, in fact under the federal rules, you are allowed to carry

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concealed weapons, that now you're gonna be trained to do so. I don't see this Bill saying that we... we, as a state, are saying you should carry concealed weapons. I read the Bill, it doesn't say that. So, anything that would train these fellows. So, I am in support of this Bill and it makes a lot of sense to me even though I'm sort of a gun control advocate and I have a Bill coming up later. So, remember that, Representative Millner. But one question, real quick and I know you'll yield to that so the Speaker doesn't have to tell us. Is that, when you do these trainings, I'm not so much worried about whether they can shoot straight or whether their response time is 'cause remember they're gonna be old guys and old ladies. They're not gonna know where to shoot or how to shoot. So, I think it's a little silly that we allow 'em to do this, but is there at least gonna be training for psychological matters? 'Cause as you reach 68, 70, 75 years old, we all know the motor skills go down, but we also have a different way of looking at things and responses. So, this training we're talking about, is it gonna include psychological or any kind of mental training that you're aware of?"

Millner: "Yes. Could..."

Molaro: "You could respond. You don't need his permission."

Millner: "Yes."

Speaker Hannig: "Yeah. The Sponsor will yield."

Millner: "There... there's no psychological testing involved in this nor is there in the Federal Law. However, you have to remember that most every law enforcement officers that had been hired had gone through the psychological testing

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services and typically that doesn't change throughout one's life."

Molaro: "Well, I..."

Millner: "It's the same basic... basic foundation level."

Molaro: "I know that. But... but seriously, you should think about something like that 'cause I was... ya know, I passed the bar 20-some years ago, I've forgotten 90 percent of that stuff. So, the point would be that, I think as these as these guys get a little older and they get these guns after they retire, we should look at some psychological training. But this is a start and I think it's a good Bill. Thank you."

Millner: "Thank you."

Speaker Hannig: "So, under the rules of Standard Debate, we've now had three in favor, three in opposition. Representative Osterman, you've spoken during debate. For what reason do you now rise?"

Osterman: "My name was used in debate and I'd like to make a remark."

Speaker Hannig: "Okay. We'll... we'll allow it."

Osterman: "I'll be brief 'cause I know there's a lot of Bills up today. A prev... The Federal Law and Representative Millner, I have a question. Under the Federal Law that was passed by Congress, which you referenced, can a peace officer carry a firearm on an airplane?"

Millner: "No, I don't believe so. I mean, if it's their own private plane..."

Osterman: "You may wanna check your..."

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Millner: "...they probably could, but... but the airport would not allow that to happen."

Osterman: "I think you and your staff may wanna check that 'cause my understanding of the law is that retired police officers, under the Federal Act that they did, can carry firearms..."

Millner: "Well, I can tell you that as a police officer I cannot carry a gun on an airplane, cannot. And that this would not add any benefits to a retired officer to do that."

Osterman: "You're referencing, though, the police... you're referencing the Federal Law. And my point to you is that you may wanna have staff check 'cause my understanding is that under that Act Congress gave the ability for retired police officers the ability to carry a firearm on a plane. So, my point in that is to say this..."

Millner: "That's not accurate. You cannot carry..."

Osterman: "Okay."

Millner: "A federal officer can, but any local officer can't do that."

Osterman: "Again, that's an interpretation issue and I don't wanna cloud it. I'm saying that you should check that and I will check... I'll recheck it, but my understanding is that is the case. And my point in that is to say that a lot of times when we have these Federal Laws that are passed, oftentimes not in the light of day, things like that are slept(sic-slipped) in. And I... again, I go back to the issue about the ability for conceal and carry for retired officers. I think that's an issue that we need clarity on as this moves forward."

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Millner: "Thank you."

Speaker Hannig: "Representative Millner to close."

Millner: "Thank you, Mr. Speaker. And thank you for the debate and some of the questions that were brought forward. It helps clarify some of the issues. But, ya know, there are concealed and carry for just general citizens in over 40 states in this country. What I'm trying to do here is not create concealed carry, I'm trying to get uniformity, I'm trying to get training and I want that uniform training for safety reasons for these officers who can carry these weapons already by Federal Law. I think we need that safety component. We need that training component... component and this would really, really go far in adding to that. And I would certainly appreciate an 'aye' vote. And thank you very much."

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

Feigenholtz: "I... Will the Sponsor yield?"

Speaker Hannig: "We've already closed. I thought maybe you had a parliamentary inquiry or something."

Feigenholtz: "I... I have a parliamentary question then. Does this Bill preempt Home Rule?"

Speaker Hannig: "We'll get a ruling from the parliamentarian. So, Representative Feigenholtz, in response to your inquiry. I'm advised by the parliamentarian that it does not preempt Home Rule and thereby requires 60 votes. So, Representative Millner has closed. And so 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

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who wish? Have all voted who wish? Representative Granberg, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 88 voting 'yes' and 20 voting 'no', 6 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mulligan has a Bill on page 28 of the Calendar, House Bill 2492. Representative Mulligan, do you wish us to read that Bill? 2492. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2492, a Bill for an Act concerning health. Third Reading of this House Bill."

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

Mulligan: "Thank you, Mr. Speaker, Members of the General Assembly. House Bill 2492 creates the Ultrasound Administration Act. It requires a person that issues an order or a referral for an ultrasound upon a pregnant woman to be licensed to practice medicine in all of its branches, licensed as an advanced practice nurse or licensed as a certified nurse midwife or as a physician's assistant and provides that an order or referral for the administration of an ultrasound shall not be issued for entertainment purposes, provides that any person not licensed to issue an order or a referral pursuant to the Act who administers an ultrasound upon a pregnant woman without an order for referral is guilty of a Class A misdemeanor."

Speaker Hannig: "The Lady has moved for the passage of House Bill 2492. This is on the Order of Short Debate. And recognized in response is Representative Flider."

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

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

Flider: "Representative, our analysis shows that the... there... there may be a threshold under which high frequency waves are not safe. And I think many people whether here and other parents have had ultrasounds conducted and to my knowledge I was never made aware by anybody that high frequency ultrasound is not safe. How... What is the threshold for not safe?"

Mulligan: "Actually, the FDA and the American Institute of Ultrasound Medicine have warned against the use of ultrasound on pregnant women for nonmedical purposes and this is because although ultrasounds are conducted by technicians with medical training and are considered safe, exposure in a nonmedical setting may cause a risk. The object is not to have it done for a long time which is what's happening in some of the kiosks to people that are, say, given ultrasound video which can be for 15 minutes to a half hour and then they charge you accordingly, rather than doing it for medical purposes. Ultrasounds have some affect on nerve and muscle and so they're not quite sure. So, for men... for reason of diagnosis or for a short period of time, it should be all right, but we think that not for a long period of time and that's what's happening right now."

Flider: "Do you know when the regulation took effect or when... when this information was made available?"

Mulligan: "Well, it's been out there for quite some time and I think the reason that it wasn't as big a discussion is because we weren't having this new little industry pop up that says, get a video of your baby before they're born."

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So, it's not like getting a wedding video. You're actually doing a prolonged and in some instances, 3-D and in color and they're not quite sure what it will do. So, I would think that if you're not sure, it oughta be done for medical purposes not for fun and entertainment or profit."

Flider: "I would agree with you. I thank you. Was there a particular organization who recommended this legislation?"

Mulligan: "Planned Parenthood has worked with me on it and actually the Medical Society, Illinois State Medical Society, they both worked on this Bill."

Flider: "Okay. Thank you very much."

Speaker Hannig: "Okay. Representative Mulligan, it seems like there's some interest in your Bill, so we'll move it to the Order of Standard Debate. Representative Hultgren."

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

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

Hultgren: "A quick question. Does this just apply to those entertainment type purposes? I mean, it seems like it goes far beyond that where it makes it a misdemeanor for anyone other than a doctor or nurse to perform an ultrasound. Is this truly just limited just to those who are taking pictures, ya know, for a baby book? Is that all this is limited to?"

Mulligan: "No. What it does, Representative, is it makes sure that the way ultrasounds are performed on pregnant women are monitored by the state so that they're done in a manner that would be medically advisable rather than as just not medically advisable."

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Hultgren: "Here's my concern, Representative. I know there's quite a few different crisis pregnancy centers around the state that have used ultrasound to be able to inform women of the development of their baby inside of them to be able to show them the embryo, the fetus, as it's growing. And my concern is, would they be affected? Is this a requiring that has to be in a... I'm not sure. I think that's usually a doctor that performs that, but I don't know if it's necessarily, ya know, referred by a hospital or anything like that. Would that be stopped? Is that excluded in this?"

Mulligan: "Representative, I'm not totally familiar with what you're talking about although this question did come up in committee. My answer to that question is, any woman that is having an ultrasound, any pregnant woman that's having an ultrasound, oughta have an order from a doctor saying that it's necessary. So, I would presume that the agencies that you're talking about are people that are getting referrals from doctors to do ultrasounds not just doing ultrasounds."

Hultgren: "Well, I don't know if... if that is and that's, I guess, some research... Ya know, I wasn't in committee, I guess, when this came up. It's a concern that I have. So, tell me again, the main purpose of this is that you think ultrasounds are dangerous."

Mulligan: "The main purpose is that long exposure to those sound waves may be dangerous, we don't know that. Because it makes a difference and it's used in other areas such as rehabbing for muscles. It's used for other areas other than just doing ultrasound on pregnant women and this only

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regulates it for pregnant women. It has nothing to do with using it in any other way. Because it does have an impact in muscles and nerves, we don't know what it does. So, the object is not to have prolonged exposure to it for any other reason than what is medically necessary and usually that's to determine if the fetus is developing normal or there's some issue that you have to take care of not... Many people don't ever even have them when they're pregnant."

Hultgren: "What is... what's prolonged exposure?"

Mulligan: "Well, I think the..."

Hultgren: "Is that defined in the Bill?"

Mulligan: "I think the shortest length of time that you would need, that's why you need someone that is able to do this medically. The shortest length of time it would be for you to get the information that it was requested for. And certainly, if you saw any of the ads or you go on the Internet and you see the ads for what's happening in kiosks, they charge money for a 15-minute video tape of an ultrasound up to a half an hour and it's not cheap. But a half an hour just to take a video is totally incorrect and I... I don't know what issue that you have with other people doing it, but I would presume that, if they're doing it, the woman would have an order from a doctor for the procedure."

Hultgren: "So, basically, you're saying this Bill makes it that you could not have an ultrasound unless it's prescribed by a doctor?"

Mulligan: "Right or by someone under a doctor's auspices such as an advanced practice nurse, a physician's assistant, a

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certified nurse midwife. It would have to be because it was medically necessary."

Hultgren: "What... what studies have been used to show the dangers of ultrasound? Are those available or are those referenced in your Bill?"

Mulligan: "Well, both the Food and Drug Administration and the American Institute of Ultrasound Medicine have warned against the use of ultrasound on pregnant women for nonmedical purposes. I know a number of years ago, when this first came out, there was some concern that in problem pregnancies whether an ultrasound might cause a miscarriage or not. I think we... we've gone by that in the way they... they administer them and that it's in lower doses. I don't think that if you're not a technician that you should be doing this, because you don't know. The... the other issue that..."

Speaker Hannig: "Representative Hultgren, your time has expired. Representative Mulligan, you can finish answering the question. Okay? Representative Mulligan, you can finish answering his question."

Mulligan: "I'm sorry?"

Speaker Hannig: "You... you may finish answering his question."

Mulligan: "Oh, okay. Thank you, Mr. Speaker. I think since there are so many strange things that are happening, particularly in areas of cancer, earlier for children, more autism, things like that, that we don't know exactly where they come from, that I don't think this is a mistake to say that something that has an affect that may alter the fetus,

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both neurologically or with their muscles, should be regulated by the state."

Speaker Hannig: "Rep..."

Mulligan: "It's not in... in effect to keep anybody from doing it.

All it's saying is you need a medical order."

Speaker Hannig: "Representative Gordon."

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

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

Gordon: "Thank you. Representative, I'm... I'm sorry. You may have answered the question when the previous speaker was talking to you, but I couldn't hear the end of it. But I guess, just from the things I've written down and I'm truly, honestly wanna know the answer. I don't mean to sound flip. But if... you said it... that we don't know what it does, but it... but it has an affect on the neurological and muscular development of the child. So, does it have an affect or just based on what we know what it does with muscles it may have an affect?"

Mulligan: "The Food and Drug Administration and the American Institute of Ultrasound have warned against the use of ultrasound on pregnant women for nonmedical purposes. Ultrasound is an energy which can affect tissue development. This energy should be respected and used cautiously. Therefore..."

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

Mulligan: "The Food and Drug Administration and the American Institute for Ultrasound Medicine have warned against the use of ultrasound on pregnant women for nonmedical purposes.

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The ultrasound is energy that can affect tissue development. The energy should be respected and used cautiously. In a report from the FDA magazine says, as compelling as a sneak previews may be, the FDA is warning women about the potential hazards of getting keepsake videos. The agency is also warning companies against creating them for entertainment purposes. While ultrasound has been around for many years, expectant women and their families need to know the long... that the long-term effects of repeated ultrasound exposures on fetuses are not fully known. In the light of all that remains unknown, having a prenatal ultrasound for nonmedical reasons is not a good idea."

Gordon: "Okay. Do we know... Since they're talking about the potential and it can affect the tissue, but do we know has any child been born with problems because of this or they're saying that it's possible?"

Mulligan: "I think they're saying it's possible, we don't know."

Gordon: "Okay."

Mulligan: "So, why would you take a chance?"

Gordon: "Okay. Thank you. Thank you, Mr. Speaker."

Speaker Hannig: "So, under the rules of Standard Debate, we've now had three speak in response. Do we have anyone who wishes to speak in support? Representative Churchill."

Churchill: "Thank you, Mr. Speaker. Representative Hultgren was not done with his questions when he was cut off, so I'd like to yield my time back to him."

Speaker Hannig: "Okay. Representative Hultgren, could you bring your remarks to a close, please."

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Hultgren: "Sure. I... I wish the Speaker would let us know. I guess I didn't realize I was on the timer at that point."

Speaker Hannig: "I've been using the timer for everyone all day."

Hultgren: "Sorry, I didn't see it."

Speaker Hannig: "It's okay."

Hultgren: "To the Bill. I think this is a very disconcerting Bill to be... have this pushed through as something just thrown toge... as a minor issue. It absolutely is not and I want to encourage every Member to be very wary of this. This is a very serious... this is making it a criminal charge for someone to do an ultrasound with really no backing up if there's dangers or not. It's alleged dangers. It's some reports that are not defined what those reports are. I encourage everyone to vote 'no' on this Bill until we can do some more research on it. If we can define this and put parameters in of saying, sure, ya know, it's a crime if you put it... extend it over 30 minutes of exposure, then it becomes dangerous. But this is literally, if someone does a two minute ultrasound but doesn't have a doctor's referral. Certainly, there's no medical evidence at all that would say that's dangerous, but that person then would... could be charged with a criminal charge. I encourage everyone here to vote 'no' on this legislation."

Speaker Hannig: "Representative Mulligan is recognized to close."

Mulligan: "Sorry? To close now?"

Speaker Hannig: "To close, Repre..."

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Mulligan: "Thank you, Mr. Speaker. I urge everyone to take a good look at this Bill. Actually, I think Representative Hultgren, who spoke before, is wrong. This is not an issue of just taking an ultrasound to use for political purposes or for purposes to sway someone's opinion on something. This is a medical procedure that needs to be done carefully with a doctor's order. I think that if anyone is doing it for profit or for any kind of other political reasons that's not the reason why you do a test that may have some change in the ultimate growth of the fetus into a normal, healthy child. I think this is a very good reason to vote 'aye'. I would encourage your 'aye' vote. I would appreciate your support."

Speaker Hannig: "The Lady has moved for passage of House Bill 2492. And now the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 76 voting 'yes', 32 voting 'no' and 6 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mulligan, you also have House Bill 2536 on page 16 of the Calendar. Would you like us to read that Bill? On Second Reading. Would you like us to read that Bill?"

Mulligan: "Yes."

Speaker Hannig: "Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2536, a Bill for an Act concerning state finance. Second Reading of this House Bill. No

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Committee Amendments. Floor Amendment #1, offered by Representative Mulligan, has been approved for consideration."

Speaker Hannig: "Representative Mulligan."

Mulligan: "Thank you, Mr... thank you, Mr. Speaker. The Amendment just makes a technical change that... to reflect that the Governor directs a transfer, he doesn't make the transfer personally. And that's all the Amendment does."

Speaker Hannig: "Okay. The... Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Mathias has, on page 18 of the Calendar, House Bill 2690. Mr. Clerk, would you read the Bill. 2690, Mr. Clerk."

Clerk Mahoney: "House Bill 2690, a Bill for an Act concerning safety. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Mathias, has been approved for consideration."

Speaker Hannig: "Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Floor Amendment #1 basically takes out Section 20 of the Bill which basically deletes a portion about the ability to sue government for damages... damages. This was done at the urging of the Illinois Trial Lawyers in committee and so, we agreed to this Amendment."

Speaker Hannig: "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?"

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

Speaker Hannig: "Third Reading. On page 29 in the Calendar, Representative Munson has House Bill 2696. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2696, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Hannig: "Representative Munson."

Munson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As you've been hearing all spring, identity theft is the fastest-growing crime in this country and in our state. It jeopardizes individual's good credit. It affects all aspects of their life, including the ability to get a job, buy a car, obtain utilities and much more. House Bill 2696 insures that individuals will not be denied credit or access to public utility service or have their credit limit reduced solely because they're a victim of identity theft. A consumer is considered a victim if they provide the following information to the service provider: a copy of an identity theft report, a properly completed standardized affidavit of identity theft developed by the Federal Trade Commission, have placed an extended fraud alert in their file maintained by a nationwide consumer reporting agency and is... and is able to establish their identity and address to the satisfaction of that entity providing credit or utility services. I'll take any questions. And I ask for your 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Okay. Mr. Clerk, take the record. On this question, there are 113... 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Reitz, for what reason do you rise?"

Reitz: "A point of personal privilege, Mr. Speaker."

Speaker Hannig: "State your point."

Reitz: "I'd just like to remind all the Members, tonight is the annual Legislative Sportsmen's Caucus. I have reminders. I have a map here for anyone that might want to go. It's at the Orr Building. The silent auctions will start at 6:00 and we have... we have Poe's Catering. They have chicken, they have other exotic animals outside of chicken, even, maybe elk and things of that nature. But it's at the Orr Building at the State Fairgrounds. When you come out just show your... we have vests this year for... for all of the Members. So, just make sure you show your ID and we'll take care of that. We'd ap... But we... we have numerous items for auctions, so it'd be a good time to... for everyone, especially from the city, to come out and show your sporting side and get some... get some items. But we... we should have a good time, should have a good event. But as I said, it's at the Orr Building, starts at 6, live auction at 7 and we have Representative Sacia as one of the auctioneers. But I have... as I said, I have maps back here. Come on back and get 'em. Thank you."

Speaker Hannig: "Mr. Clerk, would you read the Rules Report."

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Clerk Mahoney: "Speaker Michael J. Madigan, Chairman from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on April 06, 2005, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #2 to House Bill 298, Amendment #3 to House Bill 1349, Amendment #1 to House Bill 1463, Amendment #3 to House Bill 2374, Amendment #2 to House Bill 2411, Amendment #2 to House Bill 2506, Amendment #2 to House Bill 2946, Amendment #1 to House Bill 3451, Amendment #1 to House Bill 3485 and Amendment #1, a Motion to Table, to House Bill 721."

Speaker Hannig: "On page 29 of the Calendar, Representative Meyer(sic-Myers) has House Bill 3529. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 3529, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Meyer(sic-Myers)."

Myers: "Thank you, Mr. Speaker. House Bill 3529 provides that grants under this Act may be made to research and test products that render the use of anhydrous ammonia inert in the production of methamphetamine. We all know the problem that we have in this state with meth... methamphetamine production now and one of the primary ingredients of methamphetamine is anhydrous ammonia or a nitrogen fertilizer. Anything we can do to render that... that product, anhydrous ammonia, useless in the manufacturing of methamphetamine I think should be encouraged. And this is one way of trying to develop products that would do that."

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Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? 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 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Poe has, on page 20 of the Calendar, House Bill 3258. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3258, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Poe, has been approved for consideration."

Speaker Hannig: "Representative Poe."

Poe: "Yeah. Mr. Speaker, I'd like to adopt Floor Amendment #1 and that would become the Bill. And what it does is just a technical change so a TRS board member could continue to serve their time on a board 'til after they would retire and then it'd be filled at a... at that time later. Thank you."

Speaker Hannig: "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 Rose has a Bill, House Bill 373, on page 25 of the Calendar. Mr. Clerk, would you read the Bill, please."

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Clerk Mahoney: "House Bill 373, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

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

Rose: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 373 would allow transfer of credit between the downstate police pension fund and IMRF and vice versa if individuals had at least 8 years of creditable service under those programs. This is revenue neutral. There's no cost to the State of Illinois. And I would ask for its favorable adoption."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in opposition? 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 Sacia. Okay. Mr. Sacia's recorded. So, Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Sacia has, on page 24 of the Calendar, House Bill 3819. Do you want us to read that Bill, Representative? 3814, I... I misspoke, Mr. Clerk. Okay. It's on the Order of Second Reading. Did you wish to proceed, Representative? Do you wanna hold it here? Okay. So, we'll take that one out of the record. We also have, Representative Sacia, House Bill 2497. That's on page 28 of

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the Calendar. Do you wish to call that Bill? Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2497, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 24... or correction, House Bill 2497 authorizes engine braking with heavy trucks. The difference from this Bill from ones that have been introduced in the past is it changes it from a moving violation, if a trucker does break the law, to a... to a simple fine, if you will. And it does give municipalities the right to post a sign that indicates no braking or no engine braking except for emergencies. I'd be glad to answer any questions."

Speaker Hannig: "Okay. This Bill's on the Order of Short Debate. In response, Representative Scully is recognized."

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

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

Scully: "Representative, is this more commonly know as 'jake brake'?"

Sacia: "Yes, it is."

Scully: "Thank you."

Speaker Hannig: "Representative Sacia has moved for the passage of House Bill 2497. And 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 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is

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hereby declared passed. Representative May... Representative May, you have House Bill 1603 on the Calendar. Why don't we go to page 27 of the Calendar for the moment. Representative McGuire has House Bill 1261. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1261, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker. Excuse me. Ladies and Gentlemen of the House, I have House Bill 1261. And what 1261 is a... it's a checkoff for the... to amend the Illinois Act on Aging and the State Finance Act. And it creates the Senior Meal Delivery Fund and as amended, as we mentioned yesterday, provides that the department must disperse monies in accordance with the priority service plan developed under Section 25 of the Older Adult Services Act. So, it's not a very controversial Bill. I had amended the Bill, as I said, yesterday at the request of AARP and I think the only one that probably stands in opposition is the Department of Revenue, but that's merely because it's a checkoff. And I would appreciate your 'aye' vote."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone stand in opposition? 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 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed.

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Representative McGuire, you also have House Bill 3755 that's on page 30 of the Calendar. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 3755, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative McGuire."

McGuire: "Thank you, again, Mr. Speaker. Ladies and Gentlemen of the House, I have House Bill 3755 and it, again, is not a controversial Bill. This Bill is an initiative of JULIE, which is the Joint Utility Locating Information for Excavators and they are located in my hometown of Joliet and they have asked me to sponsor this Bill. JULIE is a one-call, statewide, not-for-profit corporation that essentially is a message handling service that operates 24 hours a day, 365 days a year. The change they are making is consistent with JULIE's business practices for over 30... over 30 years. What the Bill does it defines the term 'open cut utility locate' as a method of locating underground utilities that requires excavation by the owner, operator or agent of the underground facility and approves its use during emergency excavations. It also clarifies the specific use of colored flags, stakes and marks to identify different types of underground facilities. This legislation was proposed by JULIE, the Joint Utility Locating Information for Excavators. I would appreciate your 'aye' vote."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone stand in opposition? 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

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voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1585 on the Order of Second Reading."

Clerk Mahoney: "House Bill 1585, a Bill for an Act concerning safety. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "Third Reading. On page 30 of the Calendar, Representative Molaro has House Bill 3849. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 3849, a Bill for an Act concerning firearms. Third Reading of this House Bill."

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

Molaro: "Thank you, Mr. Speaker. This seems to me to be commonsense legislation that I think everybody in the chamber could be for, both people who believe in the Second Amendment and some gun control advocates. Basically, what this does... this idea comes from... As you well know, we have taverns and liquor distributors and bars here in the State of Illinois. Many, many years ago we came up with the theory called dramshop and basically, for those of you who don't know what dramshop is, when you have people giving liquor out, which actually is a drug and alters someone's mind, people who got drunk or were overserved may go out and get in an accident or whatever it may be. So, what we did many, many years ago and all 50 states have this, if you

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were a liquor distributor, in this case a bar owner, and you wind up serving liquor where it was shown that you overserved or you were an irresponsible deliverer of liquor, then you can be sued by the victim who could be any victim of a crime by the person who was under the influence of alcohol. Now, if you've served it responsibly, then you can't be sued. And what these liquor distributors do and bar owners, they go out and get dramshop insurance. Now, here's what this Bill does. If you are a gun store owner and you followed the law, this Bill doesn't apply to you. But if you are a gun store owner and you sell the gun illegally or you know not... should have known, but actually know, that it's gonna be... there was gonna be a crime committed with that gun and then that person who has the gun goes out and commits a crime and now I'm a victim of that crime. I now am allowed to go to the gun store owner and if I show that, in fact, he wound up breaking the law in selling this gun, then I can sue him for damages much like I could sue the tavern for damages. It's a... extension of dramshop. So, it puts civil liability on the gun store owner. Now, the reason everybody in this chamber should be for this, I read on the gun advocates and I read on NRA literature and all of 'em are for responsible gun ownership and both of 'em are for responsible gun shop ownership. So, if you're for responsible ownership and for responsible gun shop ownership, this Bill would be for you. This does nothing to gun owners. This has nothing to do with people who own guns. It has nothing to do with that. All we're saying is that if you're a gun owner... gun shop owner and you

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don't follow the law, you can be sued and there's limits, just like in dramshop, of the civil liability. So, all this will do is send a public policy message to gun store owners that, hey, follow the law. So, I'm hoping that people who side with the NRA and the Second Amendment and gun control advocates will all get the other... behind this Bill to let gun store owners know that if you're a responsible gun store owner, we're with ya and if you're irresponsible, you're gonna be able to be sued. Now, I'm gonna answer any questions."

Speaker Hannig: "This Bill's on the Order of Standard Debate. So, on that question, Representative Bost is recognized."

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

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

Bost: "Representative, to what level does this go back? Is it, say, for instance, I go in... or someone comes in to my gun shop and they buy a gun. Then they take it out and... and they store it in their home. That gun is then stolen, used in a crime. Is that... am I then responsible?"

Molaro: "No."

Bost: "If someone in my family uses it in a crime, am I... am I or someone in the family of the person I sold it to uses it in a crime, are they responsible?"

Molaro: "No."

Bost: "Now, then it can't be like dramshop law. I'm... I'm trying to figure out..."

Molaro: "No. The dramshop comparison was that if I'm the bartender and I know that you're... had enough and I keep serving you, which is really not what you're not supposed to

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do, and I'm an inrespons... irresponsible bartender or irresponsible bar owner and I serve you beyond your capacity and you personally, the person I serve, goes out and... and damages someone, then I, as the victim, can sue the bartender for not observing the law. So, in other words, it would have to be that I served you. In your examples, you would talk about someone who stole it or someone else. This... that has... It's not, again, what I'm trying to do in this Bill."

Bost: "But once we start talking about an item that can be transferred from person to person, you can't apply dramshop rule."

Molaro: "Yeah."

Bost: "If I... if I get drunk in a bar, I can't go out and tap somebody on the back and all of a sudden they're drunk and then..."

Molaro: "That's correct."

Bost: "Right. So, now, all of a sudden we're... we're setting a whole different precedence here. Now, we're taking an object... Okay."

Molaro: "Right."

Bost: "The object is a gun and if we're gonna set that precedent, do you think we should also do that with automobiles?"

Molaro: "Well... But... but I don't understand you. Maybe... maybe I'm the blockhead here."

Bost: "Okay."

Molaro: "Or may... this is what I don't understand. The gun itself... I got no problem with the gun. The gun's legal. We

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have no problem, you can't transfer. All we're saying is there's a gun own... there's a gun shop dealer, owner of a gun shop. Okay. He has to follow the law when he sells you, Michael, the gun or transfers the gun to you. Now, if he follows that law to you, okay, and... any person who's not legally authorized to possess it. So, he sells it to you. You're legally authorized to possess it. Okay. It says here, number two, a person who's purchased on behalf of another. He knows you're purchasing it for yourself. And number three, delivers knowing that they intentionally will do something unlawful and you, of course, aren't. So, he sells it to you. You have a FOID ID card. He has no reason to believe you're purchasing as a 'straw purchaser' and he knows you're not gonna do it for unlawful purposes. Now, he sells it to you. Once he does that, he's free and clear. If you give it to someone and they go out and kill ten people, he cannot be sued. If you take that gun and it's used anywhere else a hundred years from now or the next day, he cannot be sued because he followed those three items I just mentioned. So, what you're saying, I'm not trying to do. So, the gun itself can be used anywhere. I'm just saying if the gun owner sells it to you, Michael, and he follows the law, then whatever happens to the gun later, of course he can't be sued. We're just saying, the only way he can be sued is if he sells it to you illegally, knows you are a 'straw purchaser' or knows you're... you, Michael, are gonna use it illegally. That's all we're saying here in this Bill. We're not taking it any further, whatsoever."

Bost: "Suppose that some type of fake ID has been produced..."

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Molaro: "Right."

Bost: "...is the person who made the sale then responsible?"

Molaro: "No."

Bost: "Okay. I'm gonna listen to a lot more debate on that.

I'm... I mean..."

Molaro: "But I..."

Bost: "I don't know how I'm... I'm trying to find out some information."

Molaro: "I understand."

Bost: "I do have a lot of questions on it."

Molaro: "It's..."

Bost: "So thank you for an..."

Molaro: "That's it?"

Speaker Hannig: "Representative Bost, have you concluded your remarks?"

Molaro: "He's gonna come back."

Speaker Hannig: "Okay."

Bost: "Yeah."

Speaker Hannig: "Representative Gordon."

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

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

Gordon: "Thank you. Representative Molaro, you've compared this to the Dramshop Act, I guess, with someone who shouldn't be served alcohol because they're, ya know, should no longer be... be drinking. They've reached they're limit, basically, right?"

Molaro: "Well, and dramshop, I was using it as an example."

Gordon: "I know. I know what you're..."

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Molaro: "Obviously, it's not right on point. It's not even close to being on point. I was just using it as an example whereby in civil liability you could go to the person, ya know, because obviously there's no direct causation..."

Gordon: "Okay."

Molaro: "...to the civil liability."

Gordon: "Right. And I guess... I guess I take exception to using that even as an example with the civil liability because in that case the person who would be at fault is right in front of you and the person serving it they're going to see."

Molaro: "Wait, I can't hear you."

Gordon: "Okay."

Molaro: "Mr. Speaker, it's hard for me to hear her."

Speaker Hannig: "Okay. Let's... let's give the... our colleagues a little attention on this important Bill."

Gordon: "Thank you. Representative, what I was saying, I guess, with the Dramshop Act, the person who should no longer be served and the person who's open to civil liability, these are people who are interacting personally. They... they see each other."

Molaro: "That's correct."

Gordon: "Okay. I guess with your Bill, what you're saying is, that someone... and... and I realize you've writ it intentionally or negligently, which is something that would have to be proved up, right?"

Molaro: "Right."

Gordon: "The... But to be proved up, they may never see the person who gets this... the firearm, the firearm ammunition or the silencer. Correct?"

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Molaro: "Not... No, not really."

Gordon: "It's... Well, if it's..."

Molaro: "Or you go to the gun... you go in the gun store to buy it."

Gordon: "Okay."

Molaro: "So, you're... you're the clerk or the gun store owner and I'm the one buying it. Okay."

Gordon: "Okay."

Molaro: "There's things... there's things you have to follow."

Gordon: "But..."

Molaro: "Such as, you have to make sure that I'm authorized to purchase it..."

Gordon: "Okay."

Molaro: "...which you normally would do. You also wanna make sure that I'm not a 'straw purchaser', which you do. Okay. And if you have any knowledge and the other person who is delivering knows a reason to use... that... that I would... I would be using it illegally. Now, you're there and as far as just like proving up in dramshop, if you are responsible and you don't sell it to me illegally, you don't know about... you have no idea I'm a 'straw purchaser' and you have no idea that I'm gonna use it unlawfully, you meet those three tests, then you can't be sued. There's no way you would have any civil liability as a gun shop owner."

Gordon: "Well..."

Molaro: "And let me be more clear on this..."

Gordon: "...it's not that you can't be sued, it's just that you may not win."

Molaro: "Yeah."

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Gordon: "You can be sued."

Molaro: "Well, I could sue you or you could sue me for battery or right now, assault, because I said something. Yeah, anybody could sue any... But, right. You would not... you would not be liable under this unless you didn't meet that three-pronged test."

Gordon: "Right. Well, I think that we've seen a lot in our society in the different lawsuits that have occurred. People suing the manufacturers of guns. The... your legislation truly opens it up for more lawsuits to be filed, whether or not people can prove those lawsuits."

Molaro: "Well, but it would only... the Bill only calls for irresponsible gun store owners to be sued and I... I know, I read the NRA material and the gun control. Everybody's for responsible gun ownership. So... so, if the gun shop owner's responsible, which 95 to 99 percent of 'em always follow this law, they would never, ever be in a position to be sued. This is just to the irresponsible gun store owners, not the gun... not the gun owner, the gun store owners. This has got nothing to do with individuals or... or gun owners, nothing whatsoever, strictly gun store owners saying ya gotta be responsible. If you're irresponsible, you may be able to be sued."

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

Speaker Hannig: "To the Bill."

Gordon: "Ladies and Gentlemen, I appreciate the Representative bringing... bringing this up, but as some of the things that Representative Bost has preely... previously bought up...

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brought up and one of the things that I see that is a big concern is that this is going to promote litigation of gun... gun store owners whether or not they are responsible or irresponsible. This is going to open up that someone is going to lose a loved one due to gun violence and they're going to find someone to blame for this. And people are going to sue that gun shop owner, even though he did his job. I appreciate what the Representative is trying to do. I think that this is something that's opening up further litigation for people who are trying to follow the law. And I would respectfully urge you to oppose this Bill."

Speaker Hannig: "Okay. Representative Hultgren."

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

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

Hultgren: "Just a... a couple quick questions. Is anyone opposed to this Bill?"

Molaro: "I'm sorry. Could you repeat..."

Hultgren: "Is anyone opposed to this Bill?"

Molaro: "Yes. NRA is."

Hultgren: "Anyone else?"

Molaro: "The ISRA."

Hultgren: "So, that's the... Illinois"

Molaro: "The Illinois State Rifle Association."

Hultgren: "And anyone else that you know of?"

Molaro: "Not... not that I'm aware... nobody that appeared in committee."

Hultgren: "We have on our information that the Retail Merchants are also opposed to that. Is that on your information or no?"

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Molaro: "Not... not that I'm aware of and I don't remember them testifying in committee, but they... I guess they could be. But nobody's ever come to me from IRMA and told me they're against the Bill."

Hultgren: "As far as you know, they did not slip it in committee, though?"

Molaro: "I'm not sure."

Hultgren: "Okay."

Molaro: "I'll have to check on that."

Hultgren: "Okay. It's on our records that IRMA is opposed to it, so..."

Molaro: "Yeah. I mean, it's def... it's definitely possible."

Hultgren: "Okay. Quick question, just in regards to... Ya know, I think we all... we all agree of the desire is a very good one to have responsible gun ownership and have gun dealership and clerks following the law. Why is this necessary? It sounds like if they followed the law that we already have, this is..."

Molaro: "Well..."

Hultgren: "...not necessary and if they don't follow the law, ya know, there's already court cases out there that show that they could be held responsible for that inappropriate behavior. Isn't that true?"

Molaro: "Well, no. Well, that's not true. What... what we have in law, obviously, they... they face some sanctions either from the State Police or whatever. What this allows, does for the first time ever, is that if I'm a victim of a crime, just like... And the only reason I bring up dramshop so it might be easier to visualize. If I'm a victim of a crime

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and the gun stop(sic-shop) owner today acted irresponsibly, comes up and he absolutely admits, hey, I knew the guy didn't have a FOID card. I knew he was 17 years old, but I sold it to him anyway. I, as the victim, cannot sue him. I cannot go after him because he didn't cause my injuries. My injuries were caused by the evil doer who shot me. So, all we're sayin' is, this would now allow me to go in and sue the gun(sic-shop) owner if it's shown that he's acting irresponsible. Right now, I can't sue the gun(sic-shop) owner because there's no causation. It's kind of a legal mumbo-jumbo, but that's what we do now in this state and this country. That's why we have the laws of dramshop is because in this country you cannot sue somebody unless there's approximate causation. And as we know, the gun shop owner didn't sue... shoot me, that's a certainty."

Hultgren: "To the Bill. I... I think I... most of us agree with the concept of responsible gun ownership. I think all of us agree with that. I think the problem comes in really, the vagueness of the language here and opening up a potential frivolous litigation against clerks and store owners, things like that. I'm concerned about the line in there, 'to know or should have known'. And I think it's a real mistake to tie this to the Dramshop Act. It's very different, obviously. We tie that to very physical symptoms that someone has who has consumed too much alcohol. Those would certainly not be present in a case of someone going to purchase a gun. So, I've got some real concerns of opening... how this is worded. I think it's much too broad and really needs to be tightened up. And for that reason, I think I'm

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probably gonna need to oppose this legislation at this time.
Thank you."

Speaker Hannig: "Okay. Representative Bost, you've spoke in
debate, previously. For what reason do you rise, now?"

Bost: "Thank you, Mr. Speaker. My name was used in debate."

Molaro: "I didn't use it."

Speaker Hannig: "I didn't hear it, but if you did..."

Bost: "It was... it was used over here."

Speaker Hannig: "Did they use..."

Molaro: "Play the tape."

Bost: "It was... it was used in debate."

Speaker Hannig: "I'd ask the Members..."

Molaro: "Play the tape."

Speaker Hannig: "...I'd ask the Members not to abuse the privilege
of speaking to defend your name, but if you feel you must,
please proceed."

Bost: "Ya jus... just briefly, if I can, Mr. Speaker. I just...
First off, I don't know what I can add to what the previous
speaker said except that... that we are starting down a
slippery slope when you look at the language. 'Know or has
reason to know' the firearm will be used unlawfully. How
do... how do you know or have reason to know? As... as this
goes on, as well, if... if you look, I don't believe it's
necessary that if someone truly is negligent in following
the law, they are going to be able to be sued, under
existing law. And Mr. Speaker, if this gets the required
number of votes, I'll ask for a verification, please."

Speaker Hannig: "I'm sorry. You just requested a verification?"

Bost: "Request verification. Yes, thank you."

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Speaker Hannig: "And you'll be granted one at the appropriate time. So, we've had three now speak in response. Does anyone wish to speak in favor? Representative Froehlich. No. Okay. Why don't we allow you to ask a question. It is an important Bill. So, Representative Froehlich."

Froehlich: "Yes. Representative Molaro, I think it is important to hold people responsible when they break the law. What bothers me here is I'm looking at the text of your Bill. It's not clear to me that... that you would create liability only for people who break the law. That the part that bothers me is where it says, 'if you sell it to somebody who's buying for somebody else and that other person misuses the firearm, the seller can be sued.' And... and I'd ask you, how can you know if you're selling... you're selling to somebody who is allowed to make the purchase that that person's really buying it for somebody else? In other words, unless the other guy is standing right there pointing out the gun that he wants you to buy and givin' ya the money, which I 'spose could happen, but you'd think even criminals might be a little smarter than that. How could you know?"

Molaro: "You wouldn't... You're right. You wouldn't be able to. It's very, very, very rare. That's why this Bill wouldn't apply to many people. It's extremely rare. You would have to know that someone's doin' it. The old 'straw purchase' stuff. If you let... And your example, you wouldn't know then you're not held to that standard and you can't be sued. So, I'm agreeing with ya. Me and you are in agreement."

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Froehlich: "But... but... but I don't see it in... in the wording of your Bill that says... it simply says, you have liability if you intentionally or negligently deliver to a person who is purchasing the item on behalf of another person."

Molaro: "Right. Right. I would... So, intentionally or negligent would mean sorta like when they were talking about 'known or should have known'. We use known and should have known in a hundred different statutes. In the Criminal Statute it's done all the time. I would have to know that my conduct or should have known would cause great bodily harm. We use it all the time. Same with intention or negligent. I would have to sell it to him knowing that, in fact, he's buying it for another person. If I can't prove that to the jury, which is very, very difficult to prove. You're right. Almost impossible to prove. If I can't prove that to the jury, then I have no lawsuit against him. So, I'm agreeing with you that this hardly's ever gonna come up. This particular part, Section 2."

Froehlich: "That's right."

Molaro: "I agree."

Froehlich: "Okay. Well, I appreciate you clarifying that even though, as I say, the language to a layman a nonlawyer..."

Molaro: "I agree."

Froehlich: "...I look at it and it causes me some concern here. And the third part, could you explain again what it means if you deliver to any other person who the seller knows or has reason to know will use the item unlawfully? How... Could you give me an example of how, if I'm the seller and I sell it to somebody who can legally buy, how I should know..."

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Molaro: "Well..."

Froehlich: "...or would know that he's gonna... Is he gonna tell me he wants..."

Molaro: "Yeah..."

Froehlich: "...this to commit a robbery or..."

Molaro: "Well, the answer to that is... Let me... let me be clear on this. Okay. Ninety-nine percent are responsible gun shop owners, okay. So, let me... You said you asked for an example, I'll give it to ya. People... I won't use the dramshop example. A guy comes in there and he says, yeah, I gotta do this, I gotta buy an... okay. We've got to get this 72 hours, 24 hours, and then he comes in there and you're just talking to him. Yeah and this does this. Yeah, I hope this does the job against my wife, that dirty bi... I'm gonna kill her... Well... well, then you would know. Now, to say that people don't talk like that, people talk like that all the time. So, if you're a gun shop owner and you hear somebody talking like that, that would put you on notice. Does it happen often? No way, thank God. But it does happen from time to time, someone will go into a bar, someone will go into a gun shop and they would say, yeah, I'm at my wit's end, I need this. These kids are in this neighborhood. They're drivin' me nuts. I need this gun 'cause sooner or later I gotta shoot a round off to set... put these kids in... ya know, let these kids know I mean business. If you're a responsible gun shop owner, you would never sell a gun to somebody like that and if you have these facts and you just wanna make that \$140 sale, then be prepared to get

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sued because you weren't responsible. And that's what it does there."

Froehlich: "Well, is it illegal, currently, to make a sale under that circumstance? Is that..."

Molaro: "Yes, I think the law is and I'll check, but I think the law is that you cannot... let's go under these things. Any person who's not legally authorized to possess, that's number one."

Froehlich: "Right."

Molaro: "If you sell it, it's against the law."

Froehlich: "Right."

Molaro: "If you sell it to a 'straw purchaser' and you know that the person you sell it... someone else, that's against the law. That's two."

Froehlich: "Right."

Molaro: "And on the third one, you cannot sell a gun to someone who you know or should have known was gonna use it in a crime. So, those are three things that are against the law. Difficult to prove, but against the law. And all I'm saying is that if I'm a victim and I get hurt and I can show that this gun(sic-shop) owner did, in fact, break those... one of those three things, then I can sue him. And that's all we're asking for now."

Froehlich: "And you..."

Molaro: "And again, 90..."

Speaker Hannig: "Representative Froehlich, your five minutes have expired. Representative Molaro is recognized to close."

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Molaro: "Thank you. Thank you, Mr... Mr. Speaker. The only good part of this Bill and while I'm asking everybody to really take a long look at this. Even in debate, what the three or four people who spoke up against it, the best they could do was say, we're on some slippery slope and we have frivolous lawsuits. We have frivolous lawsuits all day long. It's always gonna happen. The only thing that this Bill does is say, we want responsible gun shop owners and if you're irresponsible and you break the law, the victim... we're always up here screamin' about no one cares about the victim. Well, let the victim of the crime absolutely go be able to sue. And you cannot sue now unless you show proximate cause. This allows you to do that. Now, one thing on a personal item. I wish people would listen to this on a personal item. People, four or five people spoke against this Bill. I wanna know why when they get up and speak against other Bills they say they have the utmost respect for the Sponsor. I didn't get that from anybody who spoke against this Bill. And I'm gonna be talkin' to those four people after this. Now, back to the... He respects me, so I take it all back. Now, back to the Bill. This is... this is like those Bills that I voted for. Representatives, who I voted for your gun Bills, remember, just because it's a gun Bill don't jump up on both sides and say, here we go at a slippery slope and all of the gun advocates, I'm against every NRA Bill and all the supporters of NRA, I'm against every gun advocate Bill. That gets us nowhere. When ya make sense, ya make sense. This Bill makes sense. If you're a responsible gun own... gun store owner, you have

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nothing to worry about. This Bill does nothing to gun(sic-shop) owners, nothing. All this does is allows a victim of the crime that if you're a gun store owner and you're irresponsible, then you can be sued. If you're responsible and you follow the law, you can never be sued. You can only be sued if you're irresponsible and you break the law and this gives the victim, for the first time in Illinois history, a way to go after irresponsible gun owners. Thank you. I mean, gun... gun store owners."

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... Mr. Clerk, take the record. Representative Molaro, would you like Postponed Consideration?"

Molaro: "Yeah. Just in case."

Speaker Hannig: "Okay. Postponed Consideration. Mr. Clerk, on page 30 of the Calendar is House Bill 3763. Would you read the Bill, please. Excuse me. Representative Sacia, for what reason do you rise?"

Sacia: "Mr. Speaker, a point of personal privilege, please."

Speaker Hannig: "Yes, state your point."

Sacia: "In the gallery today we have representatives from Jo Daviess and Stephenson County, the Career and Technical Education Consortium and we have Patricia Maley, George... I'm sorry, George... Joyce McCready and Don Lamm with their students. They're up behind the Democrat(sic-section) Session. Would you give them a big round of applause and welcome them to Springfield."

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Speaker Hannig: "Welcome to Springfield. Representative Schmitz, for what reason do you rise?"

Schmitz: "Thank you, Speaker. I, too, have a point of personal privilege."

Speaker Hannig: "State your point."

Schmitz: "In the gallery directly behind me, I'd like to welcome Dave Rickert who is our county treasurer from Kane County and his family and Quinn is down here on the right, he's paging with us today."

Speaker Hannig: "Mr. Clerk, would you read House Bill 3763."

Clerk Mahoney: "House Bill 3763, a Bill for an Act concerning revenue. Third Reading of this House Bill."

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

Turner: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I bring to you today House Bill 3763. It's an initiative brought to me... presented to me by the Chicago Housing Authority. It does a couple things. Back in... several years ago we developed a plan for the Chicago Housing Authority, it's called Plan for Transformation where they shut down a number of the high-rise units and have now disbursed those units throughout the entire city and county. What this particular Bill will do and in some units we allowed, according to the Section 18-177, a few years back we said that the maximum number of units that could be tax abated in any one development was 40 percent. This particular Bill would allow us to increase that limit to 40(sic-50) percent and that 40(sic-50) percent limit would only be for three different units in the City of Chicago

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where we need this in order to expedite the pass-through on those developments. Those three developments are the Hilliard Home, the Rockwell Home and the Robert Taylor Home. Those are the only three units where we're asking for this expansion from 40 percent to 50 percent in terms of those units that will be abated from the income tax... or property tax. And I move forward for the support of House Bill 3763."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? 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 113 voting 'yes', 0 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 19 of the Calendar is House Bill 3095. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 3095, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Osmond, has been approved for consideration."

Speaker Hannig: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. I'd move for the adoption of Amendment #1 to become the Bill."

Speaker Hannig: "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... no further Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 3033."

Clerk Mahoney: "House Bill 3033, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Floor Amendments. Or no... no Committee Amendments. Floor Amendment #1, offered by Representative Osmond, has been approved for consideration."

Speaker Hannig: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. I'd ask for the adoption of Amendment #1 to become the Bill."

Speaker Hannig: "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 Nekritz has a Bill on page 28 of the Calendar, House Bill 2347. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 2347, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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

Nekritz: "Lo. I'll have to wait for things to calm down a little bit. Thank you, Mr. Speaker. This legislation is an effort to bring the state into compliance with the Clean Air Act and also to stem the epidemic of asthma that we are currently experiencing. House Bill 2347 prohibits the idling of a diesel engine for more than 10 minutes in any 60-minute period. The prohibition is limited to certain areas of the state that do not meet minimum.. minimal air

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quality standards under the Clean Air Act. This is, right now, basically the Metro East area, the Chicago Metropolitan Area and a couple of townships in Grundy and Kendall Counties. That's the basic standard is no more idling than 10 minutes in any 60-minute period. We have a number of exceptions, however, those include emergency vehicles, if you're using a piece of equipment or a truck that is... that has auxiliary equipment. For example, a cement truck or if som... if a worker is up in an overhead bucket, you can obviously run the truck... the piece of equipment then. If the outdoor temperature is below 32 degrees Fahrenheit, if your vehicle has a sleeping berth, it does not have an axil... owner unit to provide for operator safety and you need to rest to comply with Federal Law, any farming activity is exempt, idling for safety checks and school buses. Reducing excessive idling is an important public health initiative. Diesel exhaust contains cancer-causing agents and fine particulate matter pollution or soot. According to a recent report issued by the American Lung Association, fine particles from diesel emissions cause 878 deaths every year in Illinois, trigger over 19 thousand asthma attacks and nearly 12 hundred heart attacks every year. Finally, because we do have numerous counties in Illinois that do not meet standards under the Clean Air Act, Federal Law demands that we develop a plan to come into compliance. Reducing excessive diesel engine idling will be a significant step forward in achieving compliance. We're not breaking new ground here. Excessive idling legislation has been passed in 21 jurisdictions around the country including New Jersey,

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Connecticut, Maryland, California, New York City and Washington, D.C. Every one of us in this chamber is aware of the skyrocketing rates of asthma around our state. Again, this is an important move... step forward in combating that epidemic. And I ask for your support."

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

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

Speaker Turner: "We both will."

Parke: "Representative..."

Nekritz: "I'd be happy to be the Speaker, Representative Parke."

Parke: "What was that? Okay."

Nekritz: "I'd be happy to be the Speaker."

Parke: "Now, well, who knows, the future is in front of you. I have a question. Now, does this... this does not apply just to school buses? This applies to trucks."

Nekritz: "The... We...we... Because there is a comparable idling Bill with regard to school buses being carried... carried by a separate... a different Representative, we elected to take school buses out of this."

Parke: "Okay. And this Bill was brought before the Energy & Environment Committee?"

Nekritz: "That's correct."

Parke: "And at that time, there was opposition from the Truckers Association on this legislation that they felt that it was another deterrent to a healthy the trucking industry. Have you worked out something with..."

Nekritz: "That's... that's not what they said, Representative."

Parke: "What did they say? That's what some people did say."

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Nekritz: "They indicated that they were concerned that because many jurisdictions were moving in this direction that it was creating a patchwork and that they would not know what the... what the individual standards were in each state. But they didn't say that it would... it would impinge on the industry itself."

Parke: "Well, that is right. So, therefore, it creates a problem. Are they still... did... You put a number of Amendments on, right?"

Nekritz: "We... Well, we adopted an Amendment in committee and a separate Floor Amendment."

Parke: "All right. And so, therefore, are they still... is the Mid-West Truckers Association still an opponent?"

Nekritz: "Yes."

Parke: "And their opposition is just simply because a trucker may not know... He goes over one border, he's in another jurisdiction and it's a difficulty for him or her to make a determination whether or not they are complying with State Law."

Nekritz: "That was my understanding of their testimony."

Parke: "And that's sti... But this is something that's being worked on by the Illinois EPA? They're trying to figure out..."

Nekritz: "It was supported... it was supported by the Illinois EPA. I don't know that they have a separate effort moving forward."

Parke: "Well, I have a problem with that very issue. But I just want the Body to know that this is a controversial Bill. That there is a... a lot of questions and concerns about it."

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And that they need to pay attention on how they're gonna vote on this."

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

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

Speaker Turner: "She indicates she will."

Bost: "Representative, do you have any clear knowledge of... You know, it says that the truck is required to be shut off if idling was gonna be for more than 10 minutes. What's the actual fuel consumption that will occur in that time in comparison to if you went ahead and let it i... for restart and idle comparison?"

Nekritz: "Well, my understanding, Representative, is that if a diesel... a large diesel engine idles for an hour, it consumes one gallon of diesel."

Bost: "Okay. For an hour?"

Nekritz: "Correct."

Bost: "Now, your Bill says 10 minutes."

Nekritz: "Right."

Bost: "Okay. So, based on that, but... but what... what are your answers for how much... how many gallons of fuel it takes to actually start a diesel?"

Nekritz: "I... I don't know that specific number."

Bost: "I know you don't know that. Okay. That being said, Ladies and Gentlemen, please, can I have your attention. To the Bill, Mr. Speaker."

Speaker Turner: "To the Bill."

Bost: "I understand that we do want clean air. I want clean air as much as you do. Ladies and Gentlemen, depending on the

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air temperature, depending upon the rate at which the engine cools down, all of these are factors and quite often, after 10 minutes it will... can't consume... take more fuel to actually start that engine than what it does to leave it idle. Now, the problem that exists there is, is the reason it takes more fuel to start is... is because instead of it burning clean, raw fuel is being shoved out the exhaust pipes and if you'll ever watch when a diesel motor will start, there's a... there's a time and it depends on whether it's a Detroit, a Cummins, a Cat and it depends on how it fires that fuel on whether that's black smoke or white smoke or how it blows out or how she's burning, but based on that you're producing more air pollution and I will argue that this will create more air pollution... Now, it's great to go back to your district and say, oh, see what I was trying to clean the air up. But you need to understand what and how these trucks operate. I'm gonna give you another problem that exists with this Bill. Ladies and Gentlemen, my family's been in the trucking business for their... since 1933. Folks, what's gonna happen is... now, now, it depends on the age of the truck, the cost of doing this is more expensive to your trucking companies. Now, I know that this General Assembly has been very wise and paid much attention to the fact that whatever we do we don't wanna cause the trucking business in the State of Illinois to have an undue fee on it. That's why we lost 17 thousand trucks registered in the State of Illinois last year because of the registration fee. Now, what we're gonna do is, is we're gonna put a new Bill out there that says, okay, now we're

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gonna cost you more money to operate your vehicles again. Why? Because you're burning more fuel, because you're wearing the vehicle out more because every time you start it, it is rougher on the motor, it is rougher on the starter. Folks, think about what we're doing here. This Bill is not good. It is not the time for this Bill. And I encourage a 'no' vote."

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

Black: "At my age I can't remember. Oh, yes, thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Black: "Representative, there's a lot of interesting concepts in this Bill and in a perfect world I can understand this Bill, but we don't live in a perfect world and I'm not gonna see that in my lifetime, you may see it in yours. Everything that comes into, I daresay your district and mine, comes in by truck. What you wear, what you buy at the grocery store. Almost every conceivable consumer good is delivered by truck. Now, let me give you a for instance where I think this Bill has a major flaw. A truck backs up to the loading dock at a supermarket to unload a hundred thousand gallons of milk. It's called a refrigerated truck. What powers the refrigeration unit in that truck?"

Nekritz: "Representative, there is an exception in the Bill. You can idle if you are running auxiliary equipment and I would assume that the refrigeration is an auxiliary equipment to the truck."

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Black: "No, it's not really auxiliary to the engine, it runs by itself. It's separate from the engine. It's generally mounted on the trailer in front and it's a diesel-powered engine that runs the refrigeration unit in a refrigerated truck and it runs all the time. I mean, when they're making deliveries they can't shut it off. So, whatever benefit you get from telling the driver, while he's unloading the hundred thousand gallons of milk, to shut off his engine, what are you gaining when the refrigeration unit on the trailer runs constantly? You can't shut it off."

Nekritz: "And... and Representative, I agree. We don't live in a perfect world and it is not my intention to... to cause spoiled milk or melted ice cream to be delivered. We are simply trying to eliminate excessive idling not necessary idling."

Black: "You live in a area where a lot of homes are built. I..."

Nekritz: "No, that I don't... I disagree, but..."

Black: "Well..."

Nekritz: "They're all built out."

Black: "...I... I think your population density is probably greater than mine, but... When my daughter lived in Naperville, I was always fascinated by the number of homes that were always under construction. She's subsequently moved to North Carolina which broke my heart, especially Monday, but when I would visit her home in Naperville and I was just fascinated by the sheer volume of home building and at every one of these sites sits a cement truck and a cement truck can't be turned off, the drum has to go around and has the power then to put the concrete out for the home. So, and as you've

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said, that's an auxiliary use and your Bill doesn't cover it, but I... I think there are so many tradeoffs that the Bill doesn't really have the impact that you... that you would think that it would. And the cement trucks are always in residential areas, not always, obviously there's some in commercial, but they can't shut off and your Bill doesn't require them to shut off, otherwise they couldn't deliver their product. I flew out to Arizona on spring break to visit my father and help celebrate his 87th birthday. I sat on a runway on an airplane for about 90 minutes. Now, granted that isn't diesel fuel, it's a... a jet fuel, kerosene-based, but for 90 minutes that airplane sat there running its engines, magnify that by O'Hare... I mean, I... I know we wanna make incremental steps, but I don't think this Bill really accomplishes a great deal. And let me just shift gears. What... How in the world do you enforce it? Is somebody gonna sit there with a stopwatch... Ha, ha, ha, your 10 minutes are up. I... How in the world will it be enforced?"

Nekritz: "Representative, that... that is my understanding of what's happened in New Jersey and New York City and they have dramatically reduced the... the pollutants from diesel engines in those... in those areas by... by rigid enforcement."

Black: "By rigorous enforcement. They must have a lot more police officers than we do, but that's another... that's a whole 'nother issue. Does the Bill say anything about diesel locomotives that'll sit on the siding? I have one about six blocks from my house and because of the way the union rules are it's a... they can only run so many hours and

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then you have to wait for a new crew to come and move the train. It's not unusual for that train and the diesel engines who are pulling that train to sit in that residential area and idle for eight hours. Does it do anything with a diesel railroad engine?"

Nekritz: "No, Representative, I don't believe it does."

Black: "You have no intent to create a new unit in the Illinois State Police, the diesel police, do you?"

Nekritz: "I... I... I would love to create the diesel police, but this Bill does not address that."

Black: "Okay. I... I do appreciate the fact that you have made a good faith effort because of weather diesel fuel gels and you've made the weather exception, you've made some auxiliary exceptions. I do... I do appreciate the fact that you've tried, diligently I think, to address some of the problems. However, I stand in opposition to the Bill. Mr. Speaker, to the Bill."

Speaker Turner: "To the Bill."

Black: "I think Representative Bost made it very clear. I hope you listened. The Secretary of State registration figures can document that we lost almost 18 thousand truck registrations in Illinois in a 1-year period, in the last fiscal year because of fees. Now, we come in with additional regulations that add to the cost of operating... Think of what they're... what they're spending on diesel fuel alone and here comes another well-intentioned regulation. I question its enforceability. I question whether it's really practical in the real world. Those trucks sit on the Dan Ryan or the Chicago expressways and it's... it's... it's legal

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under her Bill, they don't go a mile in an hour and they... they're running the entire time. So, I'm not sure what this Bill accomplishes, but let me just close by saying this. We have to recognize the realities of our economic life. I depend on trucks to deliver everything I need. Everything from fuel to my gasoline station which, quite frankly, now should be delivered by a Brink's truck rather than a gasoline truck, but everything I use in my life is delivered by truck. And yet, we seem determined to put more and more and more regulation on the trucking business. I don't know whether this applies to biodiesel, I have no idea. Hopefully, they'll all be biodiesel in 5 or 6 years. This Bill eventually drives up costs that you and I pay. Everything being delivered by truck today is more expensive than two months ago because of the fuel surcharge. Every fee increase we've put on the trucking industry is passed on to the customer. Every regulation we've put on the trucking business is going to be passed on to the customer. Sooner or later we're pricing goods out of the marketplace and we're not making Illinois a business-friendly state. Less than two months ago I heard the Governor of this state say we were gonna make every effort to be business-friendly. This legislation does not make Illinois business-friendly. No matter how well-intentioned the Bill is it's simply a fact that until we get new technology, new alternative fuels, what we are faced with is what we have: diesel-powered trucks, diesel-powered engines that refrigerate the tractor... the trailer that delivers your milk, your food, all of the materials that you eat. To put this regulation on

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the trucking business at this time makes no economic sense, it is not enforceable. I urge a 'no' vote."

Speaker Turner: "This Bill was on Short Debate. We've heard two opponents. I have three other speakers. Is any of those three a proponent? Is there anyone who wants to speak for the Bill other than Eileen? Okay. Seeing no further questions, the question is, 'Shall House Bill 23... Representative Nekritz to close."

Nekritz: "Thank you. Ladies and Gentlemen, I'd like to address a couple of the arguments that have been made. First, with regard to biodiesel, the Illinois Farm Bureau discussed this with us and that is why we raised the temperature to 32 degrees as a limit on... on this particular piece of legislation because they wanted to promote the use of biodiesel and so did I. As far as the cost of this, I couldn't disagree more. A number of companies are requiring their... their drivers and their operators to turn the engine off because of the cost of diesel en... of diesel right now. It's so expensive that they are trying to save money by turning the engines off and thus, reducing the amount of exhaust. Now, I'd like to... to also respond to my... my colleague from Jackson County with regard to the dark puff of smoke that comes out. It's really what you don't see that's the most important. There are several kinds of pollutants produced by diesel engines and one of them is nitrogen oxide. Nitro... or NOX as it's affectionately known. NOX is... is by far the largest component of the pollution that comes out of a... of a... of a diesel engine. It's 20 times the volume of other pollutants. And NOX is produced

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whether... when the engine is running, whether it's starting up or not, NOX is produced and when you turn it off, there is no more NOX. This NOX contributes to ozone and particulate matter soot and again, we are... and we have areas of the state that are in... not in compliance with federal... federal health... health standards for both of these pollutants. Continuous idling creates NOX and turning the engine off does not. Now, what... so, what is the dark... the dark puff of smoke? The dark puff of... puff of smoke, as I understand it, is the soot that accumulates in the engine as it sits around for several hours. These particles are larger than what is... what hap... the particles that are emitted when the engine is warm and so when they come out, of course, they're more visible. In addition, when the engine is started, there is less air running through the engine so there is less air to dilute the pollution. So, we see more of it when the engine starts and when it's warmed up and running, we see less because the... the part of particulates which are still pollution are more diluted. So, again, this is a public health matter. It is meant to address the... the problem that we have of being in a nonattainment area for fine particulate matter in the... in the Metro East area and the Metropolitan Chicago area. And again, we have a terrible problem with asthma throughout this state and this will really help us move forward on that. I ask for your support."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House pa... shall the House pass House Bill 2347?' All those in favor should vote 'aye'; all those opposed vote

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'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Parke? Have all voted who wish? The Clerk shall take the record. On this question, there are 59 voting 'aye', 55 voting 'yes'... Representative Nekritz."

Nekritz: "I'd like to put the Bill on Postponed Consideration."

Speaker Turner: "The Lady asks leave to put the Bill on Postponed Consideration. Leave is granted. On page 26 of the Calendar we have... Third Readings, we have House Bill 872. Representative Saviano. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 872, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Saviano: "Thank you, Mr. Speaker, Members of the House. This is an initiative of the property... insurance property and casualty people in conjunction with the Local 130, a plumbers' union of statewide plumbers. We've worked this out. It's... What it simply does is put the language in compliance with their insurance coverage. It's merely a cleanup. And I would ask for your consideration of House Bill 872."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 872 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... Krause? ...the record. On this question, there are 113 voting 'aye', 0 'noes', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 2 of the Calendar... no, page 21 of the Calendar we have

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House Bill 3538. Representative Saviano. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3538, a Bill for an Act concerning property. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Page 11 of the Calendar, Second Readings, we have House Bill 1395. Representative Saviano. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1395, a Bill for an Act concerning government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 9 of the Calendar we have House Bill 1098. Representative Nekritz. Out of the record. On page 30 of the Calendar, Third Readings, we have House Bill 3564. Representative Osterman. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3564, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Osterman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3564 deals with ovarian cancer and adds to the Penny Severns Breast and Cervical Cancer Research Fund, ovarian cancer. It also makes any grants for ovarian cancer research subject to appropriation. Ovarian cancer is a cancer that affects a large majority of women in the State of Illinois and around the country. The purpose of this legislation is to give some flexibility to Public

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Health to offer grants for research to try to find a cure for ovarian cancer as well as try to find early detection. Ovarian cancer has problems where the cancer is found late which leads to a higher mortality rate than some of the other cancers. The goal of this legislation is to try to, through the budget process, find some resources that can go towards grants and that will be something I will be working on. But I would ask for an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 3564 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 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 10 of the Calendar we have House Bill 1351. Representative Deborah Graham. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1351 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Graham, has been approved for consideration."

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1351... Actually, Amendment #1 puts a time limit on how long... if a person leaves the site of... the site of an accident, a hit and run, how much time we can use to give them drug testing. So, suggested that I put a time limit in there so I've limited the time up to 5 hours instead of being unlimited. So, it's up to 5 hours now."

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

Lindner: "Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Lindner: "Thank you. Representative, it was my recollection in committee that you were going to hold this on Second to work on an Amendment with the state's attorney. Is this the state's attorneys Amendment?"

Graham: "Actually, I... I... I said I would offer an Amendment, but yes, this is a recommendation that he did give me, yes."

Lindner: "So, you worked with the state's attorney?"

Graham: "Yes."

Lindner: "All right. And are they supporting this Bill now?"

Graham: "Yes, they should be. I don't think that they were opposed to it before. I think the chairman of the committee asked that I work with the state's attorney. The state's attorney did not initially ask for an Amendment, but the chairman thought that it would strengthen the Bill if I put... would put a time limit in the... in the legislation. For instance, if a person left... If they did a hit and run and we caught them five days later. Maybe the alcohol or whatever substance they use may have been out of their system so then they could use that in their own defense to say that they were not intoxicated. So, the chairman of the committee suggested if I... to make the Bill stronger, to put a time limit on it. The state's attorney did not initially ask for an Amendment, but I did go to the state's attorney and they suggested maybe 5 hours after an accident."

Lindner: "All right."

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Graham: "You're welcome."

Lindner: "But my point is, is the state's attorney approving this Amendment?"

Graham: "Yes."

Lindner: "All right. Okay. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt Amendment #1 to House Bill 1351?' 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. On the Order of Second Readings, page 9 of the Calendar, we have House Bill 1098. Representative Nekritz. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1098, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Nekritz, has been approved for consideration."

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

Nekritz: "Thank you, Mr. Speaker. The Amendment to this piece of legislation... this legislation seeks to ban the .50 caliber sniper rifle. And the Amendment would remove the ban on ammunition so that the... the legislation would relate strictly to the gun."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 1098?' All those in favor should say 'aye'; all those opposed say 'no'."

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In the opinion of the Chair, the 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On the Order of Third Readings, page 27 of the Calendar, we have House Bill 984. Representative Phelps. Read the Bill, Mr. Clerk. Out of the record. On page 28 of the Calendar we have House Bill 2509. Representative Rita. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2509, a Bill for an Act concerning hospitals. Third Reading of this House Bill."

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

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 2509 started from a... from a struggling hospital within my district. Instead of trying to help one hospital, I... I took several months and worked with the Treasurer's Office to create a Hospital Basic Service Preservation Act to help struggling hospitals throughout the state. It has bipartisan support. There are several measures in this Bill to... so there... there isn't abuse through this loan. But what it does is the state would collateralize and back up loans for emergency room and obstetric upgrades in hospitals that cannot get finan... have bad credit rating or cannot get financing through financial institutions. Be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 2509 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

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voted who wish? The Clerk shall take the record. On this question, there are 111 voting 'aye', 0 'noes', 3 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings we have House Bill 740, Representative Ryg, on page 26 of the Calendar. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 740, a Bill for an Act concerning public aid. Third Reading of this House Bill."

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

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 740 would assist persons who have been found eligible for Medicaid benefits but have assets or monthly income that must be spent down before the benefits apply. It's based on a recommendation following a feasibility study of the Department of Public Aid and Human Services. And would provide for a payment option, which simplifies the process for both the recipient and the local caseworker. The Bill has passed the House previously, was passed in the House and Senate in the 93rd General Assembly, but was vetoed by the Governor. And I'm reintroducing it to make sure that we can continue to provide opportunities for public aid recipients to have the most cost efficient and effective customer service."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 740 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? Krause? The Clerk shall take the record."

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On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules Report."

Clerk Mahoney: "Speaker Michael J. Madigan, Chairman from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on April 06, 2005, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #4 to House Bill 248 and Amendment #2 to House Bill 1571."

Speaker Turner: "On the Order of Third Readings we have Representative Smith on House Bill 3687. Read the Bill, Mr. Clerk. Out of the record. On the Order of Second Readings, page 21 of the Calendar, we have House Bill 3593. Representative Schmitz. Read the Bill, Mr. Clerk. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3593, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Lang, has been approved for consideration."

Speaker Turner: "The Gentleman from Kane, Representative Schmitz."

Schmitz: "Thank you, Speaker. Ask that we adopt Amendment 1. The only... the only change it makes to the underlying Bill is to require a condo board it would... to notify the members of seven... within seven days of a mechanic's lien that has been filed."

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Speaker Turner: "Seeing no questions, the question is, 'Shall Floor Amendment #1 to House Bill 3593 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On page 12 of the Calendar we have House Bill 1554. Representative Schock. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1554, a Bill for an Act concerning health. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Schock, has been approved for consideration."

Speaker Turner: "The Gentleman from Peoria, Representative Schock."

Schock: "Thank you, Mr. Speaker. I move the adoption of Floor Amendment #1 which addresses concerns raised in committee and also includes suggestions made by committee Members."

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: "He indicates he will."

Franks: "I remember when you came to committee and I appreciate your willing to work on this and I'd like to know what changes were made in House Amendment #1 from the original Bill."

Schock: "Okay. As I mentioned in committee, the Floor Amendment... there are a number of changes. First of all, it re... it replaces any reference to the Department on Aging and

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basically, that's all their responsibility with the Department of Public Aid to produce and publish his website. Rather than include 25 of the most commonly prescribed drugs, I believe, Representative Franks, I took your advice on this one and it is now expanded to the 50 most commonly prescribed drugs. Wording is added... added to clarify that the website shall be updated at least every two months and shall state the date of the last update and that addresses the concern of Public Aid that some of the information may be dated based on the age of the data warehouse information that they're gonna use."

Franks: "Okay. I think this makes it..."

Schock: "There... there are a number of changes. They... The prescription drug discount card, senior care circuit breaker prices are also gonna be required. There are gonna be links to for-profit companies that have websites: Walgreen's, Wal-Mart, CVS that may have their own that... that would provide more up-to-date information than this website. So, it addresses all of the concerns that committee Members brought forward and I really appreciated some of the good ideas that Members of the committee, like yourself, were able to share with me."

Franks: "Well, I appreciate you doing it. And I wish I would have thought of it."

Schock: "Okay."

Franks: "I think it's a great Bill. And I strongly support it. I'm sure it'll get out of here with a... unanimously."

Schock: "Thank you."

Franks: "Thank you."

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

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

Speaker Turner: "Indicates he will."

Mulligan: "Representative, is this the only Amendment you intend to put on the Bill and this will be the final..."

Schock: "Yes."

Mulligan: "Do you understand that the Department of Public Aid is going to change all the prescription drug programs if they change to this group... They're changing their name and they're going to go at the beginning of the year to requiring all our seniors to use medicare and changing the programs and that all of this may be outdated?"

Schock: "Well, Representative, what this Bill does is establish a website to post the usual and customary prices that cash paying citizens would... would pay if they went into a particular pharmacy in their hometown. So, it's meant to help those cash paying customers first, but also recognizes the fact that we may wanna post some of these additional programs' prices as well."

Mulligan: "So, it's gonna link them to pharmacies in their own hometown?"

Schock: "I'm sorry? I'm having difficulty hearing you."

Mulligan: "Is it going to link them to pharmacies in their hometown or their area?"

Schock: "Yes, it is. If... if those websites... if those pharmacies... it allows for those pharmacies to opt to provide a link to their up-to-date information that they may have."

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So, if it is a Walgreen's, for example, or a hometown pharmacy that has a website, they're able to offer a link."

Mulligan: "Is it going to include what the dispensing fee is for each pharmacy for the drug?"

Schock: "It's the usual and customary price."

Mulligan: "So, it is gonna include a dispensing fee, what the dispensing fee would be for a generic, what a dispensing fee is for a brand name drug under each program?"

Schock: "What... what is the dis... What's the dispensing fee?"

Mulligan: "The dispensing fee is what a company or the state will pay the pharmacy for dispensing the drug over and above what the drug cost, but the consumer doesn't necessarily see that when they get the cost of the drugs."

Schock: "I don't believe that... that this would post that information. No."

Mulligan: "Well, that's a significant cost for dispens... depending on what... how many times you fill the drug. If you fill it for 30 days, you get a dispensing fee. If you fill it for 60 days, you'll only get one dispensing fee. But if you fill it two times for 30, you get two dispensing fees. Also, the fact that pharmacies that buy in quantity get different prices than pharmacies that don't. Is that gonna be included so that people will understand? I mean, I see that IRMA is neutral on your Bill, but I would think they would have some concern over this because there's gonna be a variety of prices that are charged."

Schock: "Well, I..."

Mulligan: "I'm just interested in the logistics. The logistics of this Bill are extremely difficult, to say the least."

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Schock: "You are going to be able to search by the prescription amount that you use for your prescription, but I don't believe it will include large quantities. But you're only gonna be able to receive the amount that is prescribed to you by a physician anyways."

Mulligan: "It's a very interesting idea, Representative. I think there's a little more devil in the details than what's actually appearing here, but possibly it can be worked out over a long period of time."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt Amendment #1 to 1454?' All those in favor should vote 'aye'... no, 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. But a fiscal note has been requested and not yet received."

Speaker Turner: "The Bill shall remain on Second Reading. On the Order of Second Readings we have House Bill 711, page 5 of the Calendar. Representative Washington. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 711 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. On page 22 of the Calendar we have House Bill 3615, Representative Yarbrough. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 30..."

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Speaker Turner: "Out of the record. Out of the record. Mr. Clerk, could you tell me what's the status of House Bill 711, page 5 of the Calendar."

Clerk Mahoney: "House Bill 711 is on the Order of Third Reading."

Speaker Turner: "The Sponsor asked me to bring the Bill back to Second. Leave is granted. On page 3 of the Cal... page 27 of the Calendar we have House Bill 984. Representative Phelps. Read the Bill, Mr. Clerk. Out of the record. On page 27 of the Calendar we have House Bill 931. Mr. Phelps. Out of the record. Not working today. On page 28 of the Calendar we have House Bill 2515. Representative Schock. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2515, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Peoria, Representative Schock."

Schock: "Thank you, Mr. Speaker. House Bill 2515 establishes... requires a board of a... higher education to implement and administer a statewide program using the World Wide Web for a... a course transferability website to allow college students as well as potential college students to check the courses that they have taken or are about to take, particularly at the junior college level to see how they will transfer to a 4-year institution. Currently, there is a... there is a pilot program being run right now using HECA funds and under the recommendation of the Board of Higher Ed this program would be expanded to include all universities across the state. They've had great success in the

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Chicagoland area where this is being operated right now in a pilot project and this would just expand coverage so that students could not only check Chicago universities but all universities across the state. And all of those universities as well as the Community College Board are in support of this Bill. And I'd urge a 'yes' vote. And I'd be happy to answer any questions that Members may have."

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

Eddy: "Will the Sponsor yield?"

Schock: "Yes."

Speaker Turner: "He indicates he will."

Eddy: "Representative, you mentioned that there'd been a pilot program related to this concept. Can you expand a little bit on the success of that and maybe talk about where it's used and what the effect has been?"

Schock: "The pilot program was funded through the Higher Education Cooperation Act, the HECA grant program, and has been underway since fiscal year 2002. It was coordinated by the Northern Illinois University and U of I at Urbana-Champaign. The... in 2002 Northern joined the partnership, in 2003 the University of Chicago and the City Colleges of Chicago also have joined it and it's been with great success."

Eddy: "Thank you. Mr. Speaker, to the Bill. I think we have all experienced the frustration of attempting to move from one school to another school, whether it be a junior college to a 4-year institution and only to find out that a course we may have taken at one place was not transferable to

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another place. This is an outstanding concept. It will save money. It will save time for students. It will cut down on the amount of time it may take students to go through school, therefore, saving potentially money in scholarships for those students. This is... this is an outstanding legislation that will make sure a program that is proven successful will be able to continue. I would urge an 'aye' vote."

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

McCarthy: "Thank you, Mr. Speaker. To the Bill. I'd just like to congratulate the Sponsor of the legislation. I... I know that it's a very valuable service to... especially to all the community college students of our state. And by expanding this service to all of our public universities, which are in strong support of it, it'll be even a more valuable service than it is today. I thank the Sponsor. He came to me before he presented the Bill in our committee. He showed wisdom beyond his age by doing that. And we are happy to be supportive because it was such a wonderful piece of legislation. And I'd urge everyone in the chamber to vote 'aye'."

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

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

Schock: "Yes. Yes."

Speaker Turner: "He indicates he will."

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Giles: "Thank you. Representative Schock, I didn't have the privilege of... of being on the Higher Education Committee at the time that you presented this legislation. I've served in that Body ever since I've been in the Legislature. This seems to be a very good program that... that's in place and I think what you're trying to... I guess, what I'm... the question I want to ask, exactly, what are we doing here? Are we asking that courses that are being transferred to a 4-year institution or any degree program that the requirements matches or the aquir... requirements agree with the current city college or university that you're at... at presently. Is that what we're trying to do here?"

Schock: "Representative Giles, what this does is... is basically simplifies the process for a student that is at a... a... let's take a junior college level, a state, who's looking to transfer to a higher university, a 4-year university. And right now, they either have to contact each university individually or go to that individual university and request one of their transferability guides that each one of them publishes. And what this would allow them to do is go to one central website, plug in the information of courses that they have taken and see which ones will transfer to a particular university, so that they can determine whether going to Northern Illinois, Eastern Illinois, the University of Illinois or a private university that participates, which one of those would allow for the most number of their credit hours to transfer."

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Giles: "Thank you. That... that sort of explain that part. Is there a... is this a grant... is this particular program, is this a grant program?"

Schock: "Yes..."

Giles: "Or will it be a bran... grant program?"

Schock: "...under... under HECA grants. Yes."

Giles: "Have you got any numbers of what this may cost the State of Illinois to do this?"

Schock: "Yes. It was \$350 thousand."

Giles: "Three hundred and fifty thousand dollars?"

Schock: "That's correct."

Giles: "Okay. To the Bill. I think this is a excellent piece of legislation. I think this is something that we should have done at least 10 years ago. As one of the previous speakers has spoke, that I believe this will save the students not only a lot of resources or money, but I truly believe it will put that student in the right frame of mind in which he or she knows exactly how many credit hours they'd need in order to advance their higher education. And it will streamline and also it will expedite some courses in time in which for them to complete their 4-year institution of learning. So, I truly support this legislation. I think this is a good Bill. And I'd urge everyone to support it."

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

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

Speaker Turner: "He indicates he will."

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Black: "Representative, in an earlier answer to a question, you said 'yes' to the fact that this was a grant program. I don't believe this is a grant program in any way, shape or form, is it?"

Schock: "No. It was a pilot program funded by grants, by HECA grants."

Black: "Now, is... But the money is simply to finance the mechanism to carry out your Bill. It doesn't have a..."

Schock: "No, I'm sorry. Yes."

Black: "But there's no money to be paid..."

Schock: "No."

Black: "...to students, there's no money to be paid to colleges. It's just to do the necessary work so that we have the immediate transferability of courses, correct?"

Schock: "That's correct. I apologize..."

Black: "I just didn't want anybody in the chamber to think somehow there was an ongoing budget situation here. Mr. Speaker... Mr. Speaker..."

Speaker Turner: "Yes, Sir."

Black: "...to the Bill."

Speaker Turner: "To the Bill."

Black: "I... I join the chorus, congratulate the Sponsor of the Bill. But, let me just say this on behalf of many community colleges throughout the state. Many community colleges were doing this 20 years ago, signing contracts with those universities that would do so, particularly Eastern, Western, Southern, Northern, Illinois State. I... I will brag on my community college, Danville Area Community College. My daughter went there for 2 years, transferred to Illinois

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State. Every credit transferred, no problems, no hassles. Absolutely no difficulty whatsoever and she graduated on time from Illinois State. I... I think it was too bad that some 4-year universities have come to this Bill rather late. But I congratulate the Sponsor for getting them all together. This is a piece of legislation that will make it much easier for students in Illinois to avail themselves of... of a good education at a community college at a more reasonable cost for their freshman and sophomore year and then transfer to one of our outstanding 4-year colleges without having to worry about credits. This is good work. It's a good Bill. I think it will pass unanimously. Vote 'aye'."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 2515 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? Representative Younge? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 29 of the Calendar we have House Bill 3511. Representative Stephens. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3511, a Bill for an Act concerning substance abuse. Third Reading of this House Bill."

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

Stephens: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 3511 requires the Department of Human Services to

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conduct a best practices study for the treatment of methamphetamine addicts. This is the result of a Rep... House Republican task force on methamphetamines. As we went around the state, it was one of the things that occurred to us time and time again was that we need to develop a best practices Act. This Bill will have the department report back to us no later than January of 2006 and we can take steps accordingly at that time. Be glad to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 3511 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? Representative Younge? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 29 of the Calendar, Third Readings, we have House Bill 3513. Representative Stephens. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3513, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Stephens: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 3513 provides that the Department of Human Services shall make grants on a countywide or a regional basis to license treatment programs for the treatment and prevention of methamphetamine use and abuse. Provides that DHS shall

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conduct a community outreach and educational programs to alert the public of the dangers of methamphetamine use. This morning, Mr. Speaker and Ladies and Gentlemen, I... I announced a... a revenue Bill that will provide the funds to pay for this. I... I think it's important that we get involved in treatment and prevention in the use of methamphetamine. And we're taking it serious and we intend to find the dollars to provide for this service. Be glad to answer any questions."

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

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

Speaker Turner: "He indicates he will."

Gordon: "Representative, and... and I'm not trying to be funny, in all honesty. But the last Bill that we just passed was the best practices Act for... the best way to treat methamphetamine addiction and then this is for grants..."

Stephens: "Right."

Gordon: "...so that we can... we can treat the addiction. So, are we gonna..."

Stephens: "Basically, it..."

Gordon: "...pass the other one first or are we gonna start on this one and then change it next year? I guess I just... I don't understand."

Stephens: "Well, this Bill provides grants to providers for services to methamphetamine addicts and community outreach and education programs, so it's not just for treatment. The previous Bill, 3511, was to develop the best practices Act. The fact is that there are currently methamphetamine

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recovery programs, any one... any one of which is probably very valid. The first Bill is to try to determine if there is a one particular method... there may not be."

Gordon: "Right."

Stephens: "There may be..."

Gordon: "Right."

Stephens: "...a myriad of things that need to be done. Whatever the case is, that will stand on its own. But in the meantime, if there are treatment programs and there are treatment programs currently provided, that we... we would like to see them funded. Treatment has to... has to occur. Methamphetamine addiction, as you know, is... is spreading... spreading in an epidemic proportions. So, I don't think they're contradictory at all."

Gordon: "Okay."

Stephens: "I don't think we need the first in order to have the second. Once the first is done, it may cause for improvements in these service programs that this will be providing for."

Gordon: "Well, I definitely appreciate both pieces of legislation. Thank you, Representative."

Stephens: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 3513 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 113 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. On the Order of Third Readings, page 27 of the Calendar, we have Representative Wyvetter Younge on House Bill 976. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 976, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Younge: "Thank you, Mr..."

Speaker Turner: "The Lady from St. Clair, Representative Younge."

Younge: "Thank you, Mr. Speaker and Members of the House. House Bill 976 provides that a person convicted of or placed on supervision for a prostitution shall be referred to a community-based care facility for addiction, evaluation and treatment. The Amendment, the Floor Amendment, makes the Bill subject to appropriation. It would be very important and it would be a savings of money for the State of Illinois to have persons convicted of prostitution evaluated and treated. And I ask for your support in reference to this matter."

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

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

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

Parke: "It says in here that the Department of Human Services and the Department of Corrections are opposed to this on fiscal grounds. Are they still opposed?"

Younge: They're opposed on fiscal grounds, but I think that they think it's a very good idea. And that it would ultimately... ultimately save the State of Illinois money because of the

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absence of recidivism in reference to prostitution. And so I think that it... it... they're opposed because of the money that would cost, but it would be a cost savings in reference to rather than confining people in a penitentiary to have them treated."

Parke: "Mr. Speaker, I cannot hear the Lady. She's either gotta speak into the microphone or speak louder. Please, I did not hear you, Representative Younge, could you please say that again?"

Younge: "They're opposed because of the fiscal ramifications. The Department of Corrections sent in a fiscal note saying that the fiscal effect or impact would be minimal."

Parke: "Well, isn't this... isn't this really a decision that the court will make? Isn't it part of your legislation says that a judge is gonna make this decision? And are not... the judges are not subject to appropriation. If they say ya gotta do it, then we have to do it. Isn't that what your Bill says?"

Younge: "The Bill says that the person convicted will be referred and evaluated for drug addiction. This is a very good public health policy idea. It will decrease the recidivism, the number of people who go to prison for prostitution and it's a very good idea and it should be enacted into law."

Parke: "Representative, is this a behavior health consortium? Is that a neighborhood community agency or I mean, not an agency but a... usually a not for profit organization?"

Younge: "It's a community mental health facility."

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Parke: "It's my understanding that the Department of Corrections already offers this kind of program. Are you aware of that?"

Younge: "I'm not aware that there is referral for evaluation and treatment. The... I talked with the officials of the Department of Corrections and they said that, subject to appropriation, they thought it was a good idea. They said that, subject to appropriations, they thought it was a very good idea."

Parke: "Thank you. To the Bill. Ladies and Gentlemen, again, the Sponsor is trying to do something that I'm sure has merit, but this is subject to appropriation. The Department of Corrections says that they do something similar to this. It will go before a judge. If the judge deems that these people are to be going to these community-based organizations, they have to do it. And we don't have the money to do it. In addition, right now, with the fee-for-service that is being slapped on all of our community-based organizations they're strapped as it is now. They don't have the manpower, they don't have the money. There are more people coming to them. All we're doing is exacerbating... exacerbating the issue of underfunded human service providers. Ladies and Gentlemen, I'm going to rise in opposition to the Lady's Bill. I know she's trying to do somethin' that she feels... and it makes sense. I mean, there's something here that, ya know, this is probably a good idea, but we don't have the money and it is not just gonna be subject to appropriation. If the courts deem that we have to do this, we're gonna have to do it whether we

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have the money or not, we're gonna have to do it. So, that's just gonna put a further strain on our community-based organizations and according to this fee-for-service basis that the Governor has foisted it upon our human service providers and not provide that additional revenue is a travesty that is going to melt down our human service providers throughout this state. This kind of Bill just makes it go faster because they're gonna be put more people in their offices and they don't have the money to provide for 'em nor do they have the personnel. So, I'm gonna respectfully rise in opposition to the Lady's Bill."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt... no, shall the House pass House Bill 976?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Reitz? The Clerk shall take the record. On this question, there are 100... no, 89 voting 'aye', 25 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 22 of the Calendar we have House Bill 3606. Representative Winters. Out of the record. On page... page 12 of the Calendar we have House Bill 1451. Representative Churchill. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1451, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

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Speaker Turner: "Third Reading. On page 30 of the Calendar we have House Bill 3770. Representative Beiser. Read the Bill, Mr. Clerk, 3770."

Clerk Mahoney: "House Bill 3770, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Madison, Representative Beiser."

Beiser: "Yes. Mr. Speaker, I respectfully ask this leave moved back to Second."

Speaker Turner: "The Gentleman asks leave to bring the Bill back to Second. Leave is granted. The Gentleman from Cook, Representative Colvin, for what reason do you rise?"

Colvin: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I think all of you remember last week we had a conversation here on the House Floor with regard to a comment that Representative Eddy made about the picture that you see down in front of the 94th General Assembly. Well, ya know, I think we kinda protested out loud on the floor and Mr. Farmer had got the message. And I am pleased to announce, I guess, that he has reduced the price of the unframed picture to \$195 which only represents a 300 percent increase from the cost of the picture last year. Now, I just want you guys to think about that. Now, I know, like everybody else here knows, that in the course of a year the cost of everything can go up, but I would be hard pressed to come up with any good reason why the cost of that picture increased over still 300 percent from the cost last year. But I guess we should be happy that he did reduce it because based on the price of the picture last week it was over 600

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percent of the cost from last year. So, I just want you guys to think about that when you're writing those \$195 checks for that picture when we only paid 65 for it last year. He got the message last week, so we'll wait and see what he comes back with next week. Mr. Farmer, we're still listening for your best offer."

Speaker Turner: "The old theory. On page 30 of the Calendar we have House Bill 3874. Representative Brosnahan. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3874..."

Speaker Turner: "Out of the record. On Third Reading, page 26 of the Calendar, we have House Bill 676. Representative Chapa LaVia. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 676, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "The Lady from Kane, Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker. And I... I'm... I'm glad this Bill has finally gotten to the floor. There's been quite a few of my brethren here in the House that were running the same type of Bill. What this does it puts a... the ability for schools to take certain funds and transfer them from one account to the other account givin' them a little bit more flexibility than we give 'em here at the state. And I would request 'aye' votes. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 676?' 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

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wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 23 of the Calendar we have House Bill 3740. Representative Molaro. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3740, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Representative Molaro? Third Reading. On page 18 of the Calendar we have Representative Brady on House Bill 2689. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2689, a Bill for an Act concerning counties. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 4 of the Calendar we have House Bill 405. Representative Eddy. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 405, a Bill for an Act concerning taxation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 6 of the Calendar we have House Bill 721. Representative Leitch. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 721 has been read a second time, previously. Amendment #1 was approved in committee. A Motion to Table Committee Amendment #1 has been approved for consideration."

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Speaker Turner: "Third Reading."

Leitch: "No. Whoa, whoa..."

Speaker Turner: "Whoa?"

Leitch: "...on Amendment #1."

Speaker Turner: "State your Motion, again."

Leitch: "Yes. Mr. Speaker, I'd like to table Amendment #1 and then move it to Third Reading."

Speaker Turner: "The Gentleman asks leave to table Amendment #1 to House Bill 721. All those in favor say 'aye'; all those opposed say 'no'. 'Ayes' have it. And the Motion... Amendment #1 is tabled. Read the Bill, Mr. Clerk. Third Reading. Now, read House Bill 721, Mr. Clerk."

Clerk Mahoney: "House Bill 721, a Bill for an Act concerning land. Third Reading of this House Bill."

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

Leitch: "Thank you, Mr. Speaker. This clears up a title problem in the Village of Princeville where the... back in the 1960s some land was conveyed from a Rock Island Trail property that later became the Rock Island Trail, that's so well-known throughout the state. In the course of that, about less than a tenth of an acre was conveyed to the Department of Natural Resources from actual village property. The purpose of this conveyance is to clear up that title and enable Methodist Medical Center to be able to put in a clinic that would replace a clinic that's now there for migrant workers. I understand that I need to file an... a... a new or a recent appraisal with the Clerk and I've taken

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steps to try and get that. Please take the Bill out of the record."

Speaker Turner: "The Gentleman asks leave to bring the Bill back to Second Reading. The Bill will remain on Second. It can stay on Third? The Bill will remain on Third. The Gentleman just wants the Bill out of the record. On page 27 of the Calendar we have Representative Colvin on House Bill 1017. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1017, a Bill for an Act concerning communications. Third Reading of this House Bill."

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

Colvin: "Thank you, Mr. Speaker. House Bill 1017 has a very simple premise. House Bill 17(sic-1017) provides that any interference for the person making or completing a 9-1-1 phone call is a Class A misdemeanor regardless of threat of bodily iniger... injury to a person or damage to property. This Bill came to me from a young woman that I met in a daycare program where she was at home... She was 14 years old and she was at home with her parents in an abusive relationship and her father, when her mother would attempt to call the police to intervene in these situations where he was being abusive, he would threaten to beat her up. And the Bill simply would make it a Class A misdemeanor for someone to threaten bodily injury of someone who was attempting to make a 9-1-1 phone call. I'll be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 1017 pass?' All those in favor should vote

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'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 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 26 of the Calendar, Representative Delgado, we have House Bill 612. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 612, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Delgado: "Thank you, Mr. Speaker and Members of the House. House Bill 612 amends the Department of Public Health powers and duties to create the Childhood Health Promotion Program to prevent and reduce the incidence and prevalence of obesity in children and adolescents, especially among populations with high obesity rates and related health complications, including diabetes, heart disease, cancer, arthoarthritis(sic-osteoarthritis) asthma and other conditions. The program must use recommendation and goals of the U.S. Departments of Agriculture and Health and Human Services, the U.S. Surgeon General and the U.S. Centers for Disease Control and prevention in developing and implementing guidelines and nutrition education and physical activity projects as part of a childhood health prevention efforts. The program must stress the options of choosing a balanced, healthful diet for the many options available to our consumers. This legislation was based on New York law and it is a Bill recommended by the Consortium to Lower Obesity in Chicago Children. The program includes media

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health promotion campaigns, school-based and community-based nutrition education and physical activity programs, coordination with the State Board of Education and the other state agencies. This Bill will also amend the School Code to authorize and encourage every district to establish, which we dealt with in my legislation in 733, and that's why this piece will be the final piece of the overall package. And I would ask for your 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 612 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', 1 voting 'no' and 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 30 of the Calendar we have Representative Dugan on House Bill 4058. Read the Bill, Mr. Clerk. Second Reading, page 13 of the Calendar, we have Representative May on House Bill 1585. Read the Bill, Mr. Clerk."

Clerk Mahoney: "It's on..."

Speaker Turner: "On page 28 of the Calendar we have House Bill 2441. Representative Gordon. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2441, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 2441 amends some criminal trespass laws to make it

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illegal for a person to present false documents or to falsely represent his or her identity... identity orally to someone that has authority to give permission to enter on certain property. It allows prosecutions for entering a building under false pretenses and exempts peace officers and other governmental officials who enter buildings or land in the performance of their official duties. This stems from a situation that occurred at a State Police building. Someone came in, they were supposed to be some sort of laborer on the property. They presented documentation to that effect and then they later found this person in the backroom looking at records. The state's attorney in that county didn't feel that there was a way to prosecute it. This is an initiative of the Illinois State Police. It... it closes a loophole and it's good policy. I would ask for your 'aye' vote. Thank you."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 20... 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: "Indicates she will."

Gordon: "What? No."

Black: "I'm fascinated by this Bill, Representative, because of the genesis of the Bill. Let me make sure I understand this. A reporter..."

Gordon: "No, no, no. A... Someone... No, no, no. Like a laborer. I'm not sure if it was someone who came in just said they were doing plumbing or some type of..."

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Black: "Yeah."

Gordon: "...construction work on the building."

Black: "In other words, somebody who..."

Gordon: "So, not a reporter, but..."

Black: "Oh, it wasn't a reporter. I thought it was somebody from the media who said they were a repairman or a repairperson to get in and then accessed confidential files. So, it wasn't someone from print or audio or video media?"

Gordon: "Oh, excuse me, excuse me. I'm... Yes."

Black: "So, it was a re..."

Gordon: "Someone... and then who said they were and went into the building under false pretenses. Exactly, excuse me."

Black: "So, let me make sure I understand this. A member of the press falsified documents to get into a State Police district headquarters to rummage through files. A member of the press did this?"

Gordon: "Allegedly, Sir. They're always innocent until proven guilty."

Black: "I'm just fascinated."

Gordon: "Than... thank you."

Black: "Is there a trial date?"

Gordon: "No, no. The state's attorney and the county wouldn't prosecute."

Black: "I don't remember reading about this alleged media person... This wasn't front page news, I take it, in most of the media."

Gordon: "No, Sir."

Black: "Oh, I wonder why."

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Gordon: "I don't know. I'd be happy to discuss it with you over a cup of coffee, Representative."

Black: "Yeah, I... I think I know why. This is a... this is a great Bill. I... I just love the genesis of the Bill. I mean, I love the members of the press. But I think this is just a classic case as to why sometimes some of us have a relationship with the media that we do. A classic case, a good Bill. Thank you very much for bringing it to our attention."

Gordon: "Thank you, Representative."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 2441 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 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Second Readings, page 12 of the Calendar, we have Representative Flider on House Bill 1463. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1463, a Bill for an Act concerning driver's license. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Flider, has been approved for consideration."

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This legislation passed out of committee and... and what it does is it provides for a requirement that amends the graduated driver's license provision of the State

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Statutes and passed out of committee. And what it does is it ensures that a Bill or that a driver who has attained their license and stays in school would maintain their license as long as they stayed in school. And this legislation or this Amendment specifically adds some provisions to the Bill and in particular streamlines some of the bureaucracy associated with it. And then also it would ensure that we are able to monitor the progress of this legislation as it goes forward. So, I'd... I'd request the adoption of the Amendment."

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

Black: "I apologize. I apologize, Mr. Speaker. I was looking at the analysis. It takes longer to read than it used to. Will the Sponsor yield? Representative, I intend to vote for the Bill. But it seems to me some years ago, on this floor, a... a case was always cited as to why we couldn't do things like this. That there was a Supreme Court decision in Illinois that said you cannot remove a driver's license or... or suspend or revoke a license, driver's license, for a nonmotor vehicle offense. Did your staff... I can't remember the name of the case. I think it was People... People v. Linler or something. I... I don't remember it, but I know for years we used to say we had to be very careful because of that case. Has your staff mentioned anything about the

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suspension of a license for a nonmotor vehicle or nondriver's license offense?"

Flider: "No, Representative. That has not been discussed. And with regard to this specific legislation, it amends what's known as the graduated driver's license provision of the law. So, that, for example, a student must already be enrolled in a driver's education program in order to get their license at the age of 16. So, we believe it would be consistent with that provision of the law."

Black: "Then... then that... that raises the question, Representative. What if the student has, in fact, dropped out, is 30 days from his or her 18th birthday and is gainfully employed. Then we take away the license?"

Flider: "Well, the legislation does provide some discretion to the superintendent in order to determine unique circumstances."

Black: "Okay."

Flider: "So, for example, if there are family matters, medical matters, emergency matters, things of this nature."

Black: "Okay. I... And I... now I remember seeing that in the analysis. I apologize for the question. Thank you very much, Representative."

Flider: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall adopt Floor Amendment #1 to House Bill 1463?' All those in favor 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."

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Speaker Turner: "Third Reading. On page 29 of the Calendar, Representative Collins, on House Bill 2604. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2604, a Bill for an Act concerning courts. Third Reading of this House Bill."

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

Collins: "Thank you, Mr. Speaker. This Bill that allows that already we have a law that says that juveniles cannot be held in a Cook County jail. Right now, out of the 102 counties, there are only four counties that still hold juveniles and not very long. I mean, Crawford County you only held one and Schuyler County you only hold two and they give 6 hours to hold the kid, then they must process the kid, then transfer the kid over to the count... the juvenile detention center. So, we ask that you... for an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is... 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."

Black: "Representative, the Illinois Sheriffs' Association is in strong opposition to the Bill and I think I know why. Let me ask you a question. Current Illinois law requires that a 17-year-old be held in separate out... as I recall, the standard is out of sight and out of sound from adult inmates. Now... now, you're going to put a 17-year-old in a juvenile detention facility where they're going to come in complete contact with 12-year-olds. And that... that just

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doesn't seem to make a lot of sense to me. Why wouldn't we want to hold a 17-year-old in detention, the 17- or 16-year-old, in a detention that is separate from the adult population, out of sight and out of sound, but if it... if your Bill becomes law, then we'll put a 17-year-old, who may be charged with a felony, in a juvenile detention facility where they'll be in the general population with, the last time we changed this law, 12-year-olds. That just doesn't seem to make a whole lot of sense to me."

Collins: "Well, first of all, we're talking about 12- to 16-year-olds. The first thing is that Federal Law prohibits states from incarcerating juveniles in adult jails. If they're in... if they're... youth, when they're in adult jails, you're supposed to process them. You get 6 hours to process the child and then transfer. There are only four counties in this state that does... that does this right now. DeWitt and Jasper are the largest counties. Schuyler only has two kids and Crawford had one kid. All we're saying is that, once the kids are processed, you get 6 hours to do that, then you transfer 'em over to a juvenile detention center, that way when they're detained, they can get the services... the different type of services that are most effective for juveniles and that's what we're sayin'. Now, the problem is, is that the sheriffs may be opposed because they may not feel like driving the extra couple of hours to the juvenile detention center. And it's unfair that juveniles would not get the services that they need because they're being housed in a one-room cell or whatever. Even if they're separated from population, it's just unfair."

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Black: "You... you referenced a Federal Law that I'm not familiar with. What... what was the Federal Law that you had referenced?"

Collins: "Right. Well, for over 30 years Congress has prohibited states from incarcerating juveniles in adult jails. Under the Federal Juvenile Justice and Delinquency Prevention Act, states receiving federal prevention intervention dollars are prohibited from incarcerating juveniles in adult jails for longer than a few hours for the initial booking practice. So, we're just asking that the other four counties become... come into compliance. That's it."

Black: "We... we find no reference to that Federal Law in the Illinois Juvenile Court Act of 1987. When did this Federal Law..."

Collins: "It's under the Juvenile Justice Delinquency and Prevention Act. So, you can't get federal dollars if you incarcerate the kids for more than 6 hours during... after the booking. You have to transfer them to juvenile detention."

Black: "So, you're... you're telling me that if a county spent \$25 million to build a new correctional center and 16-year-old juveniles are housed on a separate floor with a separate entrance, a separate booking area, I'll... complete, no way, can they come into contact... they can't look or hear or be in contact with adult offenders, that the 16-year-old cannot be held in that approved correctional center without a loss of federal money?"

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Collins: "First of all, there are four counties. And all we're sayin' is that they can... Now, I don't know... Are you talkin' about a particular county jail..."

Black: "Well, that..."

Collins: "...that has a separate juvenile detention facility?"

Black: "No, no. No not... not a separate building..."

Collins: "No. But you're talkin' about..."

Black: "...but many of these correction..."

Collins: "Are you talkin' about a particular county jail?"

Black: "Yes."

Collins: "Which county jail are you referring to?"

Black: "In the County of Vermilion, we built a public safety building in which the juveniles were housed on a separate floor."

Collins: "Well, we're not talkin' about Vermilion County because that's a juvenile detention center where all your juveniles are. We're talkin' about counties, the four counties, that have... only house adults in the county jail. And we're talkin' about a county jail, we're not talkin' about a detention center. So, that wouldn't even apply to you because it's a separate facility and that's what we want. Once you book the kids, they go to a separate facility that's only for juveniles. And that's all we're sayin,' in all hundred and two counties it's only four counties that doesn't do it. So, there are 98 counties that are in compliance. And of the only two, Crawford only had one kid, Schuyler County only had two kids that did it. So, that one child... you only had one kid in the juvenile... in the adult

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jail. It's just as simple to take that kid to the juvenile detention center. It's one child."

Black: "How many juvenile detention facilities are there in the state? We have a hundred and two counties. I haven't checked in some time, but last time I checked, I think, there were only 25 juvenile detention facilities. So, if your Bill becomes law, every 16-year-old is going to have to be transferred by motor vehicle to a county that has such a facility."

Collins: "Representative Black, they already do this. And right now..."

Black: "No. I know they already do it..."

Collins: "Right. We already do it..."

Black: "...and I know what it costs."

Collins: "No... It doesn't cost anything. The point is, research demonstrates that juveniles in adult institutions are five times as likely to be sexually assaulted, twice as likely to be beaten by staff, 50 percent more likely to be attacked with a weapon and eight times as more likely to commit suicide... suicide as juve... as juve... in juvenile facilities. This was a serious liability and risk for a county board. Twelve- to 16-year-olds are more appropriately, effectively a place with youth is smaller, therapeutic facility. Right now, it says there are plenty of vacant juvenile detention beds. The overcrowding crisis that led to the emergency measure is over. As of February 18, 2005, Illinois had 371 vacant detention beds running on the average of 30 percent empty. We're also sayin' that... as... as a result of Redeploy Illinois they're sending kids out to... to the community more

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and more so the kids aren't even goin' to the juvenile detention center. And what we're sayin' is that after you book the kid, just... if you're gonna hold the kid, transfer him to a juvenile facility. But the numbers are way down now, way down."

Black: "Your... your Bill changes the hours that a juvenile..."

Collins: "We don't change the hours."

Black: "It's 48 hours now."

Collins: "No..."

Black: "It's 48 hours under current law for a 16-year-old. All right. We can hold a juvenile as long as we hold them out of sight and sound of the adult population for 48 hours."

Collins: "Right."

Black: "That gives us time to get an off-duty deputy sheriff to get the necessary court orders and then to call around to all the counties in the state and see if they have room for the juvenile and then we transport them. The 6 hour timetable, I have no clue..."

Collins: "No, we're..."

Black: "...how that's gonna work unless we just..."

Collins: "No. What we're sayin'..."

Black: "...put the juvenile in the car and drive him around the county."

Collins: "No, what we're sayin', Representative Black, is that there... once you've booked the kid and decide you're gonna keep him, after that point, that's when you transfer the kid. And then... You don't have to call all around. The... there are 371 empty beds right now in the juvenile facilities. There's... there is plenty of room."

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Black: "What... what happens if the county facility calls around to the counties that have a juvenile detention facility, and by the way, they're very expensive to build and very expensive to operate, and they can't find a vacancy in any of the juvenile detention facilities in the state. They're... they're told they are all full."

Collins: "Representative Black..."

Black: "Now, what do we... what do we do with the juvenile?"

Collins: "Representative Black, that does not happen. Right now..."

Black: "Oh, Representative. Representative..."

Collins: "...we have 371 empty beds..."

Black: "...and I'm not gonna let that pass, Representative. You're not gonna tell me that. I'm a former county board chairman and I know it has happened hundreds of times. Don't tell me that doesn't happen. Now, you're..."

Collins: "That..."

Black: "...you may have a good Bill, but don't tell me something I've witnessed personally. There are times when there are no beds available. Now, what do you do with the juvenile?"

Collins: "Representative Black, that has not happened in a long time, that juvenile facilities have been full. Right now, today, we have 371 empty beds and as Illinois goes forward with the Juvenile Justice Reform Act and with Redeploy, we passed 2 years ago and has gone into effect and has been in effect 8 years, which the county has an incentive to reduce juveniles by 25 percent and that's what they're doin'. So, the kids that are goin' out... are going out into the communities now. They're not being processed and going to

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jail, only the serious offenses. And it's just not happening, so, if, in the event, that you get a juvenile and all of the juvenile detention centers, all 25, are full to capacity, then you must find a way in the county jail to separate that child from the rest of the facil... rest of the population."

Black: "Well, Representative, I... I have no quarrel with what you're trying to do..."

Collins: "Okay."

Black: "...with the Bill. I, again, it's my standard speech and I know the Bill will pass. We are a very diverse state. There are more counties that do not have a juvenile detention facility than there are counties who have one. You said there were 371 beds available. On any given day, I would say there are more than 371 juveniles, unfortunately, in the system. I... I further don't understand why you want to put a 16-year-old juvenile in a juvenile detention facility where you're maybe holding a 12-year-old. It... it... That age group, to me, is not a good mix. I understand what you're trying to do. I'm not advocating locking up juveniles in adult facilities where adults are... are... are able to see or talk or interact with the juvenile. And I know of no county that... that allows that in any way, shape or form. I just rise to tell you that in a state as diverse as ours what... what seems to be and I don't... I don't argue with your Bill. I think your Bill is good public policy, but there are a number of counties who cannot afford to build a juvenile detention facility. Some have contracts with Kane County or other... Champaign County or other

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counties that have a juvenile facility, but the real problem comes in is when they call around and they can't find an available bed. I... I won't even bother you telling you what we used to do. We used to just drive 'em around until we could find a bed. It's... Your Bill is well-intentioned. It's well-meaning. I... I don't have any problem with what you're doing, but there are cases when I think a 16-year-old could be held for 48 hours in, what used to be, an approved facility where they're out of sight and sound of adults. The 6-hour limit may be rather difficult for some counties to... to comply with. But, again, no quarrel with what you're trying to do. I'm just telling you... I'm just in... I'm just trying to say there are counties who have a very and will have a very difficult time complying with the Bill. Thank you."

Speaker Turner: "I'd like to remind the Body that this Bill is on Short Debate. We've had one person speak against. The next speaker will be Representative Flowers from the County of Cook. Representative Flowers."

Flowers: "Thank you... thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Lady's legislation. And I would just like to say for informational purposes, maybe some of these children should not be locked up because some of the crimes that they are committing ordinarily would be probationable and if they're aren't any beds available, I think we should probably maybe take a serious look at what it is that we're doing to our future and what it is that we're doing to children that we're so quick to lock them up for, once again, which are crimes that

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are not necessarily serious enough for them to be locked up for the 6 hours or either the 48 hours. So, once again, I rise in support of the Lady's Bill. And would appreciate an 'aye' vote. Thank you."

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

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

Speaker Turner: "She indicates she will."

Lang: "Thank you. Representative, I'm not sure everyone on the floor has heard this whole debate, so could you explain what the Bill does once more, please?"

Collins: "Thank you, Mr... Representative Lang. This Bill simply says that when you hold a juvenile that you can only hold 'em in the county jail until you finish booking them. Once you've charged them, they can go to community service, they can be released, but you can't hold 'em in the county jail once you've booked them. Now, we have 102 counties in this state. Out of 102 counties, 98 of our counties already do this. And now, with Redeploy Illinois, we have begun to... to transfer kids and we have community service programs who have taken juveniles in, who working with the community in putting those kids there. We have less and less juveniles going into the juvenile system right now. Kids aren't being charged with the crimes or if they are, we're finding diversion programs for these children to be do it... to do."

Lang: "So, you say there are 98 counties that already do this?"

Collins: "That's correct."

Lang: "And do they do this just by local rule or by ordinance or what... by what method do they do it?"

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Collins: "Well, a lot of 'em do it because if they get any federal dollars, right now, they can't get federal dollars if they keep kids in a... in a county jail. They have to be in a separate facility."

Lang: "So, we presume that those 98 counties aren't opposed to your Bill."

Collins: "No, they are not."

Lang: "And what are the four counties that don't do this today automatically?"

Collins: "DeWitt, Jasper, Schuyler and Crawford."

Lang: "And have any of those counties stepped forward to tell ya they object to the Bill?"

Collins: "No."

Lang: "So, we can put to rest the issue of the burden this puts on the counties because 98 are already doing it and the other four haven't complained to you about the Bill. Is that right?"

Collins: "That's correct."

Lang: "All right. Now, I notice that, at least according to my analysis, the Department of Human Services is a proponent of your Bill. Is that correct?"

Collins: "That's correct."

Lang: "All right. Now, generally speaking, they oppose all kinds of Bills. Is it their Bill? Is it their idea? Or did they just sign on to your Bill?"

Collins: "No. It's a Juvenile Justice initiative, but right now the Department of Human Services, they issue money. They give out the grant for Redeploy Illinois and what Redeploy Illinois... This General Assembly passed it last year to give

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juveniles diversion programs within the community because we found that juveniles do better in the community."

Lang: "Is there a cost to this Bill that would... would burden the state taxpayers?"

Collins: "Well, it's the same cost. The juvenile detention centers are already there, the beds are already there, so we're already paying for it. So, there's no additional cost."

Lang: "And..."

Collins: "So, DOC says there is no physical(sic-fiscal) impact."

Lang: "Did I ask you a question or am I waiting for a response, I forget?"

Collins: "No, you asked me about the fiscal impact and DOC doesn't have an additional physical(sic-fiscal) impact."

Lang: "All right. I noticed that in your Bill there's a provision relative to minors and adults being in the... in the same vicinity. Can you tell us what you've done with this issue and why?"

Collins: "Well, what we've done with this issue is that history has shown that juveniles and adults should be separated and we're not talkin' about 17-year-olds. Right now, current law says that you're a juvenile until you're 16. So, if... if they're in the county jail then they are held in a separate facility at that point. Not a separate facility but a separate... a separate cage so that they're not in contact with the adults so that... for their safety reasons."

Lang: "And... and so wait. So, this Bill would say that they must be separated or they should not be separated?"

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Collins: "No. This Bill says that they can't be housed in the county jail with adult inmates."

Lang: "They can be housed?"

Collins: "They cannot."

Lang: "They cannot be housed. So, the... the idea is to separate like a 12-year-old from a... from an adult in the county jail. Is that correct?"

Collins: "That's correct. That's correct."

Lang: "And..."

Collins: "But this does not..."

Lang: "...was that one of the issues... was that... Go ahead."

Collins: "No, this does not prohibit the county jail, if the juvenile detention centers were all full, this does not prohibit a county jail from housing that inmate... that juvenile there until at such time that there was a bed available in a juvenile detention center. So, say if all the jails were filled... I mean, all the juvenile detention centers were filled and you got a juvenile that came in. When the juve... is... you still would have to separate that juvenile in the county jail and then when a bed came available in a juvenile detention center, then transfer that child."

Lang: "What... who... Thank you. Who opposed the Bill in committee, if anyone?"

Speaker Turner: "Representative, you must bring your remarks to a close."

Lang: "I will do that, Sir."

Collins: "Only the county sheriff opposes the Bill."

Lang: "Did they say why?"

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Collins: "He has not spoken to me. I would just imagine they probably just didn't want to drive the kid to the juvenile facility."

Lang: "Thank you, Mr. Speaker. That completes my comments."

Speaker Turner: "Okay. This Bill is on Short Debate. We've heard one opponent, two proponents. Is there another opponent? Representative Rose. And you're our final speaker today. Ready for television."

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

Speaker Turner: "She indicates she will."

Rose: "Is there any distinction made for the type of offense that's being charged for how long you can hold somebody in the county jail?"

Collins: "We're not changing any of this. This is... is the same offenses. So, whatever a juvenile could be tried for and detained for will all stay the same. Only thing this Bill says is that, if you're housing a juvenile, you can't house it in the... in the juvenile... I mean, in the county jail. That's all."

Rose: "So, if..."

Collins: "So, whatever you can be charged with as a juvenile today, then you... then... So, this is only for juvenile offenders..."

Rose: "I... I guess here's my specific question. If... if the juvenile is subject to mandatory transfer to adult court for say, murder..."

Collins: "It would not apply. He'd then be..."

Rose: "It would not apply."

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Collins: "It would... He will be charged then as an adult, but as an adult he..."

Rose: "But that's not what the Bill says."

Collins: "But as an adult, he'll still be charged as an adult, but he has to go to the juvenile detention center."

Rose: "All right. What happens if the juvenile detention center does not have space available to accept that individual? Representative, there's quite a bit of confusion on this Bill."

Collins: "You know what, Mr. Speaker. I'm... Can we just pull this record out of the... Bill out of the record for a second, please? We can't do it? Can we pull it out of the record?"

Speaker Turner: "We can take it out of the record. We'll come back to it tomorrow."

Collins: "That's good. Thank you."

Speaker Turner: "That's fine. Take the Bill out of the record."

Rose: "Thank you."

Speaker Turner: "On page 10 of the Calendar... I'd like to remind the Members, we're trying to move through this little bit we have left. So, if you are prepared to move your legislation, you should be prepared. If you're not, let me know and we won't call your name. On the Order of Second Reading, we have Representative Deborah Graham on House Bill 10... on House Bill 1350, page 10 of the Calendar. House Bill 1350, Deborah Graham. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1350, a Bill for an Act in relation to public health. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Graham, has been approved for consideration."

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

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #1... We talked about this Bill... we've talked about this Bill last year and Amendment #1 simply tells the Department of Children and Family Services what to do with the information that they collect from the death certificates. So, now they're gonna add children into a annual report that they do every year that is done by the children... Child Death Review Team. They're gonna add an extra line to tell us the number of children that were killed by motor vehicle or rolled up in a power window."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1350?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On page 6 of the Calendar we have House Bill 738. Representative Rose. Read the Bill, Mr. Clerk. That Bill is on Second Reading."

Clerk Bolin: "House Bill 738, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 22 of the Calendar we have Representative Winters on House Bill 3606. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3606, a Bill for an Act concerning procurement. Second Reading of this House Bill. No

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Committee Amendments. Floor Amendment #1, offered by Representative Winters, has been approved for consideration."

Winters: "Thank you, Mr. Speaker. Amendment #1 removes the Capital Development Board for these contracts for construction projects. Be happy to answer any questions on the Amendment."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3606?' All those in favor 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 Bolin: "No further Amendments. But a fiscal note has been requested and it has not been filed."

Speaker Turner: "That Bill will remain on Second. On page 2 of the Calendar we have Representative Mathias on House Bill 183. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 183, a Bill for an Act concerning firearms. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 30 of the Calendar we have House Bill 3873. Representative Myers, Rich Myers. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3873, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "The Gentleman... the Gentleman from McDonough, Representative Myers."

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Myers: "Thank you, Mr. Speaker. House Bill 3873 amends the Criminal Code of 1961 by creating the offense of criminal trespass to an agricultural facility. The criminal trespass to an agricultural facility would be a Class B misdemeanor and the penalties associated with that would be commensurate with those. It defines the offense by meaning entering upon lands or buildings owned by any other person without the license of the owner or the legal occupant and especially where signs forbidding trespass are displayed. Be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 3873 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 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 23 of the Calendar we have House Bill 3738. Representative Rita. Read the Bill, Mr. Clerk. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3738, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 3 of the Calendar we have House Bill 250. Representative Flowers. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 250, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee

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Amendments. Floor Amendment #1, offered by Representative Flowers, has been approved for consideration."

Speaker Turner: "The Lady from Cook, Representative Flowers on Floor Amendment #1."

Flowers: "...you. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 to House Bill 250 merely eliminates the AIDS vaccination and it leaves in the nutritional supplement. And I'll be more than happy to answer any questions you have in regards to the Bill."

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

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

Flowers: "Yes."

Speaker Turner: "She indicates she will."

Parke: "Representative, is this the legislation you talked to me about last week or is this another one? Is this a different..."

Flowers: "Well, I talked to you quite a bit last... well, not last week, now. We were not together last week."

Parke: "I mean, yeah, a couple weeks ago."

Flowers: "Yes. I..."

Parke: "This is the same information and this Amendment..."

Speaker Turner: "Be careful, gang."

Parke: "...puts it in..."

Flowers: "No, no. This is... no. That's a different Bill."

Parke: "All right. Fine. Now, this Bill, Amendment 1, does not become the Bill, it adds to the Bill. Right, Amendment 1? Isn't that what we're..."

Flowers: "No, it does not be... Amendment 1 is the Bill."

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Parke: "So, it becomes the Bill?"

Flowers: "Yes."

Parke: "And also, the Legislative and Educational Network of DuPage and SCOPE are still opposed to your legislation with the Amendment?"

Flowers: "I'm sorry? Who?"

Parke: "LEND and SCOPE are still opposed to this. LEND is the Legislative and Educational Network of DuPage County. It said they're opposed to your legislation with the Amendment."

Flowers: "No."

Parke: "All it says..."

Flowers: "Okay."

Parke: "Does..."

Flowers: "First of all, let me just..."

Parke: "Oh, it does remove the opposition?"

Flowers: "Right, right."

Parke: "Sorry, I can't read it."

Flowers: "Because that's their language. And Amendment #1 adds to the Bill."

Parke: "All right. So, it does not..."

Flowers: "Yes."

Parke: "...does not become the Bill?"

Flowers: "No, it does not."

Parke: "All right. Your..."

Flowers: "It adds to the Bill."

Parke: "...your... Don't confuse me with the facts."

Flowers: "Okay. Absolutely."

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Parke: "All right. And now, is it... have you removed all opposition now with your legislation, as far as you know?"

Flowers: "Yes. All of the opposition, that I'm aware of, has been removed in regards to this legislation."

Parke: "Disappeared?"

Flowers: "All of the legislation."

Parke: "So, it's in a form now acceptable to the Body. Okay."

Flowers: "As a matter of fact, it's in such a form that you should really become a hyphenated Chief Sponsor."

Parke: "Very good. Thank you very much."

Flowers: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 250?' All those in favor 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 Bolin: "No further Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 3 of the Calendar we have House Bill 252. Representative Flowers. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 252, a Bill for an Act concerning health care. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Turner: "Third Reading. On page 5 of the Calendar we have House Bill 638. Representative Flowers. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 638, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 7 of the Calendar we have House Bill 923. Representative Acevedo. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 923, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. No further Amendments. All notes have been filed."

Speaker Turner: "Third Reading. On page 17 of the Calendar we have House Bill 2611. Representative Molaro. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2611, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 18 of the Calendar we have House Bill 2613. Representative Molaro. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2613, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 30 of the Calendar we have Representative Moffitt on House Bill 3532. The Gentleman asks leave to bring the Bill back to Second Reading for purposes of an Amendment. Leave is granted. On

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page 30 of the Calendar we have Representative Schock on House Bill 3674."

Clerk Bolin: "House Bill 3674, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Schock: "Thank you, Mr. Speaker. House Bill 3674 addresses the tiered-reimbursement program under DHS and basically, requires that DHS will run a pilot program to gauge the... a field test, rather, that they're calling it, to gauge the... the need on the three-tier level of reimbursement, so that they know what the need is before they set the rates for the child care reimbursement."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 3674 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The ba... 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 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. If Representative Graham, Representative Mitchell, Representative Jones, J. Bradley, Sacia, if they would all take their seats, we could be out of here shortly. Lou Jones. All right. We'll start at the top. These are Amendments that were passed out today, out of Rules. First one we're gonna deal with is Representative Graham on House Bill 1349, Amendment #3. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1349, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #3,

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

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

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 corrects... Actually, I believe I need to withdraw... I need to withdraw Floor Amendment #2 and put in for #3?"

Speaker Turner: "Mr. Clerk, what's the status of Amendment #2?"

Clerk Bolin: "Floor Amendment #2 has not been approved for consideration."

Graham: "Is that right?"

Speaker Turner: "So, all you have to do is move #3."

Graham: "Yeah. Okay. So, #3... #3 actually removes the integrated lock systems off of... out of the legislation because the technology doesn't currently exist and it corrects a date issue that existed before that delete took place. So..."

Speaker Turner: "The Lady moves for the adoption of Amendment #3 to House Bill 1349. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #3 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. A note has been requested on the Bill as amended and has not been filed."

Speaker Turner: "The Bill will remain on Second Reading. On the Order of Second Readings we have House Bill 1463. Representative Flider on Amendment #1. Read the Bill, Mr. Clerk. Representative Flider, you've already taken care of business. You may go back to your seat. On House Bill

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2374, Representative Lou Jones. Read the Bill, Mr. Clerk.
Amendment #3."

Clerk Bolin: "What number did you say? House Bill 2374, a Bill for an Act concerning health. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Jones, has been approved for consideration."

Speaker Turner: "The Lady from Cook, Representative Jones on Amendment #3."

Jones: "Thank you, Mr. Speaker, Members of the House. Amendment #3 just basically answers some questions that other case management... and the state had some concerns about the impact of the Bill. And we put Amendment #3 on because Mr. Filan asked us to clear up that little matter. Now, I think, this makes this an agreed Bill by all parties concerned."

Speaker Turner: "Seeing no... 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: "Do you have Committee Amendment 1 and 2 on this Bill?"

Jones: "I think Amendment #1 was put in, in committee. Am I correct? And I think #2 was tabled. I'm not sure. I think it was tabled."

Parke: "Will these... You're gonna have 20 appointments to this commission under this Amendment, right?"

Jones: "Yes."

Parke: "And are they paid a salary?"

Jones: "Excuse me?"

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Parke: "Are these men and women who will be appointed, the 20, will they be appointed..."

Jones: "No."

Parke: "...with a salary?"

Jones: "No."

Parke: "Will their expenses be paid for traveling for business of the state?"

Jones: "Will they be paid by the state?"

Parke: "Yes. Is that your question? No."

Parke: "I'm sorry? Will they be paid lodging, travel, food?"

Jones: "Are you asking me, will they be paid by the state? Am I... Is that what you're asking me?"

Parke: "I just wanna know if their expenses are gonna be paid by the state..."

Jones: "No."

Parke: "...for travel? So, they're gonna be appointed and they pay for all their travel expenses, all their food and everything. They pay for that themselves."

Jones: "Yes."

Parke: "Okay. Do you see any other expense that will be associated with this?"

Jones: "No, I don't."

Parke: "Do you... Have you removed all opposition to this with this Amendment?"

Jones: "Yes, I have."

Parke: "No further questions."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 2374?' All those in favor say 'aye'; all those opposed say

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'no'. The opinion of the Chair is the 'ayes' have it. And Amendment #3 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. We have House Bill 2506, Representative Sacia on Amendment #2. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2506, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Sacia, has been approved for consideration."

Speaker Turner: "The Gentleman from Winnebago, Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Floor Amendment #2 simply prevents a sweep of the funds that this Bill would generate and I'll be glad to discuss the Bill on Third Reading."

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #2 to House Bill 2506. All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And Floor Amendment #2 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Jerry Mitchell on House Bill 2946. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2946, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by

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Representative Jerry Mitchell, has been approved for consideration."

Speaker Turner: "The Gentleman from Lee, Representative Mitchell."

Mitchell, J.: "Yes, Mr. Speaker. I have an Amend... another Amendment coming for that Bill. I'd like to leave it at Second."

Speaker Turner: "Number... Amendment #2 is ready to go, Representative, if you wanna go with that. Do you want to table Amendment 1 or no?"

Mitchell, J.: "No. Amendment #2 just enhances the Bill, I believe. Amendment #2 takes out the weight limit. Be happy to discuss it on Third Reading."

Speaker Turner: "Hold on, just a minute. So, you wanna... you wanna withdraw..."

Mitchell, J.: "Amendment #... Amendment #1 has already been adopted, I believe."

Speaker Turner: "Do you wanna withdraw Amendment #1 and put on Amendment #2?"

Mitchell, J.: "I wanna adopt 1 and 2."

Speaker Turner: "You wanna adopt Amendment #1 and #2. We are now discussing Amendment #1. You wanna discuss Amendment #1? Go ahead."

Mitchell, J.: "Amendment #1 simply starts the Bill with the addition of criminal activity for those with dogs..."

Speaker Turner: "The Gentleman moves for the adoption of Amendment #1. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes'... Hold on."

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Mitchell, J.: "Yes, Mr. Speaker. We'd like to table Amendment... I'm sorry. We'd like to table Amendment... Amendment #1 or withdraw Amendment #1."

Speaker Turner: "We're gonna get there in a minute. The Gentleman asks leave to table Amendment #1. Leave is granted. Further Amendments, Mr. Clerk? The Gentleman asks leave to withdraw Amendment #1. Leave is granted. Further Amendments, Mr. Clerk?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Jerry Mitchell, has been approved for consideration."

Speaker Turner: "Representative Mitchell on Amendment #2."

Mitchell, J.: "Thank you, Mr. Speaker. I would like to adopt Amendment #2. And I'd be happy to discuss the Bill on Third Reading."

Speaker Turner: "The Gentleman asks leave to adopt Amendment #2. Seeing no further questions, all those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. We have House Bill 3451, Representative Bellock. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3451, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Bellock, has been approved for consideration."

Bellock: "Thank you, Mr. Speaker. This is Amendment #1 to House Bill 3451. We had discussion in committee. There was a reference to take out order of protection. That's in the

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Amendment. And then also, that it would be for new hires that they would check on the State Police website. As far as I know, the State Police now were for the Bill and so is the Alliance."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment #1 to House Bill 3451?' All those in favor 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 Bolin: "No further Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Fritchey on House Bill 3485. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3485, the Bill's..."

Speaker Turner: "The Gentleman says take the Bill out of the record. Mr. Clerk, read House Bill 248. Representative Flowers. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 248, a Bill for an Act in relation to children. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Flowers, has been approved for consideration."

Flowers: "Thank you, Mr. Speaker. I think I wanna hold this Bill on Second."

Speaker Turner: "The Lady wants to take the Bill out of the record."

Flowers: "Thank you."

Speaker Turner: "We have House Bill 1571. Representative Flider. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 1571, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Flider, has been approved for consideration."

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

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 simply consists of adding a... the addition of a TIF language that's includes... included in House Bill 1573. So, 1571 and 1573 would be both extending TIF Districts in the City of Sullivan, Illinois. We're consolidating both TIFs into one Amendment which would be... which would be included in 1571. And if the Body adopts Floor Amendment #1, I would appreciate being able to hold the Bill on Second Reading."

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #1 to House Bill 1571. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Flider, has been approved for consideration."

Speaker Turner: "The Gentleman from Macon, Representative Flider on Amendment #2."

Flider: "Well..."

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #2. Seeing no questions, all those in favor say 'aye'; all those opposed say 'no'. And the House does adopt Amendment #2. Further Amendments?"

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

Speaker Turner: "Third Reading. Mr. Clerk, what's the status of House Bill 471? Page 4 of the Calendar, Representative Eddy."

Clerk Bolin: "House Bill 471... House Bill 471, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed. All notes have been filed."

Speaker Turner: "Third Reading. What's the status of House Bill 473, Mr. Clerk?"

Clerk Bolin: "House Bill 473, a Bill for an Act concerning procurement. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. What's the status of House Bill 3850 on page 28... page 24? 3850."

Clerk Bolin: "House Bill 3850, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Turner: "Third Reading. Mr. Clerk... The Gentleman from Bureau, Representative Mautino."

Mautino: "The Bill, I believe, is in its proper form now where the Amendment is not attached and that is now strictly the Oglesby TIF District."

Speaker Turner: "It's on Third Reading. We will hold it there. Mr. Clerk, we have House Bill 48. What's the status of that Bill? House Supplemental Calendar #1, House Bill 48."

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Clerk Bolin: "House Bill 48, a Bill for an Act concerning liquor. Second Reading of this House Bill. No Committee Amendments... No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 870, Representative Jenisch. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 870, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3504, Representative Pritchard. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3504, 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 Turner: "Third Reading. House Bill 3507. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3507, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3648, Representative Dunn. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3648, a Bill for an Act concerning driving offenses, which may be referred to as Matt's Law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. On the Order of Resolutions we have House Resolution 82. Read the Resolution, Mr. Clerk. Representative Rose on House Resolution 82. Read the Resolution, Mr. Clerk."

Clerk Bolin: "House Resolution 82 celebrates the 14th anniversary of TECH 2005 and recognizes May 19, 2005 as TECH 2005 Day."

Speaker Turner: "Representative Rose moves for the adoption of House Resolution 82. All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And the House does adopt the Resolution. House Resolution 195, Representative Jakobsson. Read the Resolution, Mr. Clerk."

Clerk Bolin: "House Resolution 195 urges the U.S... U.S. Congress to reject Social Security privatization proposals."

Speaker Turner: "The Lady moves... Representative Jakobsson moves for the adoption of House Res... The Gentleman from Lake, Representative Sullivan, for what reason do you rise?"

Sullivan: "Can we have a Roll Call vote on this, please? Oh, no. Let me take that back."

Speaker Turner: "No... no further questions. The question is, 'Shall the House adopt House Resolution 195?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does adopt House Resolution 195. Mr. Clerk, we have House Resolution 105. Representative Acevedo and Representative Soto. Read the Resolution."

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Clerk Bolin: "House Resolution 105 urges President Bush and Congress to provide an increased benefit package to all military personnel who die in the line of duty."

Speaker Turner: "The Gentleman asks leave that we pass House Resolution 105. All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And House Resolution 105 is adopted. Further Resolutions? Mr. Clerk, read the Death Resolution for House Resolution 243. The Resolution is for a former Member. House Resolution 243."

Clerk Bolin: "House Resolution 243.

WHEREAS, The members of the Illinois House of Representatives were deeply saddened to learn of the death of former State Representative Emil J. Boucek, formerly of Brookfield, on March 3, 2005, at his Willowbrook home; and

WHEREAS, As a young boy, Mr. Boucek campaigned with his father for local political causes and fell in love with politics; his enthusiasm to serve others played out when he was elected a State Representative in the Illinois General Assembly in the 1970s, serving three terms for constituents in Western Springs; and

WHEREAS, From 1977 to 1982, he served as a Republican State Representative in the 6th District; though he was known for his anti-gun control stance, he also sided with Democrats on issues he believed worthwhile; he was an advocate for property tax reform and tougher penalties for felons convicted of rape and child pornography, and a sponsor on a bill that required insurance for all Illinois drivers; and

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WHEREAS, Before becoming a State legislator, Mr. Boucek served 16 years as a constable in Cook County and then as a village clerk in Brookfield; he also served as a bailiff in the 5th District of the Cook County Circuit Court, a position he held for 10 years; in the late 1950s, he worked as a private investigator and assisted the FBI in a diamond robbery case; and

WHEREAS, After three legislative sessions, he retired in 1982 and spent a lot of time golfing, fishing, and occasionally hunting; he took pride in his garden of roses and vegetables, and dabbled in growing grapes; and

WHEREAS, He was married to his wife Lillian for 67 years, and those close to them remembered their love; they also remembered him as a man of integrity; he was admired most for his honesty and his genuine concern for others; and

WHEREAS, He lived by three simple rules, which he passed on to his children - "treat people with respect, as you would want to be treated", "always, always tell the truth", and "leave your family with a good name"; and

WHEREAS, The passing of Emil J. Boucek is felt by all who knew and loved him, especially his daughters, Jean Evan, Judith Knudsen, Sandra Gurgel, and Susan McSwine; his sons, Emil Jr., and Daniel; his brother, Robert; and his 22 grandchildren and eight great-grandchildren; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of former State Representative Emil J. Boucek and extend our condolences to his family and express our

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appreciation for his exemplary service to his District and his State; and be it further

RESOLVED, That a copy of this resolution be presented to his family as an expression of the esteem in which we hold the memory of Emil J. Boucek."

Speaker Turner: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. There's only two of us in the House today that served with Emil and that's Speaker Madigan and myself. In fact, Emil Boucek was my seatmate for 2 years and I found him to be an extremely intelligent and hardworking Legislator one that all of us had asked would do the right kind of job and the right thing. He really was strong in the criminal justice system as you can tell by his background and his years of serving in the criminal justice system. And when he came to Springfield, he brought that experience here and worked hard in the law enforcement area. Also, believed strongly in property tax relief which, of course, we all deal with and work on today and paid a great deal of attention to it. I kind... I really did enjoy sitting next to him, but one thing that I remember well was in those days we used to work until 3, 4 in the morning and sometimes break for dinner and you know, then come back and of course, frequently were a little rowdy when we came back after dinner. But when we would work sometimes through dinner, we'd order dinner out and Emil would order a big pizza and now, you gotta understand, at 3:00 in the morning when a pizza arrives this is a great event. And so, Emil had this pizza on his desk and I...

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without thinking, I reached over and grabbed a piece and stuffed it in my mouth and it was loaded with anchovies. I thought I was gonna die and Emil got the biggest kick out of that and just laughed his head off. He knew that I'd never reach over again and grab another piece of his pizza. But I... I saw him a couple of times since he left the Legislature in 1982 because of the cutback Amendment. Some of you may remember the cutback Amendment. That's what destroyed a lot of representative democracy in the state, I think. But what happened to Emil, he was caught in a district with five other Legislators at that time and he ended up running against another incumbent Republican and lost at that time and so, in 1982 he retired. But we kept in touch a little bit since then and the time that I knew him he, in fact, was enjoying retirement. Four daughters, two sons, twenty-two grandchildren and of course, eight great grandchildren. That's an amazing, amazing story of a great family man, a great Legislator and a good friend. Ladies and Gentlemen, it's unfortunate, of course, that you were unable to know him like I did and like those of us that served with him. He was a credit to this Legislative Body. He was a good man and he was one that I enjoyed getting to know. May God rest his soul and may his family remember the greatness that he left in them and living by his three mottos. So, thank you, Mr. Speaker. And I'd ask that all Members be joined in this Resolution."

Speaker Turner: "Representative Lyon(sic-Daniels) moves for the adoption of House Resolution 243. All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the

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Chair is the 'ayes' have it. And the Resolution is adopted.
Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 253, offered by Representative Granberg. House Resolution 254, offered by Representative Flider. House Resolution 255, offered by Representative Jakobsson. House Resolution 256, offered by Representative Sacia. House Resolution 257, offered by Representative Nekritz. House Resolution 258, offered by Representative Monique Davis. House Resolution 263, offered by Representative Younger."

Speaker Turner: "You've heard the Resolutions. All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And the Resolutions are adopted. The Gentleman from Rock Island, Representative Verschoore, for what reason do you rise?"

Verschoore: "A point of information, thank you, Mr. Speaker. Tomorrow morning at 9:00 in the... in the Elementary & Secondary Education there's going to be a discussion about the recent change in the IHSA ruling in adding a multiplier to unboundaried schools. I don't know about anybody else. I got quite a few calls on that and I talked to some of the Representatives from the Chicago area and they got a few calls. It... I think it'd be very advantageous for people to attend this meeting and voice their opinions. Thank you very much."

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

Howard: "For the purpose of an announcement. Tomorrow morning in Computer Technology we will have subject matter hearing

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regarding computer technology issues. And we're very fortunate in having with us a representative from Microsoft. I'd like to invite all of my colleagues to... to come and hear and ask questions of Mr. Wilson. Thank you. That's at 10:00 tomorrow, Room 122-B, of course, here in the Capitol. Thank you."

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

Daniels: "A point of correction. Representative Younge also served with Representative Boucek. So, I apologize for that. But also I wanna mention that the DDMI Committee is canceled because the Sponsor's not gonna move his Amendment. So, those Members of the committee do not have to show up."

Speaker Turner: "And Representative Daniels, I think Representative Currie might have been around under that guise there. She's not here today. Currie."

Daniels: "How do you like that?"

Speaker Turner: "Turner."

Daniels: "You learn something new every day."

Speaker Turner: "Hannig. Everybody with license plates 7 and up."

Daniels: "All right. Everyone that wants to serve with Representative Boucek name their... raise their hand so..."

Speaker Turner: "It's anybody with the number 6 and up. The Gentleman from Clinton, Representative Granberg, for what reason do you rise?"

Granberg: "Purpose of an announcement, Mr. Speaker. Where at... the Ag Committee is gonna meet very, very briefly, immediately upon adjournment, for Representative Moffitt."

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So, I would urge Members to get there. We can conclude the business."

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

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

Speaker Turner: "State your point."

Stephens: "...if I might. Ya know, we've stood on this General Assembly Floor on far too many occasions and talked about the bad news from... from the Persian Gulf and from Iraq and Afghanistan. I am happy to report to you that the First Calvary Division and in particular Alpha Company 1st of the 9th is... has returned to Ft. Hood, Texas. Captain Todd Stephens, my son, one of their commanders, is... is proud to report that they had their share of Purple Hearts, over 30 in their combat infantry unit, but every American man and woman in that company came home alive. And I'm very proud to report that."

Speaker Turner: "Congratulations. Mr. Clerk, Committee Reports."

Clerk Bolin: "The following committees will meet immediately upon adjournment: Agriculture & Conservation in Room D-1, Stratton; Labor in Room 118 of the Capitol; Registration & Regulation in Room 114 of the Capitol; State Government Administration in Room 115 of the Capitol; and Human Services in C-1, Stratton."

Speaker Turner: "And now, allowing perfunctory time for the Clerk, Representative Lang moves that the House does stand adjourned until Thursday, April 7 at the hour of 12 noon;

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Thursday, April 7 at the hour of 12 noon. And the House does stand adjourned."

Clerk Bolin: "The House Perfunctory Session will come to order. First Reading and introduction of Senate Bills. Senate Bill 302, offered by Representative Acevedo, a Bill for an Act concerning transportation. Senate Bill 309, offered by Representative Acevedo, a Bill for an Act concerning taxes. Senate Bill 311, offered by Representative Acevedo, a Bill for an Act concerning regulation. Introduction and First Reading of House Bills. House Bill 4072, offered by Representative Bassi, a Bill for an Act concerning appropriations. First Reading of these Bills. Introduction of Resolutions. House Resolution 259, offered by Representative Coulson. House Resolution 260, offered by Representative Mautino. House Resolution 261, offered by Representative Gordon. House Resolution 262, offered by Representative Jim Meyer. House Joint Resolution 33, offered by Representative Sacia. These Resolutions are referred to the House Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."