

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

38th Legislative Day

4/12/2005

Speaker Hannig: "The hour of 12:00 having arrived. Will the Members please be in their seats. And the House will be in order. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by First Reader Herb White with the First Church of Christ Scientist of Winnetka. Mr. White is the guest of Representative Coulson."

First Reader White: "Let us pray. Lord, we thank Thee for the opportunity we have to bless the people of Illinois and for the opportunity to show our highest nature in carrying out the responsibilities of our elected position. Although the issues facing our great state and our individual constituencies appear to be difficult, we know that we find the answers to every need when we turn to You and diligently seek Your guidance for You are always there to guide. And we know that the right solution to each issue is the one that blesses all those touched by that solution. Our responsibilities to our constituencies and our state have come to us because we are ready and able to meet the challenges of our position. And together, with our collective views and ideas and Your wisdom and love, we shall achieve great progress for our beloved state and provide a shining light for all mankind. We thank the people of Illinois for trusting us with guiding them and providing that which helps them to achieve their true potential and happiness. 'Ye shall go out with joy and be led forth with peace. The mountains and the hills shall

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

38th Legislative Day

4/12/2005

break forth before you into singing and all the trees of the field shall clap their hands.' Amen."

Speaker Hannig: "And we'll be led in the Pledge today by Representative Fritchey."

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

Speaker Hannig: "Roll Call for Attendance. Representative Currie."

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

Speaker Hannig: "The record will so reflect. And Representative Bost."

Bost: "Thank you, Mr. Speaker. Please let the record reflect that all Republicans are present today including that great orator Bill Black."

Speaker Hannig: "Very good. Mr. Clerk, take the record. There are 117 Members answering the Roll Call, a quorum is present. Mr. Clerk, read the Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Mendoza, Chairperson from the Committee on International Trade & Commerce, which the following measure/s was/were referred, action taken on April 12, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 149 and House Resolution 262. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, which the following measure/s

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

38th Legislative Day

4/12/2005

was/were referred, action taken on April 12, 2005, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 644; 'recommends be adopted' House Resolution 261. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, which the following measure/s was/were referred, action taken on April 12, 2005, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 2390; 'recommends be adopted' House Resolution 214. Representative Franks, Chairperson from the Committee on State Government Administration, which the following measure/s was/were referred, action taken on April 11, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 1656, Floor Amendment #1 to House Bill 3273, House Resolution 120, House Resolution 151, House Resolution 177, House Resolution 196, House Resolution 233 and House Resolution 228. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, which the following measure/s was/were referred, action taken on April 11, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' is House Resolution 83. Representative Flider, Chairperson from the Committee on Local Government, which the following measure/s was/were referred, action taken on April 11, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 1680 and House Resolution 234.

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

38th Legislative Day

4/12/2005

Representative Holbrook, Chairperson from the Committee on Environment & Energy, which the following measure/s was/were referred, action taken on April 11, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 2250. Representative Soto, Chairperson from the Committee on Labor, which the following measure/s was/were referred, action taken on April 11, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 90 and House Joint Resolution 18. Representative Daniels, Chairperson from the Committee on Developmental Disabilities and Mental Illness, which the following measure/s was/were referred, action taken on April 11, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #3 to House Bill 1197. Representative Collins, Chairperson from the Committee on Public Utilities, which the following measure/s was/were referred, action taken on April 11, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 1411. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, which the following measure/s was/were referred, action taken on April 12, 2005, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 3463; 'recommends be adopted' House Resolution 117, House Resolution 143, House Resolution 154, House Resolution 182, House Resolution 188, House Joint

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

38th Legislative Day

4/12/2005

Resolution 22 and House Joint Resolution 34. Representative Delgado, Chairperson from the Committee on Human Services, which the following measure/s was/were referred, action taken on April 12, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' is House Resolution 152, House Resolution 153, House Resolution 220, House Resolution 259 and House Joint Resolution 17 and House Joint Resolution 29. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on April 12, 2005, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #3 to House Bill 298, Amendment #2 to House Bill 1445, Amendment #2 to House Bill 1475, Amendment #3 to House Bill 2373 and Amendment #3 to House Bill 3499."

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

Cultra: "Point of personal privilege."

Speaker Hannig: "State your point."

Cultra: "I'd like to welcome to Springfield the mayor of Fairbury and also, the principal at Nettie Davis School in Watseka, Bob Walters(sic-Walter). Bob, welcome to Springfield."

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

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

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

38th Legislative Day

4/12/2005

Speaker Hannig: "State your point."

Gordon: "Thank you. Ladies and Gentlemen of the House, Mr. Speaker. As you may or may not be aware, April 2005 was commemorated as Car Care Month by House Resolution 107. In keeping with the spirit of that Resolution, my car care tip for today is about headlights. According to recent studies... according to recent studies, 17 percent of all motor vehicle accidents are clearly caused by automobile maintenance neglect. Faulty signals or the failure of headlamps are mentioned as one of the most frequent causes. So, have the lighting system checked frequently including headlights, turn signals and brake and tail lights. This and other simple and inexpensive preventative checks will greatly extend the life and safety of you and your vehicle. Thank you."

Speaker Hannig: "Representative Biggins, would you like to start off the day by calling House Bill 4014? It's on the Order of Second Reading on page 22 of the Calendar. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 4014 has been read a second time, previously. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Should we move that to Third, Representative? Third Reading? Okay. Third Reading. Representative Beiser. Out of the record? Okay. For all... all the Bills? All of 'em, okay. Representative Boland, you have House Bill 3472. Mr. Clerk, read the Bill, please."

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

38th Legislative Day

4/12/2005

Clerk Mahoney: "House Bill 3472, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Boland."

Boland: "Thank you, Mr. Speaker. House Bill 3472 creates a special instant scratch-off lottery game for Illinois veterans to commence on January 1, 2006. The legislation also creates the Illinois Veterans' Assistance Fund in the State Treasury and provides that the revenue from that would be deposited into the fund for appropriation by the General Assembly to the Department of Veterans' Affairs for making grants, funding additional services or conducting additional research projects relating to veterans' posttraumatic stress disorder, veterans' homelessness, the health insurance cost of veterans, veterans' disability benefits, including those provided by veterans' service organizations and veterans' assistance commissions or centers and the long-term care of veterans. The law... the legislation requires that revenue collected from the scratch-off game will not supplant existing money that the Department of Revenue may currently spend for the aforementioned projects. In addition, the legislation requires that during the time that tickets are sold for this scratch-off game, the Department of Revenue will not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game. This legislation is expected to generate 10 to 12 million dollars. Be glad to try to answer any questions."

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

38th Legislative Day

4/12/2005

Speaker Hannig: "The Gentleman has moves for passage of House Bill 3472. And on that question, the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker and good afternoon. Will the Sponsor yield... no, to the Bill."

Speaker Hannig: "To the Bill."

Parke: "Ladies and Gentlemen, I respectfully rise in opposition to the Gentleman's legislation. You know, they're talking about \$12 million and for the most part these will be in veterans' homes and veterans' halls. And \$12 million means that there has to be an awful lot of money lost by these veterans, many of 'em on Social Security. And you... you allow this and you're opening the door for certainly some people to abuse the system. I do not think that that's good public policy. I do not think that this is what we want to do, as much as the veterans' groups think that this'll be additional income to their various posts which I'm sure it will be. But ultimately, their members are gonna lose this money. I wish they would just donate it to the veterans' home. So, I respectfully rise in opposition. This is opposed by the Illinois Church Action on Alcohol and Addiction Problems. They strongly rise in opposition, as I do. And would respectfully ask you to vote 'no' on this legislation."

Speaker Hannig: "Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. To the Bill. The... I agree with the last speaker that if you... if we want to... ya know, we... we... it seems so popular these days to invoke

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

38th Legislative Day

4/12/2005

programs for veterans and vote... we're gonna do this for veterans and everything in the name of veterans is... just seems automatically be blessed. I... I... and I respect the fact that the Sponsor's intentions are right on target as far as what he intends. But what I see happening is that we're going to be selling lottery tickets in the name of helping veterans. And... and I have two concerns with that. First of all, if you wanna give a dollar to a veterans' cause, go ahead and give the dollar. And secondly, I think it creates this false sense that we're... we're helping veterans. And I... I gotta tell you, in Illinois, we really do need to pay more attention because we are among the lowest in veterans' compensation per veteran in the entire country. And there's been some examination, a lot of concern among our community, of the veterans' community about why that is and guess what, well, we have Chicago. And guess who has the worst Federal Veteran's Administration Office in the country, it's Chicago. And I'm not sure as to all the reasons, the whys and wherefores of that but I do know that Illinois veterans are suffering because we're not getting the job done at the very basic veteran to provider level that could wind up yielding higher compensation for veterans who have those compensations coming. So, what... I think we're gonna create a false sense of security. We're all gonna feel patriotic. Let's go get a scratch-off lottery ticket and... and then we've done our cause for the veterans and for those who've suffered on our behalf. I think that's a... that false sense

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

38th Legislative Day

4/12/2005

of security is wrong. The idea that we're really doing something to help veterans here, as honorable as that might sound, I think the money would be much more well... much more wisely spent if we just gave it directly to vet... veterans' benefit programs. Thank you."

Speaker Hannig: "Representative Boland to close."

Boland: "Thank you very much, Mr. Speaker. And I would hope that all of us take this step. I know there are things that we are far behind in. We are second to the bottom in... in benefits to our veterans. But this will provide grants to VFWs, American Legions and other veterans' organizations to provide more staff so they can process the claims so that, hopefully, we can get that benefits increase for the... for our veterans. We know there's a lot of budget problems. This is a creative way of trying to address those problems. And I would hope that we can all back up our veterans on this vote. Give 'em a chance to get a few more benefits. Help those who have done so much for our nation. 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? Have all voted who wish? Representative Black. Okay. Mr. Clerk, take the record. On this question, there are 63 voting 'yes', 53 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bellock, you have two Bills on the Calendar,

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

38th Legislative Day

4/12/2005

House Bill 679. Okay, that's out of the record. How about House Bill 2443? No, okay. Representative Black, you have two Bills on the Calendar. House Bill 323. Mr. Clerk, read the Bill. Out of the record at the request of the Sponsor. How about, Representative Black, if we called House Bill 551? On page 223 of the Calendar is 551. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 551, a Bill for an Act concerning taxes. Third Reading of this House Bill."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 551 as amended provides that a member of the Illinois National Guard or any Illinois Rev... Reservist who is on active duty and an Illinois resident shall not be deemed delinquent in their property taxes if they were on active status when the taxes were due. It also provides that when they get back from their active duty, they do not have to pay those property taxes for... until a hundred and eighty days after their return to their civilian life. Requires that the individual taxpayer must provide timely notice to their county clerk and county collector. It's, I think, a reasonable response to some cases that many of us have run into with so many of our National Guard and Army and Marine and Navy Reservists being called to active duty. Be glad to answer any questions that you have."

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

38th Legislative Day

4/12/2005

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 Boland and Mitchell, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bailey, would you like us to call House Bill 904? Representative Mitchell, for what reason do you rise?"

Mitchell, J.: "Thank you, Mr. Speaker. And I pushed the button several times and it did not come on. I don't know whether I have a switch problem or not but I'd like to be recorded as a 'yes'."

Speaker Hannig: "Representative Bailey, House Bill 904, do you wish us to call that Bill at this time? Okay. Out of the record at the request of the Sponsor. Representative Bradley, we have House Bill 480. Okay. Let's take that out of the record. Representative Bassi. Representative Bassi has House Bill 442. Okay. Let's move on to Representative Brosnahan, House Bill 4030? Out of the record at the request of the Sponsor. Representative Burke. Representative Burke has House Bill 1445. Representative Burke, you wanna move 1445? I think there's an Amendment that you wish to have adopted. Mr. Clerk, would you read the Bill."

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

38th Legislative Day

4/12/2005

Clerk Mahoney: "House Bill 1445 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Burke, has been approved for consideration."

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

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Amendment #2 would become the Bill and is an agreed Amendment which addresses the concerns raised by the committee and the Illinois Society of Professional Engineers. This Amendment removes opposition to the Bill and is basically a technical Amendment which clarifies the definition 'fire protection system layout drawings'. This is an administrative cleanup. It's language added to the Fire Sprinkler Contractor Licensing Act which passed several years ago. The supporters of the Bill are the AFL-CIO, the Associated Firefighters of Illinois, the Illinois Fire Chiefs Association, the Illinois Firefighters Association, the Illinois Fire Inspectors Association, Northern Illinois Fire Sprinkler Advisory Board and Sprinkler Fitters and Apprentices Union Local 281. And I'd ask for the Body's favorable consideration on the Amendment."

Speaker Hannig: "The Gentleman moved for the adoption of Floor Amendment #2. 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."

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

38th Legislative Day

4/12/2005

Speaker Hannig: "Third Reading. Representative Chapa LaVia, you have House Bill 1404. It's on page 25 of the Calendar. Representative Chapa LaVia, 1404? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1404..."

Speaker Hannig: "Okay. Mr. Clerk..."

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

Speaker Hannig: "Okay. Mr. Clerk, that's out of the record at the request of the Sponsor. Representative Churchill, you have House Bill... on page 24 of the Calendar you have House Bill 911. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 911, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Hannig: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We discussed this yesterday as it was in the Amendment stage because the Amendment became the Bill. Now, this Bill provides for two things. One, it says that no joint insurance pool or intergovernmental cooperative may interfere with the collective bargaining process. And two, what it says is that those same pools may reprice insurance if part of a public group is removed and goes with the bargaining group. So, I would ask for your positive support of this Bill."

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'."

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

38th Legislative Day

4/12/2005

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 2 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 25 of the Calendar is House Bill 1540. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1540, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Coulson will handle this Bill, the Lady from Cook."

Coulson: "Thank you, Mr. Speaker. House Bill 1540 requires students to engage in daily courses of physical education and updates the statutory definition of physical education courses of study. This is a part of our obesity and nutritional package for children. And I'd appreciate an '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... Excuse me. Representative Flider, did you wish to stand in response? Okay. 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 Stephens and Jones, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a

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

38th Legislative Day

4/12/2005

Constitutional Majority, is hereby declared passed. And now, Representative Flider, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Flider: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Here today, in Springfield, joining us for our Legislative Session is a councilwoman who was just reelected to her third term, I believe it is, from Decatur, Councilwoman Betsy Stockard. She's in the gallery to my right. And I wonder if you would please welcome her here to Springfield today. Councilwoman Stockard."

Speaker Hannig: "On page 21 of the Calendar is House Bill 3823, Representative Colvin. Do you wish us to read that Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3823 has been read a second time, previously. No Committee Amendments. No Floor Amendments. However, a note has been requested and not yet received."

Speaker Hannig: "So, you're saying there's... there's some requests for notes. Okay. Representative, we'll have to hold that on Second pending some note requests. Representative Currie. Okay. On page 26 of the Calendar Representative Currie has House Bill 4051. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4051, a Bill for an Act concerning human rights. Third Reading of this House Bill."

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

Currie: "Thank you, Speaker and Members of the House. This Bill makes three changes in the procedures that apply in

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

38th Legislative Day

4/12/2005

the Department of Human Rights and the Human Rights Commission. Makes no substantive change in anybody's rights or responsibilities under the Human Rights Act. What it does do is say that issues of credibility of witnesses will be determined by the commission that review of an administrative law judge decisions at the... at the department will be performed by the commission. And finally, we would join 38 other states and the Federal Government by permitting people to go to court if after a year the Department of Human Rights and the commission have failed to resolve a case. The issue is one of justice delayed, justice denied. There are many cases that sit lingering for years. In fact, I've talked to some people who've had... folks who had issues before the commission who were about to die before a verdict was finally available. As I say, 38 other states permit plaintiffs to go to state court. The Federal Government permits that under the Federal Equal Employment Opportunity Act. And I would appreciate your support for passage of House Bill 4051."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? The Gentleman from Winnebago, Representative Winters."

Winters: "Tha... thank you, Mr. Speaker. Will the Sponsor yield?"

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

Winters: "Under the provisions of this Bill, are we basically getting around the Human Rights Department that they... they

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

38th Legislative Day

4/12/2005

don't need to hold a hearing but they can go to the Circuit Court immediately or..."

Currie: "In fact, under most other State Law and the Federal Law, there is a 6-month window. Under this measure, there is a full year before a plaintiff could go to court."

Winters: "So..."

Currie: "So, we're tracking other states and the Federal Government, but in fact, we've given more time to our administrative agencies than the other states and the Federal Government do."

Winters: "Okay. I... I was just reading the analysis and it looked to me like it was going the opposite direction. So, you are giving the administrative agency a little bit longer to work on the... on the process before they're allowed to access the Circuit Courts."

Currie: "Yes. That's correct."

Winters: "Okay. Thank you."

Speaker Hannig: "Representative Parke."

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

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

Parke: "Our analysis shows that the Bar would like Amendment #1 tabled. Did you table that, Representative?"

Currie: "I'm sorry. Who would like Amendment #1 tabled?"

Parke: "The Illinois State Bar Association. Our analysis..."

Currie: "No, that... that would be inaccurate information, Representative. In fact, the Amendment was drafted by the State Bar Association."

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

38th Legislative Day

4/12/2005

Parke: "Well, they've recommended that it should be tabled.
So..."

Currie: "I said, you're information is inaccurate. The Bill is
on Third Reading."

Parke: "I know but Amendment #1 is still on the Bill, right?"

Currie: "Yes. Amendment 2 is on the Bill, as well."

Parke: "Right. Well, you could always move it back and remove
it."

Currie: "Representative, I have not... but, you know..."

Parke: "All right."

Currie: "...all I can tell you is that the, as I understand it..."

Parke: "Do you want to suggest that perhaps you might want to
take it out of the record and see if you can get a
clarification on this."

Currie: "Okay. Let me take it out of the record. I'd be happy
to do that."

Parke: "Thank you, Representative."

Speaker Hannig: "Okay. Out of the record at the request of the
Sponsor. Representative Bassi. Representative Bassi, you
have on page 23 of the Calendar House Bill 442. Mr. Clerk,
read the Bill."

Clerk Mahoney: "House Bill 442, a Bill for an Act concerning
transportation. Third Reading of this House Bill."

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

Bassi: "Thank you, Mr. Speaker. This particular Bill gives law
enforcement officials the right to impound a vehicle that
had been pursued if the driver did not stop during the
chase. And what's happening is and if police are chasing a

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

38th Legislative Day

4/12/2005

vehicle, they feel danger's imminent then the officers may decide to discontinue the pursuit rather than jeopardizing innocent lives. The legislation allows authorities then to impound or immobilize the vehicle later if they have reason to believe that it was... would provide evidence of a crime. But it also provides that the vehicle owner is not responsible for civil penalties if they were not accountable for or did not solicit the wrongdoing. There is a civil penalty of a hundred dollars, in addition to the towing or impoundment charges, if, in fact, the car is impounded. And I would ask for a favorable vote."

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

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

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

Franks: "Is there still opposition by the Illinois State Bar Association and the Cook County Public Defender's Office?"

Bassi: "Not as far as I know."

Franks: "Okay. And I understand what you're trying to do and I think it's a good idea. My concern is that many, as you know, many police departments, I believe, including the Illinois State Police have a 'no pursuit' policy. Are you aware of that?"

Bassi: "No, as a matter of fact, actually that is one of the reasons why we're doing this so that they don't have to pursue the... so that they do not have to pursue the car and yet, can impound the vehicle if it was involved in... in a major chase."

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

38th Legislative Day

4/12/2005

Franks: "I think you're hitting on a very big issue here when it comes to the pursuit. And... and I see you have a former chief of police with you there which is good and I'd like to hear your ideas on this, as well. But I... we had a hearing in... in State Government Administration last month and we learned some troubling things where the State Police were in... in pursuit of an individual who had kidnapped two children and crossed state lines and the State Police stopped pursuit. And I've subsequently learned that there's some questions on whether they're even allowed to pursue if someone pulls away. And I..."

Bassi: "Wait... wait... if they're... if they're even allowed to pursue, I'm sorry, Representative..."

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

Bassi: "What... I... I didn't hear your last sentence. If they're... Some questions as to if they're even allowed to pursue?"

Franks: "Right. I... I'm wondering if there's a sta... maybe we oughta be looking at this as a statewide policy of the ability of a police... someone in police jurisdiction to be able to pursue. And what we're gonna be doing and if we're gonna be laying out parameters for pursuit because I think that the tendency and what I'm seeing, and maybe my colleagues can help me over there, or the tendency seems to be that we're not going to be pursuing. And possibly Mr. Rose can respond to part of this, if the Speaker would allow him."

Bassi: "Yes, absolutely."

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

38th Legislative Day

4/12/2005

Speaker Hannig: "Okay. Representative Rose is recognized to answer the question."

Rose: "Thank... thank you, Mr. Speaker. Representative Franks, the problem we're seeing is that because of these... these 'no pursuit' policies that a lot of communities have adopted and frankly with good reason because they've had a number of accidents and it's usually an innocent party that's injured. The minute, let's say a drug transaction's going down, the bad guys have adapted their drug transactions to vehicle-based transactions. The minute the cops come in with headlights and sirens, they take off because they know that cops will cut chase after a certain point in time. Now, often we don't have an idea on who, ya know, the driver of the vehicle is. This would allow you to impound the car. The problem we had, in particularly Champaign County in the last 2 years, we've had two different accidents of offenders trying to flee the police have hit other people. Now thankfully, we... the death that happened actually wasn't to an innocent party, it was to the flee... the person who was fleeing. But we did have another accident where an innocent bystander was... was injured. The... the point is, around the nation, there's been a move towards cutting chase, if you will, to avoid these types of accidents except in very serious crimes, murder, rape, et cetera, where they do continue to give pursuit. I think that, if I understand the nature of your question, what we might wanna do is sit down and look at the rules for engagement, for lack of a better word. What

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

38th Legislative Day

4/12/2005

we're trying to do here is give the police another opportunity to try to locate that vehicle and in this case impound it and/or boot it after it's been involved in any type of drug transaction. I would also note that this had been up earlier and we put a full-blown innocent owner defense in it at Representative Fritchey's request and that... that is now in the Bill as the Amendment."

Franks: "Thank you. I appreciate that. Thank you. And I... and I will stand for this. I will vote for the Bill. I think it's a great idea but I think... we need to get together and possibly put together a task force for these interested parties. And..."

Rose: "I would agree with you, Representative."

Franks: "Well, we'll go forward on that. Thank you very much."

Speaker Hannig: "Representative Bassi to close."

Bassi: "I would just request 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 question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Will Davis. On page 24 of the Calendar is House Bill 1311. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1311, a Bill for an Act concerning townships. Third Reading of this House Bill."

Speaker Hannig: "Representative Davis."

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

38th Legislative Day

4/12/2005

Davis, W.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 1311 which is an initiative of the Township Officials of Illinois permits townships to regulate the roaming of poultry. Currently, roaming of other livestock can be regulated but those regulations do not affect poultry. Apparently, roaming chickens are a problem in areas where farmland meets urban areas so they'd like to develop some rules to regulate the roaming of chicken. I'd appreciate an '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... Excuse me. Representative Black, did you wish to stand in response?"

Black: "Thank you very much, Mr. Speaker. This... this Bill is just too good to let it go without debate. Will the Sponsor... will the Sponsor yield?"

Speaker Hannig: "The Gentleman will yield."

Black: "Representative, if... if... if your Bill becomes law, how's a restaurant going to offer free-range chicken?"

Davis, W.: "Well, Representative, I guess... I guess the chicken still can roam a little bit, anyway. So, it'll be a partially free-range chicken then."

Black: "How much will the chicken be able to roam? I mean, does your Bill specify an acre or... or does it just give the complete authority to the township?"

Davis, W.: "Well, we don't... we don't get into what the definition of a free-range chicken is. We're simply trying

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

38th Legislative Day

4/12/2005

to allow the township to put some parameters on... on roaming chickens so they don't, you know, get on to private property or other areas as such."

Black: "Now, what... what is a definition in the... in the underlying Code, what's the definition of 'poultry'?"

Davis, W.: "It doesn't have a specific definition. But we assume poultry means birds, chickens, turkey, hens..."

Black: "Well, what about... what about an ostrich?"

Davis, W.: "Umm..."

Black: "A ratite?"

Davis, W.: "I'm not... I'm not sure if an ostrich is considered poultry."

Black: "Well, you know, former Representative Larry Woolard passed a law here years ago that made it illegal to bother or otherwise worry a ratite and that's a member of the ostrich family, an emu, an ostrich. And former Governor Jim Edgar, because of his heart problems, I recall, used to have ostrich burgers. Now, as you know, an ostrich is a big bird."

Davis, W.: "Yes, I do."

Black: "And... and they require a little bit of room. So, evidently they're gonna have to be fenced in. Is that the idea?"

Davis, W.: "That's the... the idea is just to... for them to be able to set up guidelines that would determine how far they can go or how... how much room they can have."

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

38th Legislative Day

4/12/2005

Black: "All right. So, you're... you don't envision the township telling somebody in an unincorporated area that they can't raise chickens."

Davis, W.: "No."

Black: "They just can't let 'em run loose."

Davis, W.: "They just can't let 'em run loose."

Black: "Now, from where you're from, that's a high population density area. Are there townships in your immediate area that... that let chickens and goose and ducks and big bird run loose?"

Davis, W.: "Well, we're... we're talking about someone who's raising them for sale or consumption or otherwise. Of course, we have geese and... and other fowl that fly freely throughout township areas in my area. So, this is only affecting someone who is raising those... those animals for sale or consumption or some specific purpose."

Black: "But it... if there's one thing that I... I would agree on, I wish we could keep the wild geese from running at-large. Since nobody really owns them, I guess we can't do that."

Davis, W.: "Is that a question, Representative?"

Black: "So, yeah, so, this... this isn't any attempt to regulate the flocks of wild geese that take up residency on golf courses, business water retention ponds, et cetera."

Davis, W.: "No, Sir."

Black: "All right. Did... did Kentucky Fried Chicken sign in in opposition or... or in favor of the Bill?"

Davis, W.: "To my knowledge, they don't... they have not expressed an opinion on this Bill. Neither has Popeye's or

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

38th Legislative Day

4/12/2005

Church's or any of the other places, as well. Oh, I'm not tryin' to... I'm not tryin' to ruffle any feathers here."

Black: "Well, I'm glad you're not, otherwise I would've called this a chicken Bill."

Davis, W.: "Well, that's what it is."

Black: "Well, I left out one word. But, so, this is a real problem in the State of Illinois, we have... we have... What do they call more than one chicken a... a flock, a pride..."

Davis, W.: "I think it's a..."

Black: "...a herd?"

Davis, W.: "I think it's a cackle or gackle... cackle, something like that."

Black: "Ah..."

Davis, W.: "I believe."

Black: "So, I mean, are we having these gaggles of geese and chickens running around attacking people in unincorporated areas of the state?"

Davis, W.: "Well, they're not attacking people, but in some areas where they're building these very expensive houses, ya know, they have an issue with chickens just roaming freely on their property."

Black: "Well, in my district if a chicken wanders into your front yard, it's suddenly your chicken. But, evidently, that's not... finders isn't always keepers then."

Davis, W.: "Well... well, Representative, in my district if a chicken wanders into the yard, he becomes dinner."

Black: "That's right."

Davis, W.: "All right."

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

38th Legislative Day

4/12/2005

Black: "So..."

Speaker Hannig: "Representative Black, your time has just sorta flown on by. So, could you bring your remarks to a close?"

Black: "You mean I just can't run loose on this Bill?"

Speaker Hannig: "I guess not."

Black: "Well, let me just end by saying, I think this is a Bill that keeps the world safe for democracy as we know it. One actual question, Representative. There's no mandate, it just gives townships the right if they feel necessary to regulate poultry running around the neighborhood?"

Davis, W.: "Exactly..."

Black: "Uh huh..."

Davis, W.: "...in the same manner they regulate other livestock."

Black: "Fine. Thank you very much."

Davis, W.: "Thank you."

Speaker Hannig: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I'm certainly glad to see that my colleague from Danville is back. I thought maybe he had flown the coop. Would the Sponsor yield?"

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

Mitchell, J.: "Representative, do you... do you have a problem in your district with a lot of loose chickens?"

Davis, W.: "No, I don't, Representative."

Mitchell, J.: "I didn't suspect that you did but... Is this a chicken Bill?"

Davis, W.: "I guess you could call it a chicken Bill, Sir."

Mitchell, J.: "But chickens have beaks, they don't have bills."

Davis, W.: "Ahhh... ba da bump."

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

38th Legislative Day

4/12/2005

Mitchell, J.: "This has nothing to do with... with the geese population, you said?"

Davis, W.: "No, Sir."

Mitchell, J.: "I'm glad to hear that because that would be an immigration issue because, ya know, they're... they're from Canada and that would be a different problem altogether. I suppose if this Bill passes then we're going to have to round up any of the range chickens that are running around out there if the township passes an ordinance?"

Davis, W.: "Would you repeat that for me? I'm sorry."

Mitchell, J.: "I said, I suppose we'll have to round up the chickens that are loose right now in a different township if the township does pass an ordinance against that."

Davis, W.: "Well, I'm sure they'll talk to the people who have those farms regarding trying to corral those chickens to keep them from wandering and flying all over the place."

Mitchell, J.: "Representative, have you ever... have you ever seen a chicken roundup?"

Davis, W.: "I... I can't say that I have."

Mitchell, J.: "I mean, herding chickens is really, really difficult."

Davis, W.: "I'm... I'm sure it is."

Mitchell, J.: "If... if anyone needs some help with that, I do have a couple of dogs that are pretty good at rounding up chickens. There's also a lot of dogs that'll be against this Bill because it might mean they have no supper. But I really think it's a pretty good Bill and I understand why

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

38th Legislative Day

4/12/2005

township officials would like to see something like this.

Thank you, Representative."

Davis, W.: "Thank you."

Speaker Hannig: "Representative Winters."

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

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

Winters: "There've been some news reports that I'm wondering if they're tied into this Bill. There... there's a rumor that Sesame Street is trying to change the diet of the Cookie Monster. And I'm wondering if this might have something to do with it. They're under pressure that Big Bird is being chased out of your neighborhoods and the Cookie Monster as an ally of Big Bird has decided that cookies are not the diet that they need. Does this have any bearing on your Bill?"

Davis, W.: "Well, no, this Bill has nothing to do with that. But, you know, Cookie Monster's a good friend of mine, we grew up together. And I've had this conversation with him and he's stric... strictly cookies, strictly."

Winters: "He... he's... he's cool on this Bill, then."

Davis, W.: "He's... he's..."

Winters: "The Cook..."

Davis, W.: "...he's okay with it."

Winters: "As long as the Cookie Monster's okay. Now, I wanted to know... another... another question, in all seriousness, as many times we sponsor Bills on behalf of a... of a constituent or of an interest group. Is there an interest group behind this Bill that's trying to feather your nest?"

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

38th Legislative Day

4/12/2005

Davis, W.: "No, they're not."

Winters: "You're... you're sure of that?"

Davis, W.: "I'm positive."

Winters: "Well, in that case, I think, we should call for a 'yes' vote on this. And I hope that you don't bring any other Bills up here that you're gonna lay an egg on. Thank you."

Davis, W.: "Thank you."

Speaker Hannig: "We've now had three speak in response. Does any wish to speak in support? Representative McCarthy."

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

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

McCarthy: "I... I just really have one serious question. In the Bill, it says the electors of the township, does that mean the trustees or does that mean the actual people? It seems... it seems like the Bill should say the trustees of the township can do this. Or is your intent to say they do it by like referendum or somethin'?"

Davis, W.: "I believe the intent of the Bill is for the trustees to... to set these rules."

McCarthy: "Okay."

Davis, W.: "Not... not... not to be put on... place on a referendum."

McCarthy: "Yeah, I... I would assume that to be true, but it says 'electors' and I haven't seen that before in other Bills. So, I just raised the concern so you may want to check that when it goes over to the Senate and see what has to be changed."

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

38th Legislative Day

4/12/2005

Davis, W.: "Well, I mean, that can be clarified if the Bill's allowed to go out. If that's a... if... if there's some more concern about that, we can clarify that on the Senate side."

McCarthy: "Yeah, they may be one and the same but I don't know that and since you don't know that, we may need to clear it up later. Thank you, Representative."

Davis, W.: "Thank you."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dugan, would you like to be recorded? Representative Flider and Granberg, would you Gentlemen like to be recorded? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, I'm advised we can return to House Bill 4051. This is Representative Currie's Bill and the Chair would recognize the Lady from Cook, Representative Currie."

Clerk Mahoney: "House Bill 4051, a Bill for an Act concerning human rights. Third Reading of this House Bill."

Currie: "Thank you, Speaker and Members of the House. We believe we don't need to table Amendment 1. The Bill in the engrossed version looks as if the Amendments have been appropriately added in the appropriate places. So, again, this is a Bill that just changes some the procedures in our

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

38th Legislative Day

4/12/2005

underlying human rights activity, brings us in line with 30 other... 38 other states and the Federal Government. And I'd appreciate your support."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative... Representative Lang. Okay, Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 3 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Davis, on 11... page 11 of the Calendar you have House Bill 1680. Okay. Out of the record at the request of the Sponsor. Representative Delgado. Representative Delgado in the chamber? Okay. Mr. Clerk. Representative... on page 25 of the Calendar Representative Delgado has House Bill 2594. Mr. Clerk, would you read the Bill, please."

Clerk Mahoney: "House Bill 2594, a Bill for an Act concerning business. Third Reading of this House Bill."

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

Delgado: "Thank you, Mr. Speaker and Members of the House. House Bill 2594 requires that a person engaging in the business of home repair or remodeling that prepares a written offer to a consumer, must advise the consumer of any contractual provision either waiving the consumer's right to a trial by jury or requiring a binding arbitration

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

38th Legislative Day

4/12/2005

for disputes before the contract or agreement is accepted and executed. This Bill gives the consumer the option to accept or reject, or both, clauses in a contract which then shall be viewed at a counter... as a counter offer. And at this point, we did amend this legislation. The Home Builder's Association was originally opposed of the... at the... to the original Bill. And they wanted language to allow the contractor to reject the counter offer and that was satisfied with Amendment #1. And at that point it removed their opposition. And I would 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 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 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of House Bills-Third Reading Postponed Consideration is House Bill 1074. Would you move that to the Order of Second Reading for the purposes of a Amendment. So, we're gonna move House Bill 1074 to Second Reading at the request of the Sponsor and then we'll take it out of the record. On... we also have page... we also have House Bill 875. Mr. Clerk, what's the status of that Bill?"

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

38th Legislative Day

4/12/2005

Clerk Mahoney: "House Bill 875, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Okay. Let's move this back to Second Reading at the request of the Sponsor. And Mr. Clerk, I'm advised that House Bill 315 is on the Order of Third Reading Postponed Consideration. And we want to move that back to Second Reading for the purposes of an Amendment. So, let's move that back to Second. And also, House Bill 3628, could you tell me the status of that?"

Clerk Mahoney: "House Bill 3628 is on the Order of Third Reading."

Speaker Hannig: "Okay. Let's move that back to the Order of Second Reading at the request of the Sponsor. Now, I'd just like to remind the Members that today at the close of business when we adjourn, will be your last opportunity to be certain that the Amendments that you file to your Bills would get consideration from the Rules Committee and the standing committees and move on Second and move on Third. So, if you have Amendments, you need to get those filed before we close business today. Representative Delgado. Okay. On page 13 of the Calendar you have House Bill 2373. Mr. Clerk, read the Bill. Page 12... 13 of the Calendar, 2373."

Clerk Mahoney: "House Bill 2373 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Delgado, has been approved for consideration."

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

38th Legislative Day

4/12/2005

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

Delgado: "Thank you. On Amendment #3. Amendment #3 is not posted on our screens, Mr. Speaker. And that num... I need to get the Amendment from the Clerk."

Speaker Hannig: "Okay. We'll take this out of the record for a moment."

Delgado: "Thank you. I appreciate that."

Speaker Hannig: "Okay. On page 12 of the Calendar is House Bill 2002. Representative Dugan, do you wish us to read that Bill? 2002? You want us to read that Bill? From Second... on Second Reading? Mr. Clerk, read the Bill."

Clerk Mahoney: "Hou..."

Speaker Hannig: "Okay. Mr. Clerk, don't read the Bill. Out of the record at the request of the Sponsor. Representative Eddy. On page 10 of the Calendar, you have House Bill 1475. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1475 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Eddy, has been approved for consideration."

Speaker Hannig: "The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you very much, Mr. Speaker. Point of clarification. Amendment 1... #1 would be tabled, then. We're adopting Amendment #2 which becomes the Bill?"

Speaker Hannig: "Mr. Clerk, what is the status of Amendment #1?"

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

38th Legislative Day

4/12/2005

Clerk Mahoney: "Floor Amendment #1 was approved by the House."

Speaker Hannig: "But it was not adopted, is that correct? Was it withdrawn?"

Clerk Mahoney: "Floor Amendment #1 has been referred to the Rules Committee, has not been adopted to the Bill."

Speaker Hannig: "Okay. So..."

Eddy: "Thank you very much, Mr. Speaker."

Speaker Hannig: "We're on Amendment #2 now, Representative Eddy."

Eddy: "Appreciate the... the clarification. Amendment #2 removes some language of exceptions to bid contracts that were problematic. And we returned to the original language which just simply allows the expenditures in excess of \$25 thousand or a lower amount as required by board policy to be... to the lowest responsible bidder. And I would be happy to... to answer any questions on Third, but I would ask for the adoption of the Amendment."

Speaker Hannig: "The Gentleman moves for the adoption of Floor Amendment #2. 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. Representative Eddy, you also have on page 25 of the Calendar House Bill 3415. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 3415, a Bill for an Act concerning minors. Third Reading of this House Bill."

Speaker Hannig: "Representative Eddy."

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

38th Legislative Day

4/12/2005

Eddy: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3415 amends the Probate Act to give judges the ability to consider the best possible guardian for a child or a disabled adult even if the best candidate has a past felony conviction. It creates a three-part test to be used by the court when evaluating a prospective guardian. The... the court under this Bill must consider the nature of the offense, the date of the original offense and evidence of the proposed guardian's rehabilitation. Further, this Bill specifically prohibits appointing any person convicted of a felony that involved the harm or threat of harm against a child or disabled person including, most importantly, a felony sexual offense. And I would ask the Body's positive consideration and... and be prepared 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 Krause, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Returning to page 13 in the Calendar, we have House Bill 2373. And I think... Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2373 has been read a second time, previously. Amendment #1 was approved in committee. Floor

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

38th Legislative Day

4/12/2005

Amendment #3, offered by Representative Delgado, has been approved for consideration."

Speaker Hannig: "Representative Delgado."

Delgado: "Thank you, once again, Mr. Speaker and Members of the House. And I appreciate the consideration. Amendment #3 a little... will gut this legislation 2373 and convert it into a shell Bill at this point. And I would just ask for your 'aye' vote."

Speaker Hannig: "And on the Amendment, Representative Parke is recognized."

Parke: "Thank you, Mr. Speaker. Now, let me get this straight... Will the Sponsor yield?"

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

Parke: "You're saying you're stripping this Bill out. You're making a vehicle Bill. For what purpose do you see this... Are you gonna send it to the Senate? What are we gonna do with it in the Senate as a vehicle Bill?"

Delgado: "Right. No, at this point, Representative... I appreciate the question. We are in negotia... we are talkin' with the Department of Public Aid. There is a fiscal note that we have not been able come to terms on trying to figure out exactly what they're asking and how they come to that ter... that... that number. So, at this stage, we are shelling it and at this point, it'll be at the mercy of the Rules Committee at... at this point. And if it did move to the Senate, it would... would be to continue discussions with the Department of Public Aid."

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

38th Legislative Day

4/12/2005

Parke: "Well, to the Bill. Ladies and Gentlemen, we don't know exactly what's gonna happen to this Bill. And without a definition on this to understand what's goin' on, I will respectfully rise in opposition to the Gentleman's Bill."

Speaker Hannig: "Any further 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. All notes have been filed."

Speaker Hannig: "Third Reading. Representative Flider, on page 25 of the Calendar you have House Bill 1571. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1571, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Flider."

Flider: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1571 would extend the life of two TIF districts in the City of Sullivan to 35 years. And I have letters of support from several taxing districts within the City of Sullivan. I know of no opposition. I would appreciate your support."

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. Oh, excuse... Can we drop the Roll Call? Representative Black, you were a little bit late but

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

38th Legislative Day

4/12/2005

we'll recognize you. Mr. Clerk, dump the Roll Call, please. Okay. Representative Black..."

Black: "Mr. Speaker, my apologies to you and my apologies to the Sponsor. I was a little slow hitting the speak light. Our staff indicates that not all of the letters are on file and I thought that was a requirement on an extension of a TIF district."

Speaker Hannig: "Representative Flider, can you respond to the Gentleman's question?"

Flider: "Yeah. Yes, Representative. I do have in my possession letters of support from four taxing districts. I'd be happy to share those with you. With regard to what... what it means to put those on file, I just received those today. I'd be happy to share those with you, put 'em on file."

Black: "I... An inquiry of the chair."

Speaker Hannig: "State your inquiry."

Black: "I... I thought that..."

Speaker Hannig: "Excuse me, Representative Black."

Black: "Yeah, Mr. Speaker..."

Speaker Hannig: "Go ahead."

Black: "It was my understanding that the Speaker's Office had said that, on the extension of TIF districts, letters from all applicable taxing bodies must be on file with the Clerk."

Speaker Hannig: "Representative Black, you're absolutely correct. So, why don't we do this, Representative Flider. Why don't we take this out of the record 'til we can

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

38th Legislative Day

4/12/2005

clarify and insure that everything has been filed. Then we can come back to it at a later time, okay?"

Flider: "That'd be my pleasure. Thank you."

Speaker Hannig: "Yeah."

Black: "Yeah, Mr. Speaker."

Speaker Hannig: "Rep..."

Black: "Let... let me make it perfectly clear. I... I personally and I don't think anyone on our side is opposed to what the Gentleman is... is attempting to do. But I think the Speaker made it very clear that we don't wanna pass something and then a taxing body comes back in six or seven weeks and say, 'Hey, wait a minute. I didn't agree with that.' And I was in agreement with what the Speaker said. And I think we should follow that edict."

Speaker Hannig: "We agree with you 100 percent, Representative Black. So, this is out of the record for the time being. Representative Flider."

Flider: "Yeah, Mr. Speaker. In... in reference to the previous speaker, certainly appreciate his concern. It is... it is my intention to file those with the Clerk. I was not aware that they needed to be formally filed with the Clerk. I'll be happy to do that right now. Thank you."

Speaker Hannig: "That's fine. Why don't you do that, Representative Flider. And in the meantime, on page 23 of the Calendar, Representative Flowers has House Bill 255. Representative Flowers? Okay. Let's take that out of the record. Representative Fritchey, on page 19 of the

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

38th Legislative Day

4/12/2005

Calendar, you have House Bill 3485, Second Reading. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3485 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Fritchey, has been approved for consideration."

Speaker Hannig: "Representative Fritchey."

Fritchey: "Thank you, Speaker. While I'll be happy to debate the Bill in it's entirety at the appropriate time, Floor Amendment 1 simply limits the scope of this Bill from being skat... statewide to simply Cook County. I request an 'aye' vote."

Speaker Hannig: "The Gentleman moves for the adoption of Floor 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. All notes have been filed."

Speaker Hannig: "Third Reading. And Representative Fritchey, on page 11 of the Calendar you have House Bill 1633. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1633 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Fritchey, has been approved for consideration."

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

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

38th Legislative Day

4/12/2005

Fritchey: "Thank you, Speaker, Ladies and Gentlemen. House Bill 1633 attempts to deal with what we've come to know as the choice point issue which is the issue of a breach of personal information and what to do in the event of that breach. House Amendment 4 is... has been the subject of negotiations with some of the interested parties including the Chamber and the bankers. And let me say that they are still in opposition to this Bill. Both myself as well as the Attorney General's Office have committed to continue to work with them should this Bill go over to the Senate at the appropriate time. All... as you know... Speaker, all at once... Take this out of the record for one second, if you would, please."

Speaker Hannig: "Okay. We'll take this Bill out of the record at the request of the Sponsor. Representative Giles, on page 22 of the Calendar, you have House Bill 231. Would you like us to read that Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 231, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

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

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 231 simply... what it does is to... it... it's currently, what the Bill does is the Chicago Teacher Retirement Fund Board is made up of six members elected to... and elected by active members, by teachers, one by a principal, three by a retired teachers, two appointed by

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

38th Legislative Day

4/12/2005

the Board of Education. Administrators want to vote with active teachers for their sixth position. What this piece of legislation would do would simply allow that particular position on the board to be held by an assistant princil... principal or an administrator. There's no opposition to the legislation and I ask for its passage."

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

Black: "Thank you very much, Mr. Speaker. Just a brief question of the Sponsor."

Speaker Hannig: "Indicates he'll yield."

Black: "Thank you very much. Representative, the Chicago Teachers' Pension Fund is not connected to the Illinois Teachers' Retirement System. It's a stand-alone system, as I understand it. Correct?"

Giles: "That's correct."

Black: "And... and if memory serves me, it is probably the most adequately funded pension system in the state. Right?"

Giles: "That's correct."

Black: "All right. Now, last year the Speaker convened a meeting and a gentleman from the Chicago Teachers' Pension System told me, in response to a question, that the reason that the Chicago Teachers' Pension Fund is in such good shape that it's entirely self-funded by the City of Chicago and annuitants. Is that your understanding?"

Giles: "That's correct, Representative."

Black: "Ah huh."

Giles: "That's my understanding."

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

38th Legislative Day

4/12/2005

Black: "Okay, thank you."

Speaker Hannig: "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? Representatives Parke, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Graham on House Bill 1351. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1351, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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

Graham: "Thank you, Mr. Speaker... Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1351 requires that if you're involved in a hit-and-run accident and you leave the scene of the... the crime, it requires drug testing up to 12 hours after the incident. DUI, yeah."

Speaker Hannig: "The Lady moves for the passage of House Bill 1351. And on that question, Representative Lindner is recognized."

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

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

Lindner: "Representative, I had in my notes that you were holding this on Second to work with the state's attorney and have you done that?"

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

38th Legislative Day

4/12/2005

Graham: "Yes, Representative Lindner. Thanks... thank you for asking the question. The first time we adopted the Amendment, the state's attorney and I did sit down and talk and we talked about a 5-hour window. And after I brought the Bill up, they said, no, they really didn't agree to the 5 hours. So, they added another Amendment which changed the 5 hours to 12 hours. So, yes, I did work with them and they put the final touches on it and made it 12 hours instead of 5 hours."

Lindner: "All right. Thank you, Representative."

Speaker Hannig: "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? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hassert, on page 25 of the Calendar you have House Bill 3183. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3183, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Hassert."

Hassert: "Mr... Thank you, Mr. Speaker. House Bill 300... 3183 amends the County Codes that require that AM broadcast tower be regulated in the same manner as cell towers currently are. I'll 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

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

38th Legislative Day

4/12/2005

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 Franks and Acevedo. Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 10 of the Calendar is House Bill 1411. Representative Hoffman. Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1411 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman, has been approved for consideration."

Speaker Hannig: "Representative Hoffman. We're in the 'H's' now. We're... you're up. We've read the Bill. Mr. Hoffman, now, would you explain the Amendment."

Hoffman: "Yes. Floor Amendment #1 is a provision that exempts public utility drivers from the federal maximum hours of service regulation if they were responding to an utility service emergency. It's my understanding that this is... is an agreed... agreed to Amendment. And I ask that it be adopted."

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."

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

38th Legislative Day

4/12/2005

Speaker Hannig: "Third Reading. Representative Hoffman, you also have on page 12 of the Calendar House Bill 2217. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2217 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman, has been approved for consideration."

Speaker Hannig: "Okay. Out of the record at the request of the Sponsor. Representative Holbrook, on page 13 of the Calendar you have House Bill 2250. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2250 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Holbrook, has been approved for consideration."

Speaker Hannig: "Representative Holbrook."

Holbrook: "Thank you, Speaker. House Amendment 1 to House Bill 2250 initiates HazMat and technical rescue teams into our emergency service providers statutes. This is an initiative originally from the Metro East but after working with the Illinois Emergency Management, the State Fire Marshal's Office and all concerned parties, we've come up with an agreed Bill on this. Just make us a lot safer, I move for its adoption."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

38th Legislative Day

4/12/2005

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

Speaker Hannig: "Third Reading. Representative Howard, you have on page 15 of the Calendar House Bill 2578. Out of the record at the request of the Sponsor. Representative Jenisch, on Supplemental Calendar 1 you have House Bill 3463. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3463, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "You wish to move that to Third? Third Reading. Representative Joyce, on page 12 of the Calendar you have House Bill 2047. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2047 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Joyce, has been approved for consideration."

Speaker Hannig: "Representative Joyce."

Joyce: "Mr. Speaker... Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 would create the Hotel Bed Coverings Posting Act. It would require any hotels to post how often their linens and things were cleaned and be available to the consumer. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman 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?"

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

38th Legislative Day

4/12/2005

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

Speaker Hannig: "Third Reading. On page 25 of the Cal...
Calendar, Representative Kelly, you have House Bill 2417.
Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2417, a Bill for an Act concerning
education. Third Reading of this House Bill."

Speaker Hannig: "Representative Kelly."

Kelly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. House Bill 2417 amends the Election Code. It
abolishes local canvassing boards and provides that
canvases must be done by election authorities. It requires
election authorities to transmit, by fax, e-mail or other
electronic means, a certificate of the results of the
election to the State Board of Elections. This Bill
transfers... the main purpose transfers the function of
proclaiming results from local canvassing boards to
election authorities either the local county clerks or
Board of Election Commissioners. I can answer any
questions."

Speaker Hannig: "This Bill's 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, did the... I apologize, I haven't been
able to keep up as I'd like to under normal circumstances."

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

38th Legislative Day

4/12/2005

The county clerks and election authorities, are they all right with this Bill?"

Kelly: "From what I understand, they actually came to the people that talked to me about it..."

Black: "Okay."

Kelly: "...to look into this issue."

Black: "I'm... I'm faced with a situation in my hometown. In an aldermanic election in a ward, the winner won by one vote. And so, the challenger is obviously going to seek a recount in that ward. Now, the results weren't official until yesterday, so I think he'll probably file today. Now, in the City of Danville, we have a Board of Election Commissioners and then in the county of Vermilion, the county clerk runs the election. So, I'm trying to make sure I understand the canvas boards, 'cause it's my understanding that the Board of Election Commissioners review the tabulation reports and then issue the official results. And so, I... if you abolish that, then I... who does it?"

Kelly: "The... under the Amendment, the election authority is clearly responsible for recount... ordered recounts. That was in my Amendment #2."

Black: "All right. Mr. Speaker, let me take just... just take a couple seconds..."

Speaker Hannig: "Yes."

Black: "...here. Yeah. Thank... thank you, Mr. Speaker. Representative, as I mentioned to you on the contested election in... in a aldermanic race, if it's a hotly

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

38th Legislative Day

4/12/2005

contested election, county clerks run on a partisan ballot. And so, and if you abolish the canvas board, now you're going to have a partisan office serve as the certification body. I'm not... I'm not sure that that makes good sense. I mean, I... I've met Clerk David Orr. If I'm running for office in Cook County and it's a hotly contested race, I'm a Republican, David is a Democrat and I file for a recount, who... who then is the authority... who will the authority be... what will they be to recount my race in a partisan, hotly contested, very close race?"

Kelly: "Representative, David Orr and I'd like to think others are professional first before they are their particular party and I have faith in that system."

Black: "Why... and I'm not, don't misunderstand me, I'm certainly not intimating... I've... I've met David Orr several times and I like him and I think he's done a wonderful job. But the fact remains, in... in many election jurisdictions in Illinois, politics is not a hobby. It's a... it can be a difficult, tough business. My only concern is, if you're... if you demand a recount and you're of... you're of one political party, whether it's Green, Republican, Independent or Democrat, the person now conducting the canvas is a... elected on the partisan ballot and that person is of the opposite party or a different party than you, where are the checks and balances? In other words, as a Republican I file for a recount and even though I think David Orr runs a very good office, my recount is dependent upon a Democrat officeholder to canvas the votes."

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

38th Legislative Day

4/12/2005

Speaker Hannig: "Representative Black, your time has expired. But we'll ha... we'll allow the Lady to answer the question then we'll allow you to..."

Black: "I... I'm just waiting for that one answer about the..."

Speaker Hannig: "Okay."

Black: "...the disparity in political affiliation and..."

Kelly: "I understand your question but I really don't have an answer for it, because to me I'm not looking at this as a partisan..."

Black: "All right."

Kelly: "...piece of legislation."

Black: "Thank you very much. Mr. Speaker, I appreciate the opportunity. Ladies and Gentlemen, I... I think on the face this is probably a... a reasonable Bill. I've been an elected officeholder since 1976. To me, a canvas board is part of a check and balance system, if you will, that... that gives a partisan candidate some feeling that their request for a discovery recount or... or the entire recount process will be handled by a quasi-independent group. If you abolish the canvas board, then you are saying, in... in whatever jurisdiction you're in, that... that... the group that will determine your... your recount may be of a different political persuasion. Now, I'm not intimating that anybody would do anything like that, but having been an elected officeholder for that many years, I would prefer the check and balance system of the canvas board. Maybe it's outlived it's usefulness, but I see more and more recounts being demanded today. And I'd like some reasonable

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

38th Legislative Day

4/12/2005

assurance that a nonpartisan or at least a less partisan group than an elected officeholder of another party would be doing that canvas. I... I have no doubt that the Bill will pass. I just think that we're setting ourselves up here for something that as the law of unintended consequences. And having seen many a recount, I intend to vote 'no'."

Speaker Hannig: "Representative Kelly to close."

Kelly: "Representative, in listening to the Representative, this is, ya know, I can't put an Amendment on the Bill. I would like it to go to the Senate. I will talk to those that came to me and the Senate Sponsor about seeing about addressing that issue. But I would like to get the Bill out today. I ask for an '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? Mr. Clerk, take the record. On this question, there are 64 voting 'yes', 53 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bradley, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Bradley, J.: "Up in the gallery, I'd like to have the gentlemen from the Franklin Regional Economic Development Corporation please stand up. We... oh... we've had a tough economic time

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

38th Legislative Day

4/12/2005

in the last 25, 30 years. And this is the first cooperative effort in Franklin County combining all the people of Franklin County through their elected municipal, countywide and conservancy district corporations to come together for the purpose of developing the economy of Franklin County. I wanna commend them for their work and thank them for being here today. Keep up the good work, guys."

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

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

Speaker Hannig: "State your point."

Graham: "I have today with me a school from my district who have entertained you guys today from 12:00 to 1, Percy Julian Middle School Jazz Band. They're in the.. in the gallery. Please help me welcome them. Wave your hand guys so they can see ya."

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

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

Speaker Hannig: "State your point."

Leitch: "I'd like to have the Body welcome the Republican women from Woodford County. Thank you for joining us."

Speaker Hannig: "On page 26 of the Calendar, Representative Kelly, you have House Bill 3801. Representative Kelly, 3801. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3801, a Bill for an Act concerning education. Third Reading of this House Bill."

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

38th Legislative Day

4/12/2005

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

Kelly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3801 creates the Medical School Application Background Check Act. It provides that each medical school located in the state must require a criminal background check for violent felony convictions in any adjudication of an applicant as a sex offender as defined in Amendment #2. Provides that the name, sex, race, date of birth and Social Security number of an applicant shall be searched against the statewide sex offender database. In addition to the Illinois criminal history records database. I can answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question... Excuse me. Representative Miller, do you stand in response?"

Miller: "Will the Sponsor yield?"

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

Miller: "What's the genesis of this Bill?"

Kelly: "The genesis of the Bill is someone that was slain by a medical student. And when the medical student's background check was uncovered or the background of the medical student, it was found that he was convicted of some violent felonies."

Miller: "So, as... as far as you know, you don't know if there are any individuals currently in medical school or professional school or whatever of any sexual offense?"

Kelly: "No, I don't personally know anyone, Representative, but when I was putting the Bill together, I learned that if you

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

38th Legislative Day

4/12/2005

were a convicted sex offender, you were not precluded from going to medical school. And I was just concerned about people that might become pediatricians or OBGYNs and doctors like that, as well as other doctors."

Miller: "Well, but your... and this legislation only focusing on medical... medical school. Is that correct or you're saying all health care professionals?"

Kelly: "No, it is focused on medical schools because that was the genesis of the accident that happened."

Miller: "All right, last question. Now, with this in place of doing a background check, does that indicate whether somebody would or would not be able to attend med school?"

Kelly: "If you are a violent felon and again, it's not any violent felon, it's described or defined. No, you can still apply and... and the school can still take you in once they interviewed you and they feel like they can still take you in."

Miller: "Okay. Whatcha gonna get... get to my question then, if there's no... and... and I'm not really sure about this in a way. If there's no provisions on excluding sex offenders, then why are you doing this..."

Kelly: "No, there is a provision..."

Miller: "...except for just somebody to be labeled as a sex offender while they're attending med school?"

Kelly: "No, the sex offender is precluded but in other schools that have done this, like in Minnesota, they already do this. And they have had people with violent felons apply. And many apply... have applied but just a few have actually

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

38th Legislative Day

4/12/2005

made it in. I don't know what was the difference why they did make it in. But I'm not... I guess..."

Miller: "Which... which... which kinda gets to my point. I mean, I'm sure this Bill's gonna fly out and I'm not here to try to embarrass or... or... or... but I guess the question is, it's great that... to be able to acknowledge or be able to know if there's... a sex offender or not. But and also in this legislation, there's no... there's no exclusion from them from attending med school. So, I just kinda wanna to get your..."

Kelly: "Yeah, there's..."

Miller: "...thoughts on why wasn't there something to further them being... if that's what you're really trying to get after."

Kelly: "Are you... the sex offenders are precluded. Are you talking about the violent felons?"

Miller: "Or violent felon."

Kelly: "I guess because I was trying to... and... and what I've looked at, violent felons, as I said, have applied in Minnesota and they have been rejected. But there might be the case where a medical school feels like they can take a chance and let this person in."

Miller: "But you feel that... that the school should know whether they are a violent felon based... just based on their background?"

Kelly: "Well, I define what the violent felon..."

Miller: "Or a sex offender ba... and... and... and here in Illinois that's currently not the practice."

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

38th Legislative Day

4/12/2005

Kelly: "That's my what?"

Miller: "It's currently not the practice in Illinois to identify sex offenders in med school? Is... is it currently in Illinois the practice to identify sex offenders prior... when they apply to med school?"

Kelly: "No, there is no ruling in Illinois."

Miller: "But you're not requiring any of the universities to have any consequences if someone is found to be a sex offender?"

Kelly: "Oh, I see... you're saying that if someone is a sex offender and if this Bill passes and is signed into law, that if they let them in there will be consequences?"

Miller: "I mean, I'm... No, I'm asking the question."

Kelly: "No, that's... that's what I'm asking you. Is that your question? Is your question is, if a school lets a sex offender in, are there consequences for that school?"

Miller: "No... Well, then what... in the application process, will there be any consequences if someone is identified as a sex offender?"

Kelly: "You... you mean..."

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

Miller: "Just... Thank... thank you, Mr... Just one last... To the Bill. I just... the question... I know this is gonna fly out of here and I'll probably support it. But there is some ambiguity, I think, which centers on the fact that if someone is... is identified as a sex offender or a violent crime, is it clear whether they will be still allowed to

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

38th Legislative Day

4/12/2005

continue med school or dental school, whatever school, a professional school, a med school in this case. And so, you know, I would just ask the Sponsor to make it clear. Is she want... if... if the Sponsor wants to exclude sex offenders from attending med school, then I just simply think that needs to be stated versus this ambiguity because the universities will not know what to do once they identify a sex offender who may or may have not paid their price to society. Thank you."

Speaker Hannig: "Okay. So, there's... there's a few other who would like to debate the Bill so we'll put it on Standard Debate. Representative Graham."

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

Speaker Hannig: "To the Bill."

Graham: "I stand in strong support of this legislation. I think it's an excellent piece of legislation. And the schools should be aware of people who are on their medical campuses, what they're going to study and the professions that they are looking to be in. If you have a sex offender who preys on children, would you want that child to be a child... pediatrician? If you have a sex offender who preys on women, would you want that person being your OBGYN? I think that the... this is an excellent piece of legislation. It will give the school an opportunity to know what's going on or who's enroll... enrolling in their school. And it leaves it up to the school to say 'yea' or 'nay' of whether or not these people can be there. But I think, Representative Kelly's Bill excludes sex offenders from

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

38th Legislative Day

4/12/2005

going, precludes them from going on. But I think it's worth knowing but... the number of things that are happening on campuses, I think that this is a... is a worthwhile piece of legislation. And wha... what's the problem with having some additional information. It may not stop them from getting into the school, but at least the school will know what they're dealing with and what the potentials are. And it'll be up to the schools to say 'yea' or 'nay' if they can get in. Thank you."

Speaker Hannig: "Representative Bellock."

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

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

Bellock: "We discussed this for long time in the Human Service Committee. And I think what Representative Miller was asking just to clarify is this... this does not say that that student cannot be enrolled in that school. It is just to divulge the information. Is that correct?"

Kelly: "No, it says in the Bill that sex offenders are precluded from going to medical school. It does say that about sex offenders. It doesn't say that about violent felons."

Bellock: "Okay."

Kelly: "And the example I used was in Minnesota they do let... violent felons can apply and they have let some violent felons in. I'm not... I don't know why, maybe they feel like they... I'm... I'm not sure but they have. So, I was just

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

38th Legislative Day

4/12/2005

leaving that possibility or option open for that particular medical school."

Bellock: "So, I think what Representative Miller wanted clarified is about a sexual offender is precluded from then entering medical school. Is that correct?"

Kelly: "That's correct."

Bellock: "Okay, but a person accused of a violent crime would not be precluded. It would be up to the school to analyze that but it would make it that it would be mandatory to divulge that information."

Kelly: "Yes, it would."

Bellock: "Okay. We just wanted to clarify that. Thank you."

Kelly: "Okay."

Speaker Hannig: "Representative Molaro."

Molaro: "Yes, thank you. Just quickly, if the Sponsor would yield."

Speaker Hannig: "She'll yield."

Molaro: "First of all, I don't know what a medical school would do if they actually found out that some violent cri... that one of their students or one of their applicants, remember this is for application. Someone fills out an application, it comes back that they have been convicted of a violent crime, that school's gonna be really hard pressed to allow that kid in there. Especially, even if the violent crime was 10 years ago, they would really, really have to answer why to let someone who committed a violent crime into medical school. I think they'd probably preclude 'em. I don't know if that's what you're trying to do, but it is

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

38th Legislative Day

4/12/2005

what you're gonna accomplished then. But more importantly than I guess the question is, why just doctors, why not nurses? I mean, nurses, because, obviously, when I go to a doctor's office or I bring... when I used to bring my small kids there, they... they have more contact with nurses than they do actually with doctors. I just wonder why we're singling out doctors, not nurses. Or better yet, why not dentists? But... and... and I'm not... I'm being a little funny here, but seriously. Why do we pick on doctors and not nurses or dentists or any of that stuff?"

Kelly: "As I said, this..."

Molaro: "Oh, he..."

Kelly: "...though it came from something, a real-life experience. And actually, when I was talking to someone they told me there were some type of background check for nurses."

Molaro: "Okay, and..."

Kelly: "But because this dealt with medical schools and medical schools actually nationally are starting to look at this. And I think you'll see this more and more around the country."

Molaro: "Now, is it mandatory 'cause I'm trying to read the Bill or I don't have all the Amendments. Is it mandatory that they get the background check or can the schools just ask for it?"

Kelly: "Ah... no, it's mandatory, because in the... in the case of what I shared..."

Molaro: "All right."

Kelly: "...they asked the question..."

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

38th Legislative Day

4/12/2005

Molaro: "Okay."

Kelly: "...some question on the application..."

Molaro: "Yeah. Now, I..."

Kelly: "...and the person lied."

Molaro: "Right. And the only thing I want ya to be careful of is this, when you put down here and I still assume or violent felony. Right? There is... I just don't feel that there is any way any medical school in this state, if it's brought to their attention on an applicant, not a... not a somebody who's already a student, but an applicant. If they're convicted of a violent felony and it shows up on their record, I don't see any school, who doesn't wanna get sued later on, ever taking someone who's ever been convicted of a violent felony. And I... and I think what you're doin' is precludin' them kids from ever getting into law... law school, maybe we should do it for law school. But you're precludin' anybody from ever getting into medical school and that maybe what happens. It may not be your intent but that's where we're headed, so... Just as a comment."

Speaker Hannig: "Okay. We've had three speak now in response, one in favor. Representative Lang, would you like to speak in favor?"

Lang: "Well, I'm probably gonna..."

Speaker Hannig: "Yeah."

Lang: "...I'll probably be voting for the Bill, but I do have a question of the Sponsor if she will yield."

Speaker Hannig: "Okay. Sponsor will yield."

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

38th Legislative Day

4/12/2005

Lang: "Oh, there you are. Representative, I'm concerned about how far back these background checks go. So, let's assume that a 17-year-old was involved in some sort of activity that they should not have been with a girlfriend, perhaps. And now they are applying and this background check kicks in, would that activity from before the person was adult be part of this record?"

Kelly: "Are you saying something with the girlfriend and the girlfriend was younger and there's some... that... that's not in the Bill. There... there's only some sex offenders... actually, that was brought to my attention that suppose this happens or suppose that happens. So, then we further defined what 'sex offender' is or 'violent felon'. So, let's say if somebody 19 was with someone 16, but you know, that... that's not in the Bill because my concern was that if it was consensual and things like that. So, I tried to address that more specifically in the Bill."

Lang: "So, that type of situation has been exempted from the Bill?"

Kelly: "Yes."

Lang: "All right."

Kelly: "Yes."

Lang: "Thank you."

Kelly: "You're welcome."

Speaker Hannig: "Okay. We've now had the full compliment of speakers on both sides. And Representative Kelly is recognized to close."

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

38th Legislative Day

4/12/2005

Kelly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is being looked at nationally. I've had phone calls from other states who are looking at this issue and the... According to the article by the Association of American Medical Colleges, many medical schools now conduct background checks on incoming students for many years. Institutions perform checks on all faculty and staff but because medical students have frequent contact with patients, some schools are extending the policy. I ask for 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? Representative Wyvetter Younge, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 24 of the Calendar Representative Kosel has House Bill 881. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 881, a Bill for an Act concerning education. Third Reading of this House Bill."

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

Kosel: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House of Representatives. House Bill 881 pro... is an article to provide encouragement, assistance and guidance to school districts in developing and improving an

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

38th Legislative Day

4/12/2005

educational program for gifted and talented students. I will gladly answer any questions that you have and would like to have the approval... your approval."

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

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

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

Davis, W.: "Representative, as I'm looking at our analysis, there are three opponents to your issue: ISBE, SCOPE and LEND. Is that your understanding?"

Kosel: "We passed an Amendment the day before yesterday that addressed their concerns. I believe this is totally agreed now. And in fact, many Members have come up to me and told me that they've gotten e-mails and calls in support of this. So, we did address their concerns through the Amendment."

Davis, W.: "Now, according to... also further in the analysis... Thank you very much for answering that. It just says that this makes rules concerning programs for gifted and talented children, sets out provisions for early identification. Is that correct?"

Kosel: "I didn't hear the last part. It said, makes rules for..."

Davis, W.: "It says, the Bill sets out provisions for early identification of gifted and talented children. Is that correct?"

Kosel: "It does."

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

38th Legislative Day

4/12/2005

Davis, W.: "Can you give me some idea of... can you, please?"

Kosel: "Well, it allows... it allows us... the school district to decide what kind of... what kind of instruments they will use to identify. But it actually goes through and says that... that it must include children of low income, children of diversity. It has all kinds of statistics. In the piece of legislation, they say you must include diverse groups in selecting those that are... are gifted and talented. That the instrument that is used to identify them must be sensitive to those issues."

Davis, W.: "Okay. So, is there... so, it allows each district to set its own rules or provisions. Correct?"

Kosel: "Absolutely."

Davis, W.: "Is there a... is there a standard process that's being done now or are they are a number of different instruments that help to... to... to make these determinations with kids?"

Kosel: "Actually, there's nothing in the... in the current School Code for gifted and intelligent. It was removed earlier and so, this is actually putting in a district designated type of... a plan."

Davis, W.: "Okay. Thank you very much, Representative."

Kosel: "You're welcome."

Speaker Hannig: "Well, it looks like this is off Short Debate. Representative Eddy is recognized for 5 minutes."

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

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

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

38th Legislative Day

4/12/2005

Eddy: "Representative, my understanding is that as amended this is subject to appropriation in FY06?"

Kosel: "That is correct."

Eddy: "Is there any provision for guaranteed funding beyond FY06 in the amended version?"

Kosel: "No."

Eddy: "So, this is basically up to the appropriations process."

Kosel: "It's up to the appropriation process but would have the guidelines as passed by this Bill, if money were to be appropriated."

Eddy: "Okay. Thank you."

Kosel: "You're welcome."

Eddy: "To the Bill."

Speaker Hannig: "To the Bill."

Eddy: "I... I... I believe that with the Amendment this does not do anything more than put language back into the Code that was used by school districts prior to guide them in the implementation of a program. So that if a school district wants to have a gifted program and wants to support a gifted program, it just reestablishes the guidelines that would be used in identifying and setting into motion those programs and could be a great aid to school districts. I think it's a good Bill and I urge an 'aye' vote."

Speaker Hannig: "Representative Jerry Mitchell. Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Several years ago when special education was removed from the budget, I don't think any of us intended

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

38th Legislative Day

4/12/2005

to remove the language that went along with it. The language that... that helps to allow districts to have this particular program is vitally important. If you've ever had a gifted child, you would understand that giftedness is a special... as special education to those students. Without programs that enhance their education, many gifted students fall by the wayside. I think we did a total injustice to gifted students when we lost the program in the past. This language just simply puts special ed... gifted education in line to receive funding once the economy changes and once we have the funds to make it available. It's a good Bill. It's a good program. And father of a former gifted student who lost her program in the junior high program because of funding cuts, I recommend an 'aye' vote. Thank you, Mr. Speaker."

Speaker Hannig: "And Representative Kosel to close."

Kosel: "Thank you very much. I would move for the passage of this 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 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Kosel, on page 25 of the Calendar you have House Bill 2348. Mr. Clerk, read the Bill."

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

38th Legislative Day

4/12/2005

Clerk Bolin: "House Bill 2348, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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

Kosel: "Thank you very much, Mr. Speaker. House Bill 2348 amends the Illinois Vehicle Code, provides that a disqualification of commercial driving privileges by the Secretary of State does not become effective until a person is notified in writing by certified mail, rather than merely in writing, of the impending disqualification and is advised that a hearing may be requested. I would move for your approval, please."

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

Bost: "Thank you, Mr. Speaker. I rise in strong support of the Lady's Motion and... and the Lady's Bill. She's worked very hard on this Bill. And there were some original problems with it. She worked with the committee and worked with Secretary of State's Office and it... it should do exactly what she's wanting to do."

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? Representative Yarbrough, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lang, on page 25

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

38th Legislative Day

4/12/2005

of the Calendar you have House Bill 2190. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 2190, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 2190 would address the issue of post-traumatic stress syndrome. It would add to the list of things that are covered under mental health policies, post-traumatic stress. We know how important this is for soldiers coming back from our war but we also know how important this is for just our constituents who have family members who have been in a traumatic situation. Some people see their family members injured or killed or come back from serious injury. There's a lot of stress. Interestingly enough, this is the first such Bill like this that ever got out of the House Insurance Committee in a very long time. And for that reason alone, you oughta be voting for this Bill. It is an initiative of Attorney General... Lieutenant Governor Pat Quinn. His staff has been very helpful in working on this matter and I would ask for your support."

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

Parke: "Thank you, Mr. Speaker. I rise in support of the Gentleman's legislation. This is something that we're still trying to figure out what happens to these Bills... to these men and women that come back. We need more research

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

38th Legislative Day

4/12/2005

on it and this is something that, I think, has... has merit.
And I will support the Gentleman's Motion."

Speaker Hannig: "Is there any further discussion? Then... this is
on the Order of Short Debate. Representative Stephens,
would you like to move this to Standard Debate?
Representative Stephens."

Stephens: "Will the Gentleman yield?"

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

Stephens: "The other Gentleman from Cook referred to we need
more research on this... wha... am I misreading this? That it
simply requires accident and health insurers to include in
policies to provide coverage for post-traumatic stress
disorder. Is that actually what it does?"

Lang: "Yes, that's correct. You know, there's been a lot of
new research in this area over a number of years and it's
something... it's an issue whose time has come,
Representative."

Stephens: "So, this isn't about further research on it, it's
just about simply coverage?"

Lang: "That's correct, Sir."

Stephens: "Okay. Thank you."

Speaker Hannig: "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 Millner, would you like to be recorded? Mr.
Clerk, take the record. On this question, there are 117
voting 'yes' and 0 voting 'no'. And this Bill, having

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

38th Legislative Day

4/12/2005

received a Constitutional Majority, is hereby declared passed. On page 26 of the Calendar, Representative McAuliffe has House Bill 3825. Representative McAuliffe. Okay, let's take that out of the record. Representative Millner, on page 23 of the Calendar you have House Bill 265. Let's take that out of the record. Representative Bill Mitchell, on page 26 of the Calendar you have House Bill 3711. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3711, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Hannig: "Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3711, it recreates the Illinois Conservation Corps. It helps protect Illinois' natural resources. This is, of course, legislation that's subject to appropriation."

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 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mitchell, you also have House Bill 294. You wanna have us read that Bill? Okay. Out of the record at the request of the Sponsor. Representative Jerry Mitchell has House Bill 2946. Representative Mitchell. Okay. I

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

38th Legislative Day

4/12/2005

don't see the Gentleman wishing to call the Bill so that'll be out of the record. Representative Mulligan, you have... on page 26 of the Calendar House Bill 3853. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 3853, a Bill for an Act in relation to aging. Third Reading of this House Bill."

Speaker Hannig: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. House Bill 3853 creates the Medigap Premium Reimbursement Act. It establishes the Medigap Premium Reimbursement Program to be administered by the Department of Public Aid. Provides that under the program, a person who is 65 years of age or older and who purchases and pays the premiums for a policy of Medicare supplemental, Medigap Insurance that contains a prescription drug benefit, is entitled to receive \$20... \$25 per month from the state for each month that he or she pays those premiums as a reimbursement of a part of the cost of the insurance coverage."

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 Younge, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Myers, on page 10 of the Calendar is House

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

38th Legislative Day

4/12/2005

Bill 1431. Representative Myers, do you want us to call that Bill? Okay. That's out of the record at the request of the Sponsor. Representative Miller, do you wish us to call House Bill 1100? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1100, the Bill's been read a second time, previously. Committee Amendment #1 and Floor Amendment #4 have been adopted to the Bill. No further Floor Amendments have been approved for consideration. No Motions filed. All note requests have been met."

Speaker Hannig: "Third Reading. Representative Poe, on page 19 of the Calendar is House Bill 3581. Do you want us to read that Bill? Okay. That's out of the record. Representative Reis on House Bill 3125? Out of the record. How about House Bill 340. House Bill 340? Okay. Out of the record. Representative Rose, you have House Bill 1094. How about House Bill 3526? Mr. Clerk, read House Bill 3526, please."

Clerk Bolin: "House Bill 3526, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Rose."

Rose: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 3526 provides the Department of Agriculture to establish a grant program to encourage farmers to add additives to anhydrous ammonia for the purposes of acting... of making those agents inert for purposes of crystal methamphetamine manufacturing production. The Amendment we added yesterday was at the suggestion of Illinois Fertilizer and Chemical Association and that would be to

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

38th Legislative Day

4/12/2005

utilize additives, install tank locking devices or other items. And that removes their opposition to the Bill."

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? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 2 voting 'no'. And this Bill, having resaved... received a Constitutional Majority, is hereby declared passed. Representative Rose, you also have House Bill 360 on the Calendar. Representative Rose, 360? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 360, a Bill for an Act concerning families. Third Reading of this House Bill."

Speaker Hannig: "Representative Rose."

Rose: "Thank you, Ladies and Gentlemen. This is a Bill that came to me partially from a constituent in my district but more importantly from the Illinois Bar Association. There was an interesting problem or... or could be an interesting problem that nowhere in our current statutes is a court allowed to order counseling as part of a divorce between two parents. Many courts do order counseling anyway. But there is a legal theory that that could be objected to on grounds that the statute does not allow it. So, at the behest and after discussing with the Illinois Bar Association, I brought forth this legislation to specifically allow a court to order child counseling. I

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

38th Legislative Day

4/12/2005

would like to thank Representative Hamos and Representative Lang who helped with this legislation in committee. It's gone through numerous Amendments to get to where it is today. And I think we all believe that... that this will be a significant step forward for our legal jurisprudence in the area of child custody in divorce."

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 116 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 2506. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2506, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Sacia."

Sacia: "Ladies and Gentlemen of the House. Many of you have already become aware of this Bill because Trooper's Lodge 41 has actively lobbied it. I need to share with you the genesis of this Bill. It was very much happenstance having lunch with four state troopers in my district, in Pecatonica, Illinois, District 16. And I posed the question to them, how they were dealing with the acute crisis of financing, our financial crisis in the State of Illinois? And to a trooper they shared with me what I

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

38th Legislative Day

4/12/2005

think is literally an abominable situation. The Illinois State Police needs approximately \$8.5 million a year for the fleet of vehicles that their troopers respond with. There are 1877 vehicles that are response vehicles for the Illinois State Police. Tragically, they are currently in such an acute situation due to the high mileage of these vehicles. And the thing that I couldn't help but take very careful note of, Ladies and Gentlemen, in the last 6 months, in the last 6 months they have lost 61 vehicles to safety issues. Seven vehicles were pulled off the road because they lost wheels. One lost a wheel in pursuit. They are averaging a hundred and sixteen thousand miles on a vehicle. Ladies and Gentlemen, the last group of vehicles that they disposed of brought the State of Illinois a hundred and thirty-eight dollars per vehicle. In other words, they could only be sold for junk money. I would ask you Ladies and Gentlemen of the House, and particular those of you who consider yourself targets and are looking at this as a fee increase. What the Bill does is ask for \$1 per license plate for a passenger car or \$1 for a pickup truck in order to generate the necessary \$8 million-plus for the Illinois State Police Vehicle Fund. When I presented this Bill in committee, I shared with the Members that there was no Amendment at that time to prevent the Governor from sweeping the funds. We added that Amendment. I want ya to know, Ladies and Gentlemen, that the money coming in from this additional dollar will stay in the Illinois State Police Vehicle Fund. I have

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

38th Legislative Day

4/12/2005

personally spoken with DeShana, the representative for the Governor that we see regularly here in the House. I'm sure most of you are aware that she is now also the Public Safety Director for the State of Illinois. She told me that the Governor's people would not actively work against this Bill, even though it does call for a fee increase. I encourage you to go back to your districts, Ladies and Gentlemen, those of you who are target and I would encourage you to vote 'yes' on this Bill. And stand before your constituents and tell them that, yes, you asked for a dollar for every family that has a licensed vehicle in the State of Illinois, the equivalent of one candy bar or four cigarettes. And if they have two vehicles, \$2 per family. Ladies and Gentlemen, if I could have your attention for just one minute. Right now, the Illinois State Police is replacing four engines a month at a cost of \$43 hundred per engine. They are replacing eight transmissions per month at a cost of \$2 thousand per transmission. We are literally in acute... in acute financial situation for the vehicles of the Illinois State Police. And the thing that's so interesting about it, Ladies and Gentlemen, every one of you in here know that these troopers will not ask for com..."

Speaker Hannig: "Rep... Representative, your 5 minutes have expired. Could you bring your opening remarks to a close."

Sacia: "I will. Thank you, Mr. Speaker. Ladies and Gentlemen, I would strongly urge you to look at this as a safety issue. The issue of you and I as citizens, safety of our

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

38th Legislative Day

4/12/2005

Illinois State Police in responding to a critical incident so that they have the safety of a good, solid vehicle underneath them. I would welcome your questions. Thank you."

Speaker Hannig: "This is gonna be on the Order of Standard Debate. And on that question, Representative Giles is recognized for 5 minutes."

Giles: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the legislation."

Speaker Hannig: "To the Bill."

Giles: "I am... I stand in... in support of the legislation because I believe this is a issue of public safety on this piece of legislation. However, I have another concern dealing with the Department of the State Police. And that concern is that the... the diversity within the department. As I stand here today, there's, as far as African American representing the state, the Department of State Police is about 2 percent in that department. And I believe if we were to talk about Hispanics, it may not be a whole number as far as percentage. So, therefore, I stand with an issue of diversity within this department. And I hope that as we move forward, as we continue to support this department in various other issues that this department, we'll take a look at this particular issue and work with the Black Caucus and other Members in the Hispanic Caucus to be able to reflect the diversity of this state. I think that the fee that is asking for on such of a critical issue is minimal to the actual duties that the State Police does. I

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

38th Legislative Day

4/12/2005

think we need to have up-to-date current equipment and machinery to be able to operate effectively. But, however, I'm separating the issue to... to simply state that I think there needs to be more diversity within the department. And it needs to reflect all the people of the State of Illinois. Thank you, Mr. Speaker."

Speaker Hannig: "So, Representative Giles has spoken in support. Representative Black is recognized for 5 minutes. Are you in support or in response, Representative? Okay, in response."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I have great respect for the Sponsor of this Bill. He has spent a good... good part of his adult life in law enforcement. And I share his concern. But I... I addressed that concern and some of you were here, 8 years ago, when we modeled the State of Missouri in legislation called Operation KickStart. Which the State of Illinois, it was passed overwhelming by both the House and the Senate, the then Governor signed it into law and the state has refused to follow the law and implement it. And let me tell ya very briefly what Operation KickStart does. Operation KickStart simply says that the Illinois State Police shall replace one-third of its fleet every year. So, at the end of 3 years, you're not gonna have the kinds of problems that the Representative is talking about. All that Operation KickStart required was that the State of Illinois put the capital dollars in the program for the first 2... 2 years.

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

38th Legislative Day

4/12/2005

The Illinois State Police would run this program, not CMS. The State Police would take the capital money, plus the value of the trade-in, trade in one-third of their fleet in the first year. Use that money from the trade-in, another capital expenditure the second year, trade in a third of the fleet. The third year, a diminished capital amount, trade in one-third of the fleet. After the 3 years, they didn't have to come back to us for any money at all. They did the same thing that the State of Missouri has done for years. They used the trade-in. They administered their own trade-in, their own dollars and they automatically, every year, turn over one-third of the State Police fleet in Missouri. There's no reason why this Bill has not been implemented in the State of Illinois. I... I'm sure that the Representative is as frustrated to learn about that as I have been. I toyed with the idea of filing a writ of mandamus. Why aren't you using the law that passed overwhelmingly 8 or 9 years ago in both the House and the Senate? The Governor signed it into law and then the appropriations people just say, 'We don't wanna do that.' Well, when I taught government I didn't know that... I didn't know anybody in government had the ability to say, 'We don't wanna follow the law, so we're not going to appropriate the money.' Now, maybe I'm living in the past, but we've been down this road. We've implemented the law. We've done everything necessary to have the full support of the Illinois State Police, the full support of every other agency and for whatever the reason, the state has refused

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

38th Legislative Day

4/12/2005

to follow the law that would've taken these patrol cars out of the state capital budget. We would've been out of it now for at least 5 years. That's the way other states do it. Maybe there's no other way than to follow up that Bill with another. But one thing I heard about and I heard about for a long time and I hear about yet today, is when we moved the license registration to the current amount. You talk about some unhappy people. And you know, another thing I don't understand about that fee increase that many of us voted for, that was to fund the bonds for Illinois FIRST. And yet, I'm told repeatedly, there's no money in Illinois FIRST. Somewhere, Ladies and Gentlemen, this process has broken down. We passed a significant tax increase on licenses, titles and fees to fund Illinois FIRST and yet, there's no money in Illinois FIRST. And there's millions of dollars of outstanding projects that haven't been funded. We passed a Bill 8 years ago to take care of the State Police. They refused to implement it, they, being Office of Management and Budget and the appropriations people. I don't understand this process. I don't understand why we put up with it. The Gentleman, I think, is acting out of his legitimate concern for the Illinois State Police. I'm simply responding, out of my legitimate concern, that we continue to turn to the taxpayer to address a problem that the state already has on the books. It can fix and fix rather easily. The question is, how many times do we go to the taxpayer to bail us out

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

38th Legislative Day

4/12/2005

of something that the state, for whatever the reason, has the ability to do and refuses to do so."

Speaker Hannig: "So now, we've had one on each side of the debate. Representative Molaro is recognized. Are you in favor or opposed, Representative?"

Molaro: "Well, I'm gonna be in favor if he would agree that... Yes. Okay."

Speaker Hannig: "Proceed."

Molaro: "...and the only way I would be in favor is I'd like you to talk... if it gets out of here, and I don't wanna jinx your Bill, is that I want ya to talk to the Senate Sponsor. So, whoever votes 'yes' in the House that that would be listed on every State Police car that patrols I55. So, they would know exactly who voted for helping out their cars. So, we could put that on there and when it gets to the Senate. I'd appreciate that and I'll vote for your Bill. Thank you."

Speaker Hannig: "So now, we've had two speak in favor, one in opposition. Does anyone else rise in opposition? Representative Mulligan."

Mulligan: "I'm not sure 'cause I have to ask questions. Does that count?"

Speaker Hannig: "Okay, in response then."

Mulligan: "All right, in response."

Speaker Hannig: "Proceed."

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

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

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

38th Legislative Day

4/12/2005

Mulligan: "Representative, I notice in your Bill that regular license would raise 7.3 million and if we added second division license it would add 9... it would be 9 million. What's a second division license?"

Sacia: "Representative Mulligan, it's a 'B' truck plate or a pickup truck. And the correct figure, it would go to 8.4 million, not 9 million..."

Mulligan: "Okay. I was..."

Sacia: "...with the second division vehicles which is a pickup truck."

Mulligan: "What happens to the reser... reduced fees under circuit breaker that senior citizens pay?"

Sacia: "Representative Mulligan, every thing would stay in place for circuit breaker. We did not address that in any way in the Bill."

Mulligan: "So, they would still get the same amount..."

Sacia: "Yes, they would. They..."

Mulligan: "...of reduced fee."

Sacia: "Yes, they would. That would be the legislative intent."

Mulligan: "Out of the 7.3 million or 8.4, let's go to the 7.3 or whichever you have..."

Sacia: "It is 8.4. The Amendment made it 8.4..."

Mulligan: "Okay. Out of the 8.4, how many cars would be purchased?"

Sacia: "Representative Mulligan, to specifically state the number of cars, let me more put it in a transitional form which was shared with me by the Illinois State Police. By

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

38th Legislative Day

4/12/2005

the year 2012, if this is implemented, we will be able to start selling used police vehicles to sister agencies. And if I can be so bold as to use a phrase of a great American President, Ronald Reagan, we will actually end up with a 'trickle down' theory. Where we will have vehicles with about 75 to 80 thousand miles after 3 years of use, starting in the year 2012, that they can sell for 7 to 8 thousand to small municipalities."

Mulligan: "Our analysis shows that this will begin with the 2007 registration."

Sacia: "Seven. That's correct."

Mulligan: "So, does it currently impact the FY06 budget?"

Sacia: "Does not affect the FY06 budget in any way."

Mulligan: "So, this does not begin nor does it alleviate any budget pressures for FY06?"

Sacia: "That's correct."

Mulligan: "In the current budget, is there any money allocated for replacement of the police cars?"

Sacia: "I'm sorry, Representative Mulligan."

Mulligan: "In the current proposed FY06 budget, is there any money allocated to replacement of the State Police cars?"

Sacia: "I... I believe it's consistent with last year where they replaced five or six automobiles. It's a very minimal number. It does not affect the '06 funding in any way."

Mulligan: "The Minority Spokesman for that committee tells me that they haven't presented their budget in committee yet."

Sacia: "Yes."

Mulligan: "So, you're not sure whether it's allocated or not?"

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

38th Legislative Day

4/12/2005

Sacia: "Right. I... I would share with you, I spoke with that Gentleman yesterday and he shared with me how money had been allocated over the past several years for vehicles. However, Representative Mulligan, if you recall what I stated in my opening comments, that the money that they've been getting for vehicles they've been using to replace four engines a month at 43 hundred a piece, eight transmissions a month at 2 thousand a piece. On and on, just to simply keep what I would consider, for the most part, little better than junk on the highway. And... and that's the genesis and the purpose of this Bill."

Mulligan: "Do they do their own service work?"

Sacia: "They go through CMS. CMS decides where the vehicle work will be done, other than normal maintenance like oil change."

Mulligan: "Representative, although, I tend to think this isn't a bad idea in order to replace the cars, which I think there is a great need. First of all, it doesn't impact the FY06 budget which I think it has a problem now. And secondly, I'm not sure if that shouldn't be the obligation of that agency to come up with a way of doing it under the budget constraints. Quite frankly, I'd like to support your Bill but I don't think it has the impact for the coming year. I would change it to say the 2006 budget. Thank you."

Sacia: "Thank you, Representative Mulligan."

Speaker Hannig: "Okay, under the rules of Standard Debate, we've now had two speak in favor and two in response. The

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

38th Legislative Day

4/12/2005

rule provide for one additional response. So, Representative Joyce, do you wish to speak in response? In... in opposition? Okay, Representative Brauer, in response?"

Brauer: "Thank you, Mr. Speaker. Just a point of clarification."

Speaker Hannig: "Yes."

Brauer: "Representative, doe... does this in an... any way have an impact on semis?"

Sacia: "None... none whatsoever, Representative Brauer. Strictly, passenger vehicles and 'B' pickup trucks, that is all that is affected."

Speaker Hannig: "Okay, we've now had three in response, two in support and we'll recognize Representative Sacia to close."

Sacia: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I cannot overstress the importance of this Bill. Again, I think, to stand before a debate and explain to our constituents that we ask each family for a dollar, maybe two and even in some cases as much as three. Not even the equivalent of a package of cigarettes for the safety of those of us out there that are protected by our law enforcement officials. Ladies and Gentlemen, at the expense at being somewhat melodramatic, there was a recent situation where a trooper was called to respond 24 miles away to a rollover with a child trapped under a vehicle. Fortunately, a city police officer was able to get there. The trooper's vehicle broke down. We are in a crisis situation. These men and women will work the streets.

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

38th Legislative Day

4/12/2005

They would go to the Gentleman that supported the horse slaughter Bill and ask him to give 'em horses for horseback, if that's what we required. This is a good Bill. It's a positive Bill. It's for the people that protect us and I sincerely ask for an '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? Representative May and Daniels, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 68 voting 'yes', 44 voting 'no' and 4 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Millner has House Bill 265 on the Calendar. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 265, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Hannig: "Representative Millner."

Millner: "Thank you, Mr. Speaker. House Bill 265 amends the Use of Credit Information and Personal Insurance Act. Provides permissive language for personal lines insurers to review and consider an exception to an insurer's risk score based upon extraordinary life events, such as a catastrophic illness, the death of a spouse, child or parent, involuntary loss of employment, identity theft of an applicant or insured, or dissolution of marriage of an applicant or insured. And I ask for your support."

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

38th Legislative Day

4/12/2005

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'; opa... opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Turner, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 3 of the Calendar is House Bill 298. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 298 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano."

Saviano: "Inquiry of the Chair. I think there should be a Floor Amendment #3. I would withdraw Floor Amendment #2."

Speaker Hannig: "Okay. So, Amendment #2 is withdrawn. Any further Amendments?"

Clerk Mahoney: "Floor Amendment #3, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr... Mr. Speaker, Members of the House. Floor Amendment #3 makes this Bill an agreed Bill and this is a... in agreement with the Illinois Physical Therapy Association, Illinois State Medical Society, and the

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

38th Legislative Day

4/12/2005

Illinois Athletic Trainers. And I would ask that Floor Amendment 3 be adopted to House Bill 298."

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. On page 19 of the Calendar is House Bill 3499. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3499, Second Reading of this House Bill. Amendments #1 and 2 were approved in committee. Floor Amendment #3, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #3 to House Bill 3499 addressed some of the current concerns of... of the other associations and it clarifies some of the lengths of initial appointments to the Physical Therapy Licensing and Disciplinary Board. And I ask it be adopted."

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. On page 20 of the Calendar is House Bill 3749. Mr. Clerk, read the Bill."

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

38th Legislative Day

4/12/2005

Clerk Mahoney: "House Bill 3749 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. Floor Amendment #1 to House Bill 3749 addressed some of the conce... all of the concerns the Illinois Cemetery Association had with this Bill and with this Amendment, the Bill is agreed. And I would ask for its adoption."

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. Mr. Clerk, read House Bill 3158."

Clerk Mahoney: "House Bill 3158 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. Floor Amendment #1 becomes the Bill. It simply extends the sunset date for the Professional Geologist Licensing Act to January 1, 2016. I would ask for its adoption."

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

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

38th Legislative Day

4/12/2005

it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1177."

Clerk Mahoney: "House Bill 1177 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker and Members of the House. Floor Amendment #1 addresses the concerns that the Department of Professional... Financial Professional Regulation had with the original language and addresses the cease and dis... desist authority requiring collection agencies designed as a partnership or limited liability. I would ask for its adoption of Floor Amendment #1."

Speaker Hannig: "The Gentleman 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. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1656."

Clerk Mahoney: "House Bill 1656 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

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

38th Legislative Day

4/12/2005

Speaker Hannig: "Representative Scully, the Sponsor of the Amendment, Mr. Clerk. Representative Scully."

Scully: "Yes, 1656. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 to House Bill 1656 amends the Procurement Code to specifically allow the court systems, specifically the Supreme Court and the Appellate Courts to be removed from the purchasing process through CMS for the purpose of purchasing their telecommunications equipment. The Supreme Court and the Appellate Courts already have this power with the respect to office furniture and equipment. We would like to expand this to include telecommunications equipment. We think this is very consistent with the separation of powers under the basic principles of the Illinois Constitution. And I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman moves for the adoption of Floor Amendment #1. And on that question, Representative Parke is recognized."

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

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

Parke: "If we take this away from the director at CMS, are we not in essence taking away any oversight by the Illinois General Assembly?"

Scully: "No, not at all. The Illinois Court System still has to come to us for their appropriations in general. And they already have this power with respect to furniture and equipment within their offices. This merely extends that power to includur... include telecommunications, in the same

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

38th Legislative Day

4/12/2005

manner that the General Assembly and the executive office has the power to purchase their telecommunications equipment separately."

Parke: "Why..."

Scully: "Still subject to our appropriations."

Parke: "What's the genesis... what's the genesis of this Bill? Why are you doing it? Give me..."

Scully: "The Supreme Court. The Sup..."

Parke: "They simply just asked you to carry the Bill for 'em?"

Scully: "Yes, specifically. Orig... they originally approached Representative Hannig. From a budgetary standpoint, Representative Hannig requested my participation because of my familiarity with the court system."

Parke: "Okay."

Scully: "Thank you."

Speaker Hannig: "Any further 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. Mr. Clerk, read House Bill 1100."

Clerk Mahoney: "House Bill 1100 has been read a second time, previously. Floor Amendment number... Amendment #1 was adopted in committee. Floor Amendment #4 has been adopted by the House. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read this Bill on Third Reading. Okay. Read the Bill, Mr. Clerk."

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

38th Legislative Day

4/12/2005

Clerk Mahoney: "House Bill 1100, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1100 known as the Payday Loan Reform Act. Unexpected occurrences can happen to any of us at any time that can put us in a short-term financial bind in need for short-term money. For instance our car can break down and we have to go to work, our child is in need of books, equipment, at schools for supplies, an unexpected medical cost due to an accident. As an option, many Illinois citizens take out payday loans to address these and many other needs to address short-term money problems. Everybody in this chamber has heard the many horror stories of people who've taken out these loans, however, end up in greater financial peril. Last month, for instance, the Daily Herald detailed two individual situations. One, a person took out a \$400 loan that eventually cost her \$2,200 due to terms and escalating interest rates. Another person borrowed \$400, agreed to pay an interest of \$360 and although she made the payments, she rolled the loan over 33 times and it eventually cost her \$13 thousand in interest, fees and penalties. These situations are not unique. Last year the Chicago Sun-Times detailed stories of indiv... individuals ending up paying much more than the loan amount due to the cycle of debt and associated interest and fees. The Wall Street Journal detailed how payday loan industries have targeted military bases due to the nature of the

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

38th Legislative Day

4/12/2005

volatility of the possibility of a loved one being sent away. Payday loan stores have proliferated over the past years. Today, in Illinois, there are more payday loan stores than McDonald's and has a revenue gross of \$8 billion a year. Currently, the industry... industry is essentially unregulated because our laws are so relaxed. It is time to protect the citizens of Illinois from these predatory practices. House Bill 1100, the Payday Loan Reform Act, is a compromise legislation which provides sensible protection for consumers and regulates the industry that provides payday loans only. I wanna be clear with this fact. In Section... in Section 1-5 of the loan(sic-Act), the purpose and construction. The purpose of this Act is to protect consumers who enter to... enter into payday loans and regulate the lenders of payday loans. The Act shall be construed... constructed as a consumer protection law... consumer protection law for all purposes. This Act shall be liberally constructed(sic-construed) to insinuate(sic-effectuate) its purpose. Working together with the Monsignor Eg... John Egan Campaign for Payday... Reform and the industry basic... agreed the three basic principles when drafting this Bill. One... number one, the consumer angle, that there is a need for payday loan stores. Not to mention those who have short-term crises but there are many individuals who have been locked out of traditional credit. The regulatory angle, number two, the stores need to be regulated. That they need to be constructed in a way that are consumer friendly and not

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

38th Legislative Day

4/12/2005

victimized and further victimize people at a time of need. Number three, the business angle, payday loan stores are a viable business here in the State of Illinois and they do provide jobs here in the State of Illinois. House Bill 1100 focuses on seven major key pieces of reform legislation. And I'll be brief. The borrower is limited to 25 percent of grossly monthly income or a thousand dollars whichever are less. This Bill charges a cap of \$16 per 100 borrowed and would prohi... prohibit charging any additional fees. Number three, borrower can take out a min... maximum of two loans at any one time. Number four, borrower has an option of being in a debt repayment plan if the borrower has been in debt for 35 days... consecutive days. Number seven, a debt-free recovery period to help end the cycle of debt. In a statewide consumer... number four... five... six, rather, statewide consumer reporting service to enforce the regulation, a database. And last, there is a wage assignment in this loan(sic-Act). It is a very important piece of legislation. It's been a long road. And I'll be happy to answer any questions."

Speaker Hannig: "The Gentleman moves for the passage of House Bill 1100. And on that question, the Gentleman from Cook, Representative Lyons."

Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I wanna commend Representative Miller for staying with this Bill for the 3 years that I've been involved with him on the process of trying to bring this to the House Floor. As the former chairman of the House Committee on

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

38th Legislative Day

4/12/2005

Financial Institutions, my freshman year as that committee chairperson, I worked for literally dozens of hours with a nucleus of Members, Charlie Morrow, David Miller, of course, John Fritchey and a host of other people with the best of intentions tried to craft legislation to get a Bill through the committee to the House Floor. We were unsuccessful. There are three groups involved with this thing that I think most of us should be familiar, the Monsignor Egan group who brought this cause to us about 5 or 6 years ago. Monsignor Egan, being a former teacher of mine from DePaul University, who was told about this through personal experiences and brought forth a coalition of organizations that really and truly believed in something must be done so people are not being victimized by unscrupulous people who participate and operate some of these operations. There tends to be a second group involved here, a national organization, a local group that are all involved in the payday loan industry here in the State of Illinois. We have literally worked hundreds of hours over the past 5 or 6 years to bring this Bill to the floor. Representative Dart kinda championed this thing back when Tom Dart was down here 4 or 5 years ago. He worked on a Bill that was never passed here. Representative Bugielski, who sat in this exact desk, also ran a Bill subject to Hou... to JCAR Rules that were enabled and then the industry went outside the JCAR Rules and turned its back to the good intentions of what we tried to do about 4 years ago. This has been such a long and hard

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

38th Legislative Day

4/12/2005

process to craft something that we can bring the majority of people, the players involved with this thing. David has worked again this Session to work with people for good intentions to try to bring this to the House Floor for the purpose of trying to protect people in the State of Illinois who genuinely need protection to not get into one of these spiraling situations where they're taking out loans that... that can never be paid off. David, I thank you for bringing this and staying with it. To my... Members on the floor, please vote for this Bill. This is absolutely, unquestionably in the best interest for everybody, all 12 million people in the State of Illinois. Vote 'yes' on this Bill."

Speaker Hannig: "Okay. Representative Lyons rose in favor. Representative Lang is recognized. Are you in response or in favor, Representative?"

Lang: "Thank you. I rise in support of the Bill, Mr. Speaker."

Speaker Hannig: "Pre... Proceed."

Lang: "Thank you. Ladies and Gentlemen, I do rise in support of this Bill. First, let me thank Representative Miller for his hard work, but let me also thank the advocates out there, Citizen Action, the Monsignor Egan group and even many of those, but certainly not all of those, involved in the payday loan industry. Couple of years ago we had a Bill here that was designed to basically end payday loans. And a lot of the advocates at that time, a lot of the folks that thought payday loan people oughta be regulated came to me and said, 'Why don't ya vote for this Bill to just kill

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

38th Legislative Day

4/12/2005

off the industry?' And I said, 'Well, that's not really a good idea.' And I took a lot of heat for that. But I argued at the time and I think it's still a good argument that there's a lot of people out there that can't get loans or cash anywhere else than from these payday loan operations. They don't have access to the same kind of credit that a lot of other people do. And so, in the... in an effort to deal with an industry that needed reform and needed regulation, some were willing to just cut off the entire industry. Well, I was not willing to do that. Others are not willing to do that. Not to save an industry per se, but to make sure there was access to credit out there for people. And so, people have come in even from out of state to help negotiate this. And I know that some of the opponents have talked about the fact that some have come in from out of state to negotiate this and their goal is to put people out of business in Illinois. Well, that's not their goal because in the other states that they have negotiated these kinds of Bills, there's no evidence of that, particularly in the State of Indiana who's recently passed a similar Bill. There's no evidence of any of that. So, those that've come in to try to regulate an industry from a national perspective are doing the right thing. And we're doing the right thing here today. This is an industry that needs reform. And after many years of effort, Representative Miller and the advocates have finally put a Bill together that we can proudly support. It's a Bill that retains the ability to people that have

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

38th Legislative Day

4/12/2005

access to credit, that puts caps on fees, caps on people's ability to get into trouble with their own loans and it... and it in essence has become a... a Bill that has been created by an industry that knows it needed regulation and knows this General Assembly needed to do something to put these fees under control. The newspapers and other media have been crying out for years for the General Assembly to do something about controls and regulation over this industry. This Bill will do this in a very fair way, keeping people, giving people in local communities the ability to still have access to cash when they need it under given circumstances. We should applaud the Sponsors and all be voting 'aye' on this Bill. Thank you, Mr. Speaker."

Speaker Hannig: "Okay. So, we've now had two speak in favor of the Bill. Under the rules of Standard Debate, we can have three speak in response. Representative Parke, would you like to speak in response? Is that correct, Representative Parke, in response?"

Parke: "Well, I have some questions about the legislation."

Speaker Hannig: "Okay. In response, the Gentleman will yield."

Parke: "Thank you. Representative, I noticed that Amendment 4 has been added to the Bill. Does this Amendment change significantly anything or is this a clarification Amendment?"

Miller: "I'm sorry, I didn't hear the last part of your question."

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

38th Legislative Day

4/12/2005

Parke: "Is this a clarification Amendment or does this change anything significantly?"

Miller: "Most of the... most of the pri... previous Amendments were technical in nature, but the addition of Amendment 4 is the wage assignments."

Parke: "Has Amendment 4 reduced any opposition to your Bill?"

Miller: "Well, it's hard to describe that because... because that was something that we've been still meeting with the... In some regards, yes, the answer would be yes, because there were other... part of the banking group and the Household Finance group was against the Bill an... and their provisions that have them as proponents or neutral on the Bill are included in Amendment 4. So, the answer to your question between when we first presented and now would be 'yes'."

Parke: "Now, this is... it's my understanding that we're putting a cap on fees and a cap on amount loaned. Now, if we don't pass this legislation, what happens to the fees that can be charged in the amount that can be loaned?"

Miller: "Well, currently, the state average is \$44 per loan and so, what this does is bring it... brings it... bring it down."

Parke: "So, it brings it down to what?"

Miller: "It would bring it down to \$16 per \$100 for the loan amount."

Parke: "And the amount loaned, is that limited, also?"

Miller: "It's a thousand... yes... yes, it's a thousand dollars and 25 percent of income."

Parke: "And is there a cooling-off period on this to limit the amount of loans that people can get?"

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

38th Legislative Day

4/12/2005

Miller: "In the current legislation, yes, there is a 7-day cooling-off period."

Parke: "To the Bill."

Speaker Hannig: "To the Bill."

Parke: "Ladies and Gentlemen, it's frightening for me to agree with Representative Lang. But it seems like everywhere I go, especially in the city but not unique to the city, I am seeing offices opening up all over to provide payday loans. So, therefore, there must be a need for this kind of an industry. And that that industry, obviously, plays an important role to the citizens in the State of Illinois. That it... is something that we have to take a good, hard look at because I've seen story after story in the newspaper about abuse. I believe that the Gentleman has a Bill, though, I have problems with any kind of artificial levels being placed on a free market system. I believe that the abuses of this system have outweighed that concern. I believe the Gentleman has a good piece of legislation and I rise in support of the Gentleman's Bill."

Speaker Hannig: "Representative Bost, do you su... do you rise in response?"

Bost: "Thank you, Mr. Speaker. I just have some questions of the Sponsor. Could... "

Speaker Hannig: "Okay. In response..."

Bost: "Rep..."

Speaker Hannig: "The Gentleman will yield."

Bost: "Representative, I... I thank you, first off, for carrying the Bill. But there are some questions I have. This is a..."

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

38th Legislative Day

4/12/2005

a Bill that is not without controversy. What was your response to and... and many of my constituents that have these companies are the smaller groups and they feel like they're being pushed out by the large groups in this legislation, the large payday loan providers. And what is your response that says that there's something in there that still allows them to operate their business and still be in a competitive mode?"

Miller: "Well... well, the states are... Indiana has tougher regulations than Illinois that's proposed in this legislation and there's been an increase in the number of payday loan stores in Indiana. Number... number... number... that was number one. Number two is the fact that the rate that was set, out of the states that regulate pay... payday loans, there... there are 16 that are higher than what we're doing and there are 16 that are lower. So, it's smack-dab in the middle. Second thing is that or third thing is the fact that I believe it's reasonable for someone to take a loan out within their means, a thousand dollars or 25 percent of what they... of their income is just reasonable so someone ends the cycle of debt. In addition, we've continued to try to talk with the... the opponents of the legislation to try to include 'em in. It's been a very difficult process as Representative Lyons and Representative Fritchey and others can attest to. Just from the fact that the matter is, just trying to obtain data has been very difficult just because the variances within their own industry which I would... which I would

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

38th Legislative Day

4/12/2005

acknowledge. However, when we talk about some of the mom and pop ones, I also talk about that variance, some of those 'small'... small... small guys own 50 stores. And that's no longer a mom and pop store. You know, to me that's a big business. It's definitely big... big... bigger than the business I run. And so... in which may you run... or whatever. But the point is is that, I don't believe this will take them out of business. I believe this is a meaningful legislation reform and those practices that have been predatory against people, I mean, if that... if that's the way they've earned their living when... then well, they may have to adjust their practices."

Bost: "Okay, Representative, you know, each one of us have our own stories that we can tell of our constituents that've been negatively impacted by payday loans but... but also those that have maybe got through some hard times by going through this loan process. Explain, and I know it's been explained here in a couple of the... the debates before but if you could explain, what stops, for instance, I... I have a situation where I know of... of a young man who is about 21 years old, went out, got a loan so he could put a carburetor on or, I'm sorry, an alternator on his car then he had to roll that over and he rolled over again and over again and before long he had a \$300 car that he had \$2 thousand against. What... what... what stops this from... from occurring in this legislation, anything?"

Miller: "Well, I think, we're limiting the amount of rollovers, maybe if... if I've heard the question correctly. And also,

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

38th Legislative Day

4/12/2005

one of... you... you've brought an excellent point up. Like the story I mentioned earlier, someone had rolled it over 33 times because that option was there. So, we're eliminating that option because we're saying, hold on. You know, this is what gets individuals in that cycle of debt. In addition to, there's a recovery period. So, the meter stops. So, if someone can take a breather, try to get themselves together, maybe their payday, maybe something better happens, maybe they can borrow the money. Maybe something, whatever happens, so they won't have the meter continuously running against them, so they don't get into and continue this cycle of debt."

Bost: "Okay. Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Bost: "Ladies and Gentlemen, I... I believe that the Sponsor has tried to do everything that... that he can. And, ya know, this is a problem that each one of us have faced in our district, the dangers of... of the payday loan. This is an industry that's grown and needs some kind of control. I know that there's many of my constituents that are concerned that... that this might put the smaller person out. I don't think that it does. If... if we see that, I think that... I hope that we come back at a future time and work on this and try to even make it a little bit better. But we do need to put something in place. So, thank you very much."

Speaker Hannig: "Okay. The last speaker in response will be Representative McCarthy."

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

38th Legislative Day

4/12/2005

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

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

McCarthy: "Thank you, Representative. Basically, for legislative intent. It's my understanding from statements made in committee by yourself and the proponent groups that this legislation is not intended to apply to any lender who is not offering payday loans. Is that correct?"

Miller: "Tha... that's absolutely correct. When we first introduced the... the... the Bill in committee, there were some concerns by the... Household Finance and the... and actually the bankers, too. And we worked with those groups. We were able to come up with the language that... that made them either proponents or neutral to the Bill."

McCarthy: "Thank you. So, as amended by all the Amendments, including 4, then this does remove the complaints from the bankers."

Miller: "Yes, it does."

McCarthy: "And the credit unions."

Miller: "Yes."

McCarthy: "And the Consumer Installment Lawn... Loan Act people."

Miller: "Yes."

McCarthy: "All right. Thank you very much, Representative Miller. Legislation similar to House Bill 1100 has been introduced in each of the last three General Assemblies to regulate a relatively new industry in this state. An industry where short-term loans are made based upon the security of a consumer's next paycheck. These loans have

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

38th Legislative Day

4/12/2005

come to be known as payday loans. House Bill 1100 is not intended to apply to the business of traditional lenders. In committee, this intent was made clear. Banks and credit unions were exempted in an Amendment offered in committee and commitment was made to remove finance companies licensed under the Consumer Installment Loan Act who were inadvertently included within the scope of the new Payday Loan Reform Act. House Amendment 4 includes language that limits the scope of the Bill to loans of a hundred and twenty days or less. This language was inserted with the specific intent of excluding finance companies licensed under the Consumer Installment Loan Act who do not offer payday loans from the scope of the Act. I appreciate the efforts of the proponent groups and the Sponsor. I thank you for working with us in the committee and I would urge everyone to support the Gentleman's measure."

Speaker Hannig: "Okay. We've now had Representative Lyons and Lang speak in favor. Representative Parke, Bost, and McCarthy in response. Representative Miller is now recognized to close."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I appreciate all the comments that were made in... in support and questions that were asked. This is one of those Bills that have... have traveled a long ro... road and I'd be remiss not to at least mention those who had... had worked very hard. Some of the names were mentioned earlier. Representative... former Representative Tom Dart and Charles Morrow were very diligent in their effort...

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

38th Legislative Day

4/12/2005

efforts. Representative Willie Delgado who didn't speak, who was very instrumental in years past and in... in... in this negotiation Representative Fritchey, Lyons and Lang and many others have been very instrumental in a very difficult process. Two years ago, you could've ask me do I think payday loans need to exist, I would've said, 'No'. I would've said, 'No, they don't need to be here. We need to get rid of all of 'em.' But the reality of today's financial climate that we deal with, as Representative Parke had mentioned, there is a need for them and there are proliferation. However, they have to be consumer friendly. Would I, along with the Attorney General's Office, like to see stronger pro... consumer protection, lower fees, smaller cap? Yes, but this is a compromise Bill. Adversely, there are groups out there that want less regulation, less consumer protection and continue to cycle the debt? Yes, but this is a compromise Bill. Shame on those payday loan stores that only exist if they victimize people in a cycle of debt and for predatory practices. You have to question whether they need to exist, plain and simple. We need to send a strong message to our constituents that we care about our interests... their interests more than special interests. We need to send a strong message to our military families that we want to protect them at a volatile time. Lastly, we want to send a strong message to the Senate that we have passed a comprehensive la... payday loan reform package. Payday loans should be as easy to get in... get out of as they are to get in to. House Bill 1100

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

38th Legislative Day

4/12/2005

makes only good sense and accomplishes these goals. I ask for a favorable 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? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed."

Speaker Lyons, J.: "Representative Lyons in the Chair. Mr. Clerk, on page 26 of the Calendar we have House Bill 3449, Representative Schock."

Clerk Mahoney: "House Bill 3449, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons, J.: "Is Representative Schock on the floor? Mr. Clerk, take this Bill out of the record. Oh, hold on, here he comes. Representative Schock, Gentleman from Peoria, House Bill 3449."

Schock: "Thank you, Mr. Speaker. House Bill 3449 expands the current law for those children who view domestic violence. Currently, the law only provides for counseling to be paid by the batterer if the child is a... is the child of the victim or currently the resident of the home. It does not provide for counseling services if the child happens to be visiting or staying at the home when this domestic violence takes place. So, this plugs a hole, if you will, in the current law and allows for services to be given to those children who may witness domestic violence and require

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

38th Legislative Day

4/12/2005

counseling services. I'd be happy to answer any questions that Members might have about the Bill."

Speaker Lyons, J.: "Is there any questions on House Bill 3449? The Chair recognizes the Lady from Grundy, Representative Gordon."

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

Speaker Lyons, J.: "Indicates he will."

Gordon: "Representative Schock, according to my analysis it says that the Coalition Against Domestic Violence is an opponent. Why is that?"

Schock: "Well, hopefully, your analysis will be updated because as of the... the Floor Amendment that I added, from the committee discussions that we had, the domestic violence groups are now proponents of the legislation. The ori... the original Bill was written so that it would include any child who witnessed the act and their concern, originally, was that if it took place in, for example, a grocery store or public area, the liability would be so great that, ya know, it could devastating for the... the family or the individual who's responsible for. So, this keeps it to the home, so when the domestic violence happens in the home, it will cover any children that are in the home."

Gordon: "And where... where did you get the idea for this Bill? Where did it come from?"

Schock: "It was brought to me by domestic violence groups."

Gordon: "Pardon? I... I'm sorry, didn't hear ya is all. I didn't hear you."

Schock: "Domestic violence groups in my district."

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

38th Legislative Day

4/12/2005

Gordon: "Okay. Well, thank you very much for addressing their concerns. It's very... it's an excellent Bill. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative Molaro."

Molaro: "Thank you. I just wanna point out to the Representative... I don't know if you know this, but you are on the Internet at home and it's a little... I know it's late in the day but as a freshman, do you think it's pop... where's your tie, Sir? This... this is important business and I don't see your tie on, you're presenting your Bill and I know you don't have that many. I was just wondering if there's a reason why so casual and you're presenting such an important Bill."

Schock: "Well, Represe... ties you'd like to share, please let me know."

Speaker Lyons, J.: "Any further discussion on House Bill 3449? Seeing none, the question is, 'Should House Bill 3449 pass?' All those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bassi. Representative Granberg. Representative Granberg. Mr. Clerk, take the record. On this Bill, there are 117 voting 'yes', 0 'noes'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 26 of the Calendar Representative Schlock also... Schock has House Bill 3500. Read the Bill, Mr. Clerk."

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

38th Legislative Day

4/12/2005

Clerk Mahoney: "House Bill 3500, a Bill for an Act in relat... relating to education. Third Reading of this House Bill."

Speaker Lyons, J.: "The Gentleman from Peoria, Representative Schock."

Schock: "Thank you, Mr. Speaker. House Bill 3500 addresses the days and the window currently allowed for by the state where students will be included in the AYP calculation, the adequate yearly progress calculation, for school districts. This maximizes the limit allowed for by the Federal Government right now which is 176 days or an academic year and codifies it into law. The last couple of years the state board has changed the rules and so we want it to not only maximize the State Law... the Federal Law but also, codify it into law so that it does not change from year to year for school districts. Be happy to answer any questions that Members might have."

Speaker Lyons, J.: "Are there any questions? The Chair recognizes the Lady from Will, Representative Renée Kosel."

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

Speaker Lyons, J.: "Indicates he will."

Kosel: "I wanna commend the Sponsor on taking care of a problem that has been pretty significant in... in... in the state. With the ability of trying to say that students have enough time within a school district to actually reflect what that school district is teaching. And I stand up in very strong support for this legislation. Thank you."

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

38th Legislative Day

4/12/2005

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Vermilion, Representative Bill Black. Representative Black."

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

Speaker Lyons, J.: "State your inquiry, Representative."

Black: "Yes. In years past, we used to have special orders of call. We haven't had it since Lee Preston was a young Representative here. But it seems to me, we must be on a special order of call on Representative Schock. Is that... is that what we're doing at this time?"

Speaker Lyons, J.: "Representative, I take 'em as I get 'em. I call 'em..."

Black: "Oh, you're just..."

Speaker Lyons, J.: "...right down, right down the list here, Representative."

Black: "...you're taking them alphabetical?"

Speaker Lyons, J.: "Alphabetical, right down the list. We've done numerous people who have done back-to-back Bills today."

Black: "Well, Representative Miller was just up. You mean, alphabetical, we went from Miller to Schock?"

Speaker Lyons, J.: "From Miller on the Democrats to Schock on the Republicans. There's..."

Black: "Well, who's next? Awe. Schock and awe."

Speaker Lyons, J.: "Winter. We'll go from Schock to Winter."

Black: "Oh, okay. All right. Well, I've got some really good Bills I'm looking forward to call, but that's what happens

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

38th Legislative Day

4/12/2005

when you start with a 'B', you know. But could I use my first name of William, then I could go after Representative Schock?"

Speaker Lyons, J.: "We'll take that under consideration, Representative."

Black: "Thank you, that's... that's all I wanted to know."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. To the Bill. As Representative Schock knows, originally, I did have some concern about this legislation. My concern was that if a student should.. transfers into a district or into a school that his or her score would not be included in the school's scores that were reported for annual, yearly progress. And my concern was that, perhaps, teachers would not be as concerned with those particular students. In some areas there's a large rate of mobility and after great consideration, deliberation and talking to other educators, we must realize that those students, perhaps, may remain in that school and be there for the following year. So, hopefully, a teacher would have the ethical behavior that will make that student who transferred in just as important as the student he or she had for the entire year. I think it's a great piece of legislation. And I urge an 'aye' vote."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Crawford, Representative Eddy."

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

38th Legislative Day

4/12/2005

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

Speaker Lyons, J.: "He indicates he will."

Eddy: "Representative, the State Board of Education had some concerns regarding this. Could you, just briefly, describe what the opposition was and what your response to that opposition is?"

Schock: "Well, originally, their discussions with me centered around the fact that they did not want any dead... any deadline or any regulation codified into law. Because from year to year they submit new... new guidelines or... or a new set of standards, if you will, for approval to the Federal Government. And so, as you know, this dea... this deadline was the fall housing report of September of the previous year now they wanna move it 'til May. And so, each year they've updated the report to the Federal Government and they don't want it codified into law for that reason. And my response to that was is that we might as well maximize the federal limit which has not changed over the past couple of years, put it into law and that way it's certain for the school districts and local boards of education and administrators know what's gonna be expected from year to year. And that... that we're certain that the students that are being used in the AYP... AYP calculation, and the schools are being held accountable for, are, in fact, the students that they were responsible for educating."

Eddy: "And the state board had some pending changes to their plan that they had some concerns that this might cause to

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

38th Legislative Day

4/12/2005

be maybe not considered or... or they... the... the pending changes they had were not the same as this law. But the intent is obviously the same."

Schock: "Yes."

Eddy: "Okay. Thank you very much. Does... is there anything in this legislation that precludes the student from taking the assessment?"

Schock: "Absolutely not. Every child will still be assessed and local... local school districts will still use that to determine needs and... and additional support that might be garnered for that student. It just simply takes them out of the AYP calculation which determines whether or not that school's done its job over the course of the last several years in educating the child. And if the student's moved in the last couple of weeks or last couple of months, it really does not... it's not a good reflection on whether or not that school's being doing a good job for the last several years."

Eddy: "Thank you very much. To the Bill. I... I believe this Bill actually begins to... to focus the process of assessment where it should be focused and that is to the school improvement process. This doesn't stop school districts from assessing students under their... their care that may have come into their district later in the school year. What this Bill does is it focuses assessment on the true meaning of assessment and that is school improvement. The opportunity for a school district to look at how it's doing, as compared to the standards, is not in any way

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

38th Legislative Day

4/12/2005

diminished by this legislation. It adds a consistency that's necessary because all too often assessment has been used in this state to compare schools and in many cases to shed negative light on the job public schools are doing. It's an excellent piece of legislation, Representative. And I urge an 'aye' vote."

Speaker Lyons, J.: "Seeing no further discussion, Representative Schock to close."

Schock: "Once again, I urge an 'aye' vote. I think this insures that our school districts are being held accountable for school... students that they, in fact, were responsible for educating."

Speaker Lyons, J.: "The question is, 'Should House Bill 3500 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there are 117 voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 26 of the Calendar Representative Winters has House Bill 3685. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3685, a Bill for an Act regarding school buses. Third Reading of this House Bill."

Speaker Lyons, J.: "The Gentleman from Winnebago, Representative Winters."

Winters: "Thank you, Mr. Speaker. House Bill 3685 will basically ask school boards to set up a policy that would ask that their drivers not let buses idle continuously, but

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

38th Legislative Day

4/12/2005

if it is above zero degrees Fahrenheit, to idle them no more than 10 minutes per hour. It includes provisions for bus passenger safety and for air intake near schools. Be happy to answer any questions."

Speaker Lyons, J.: "Is there any discussion on House Bill 3685? Seeing none... The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Lyons, J.: "Indicates he will."

Black: "Representative, is this a recommendation or a mandate? Is it... we direct you to do this or you may do this?"

Winters: "I believe it would be considered a mandate in the fact that we're asking the school boards to do it. But there's no provisions for any kind of penalties. It would go into the School Code and it would... it would basically, ask 'em to set up a policy, inform the drivers of whatever policy they set. But again, no penalties if they... if they choose to be relatively liberal on it."

Black: "Do you have the same weather-related exemptions in this Bill as for a previous diesel truck Bill? For example, if it's zero degrees, you let the bus idle for more than 10 minutes?"

Winters: "Absolutely. And in fact, if there are passengers involved that they anticipate students coming, they're gonna load after a football game or after a basketball game, they can certainly idle it however long it takes to

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

38th Legislative Day

4/12/2005

warm up the bus for passenger safety. And if it's below zero, there's, again, no time limit whatsoever, none."

Black: "Okay. The concern I have with the Bill, Representative, no bus may be parked more than a hundred feet from a school air intake. Now, my alma mater, what we do at Danville High School, we don't have a bus loading area. We have a one-way street and the city blocks that street off for a period of about 30 minutes. About... about 15 minutes before school is dismissed and about 5, 10, 15 minutes after school is... or after the buses begin to pull out. They're parked three abreast on this street. That street is within a hundred feet of my high school. I don't know where the air intake is, but I assume if the air intake is on the west side of the building, there would have to be some reasonable provision for a waiver. Because there's no other place for the buses to load and unload."

Winters: "Right. In fact, we have a specifically written in that unless the school board determines alternative location would block traffic, impair student safety, or not cost effective. In this case, if that's the only place that they can safely load the students, they would have an exemption. They could be within a hundred feet..."

Black: "Okay."

Winters: "...of an air intake."

Black: "Fine. Thank you very much."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Knox, Representative Moffitt. Representative Moffitt."

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

38th Legislative Day

4/12/2005

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

Speaker Lyons, J.: "He indicates he will."

Moffitt: "Representative, I think of something we hear, almost every candidate say is they believe in local control. Here we have a Bill that we're... we're... now we're telling local school boards that are elected or at least suggesting to them, I'm... I'm not sure if it's required or... But we have an elected school board that has to make major decisions like who will be employed and what will the salary be and what will the budget be and what curriculum will be taught and is the school safe. So, why are we telling them that... that we think we know more about idling a bus than... than they do?"

Winters: "Well, we feel that this is flexible enough that if a school board wants to instruct its drivers that they should be very cognitive of passenger safety, I think, it... it has some flexibility in there. The problem is that we think that... that there are school... school boards that've never even consider the fact that five or six buses that took the team to... team, fans, cheerleaders to a wintertime game that they just sit and idle so that the bus drivers are warm while the game's going on. It's a waste of fuel, it's a waste of time on the... on the engines and it can be quite a environmental problem in a specific, small, micro climate. Again, we think it's relatively flexible. We ask them to set up a policy but we're not... we're not putting any fines on there. We're not requiring a file... a board policy be filed with the State Board of Education. We'll keep them

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

38th Legislative Day

4/12/2005

as far away from the state board as we can, but just to consider it as one of their annual board agenda items."

Moffitt: "So, it... it would be a mandate that they come up with a plan. Is that correct?"

Winters: "There's... there's no forms to file or anything like that. So, it's... it's simply telling 'em, this oughta be an agenda item and do that every year. And then, hopefully, once you've come up with a... with a policy, you inform your... your bus drivers."

Moffitt: "I know on another idling Bill, Representative Bost talked about when you shut a diesel engine down and then start it up again it takes... it takes additional fuel and actually, I believe, puts out additional pollutants. Have... do you have realistic figures on how much you think this will cut pollution? And I assume that's one of your objectives."

Winters: "That's one of the objections. We don't think that if there's a... if there's a 50 minute cool-off period where they're not running that you would... you would see those initial problems with a startup of a cold engine. That's where you see the nitrous oxides and heavy fuel usage. The black smoke pouring out is usually from a cold engine. Unless it is extremely cold, in which case you would have an exemption, you shouldn't... the engine shouldn't cool off over a 50-minute period. We anticipate a minimum of a half gallon an hour per... per engine. I actually think that it... it probably is more than that, but that's a minimum estimate of the fuel savings."

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

38th Legislative Day

4/12/2005

Moffitt: "Well, Representative, if it was just some even division, 10 minutes being one... one-sixth of an hour, then... then five-sixths of the time it's going to be idling, it looks to me like, even if everything was exactly even, you're gonna be cutting consumption maybe at an output of pollutants about 80 percent. Do you know how much you can reduce pollution by adding biodiesel?"

Winters: "You actually can make very significant reductions in your... your emissions by using biodiesel, absolutely. But the point of it is, biodiesel is not universally available. There may be reasons the school districts may not order that. There is clean diesel technology that is coming but many of the school districts run their buses for a number of years. They'll still have the old technology, diesels that aren't very clean burning. We're trying to reduce the... the pollutants whi... while those buses are still in the fleet."

Moffitt: "Well, it just seems like if we're trying to solve the problem that, ya know, that I think you're after and that's to reduce pollution, that if we were suggesting or encouraging biodiesel, it can cut emissions that cause cancer up to 90 percent. Using biodiesel would actually help the environment more than telling an elected school board, you gotta or..."

Winters: "Well, probably the best..."

Moffitt: "...putting it in place..."

Winters: "...the solution is to, I don't know that we wanna mandate the use of biodiesel because it may not be

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

38th Legislative Day

4/12/2005

available in certain markets. But if you use biodiesel and then you still don't idle five-sixths, you may have cut your pollution by 97 percent instead of 90 percent."

Moffitt: "Then I think that's what should be included in your Bill. I just... I have a real concern and I understand what you're doing. When we could go with biodiesel, support Illinois agriculture, improve the environment, create jobs and not be superseding an elected board, that that's the direction we oughta be going then getting into micromanaging our schools. That's why we have elected school boards. They make some lot... they make a lot bigger decisions than this. And for us to micromanage how long you can idle a bus, I just have a real concern and..."

Speaker Lyons, J.: "Representative Moffitt, if you can conclude your remarks, please. The 5 minutes are up."

Moffitt: "Thank you, Mr. Speaker. And I... I understand the intent of the Sponsor. There's a much better way to go about it that would be pro-Illinois jobs, pro-agriculture and respect the integrity and decision-making ability of local government. Every one of you runs on a platform of local control, here's where you're gonna decide. Do you believe in local col... control or not? That's what this issue's about. I think a proper vote would be a 'no' vote. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Crawford, Representative Eddy."

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

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

38th Legislative Day

4/12/2005

Speaker Lyons, J.: "Indicates he will."

Eddy: "Representative, just have a couple of questions. And... and the previous speaker got to this in some degree. What... what is the intent of the legislation? The purpose for the legislation, is it a... an air quality issue, predominantly?"

Winters: "It primarily is an air quality issue, but it also does have some fuel savings that, while relatively minor, will... will help the budget out, eventually. But I think it's... it's as much of anything is awareness in the community that we oughta be saving fuel, particularly in a time when we're seeing diesel prices over two and a half dollars a gallon. Any opportunity that you have to reduce energy usage, along with the pollution, should be a good public policy goal."

Eddy: "And... and that's laudable. I... I think the previous speaker's point regarding the potential for biodiesel in... in this effort and... and that would further your purpose would probably be well served and... and maybe a better alternative. Just a couple of other questions. Are there any penalties involved with this to school districts? If, for example, a driver is sitting in a vehicle and it's three degrees and somebody across the street has a timer..."

Winters: "Right."

Eddy: "...and they're timing and in 11 minutes, do they do a citizen's arrest or what... what's the..."

Winters: "No, there... there are no penalties. What it would be is the school board could decide whether they felt that that driver was deliberately violating a policy that they

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

38th Legislative Day

4/12/2005

were concerned about, they could take whatever action that school board wished. But realistically, this is not something we anticipate. It's more of an informational, train the drivers, tryin' to get 'em to shut down and limit the amount of pollution."

Eddy: "So, basically, the school district would employ whatever due process they have for an employee that happens to be a bus driver that may have violated this policy. The driver, then would have the opportunity to come in and say, hey..."

Winters: "Right."

Eddy: "...it went 12 minutes because..."

Winters: "Right."

Eddy: "...that gets me into the rest of the Bill. What about the... the zero degrees? Is that... let's... let's... let's look at how, ya know, maybe the bus isn't equipped with a thermometer, none of the latest readout that we get. And it's five degrees, the bus driver is at 7 minutes, the coach is still inside during an interview, the kids are loading, does he need to turn that bus off?"

Winters: "No. Any time that you have passengers on the bus that the driver feels, in his... in his mind, that for their safety he wants to keep the bus warm, that eliminate, ya know, you immediately jump out of that 10-minute time period that he's... as long as it's cold enough and he has passengers to take care of, it's up to him."

Eddy: "So... so basically, the driver at their discretion can continue to idle the bus, if in their opinion, that it's necessary for the welfare of their passengers, period."

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

38th Legislative Day

4/12/2005

Winters: "That's... yes..."

Eddy: "That is their determination..."

Winters: "...that's the way we tried to write it."

Eddy: "Five degrees, eight degrees, twenty-three degrees with a windchill, doesn't make any difference."

Winters: "Right."

Eddy: "What about the driver themselves? 'Cause this... this has no provision for the driver. If they have passengers, they can watch out for the best interests of the passenger."

Winters: "Right. Let..."

Eddy: "What about the driver?"

Winters: "The scenario might be it's five degrees, there's quite a wind out, there's five or six buses. They could keep one bus idling to keep the other drivers, but not each driver sit in his own bus and keep that bus running. So, they would shut down four out of the five, as long as they can keep 'em warmed up for their passengers when they anticipate the passengers coming back. And they could also keep 'em running 10 minutes of every hour to make sure that the fuel's warm, the engine's warm. But the drivers would ask them and ask the school board to set up a policy where the drivers would congregate in one bus. They would then have passengers, they could keep them warm."

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

Speaker Lyons, J.: "To the Bill."

Eddy: "I... I certainly feel that the... the Sponsor has good intentions. I think we all should be concerned about air quality, especially if we have situations where several

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

38th Legislative Day

4/12/2005

buses may be idling for a long time during the length of a game. But I also think that there are other ways that we can address this, especially with the availability and... and the growing availability of biodiesel. I... I certainly applaud the intent. However, I would... I would urge everyone to maybe look at a... a different way to handle this problem. And thank the Sponsor for his indulgence in answering the questions."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Jackson, Representative Bost."

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

Speaker Lyons, J.: "To the Bill."

Bost: "Ladies and Gentlemen, ya know, we... we had the conversation about the idling of the trucks and the diesel motors there. And I'm not gonna repeat what I said there but it... it's close to the same situation, except for now we put a whole new perspective on it. We have a local government that is elected by the people, that puts an administrator in charge, that can make a decision on their own. That we in this great General Assembly who each one of us knows how exactly how these diesels operate, exactly way the temperature reacts to the operation of these diesels. We in the General Assembly are going to make decisions for these local boards. Let them do the job that they are elected to do. Let the principals and superintendents do the job that they were hired to do. If a bus is idling and it shouldn't be idling and idling too long, they can go out and... and handle that and say, 'Look,

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

38th Legislative Day

4/12/2005

we don't want this to happen.' In quite, I don't know how all of the school districts are, some of them operate their own buses but many of them have private companies that operate these buses. And if there's a problem with too much idling and... and not handling these things correctly, then let the superintendents contact that company which has been hired to do that and let them straighten out the problem. As far as fuel savings, I will guarantee you that everybody's going to do the best they can to save fuel with the price of fuel the way it is. They're gonna watch closely. Folks, this is not something that we need to handle from the Legislature. It's something that we need to allow our local people, allow their ability to use their own intelligence to make decisions without the oversight of us, the great State of Illinois, in operating their own buses in their own schools. And with all due respect to the Sponsor, 'cause I do respect him, I believe that this is probably one that should earn the trophy."

Speaker Lyons, J.: "Representative Winters to close."

Winters: "Yet, I think we've made this a Bill that is very permissible. It's not a fine or an impact on the school districts, no forms to file. It's simply asking them to make a reasonable folic... public policy decision. The reason for the Bill is that we've seen too many school districts that don't do any... they're not worried about fuel or about air pollution. And I would urge a 'yes' vote."

Speaker Lyons, J.: "The question is, 'Should House Bill 3685 pass?' All those in favor vote 'yes'; those opposed vote

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

38th Legislative Day

4/12/2005

'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Dunkin. Representative Dunkin. Representative Hannig. Representative Gary Hannig. Mr. Clerk... Representative Younge. Mr. Clerk, take the record. On this Bill, there are 56 'yes', 60 'noes', 0 'presents'. This Bill, having failed to receive the Constitutional Majority, is hereby declared lost. Mr. Clerk, on page 24 of the Calendar Representative Phelps has House Bill 984. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 984, a Bill for an Act concerning infants who are born alive. Third Reading of this House Bill."

Speaker Lyons, J.: "The Gentleman from White, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 984 known as the Born Alive Bill. This Bill is very historical in the manner that this is one of the first Bills that the pro-life and pro-choice groups have sat down and finally come to an agreement on this piece of legislation. There's a lot of people I'd like to thank. First off, I'd like to thank Representative Fritchey for his leadership in helping set down these groups together. Representative Beiser, Representative Parke, Representative Hultgren, appreciate their leadership. Also... also, I wanna thank almost the 60 cosponsors that've signed on for this piece of legislation.

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

38th Legislative Day

4/12/2005

Like I said, this is an agreed Bill and there is no opposition to this."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative John Fritchey."

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

Speaker Lyons, J.: "To..."

Fritchey: "Ladies and Gentlemen, I wanna restate something that Sponsor has stated. We face a lot of contentious issues down here, whether it's issue of gun safety and gun control, a woman's right to choose, a number of others. This may or may not be a Bill that has to deal with the issue of abortion, depending who you listen to. What was important about this legislation, though, was the willingness not only of the Sponsor but of groups on both sides of the choice issue, to sit together for the first time ever in the history of this state and come up with a negotiated piece of legislation. This Bill has been passed and this law exists in a number of other states. This law exists at the federal level but doesn't have nearly the implications it has at the state level. But for us to accomplish this goal is a testament to the sincerity of the Sponsor, he's a gentleman and I thank him for his willingness to work with me and to the groups. But I would hope that we would take away something that's bigger than just this piece of legislation. Ladies and Gentlemen, we owe it to ourselves as an institution. We owe it to the people of this state not to start every battle with drawing battle lines in the sand and finding what our differences

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

38th Legislative Day

4/12/2005

are. This shows that if we can reach agreement on these issues, there's few issues that we cannot reach agreement on or at least make a sincere attempt. It would've been very easy for the two sides here to simply disagree without talking. To engage in parliamentary maneuvers and procedural maneuvers, to either advance this legislation or try to kill this legislation. At the end of the day, that doesn't help the process. It doesn't help the proponents or the opponents. This piece of legislation is gonna come out of here with a lot votes and that's a testament to the Bill itself, to the groups and to the institution when it works the way that it should. So, again, I wanna commend the Sponsor. I wanna commend people on both sides of this, Dawn Behnke, Ralph Rivera, Mary Dixon, the women from Planned Parenthood, anybody else who I'm forgetting, I... I apologize. But this has been a long time coming and thank you for the support. Thank you Brandon Phelps for being a gentleman on this. And I request everybody support this Bill. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative Lou Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Bill. Let me echo what Representative Fritchey said. Representative Phelps came before the House Judiciary I Committee more than once, listened to what the Members had to say on a very, very difficult and controversial issue and sat down with people that don't normally sit down together. I think it's a lesson for all

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

38th Legislative Day

4/12/2005

of us. So let me just thank the Sponsor and the advocates on both sides for putting together a Bill we can all support. Let me altho... also thank Chairman Fritchey for creating the atmosphere within the Judiciary Committee within which this kind of negotiation can thrive. This is a Bill we should all be supporting."

Speaker Lyons, J.: "Seeing no further discussion. Representative Phelps to close."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I just, again, thank Representative Fritchey so much for his leadership and coming together with these groups. And thanks to everybody on the floor, my colleagues. And I just ask for an 'aye' vote."

Speaker Lyons, J.: "The question is, 'Should House Bill 984 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there are 116 voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 23 of Calendar Representative Leitch has House Bill 721. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 721, a Bill for an Act concerning land. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Peoria, Representative David Leitch."

Leitch: "Thank you very much, Mr. Speaker. House Bill 721 resolves about a 40-year problem in this Village of

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

38th Legislative Day

4/12/2005

Princeville where land was inappropriately conveyed to the Department of Natural Resources. The purpose of the Bill is to convey the erroneously conveyed land back to the community so that it can proceed with a new Methodist Medical Center Clinic replacing a community clinic that was originally created for serving migrant workers in that community. I'd like to thank everyone that worked to help bring this matter to resolution and ask for your support."

Speaker Lyons, J.: "Is there any discussion on House Bill 721? Seeing none, the question is, 'Should House Bill 721 pass?' All those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Parke. Representative Terry Parke, would you like be recorded? Mr. Clerk, take the record. On this Bill, there's 116 voting 'yes', 0 'noes'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 25 of the Calendar Representative Flider has House Bill 1571. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1571, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons, J.: "Representative Bob Flider."

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is legislation that we had up on the Calendar a little bit earlier and the question was asked with regard to letters of support. I had those letters of support, however, they were not available at the time to both

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

38th Legislative Day

4/12/2005

staffs. They have been made available. And I apologize for the procedural miscue, but... my understanding based on having those letters. I would appreciate your support of the extension of these two TIF districts. Thank you."

Speaker Lyons, J.: "Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Just simply to compliment Representative Flider on his willingness to make sure that the requisite letters of support from the taxing bodies were available to not only to the Democrat staff but the Republican staff and, I believe, filed with the Bill. That's in accordance with Speaker Madigan's desire of a few years ago and because he was so cooperative and so willing to do that, I rise in strong support of his Bill."

Speaker Lyons, J.: "Any further discussion? Seeing none, Representatives Flider to close."

Flider: "Thank you, Mr. Speaker. I would just urge an 'aye' vote. Thank you."

Speaker Lyons, J.: "The question is, 'Should House Bill 1571 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there are 116 voting 'yes', 0 'noes'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 21 of the Calendar Representative...

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

38th Legislative Day

4/12/2005

Representative Kelly has House Bill 3800. Robin, presenting of House Bill 3800? Read the Bill, Mr. Clerk."
Clerk Mahoney: "House Bill 3800 has been read a second time, previously. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 14 of the Calendar Representative Schlock has a... Schock has represent... has House Bill 2418. Representative Schock."

Clerk Mahoney: "House Bill 2418 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. On page 9 of the Calendar Representative Mendoza has House Bill 1197. Read the Bill, Mr. Clerk. Out of the record? Out of the record. Mr. Clerk, on page... on the Order of Third Readings, on page 3 of the Calendar Representative Eddy has House Bill 402. Read the Bill, Mr. Clerk. On the Order of Second Reading Representative Eddy has House Bill 402."

Clerk Mahoney: "House Bill 402 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, has been... offered by Representative Eddy, has been approved for consideration."

Speaker Lyons, J.: "The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you very much, Mr. Speaker. This Amendment answers a concern from the Drivers Ed Association that fees that would be collected from driver's education be safe from any sweep and that those fees stay and support

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

38th Legislative Day

4/12/2005

driver's education expenses at the school level. That's the Amendment and I would ask for the adoption of that Amendment. And be happy on Third to answer any questions regarding the legislation."

Speaker Lyons, J.: "Is there any questions on Floor Amendment #2 of Representative Eddy? Seeing none, all those in favor signify by saying 'aye'; those opposed vote 'no'. In the opinion of the Chair, the 'ayes' have it. Mr. Clerk, any fur... anything further?"

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

Speaker Lyons, J.: "Third reading. Mr. Clerk, on page 16 of the Calendar Representative Mautino has House Bill 2612. Is Representative Mautino in the chamber? Hold that Bill, Representative. Hold that Bill, Mr. Clerk. On page 4 of the Calendar Representative Eddy has House Bill 690. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 690 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Is Representative Molaro on the floor? Representative Bob Molaro? Mr. Clerk, what's the status... on page 19 Representative Molaro has House Bill 3478. What's the status of that Bill?"

Clerk Mahoney: "House Bill 3478 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Mr. Clerk, what is the status of House Bill 2449?"

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

38th Legislative Day

4/12/2005

Clerk Mahoney: "House Bill 2449 has been read a second time, previously. No Committee Amendments. Floor Amendment #1 was adopted by the House. All notes have been filed."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Lake, Representative Washington. Representative Ed Washington on House Bill 2449. Third Reading on Hou... Mr. Clerk, one moment. Mr. Clerk, read the Bill. Put House Bill 2449 on Third Reading, Mr. Clerk. Mr. Clerk, what's the status of House Bill 1475? On page 10 of the Calendar, House Bill 1475."

Clerk Mahoney: "House Bill 1475, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Lyons, J.: "Representative, are there any Amendments to be adopted to this? Are there any Amendments to be adopted to this Bill? They've already been adopted. Thank you, Representative. Mr. Clerk, on page 13 of the Calendar, House Bill 2373. What's the status of that Bill? Mr. Clerk, Supplemental Calendar, House Bill 644. Representative Flowers. What's the status of that Bill?"

Clerk Mahoney: "House Bill 644, a Bill for an Act concerning imprisonment. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Move that Bill to Third Reading, Mr. Clerk. Also, on Supplemental Calendar, House Bill 2390. Mr. Clerk, what's the status of House Bill 2390?"

Clerk Mahoney: "House Bill 2390, a Bill for an Act in relation to bicycles. Second Reading of this House Bill. Amendment

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

38th Legislative Day

4/12/2005

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

Speaker Lyons, J.: "Third Reading. Mr. Clerk, what's the status of House Bill 3463? The Bill's on Third Reading. Mr. Clerk, on page 20 of the Calendar Representative Sacia has House Bill 3621. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3621, a Bill for an Act... has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 2 of the Calendar Representative Bill Mitchell has House Bill 121. What's the status of that Bill, Mr. Clerk? 121."

Clerk Mahoney: "House Bill 121 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. On page 10 of the Calendar, Mr. Clerk, Representative Black has House Bill 1527. What's the status of that Bill?"

Clerk Mahoney: "House Bill 1527 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. On page 26 of the Calendar Representative Black has House Bill 3624. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3624, a Bill for an Act concerning teacher certification. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

38th Legislative Day

4/12/2005

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3624 restores the provision... as amended restores the provision requiring a minimum 5-year period of employment for individuals in the Alternative Teacher Certification Program. I think the underlying Bill is what I was most interested in and that is it increases the number of people who can participate in the Alternative Teacher Certification Program each year from the current 260 to 500. I think that makes good sense in what is basically a teacher shortage. I've always been amazed that in Illinois, Alfred Einstein... Albert Einstein could not have taught a physics class in the State of Illinois. I think the Alternative Certification Program is a great idea, urge an 'aye' vote, be glad to answer any questions that you have."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Chairman. Will the Sponsor yield?"

Speaker Lyons, J.: "He indicates he will."

Davis, M.: "Representative Black, I'd like to hear a response in reference to the notes that were filed on this Bill."

Black: "I'm sorry, Representative, I... I can't hear."

Davis, M.: "I... I think there were some notes filed, a fiscal note, a mandates note, a judicial note, a pension impact note, state debt impact note."

Black: "Well, if they were requested they've all been filed or they wouldn't be on Third Reading. I..."

Davis, M.: "Okay."

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

38th Legislative Day

4/12/2005

Black: "...I can assure you of that."

Davis, M.: "All right. Could you give us the response to some of them?"

Black: "Well, I can tell ya what I have here. If I can get 'em separated. Fiscal impact... fiscal impact has no impact on any public pension system or retirement system in Illinois. That's the pension impact note. Ahhh... let's see pension note and debt, no impact. That's the only note request that I have in the... in the floor file."

Davis, M.: "I think the judicial note request is also responded to."

Black: "Well, I can't imagine that it would have... They're all filed. I can't imagine that an Alternative Teacher Certification Program would have any impact on the judicial system."

Davis, M.: "Do you have any opposition to this Bill, Representative Black?"

Black: "Not that I know of."

Davis, M.: "The teachers... your teacher unions are in support of this Bill?"

Black: "As far as I know, they are."

Davis, M.: "Can you tell us the purpose of the Bill?"

Black: "The purpose of the Bill is as the Bill title says. If you have a baccalaureate degree in Illinois and you want to teach school and you have a major in biology, mathematics, physics, chemistry, you can't currently teach school unless you can get an alternative certificate, unless you have all the education courses that many people went through in

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

38th Legislative Day

4/12/2005

college. I've often thought that that was a barrier to getting very good people with specific knowledge in... in difficult fields to attract teachers. So, the Bill simply says, if you have a baccalaureate degree, you do a modicum of work in education classes, you can be alternative certified to teach in your... in your degree specialty."

Davis, M.: "Representative, how long does it take to become alternatively certified?"

Black: "Takes about one summer school of... of... should be about one semester."

Davis, M.: "So, one summer school semester and a person could become certified to teach in a..."

Black: "Alternatively certified."

Davis, M.: "Alternatively certified. But they at least would have certification. Is that correct?"

Black: "They would have the necessary certification to teach, yes."

Davis, M.: "So that only takes about six or eight weeks?"

Black: "I'm sorry, what?"

Davis, M.: "That takes about six or eight weeks?"

Black: "And a 1-year internship."

Davis, M.: "They... would they be paid the same as a regular teacher or... during the internship?"

Black: "A 1-year internship and about a semester of various educational orientation classes."

Davis, M.: "Is it still in your Bill that they must have worked in their area of expertise a minimum of 5 years?"

Black: "Yes, it is."

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

38th Legislative Day

4/12/2005

Davis, M.: "Okay. To the Bill, Mr. Speaker."

Speaker Lyons, J.: "To the Bill."

Davis, M.: "I support this legislation because we feel if you're going to teach in Illinois, whether it be in a public school, a private school, a charter school, that you owe it to your students and your parents to be certified. And as Representative Black has let us know that you can get certified if you have an expertise in a field in 5 years... worked there 5 years. It only takes six or eight weeks to become certified. So, the question would remain, why would anyone choose to teach who is not certified, when the process is relatively, easily accommodating to those who wish to go into teaching. I urge an 'aye' vote."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you very much, Mr. Speaker. To the Bill. This is important legislation. In many classrooms across the state it's been increasingly difficult to find certain subject areas: foreign language, math, science. The alternative route to certification allows school districts to place in classrooms with children people who are capable in a subject area. However, there is a prescribed method before which those folks can become certified, truly certified. They have to attend an approved course of study during the summer, after which they have to secure a paid internship at a school district for a period of 1 year. During that year they are supervised by the administrators in that school district, after which they must have a letter from

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

38th Legislative Day

4/12/2005

the administration of that school stating that they had satisfactorily approved 1 year. Student teaching is one semester. This is 1 year. This is critical legislation to help us put quality educators in front of students in the state. And I'd urge an 'aye' vote."

Speaker Lyons, J.: "Seeing no further discussion, Representative Black to close."

Black: "Thank you very much. I appreciate the questions. I urge an 'aye' vote."

Speaker Lyons, J.: "The question is, 'Should House Bill 3624 pass?' All those in favor signify by voting 'aye'; those opposed vote 'no'. 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 Bill, 116 voting 'yes', 0 'noes'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 30 of the Calendar Representative Nekritz has House Bill 2347. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2347 is on the Order of Postponed Consideration."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Elaine Nekritz."

Nekritz: "Thank you, Mr. Speaker. This is the identical Bill to the excessive diesel engine idling Bill that we heard last week, which we had a very good debate on. As I indicated last week, and given the results of the previous Bill, it does not include school buses. I just wanted to reiterate a couple of points. First, the... the primary

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

38th Legislative Day

4/12/2005

purpose of this legislation is to reduce the rates of asthma, heart attack and lung disease that we're experiencing in those areas of the state that do not currently comply with the Clean Air Act and are nonattainment areas under the Clean Air Act. Second, this will reduce diesel engine idle... diesel... fuel use. And I came across a U.S. Department of Energy idling study of the cross-country truck... trucking industry that looked at 5- to 7-hundred thousand vehicles out of an estimated 20 million trucks and estimated that the... that idling cost this segment of the industry over \$1 billion per seas... per winter season, using 3 billion 180 million gallons of fuel. During this idling, the vehicles emitted 10... over 10 thousand tons of carbon dioxide, 59 thousand tons of nitrous oxide and 97 thousand tons of carbon dioxide. And finally, I just wanna make sure that everybody recalls that that when... when you start the engine and you get the back... black puff of smoke, it is not what you can see that is the biggest problem for the air and... and our lungs. It is what you cannot see. It is the nitrous oxide that is the big... the... the greatest... has the greatest concentration of pollutants in the exhaust and that is what we are trying to avoid. So, I urge your 'aye' support."

Speaker Lyons, J.: "Thank you. The Chair recognizes the Gentleman from Cook, Representative Terry Parke."

Parke: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, the Lady has presented some Amendments on this Bill. We've heard it discussed earlier today. We defeated

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

38th Legislative Day

4/12/2005

a similar Bill that had to do with school buses. This Bill, ya know, we all think it has merit. It all gives us the opportunity, the hope that we'll have clean air, but sometimes we have to look at the practical aspect. This Bill simply says that if... if a truck idles for more than 3 minutes within a 60-minute period, that it is... it is a problem that could be fined. Ladies and Gentlemen, I will point out respectfully that the Mid-West Truckers, the Ameren, Grain and Feed Association, Solid Waste Management Association, IBEW Local 15, Associated General Contractors, Aggregate Producers, Chemical Industry Council, Movers and Warehousemen and Associated Illinois Electrical Co-ops are all in opposition to the Lady's legislation. I respectfully ask for a 'no' vote. And hopefully, there is a way that someday we might make this in a form that might be more acceptable, but right now it is not. And I would ask for a 'no' vote on this Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Winnebago, Representative Sacia."

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

Speaker Lyons, J.: "She indicates she will."

Sacia: "Ladies and Gentlemen of the House, there's not a person in this Body that I respect more than Elaine Nekritz. We became State Representatives together and we've cosponsored several pieces of legislation. We very often disagree, but I have always respected what's she's trying to do. I shared with her last week that I was adamantly opposed to

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

38th Legislative Day

4/12/2005

this Bill. If I might ask the Lady a question. Representative Nekritz, you have in your Bill that if it is below 32 degrees, the truck can be running. I'm assuming that that's to allow a person in the sleeper berth to sleep, stay warm."

Nekritz: "Well, that was... that was certainly one of the reasons, but the other reason was that the Farm Bureau came to us and said that... indicated that... that the biodiesel would gel..."

Sacia: "Gel..."

Nekritz: "...below 32 degrees and so, we change... we moved it from zero to 32 degrees in order to promote bi... the use of biodiesel."

Sacia: "Representative Nekritz, even with a sleeping bag, have you ever tried to sleep in, say, 33 degree weather?"

Nekritz: "Representative, if you'll give me a minute, we... we do provide an exception for those truckers that are sleeping, as required by Federal Law and using... using their engine to operate auxiliary equipment to warm the cab."

Sacia: "Thank you. Last week Representative Black made reference to the fact and... and we did it kinda kiddingly that are we gonna establish diesel police. And I... I took it a little more serious because I can see a police officer driving through a given area and recognizing opportunities to write tickets because of idling trucks. And personally, I... I find that very, the only adjective that comes to mind is repulsive. When truckers are out there working many long hours, trying to do, ya know, America's needs move by

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

38th Legislative Day

4/12/2005

truck. We all recognize that. And for us to start putting these kind of encumbrances, idle for no more than 10 minutes, seems to me to be an excessive burden on the trucking industry. And the Mid-West Truckers are opposed to this Bill and rightfully so. You know, we have hammered this industry so bad the last 3 years. We've lost between 17 and 18 thousand heavy trucks. We've lost thousands of trucking businesses that have left the state. We have prevented them from traveling the posted speed limit or going an equal speed limit with automobiles in this state. And now, we're telling 'em, shut 'em down. It... it's almost like we want the trucking industry to stay out of Illinois. It is in my opinion such a business unfriendly Bill. Representative Nekritz, again, I deeply respect you. I just take great... I greatly protest this Bill. I... all of the issues that you cited earlier about the importance of... of clean air, I... I couldn't agree with you more. But we do have an industry that moves our freight. We do have an industry that needs to have the State of Illinois embrace it, rather than turn it away. And I strongly urge, in all due respect to you, a strong 'no' vote. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons, J.: "She indicates she will."

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

38th Legislative Day

4/12/2005

Black: "Representative, one thing I didn't ask the last time this Bill was up. Does this regulate only intrastate trucks or does it regulate interstate trucks, as well?"

Nekritz: "It covers any motor vehicle in excess of 8 thousand pounds."

Black: "Not... not a... not to put you on the spot, but does the State of Illinois have the constitutional authority to regulate interstate commerce? A trucker going from California to New York, dropping off and picking up shipments as they go, can we tell an interstate trucker, regulated by U.S. DOT, how to... how to run their diesel when they stop for fuel or they stop for food, for example?"

Nekritz: "Representative, I... I'm... I'm... as I stand here today, I'm not familiar with the inter... interstate commerce..."

Black: "And I'm not either."

Nekritz: "...clause."

Black: "I'm not trying to trick you."

Nekritz: "But I... but I do know that other states and municipalities have imposed limits like this and the... and as I indicated in the previous debate both new... the State of New Jersey and the City of New York have done this and have aggressively enforced it. And I would assume that if... if there were some interstate commerce problem that there would have been a challenge on that basis."

Black: "Yeah. Okay. And there... and there may be. All right. I appreciate your answer. Mr. Speaker, to the Bill. I... I don't think I can add anything to what Representative Sacia has said. When you put regulation on interstate commerce,

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

38th Legislative Day

4/12/2005

a trucker hauling milk from Wisconsin who comes into Illinois, parks at a truck stop to go in to get some dinner, and as I discussed with the Sponsor the last time, the refrigeration unit on the trailer will... will have to continue to run and... and her Bill provides for that and that's diesel powered. That trucker may not be aware of Illinois law. I don't know how truckers can operate in this country. Diesel fuel at an all-time record high and as Representative Sacia said, everything we eat, everything we wear, everything we use comes in to our communities, our stores, our supermarkets by truck. And we have run more than 18 thousand of them out of business. And as Representative Sacia so eloquently said, many trucks are already avoiding Illinois for any number of reasons. I... We all want clean air and technology will have to bring about that change in... in diesel engine technology. The big problem we have is that diesel engines last for, well maintained, 35 or 40 years. So, it's gonna take a while before we phase out some of the diesel engines that were built several years ago. This is additional regulation. It throws the cost of... of... whatever costs are incurred will be passed on to the consumer. I don't know about you, but I'm tired of paying \$3.10 for a gallon of milk. We're in a transportation crisis with high motor fuel and high diesel fuel. I'm just not sure this is the time and as the Governor said in his state of state address, it's not the time to send out a message that this is an antibusiness state. I would hope the message we send is that we'll work

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

38th Legislative Day

4/12/2005

with you. We wanna be pro-business. We want you to stop and fuel up in Illinois. We want you to drive through Illinois. We want you to deliver products to Illinois. It's for that reason, I can't vote 'yes' for this Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Jackson, Representative Mike Bost."

Bost: "Thank you, Mr. Speaker. And I, too, have a tremendous respect for the Sponsor. However, and... and I don't know what I will and can add to what the other speakers have spoke about on this Bill. But Ladies and Gentlemen, ya know, there used to be a saying about the farmers, never badmouth a farmer when your mouth is full. How many times are we gonna continue to badmouth and abuse the trucking industry in the State of Illinois when our shelves continue to be supplied with those products that we need? I understand what the Sponsor is trying to do. We all want clean air. What we should do is encourage the industry that makes the diesel motors to do better about providing a clean burning diesel and they're doing that. That technology is moving on, coming forward. You know, in the great wisdom of the forefathers or the... the people that served in Congress several years ago, they decided that, oh, we're gonna have hard, strict rules on burning of coal. That, too, devastated many of the parts of our state. Because rather than allowing technology to move forward, we put laws in place, as good intended as they are, that put people out of work. Ladies and Gentlemen, these truckers that drive up and down your roads, provide these services

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

38th Legislative Day

4/12/2005

and deliver all the goods that you use every day, aren't out to be evil as they're painted quite often in... on this floor. They're out doing a job just like everyone else out there. So now, what you're saying in this Bill is, ya know, shut your truck off and suffer through in an uncomfortable sleep berth. Shut the truck off so then you've gotta work harder to get it started once you've had it shut off for a while. Even though you've been around trucks all your life, I, as the great Legislator that's been appointed to this spot, is going to tell you that no, no, though I've never did... sat in a truck, I'm gonna tell you how it works and how it should work and I'm gonna tell you that you should shut it off. Well, folks, pay attention to those people on this floor that have worked in the industries. Quite often, I go to those people who are educators when we're talking about education issues. Quite often, I go to people from law enforcement when we're talking about law enforcement issues. And Ladies and Gentlemen, I've been in this business. I know what I'm talking about. This Bill is wrong. It is negative and aggressively attacking anoth... an industry which we've already viciously attacked over and over and over again from this Body. I feel like Groundhog Day, we... we've argued this over and over. Folks, please, I'm asking you, vote 'no'. We can work on other ways to make sure the air stays clean, but not this way 'cause it won't work. Thank you."

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

38th Legislative Day

4/12/2005

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Knox, Representative Moffitt."

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

Speaker Lyons, J.: "She indicates she will."

Moffitt: "Representative, I think we... we've agreed we all have the same objective and that's clean air. And that's your objective with this Bill, isn't it, Representative?"

Nekritz: "That would be correct."

Moffitt: "I think the problem is how we get there. And I don't wanna go over the same areas that the three previous opponents have mentioned, although I'm in complete agreement with them. I would just mention again if our objective is clean air, we have studies that show biodiesel can reduce pollution by up to 90 percent which is more reduction than this mandate on trucks. In other words, we can do more of what you wanna do tha... than what this Bill will do. If you would make this an incentive to require biodiesel or encourage the use of biodiesel, encourage it, then... then I would join with ya to do that. But I think, we both have the same objective but we're goin' about it in the wrong way. I wanna cite, this hasn't been mentioned, in May 2000 biodiesel became the only alternative fuel in the country to have successfully completed the Environmental Protection Agency's tier one and tier two health effects testing requirements under the Clean Air Act. The tier one testing conclusively demonstrated biodiesel significant reductions in most currently regulated emissions as well as most unregulated emissions,

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

38th Legislative Day

4/12/2005

especially those associated with cancer and lung disease. We already have the tests that show how we can clean it up. That's the way we should be going about it. The last Bill on idling was really in part about local control. This Bill is about jobs, keeping jobs in Illinois, keeping the jobs friendly. We see what... we saw what happened when we raised the fees and I know you mentioned they can save money by idling. They could save money if we hadn't raised the fees a thousand dollars on the big trucks. So, we have the same objective, but I think this the wrong way to go about it. The proper message for jobs in this state is a 'no' vote on this Bill. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from McHenry, Representative Tryon."

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

Speaker Lyons, J.: "She indicates she will."

Tryon: "Representative Nekritz, I have a question for you."

Nekritz: "Certainly."

Tryon: "In the nonattainment areas in the Chicago Metropolitan area and primarily in the St. Louis Metro area, this Bill will have a significant impact. Is that not correct?"

Nekritz: "Well, we believe with the... with the proper enforcement it will reduce the nitrous oxide and sulfur dioxide emissions from... from... the nitrous oxide. I don't believe sulfur dioxide would be one of those emissions. Yes, it would have a significant impact on the reduction of pollution."

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

38th Legislative Day

4/12/2005

Tryon: "All right. And in our area we have a problem with nonattainment and air quality as regulated by the USEPA. Is that not correct?"

Nekritz: "We do and if we don't do something about that shortly, there are going to be negative implications from the Federal Government to our area."

Tryon: "Okay. I'd like to speak to the Bill."

Speaker Lyons, J.: "To the Bill."

Tryon: "See, I have heard a lot of discussion here today about air quality throughout the state, about market-driven economics and how we have to preserve the trucking industry and I believe that all those things are important considerations except one thing. When you live in a nonattainment area, our taxpayers get to pay a higher price in gasoline, especially formulated fuels that burn cleaner. And we need to be doing something in our communities to... to help attain the air quality standards that are dictated to us. I don't look at this as an anticompetitive thing, I look at it as an issue that truckers could even save money by having less idling time. I look at it as good policy. We listened in the transportation committee to the trucking industry. And even the trucking industry admitted there were idling regulations beginning to be formed throughout the country to address just this specific problem. I think the time is now for us to address in the metropolitan regions of this state the air quality issues. I think this is a way to do it. I think this a commonsense way to do it. I think there are enforcement issues on all types of...

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

38th Legislative Day

4/12/2005

of legislation that is passed, this isn't one of them. This is a piece of legislation that will help the... the taxpayers in the metropolitan areas and I can support this. I believe that trucks will still come to Illinois and deliver their goods. I believe trucks will still fuel up in Illinois. And I believe trucks will comply with our regulations and I'm gonna support the Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Lake, Representative Washington."

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

Speaker Lyons, J.: "She indicates she will."

Washington: "Representative Nekritz, when you came about advocating for this particular legislation, what was your intent?"

Nekritz: "My... my intent, Representative, is to provide cleaner air for our children and our communities."

Washington: "And... and those of us in this room who breathe the same the air, right?"

Nekritz: "Cer... certainly, those of us in this room."

Washington: "And that's the point I... I wanted to make, because I listen to my colleagues and they are well-founded in some of the things they've said. And I welcome some of the responses to jointly join with you and myself and anybody else that's looking for a solution that's not gonna be harmful to business but at the same time is gonna be mindful that the issue is the preservation of life or is it always the preservation of pro... of profit. And I think that we can find common ground to do both and I welcome

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

38th Legislative Day

4/12/2005

what I thought was an invitation for them to get with you for those who really wanna put their money where their mouth is to get with you and others to try to come up with some better solution. But I... I just wanted to... To the Bill, Mr. Speaker."

Speaker Lyons, J.: "To the Bill."

Washington: "It was noted that the number of people who were against this Bill and I'm... and I heard one of my colleagues mention a series of people, business people, who are against it. But I think it's equally profound to mention that the proponents are the Illinois Environmental Agency, the Illinois Environmental Council and one of, if not least, one of the most important to me, is the American Lung Association. I... heaven forbid, if I didn't have the lungs to facilitate the air that goes in and comes out. And I wanted to thank the Representative, I'm sure my colleague were not bashing her pure intent because she's been consistent with looking at the health issue which all of us will have a longer and a stronger life, especially for our children as well as ourselves. And I wanna thank her for the legislation and urge support. Thank you."

Speaker Lyons, J.: "Representative Elaine Nekritz to close."

Nekritz: "Thank you, Mr. Speaker. Ladies and Gentlemen, I appreciate the vigorous debate on this piece of legislation and you've clearly heard the arguments. I would just like to address one thing that was said earlier about jobs. I do believe that this is about jobs and this is about the technology advancements that can create jobs. In fact, I

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

38th Legislative Day

4/12/2005

have heard from a couple of industries, one in Lake County that is strongly in support of this Bill because they have a tech... they have the technology to... to do something about the heating up a cab and heating up a car when they... when you turn off a diesel engine. And they feel that with... with this kind of legislation and as this leg... as this type of program spreads throughout the nation, they are gonna be able to make their product and they are gonna be able expand their business and provide jobs for Illinois residents. So, we have the technology to deal with this and but it... but it is about providing clean air and... and cleaning up the nonattainment areas that so many of us in this state live in. And I appreciate your support."

Speaker Lyons, J.: "We've heard discussion on House Bill 2347. The question is, 'Should House Bill 2347 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Colvin. Mr. Clerk, take the record. On this Bill, there are 65 voting 'yes', 50 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of House Bill 2521?"

Clerk Mahoney: "House Bill 2521, a Bill for an Act concerning wildlife. Third Reading of this House Bill."

Speaker Lyons, J.: "On request of the Sponsor, put this Bill on the Order of Second Reading. Mr. Clerk, committee schedule, please."

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

38th Legislative Day

4/12/2005

Clerk Mahoney: "Committee schedule. Meeting tomorrow at 9 a.m. is the Executive Committee in Room 118. Meeting at 10 a.m. is Registration & Regulation in Room C-1 and Mass Transit in Room 114."

Speaker Lyons, J.: "Today's committees, Mr. Clerk."

Clerk Mahoney: "Immediately following Session, the Aging Committee will meet in Room 114, Agriculture & Conservation in D-1, Consumer Protection in C-1, Elections & Campaign Reform will meet in Room 122-B and the Labor Committee will meet in Room 118. A half-hour following Session, Electric Utility Oversight will meet in Room C-1, Judiciary-Criminal Law will meet in Room 114, Computer Technology will meet in Room D-1, Higher Education will meet in Room 118 and Personnel & Pensions will meet in Room 122-B."

Speaker Lyons, J.: "Mr. Clerk, the Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 296, offered by Representative Granberg. House Resolution 297, offered by Representative Granberg. House Resolution 298, offered by Representative Granberg. House Resolution 301, offered by Representative Joe Lyons. And House Joint Resolution 39, offered by Representative Jack Franks."

Speaker Lyons, J.: "Representative McCarthy, for what reason do you stand?"

McCarthy: "Thank you, Mr. Speaker. I have this point of clarification."

Speaker Lyons, J.: "Go ahead Kevin, yes, what's that?"

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

38th Legislative Day

4/12/2005

McCarthy: "If you have Amendments that are coming back from LRB that were for some technical reason not brought to the floor yet, can they be presented during the perfunctory time for the Clerk after we adjourn today? Yes?"

Speaker Lyons, J.: "Yes. Yes, they will."

McCarthy: "Thank you very much."

Speaker Lyons, J.: "Representative Currie moves the adoption of Agreed Resolutions. All those in favor signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Seeing no further business from the House, Representative Currie moves that the House stand adjourned, allowing perfunctory time for the Clerk. We'll meet tomorrow morning at the hour of 11 a.m. on Wednesday, April the 13. All those in favor signify by saying 'aye'; those opposed 'no'. The 'ayes' have it. And the House does stand adjourned to the hour 11:00 tomorrow."

Clerk Bolin: "House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 299, offered by Representative Jefferson. House Resolution 300, offered by Representative Kelly. House Joint Resolution #40, offered by Representative Franks. These Resolutions are referred to the House Rules Committee. Introduction and First Reading of Senate Bills. Senate Bill 13, offered by Representative Turner, a Bill for an Act concerning finance. Senate Bill 17, offered by Representative John Bradley, a Bill for an Act in relation to econo... economic development. House Reso... Senate Bill 25, offered by

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

38th Legislative Day

4/12/2005

Representative Froehlich, a Bill for an Act concerning vehicles. Senate Bill 40, offered by Representative Chapa LaVia, a Bill for an Act concerning State Government. Senate Bill 46, offered by Representative Mathias, a Bill for an Act concerning safety. Senate Bill 49, offered by Representative Colvin, a Bill for an Act concerning public employee benefits. Senate Bill 54, offered by Representative Sullvin... Sullivan, a Bill for an Act concerning transportation. Senate Bill 63, offered by Representative Lang, a Bill for an Act concerning public aid. Senate Bill 64, offered by Representative Mathias, a Bill for an Act concerning education. Senate Bill 86, offered by Representative Schock, a Bill for an Act concerning the licensure of nurses. Senate Bill 87, offered by Representative Watson, a Bill for an Act concerning education. Senate Bill 90, offered by Representative Holbrook, a Bill for an Act concerning regulation. Senate Bill 93, offered by Representative Bill Mitchell, a Bill for an Act concerning safety. Senate Bill 96, offered by Representative Holbrook, a Bill for an Act concerning regulation. Senate Bill 97, offered by Representative Mathias, a Bill for an Act concerning civil procedure. Senate Bill 110, offered by Representative Mathias, a Bill for an Act concerning public aid. Senate Bill 122, offered by Representative McCarthy, a Bill for an Act concerning land. Senate Bill 127, offered by Representative Kosel, a Bill for an Act concerning transportation. Senate Bill 171, offered by Representative

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

38th Legislative Day

4/12/2005

Washington, a Bill for an Act concerning the Township Code. Senate Bill 183, offered by Representative Saviano, a Bill for an Act concerning regulation. Senate Bill 185, offered by Representative Joe Lyons, a Bill for an Act concerning the Metropolitan Water Reclamation District. Senate Bill 192, offered by Representative Nekritz, a Bill for an Act concerning taxes. Senate Bill 208, offered by Representative Froehlich, a Bill for an Act concerning children. Senate Bill 254, offered by Representative Granberg, a Bill for an Act concerning health. Senate Bill 300, offered by Representative Hoffman, a Bill for an Act concerning transportation. Senate Bill 326, offered by Representative Froehlich, a Bill for an Act concerning criminal law. Senate Bill 328, offered by Representative Pritchard, a Bill for an Act concerning child care. Senate Bill 336, offered by Representative Sullivan, a Bill for an Act concerning public employee benefits. Senate Bill 341, offered by Representative Nekritz, a Bill for an Act concerning the Metropolitan Water Reclamation District. Senate Bill 350, offered by Representative Leitch, a Bill for an Act concerning State Government. Senate Bill 357, offered by Representative Holbrook, a Bill for an Act concerning quick-takes. Senate Bill 419, offered by Representative McAuliffe, a Bill for an Act concerning revenue. Senate Bill 446, offered by Representative Richard Bradley, a Bill for an Act concerning public employee benefits. Senate Bill 580... 582, offered by Representative Gordon, a Bill for an Act concerning

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

38th Legislative Day

4/12/2005

revenue. Senate Bill 660, offered by Representative Ryg, a Bill for an Act concerning organ and tissue donation. Senate Bill 1355, offered by Representative Saviano, a Bill for an Act concerning local government. Senate Bill 1438, offered by Representative Froehlich, a Bill for an Act concerning responsible fatherhood. Senate Bill 1469, offered by Representative Feigenholtz, a Bill for an Act concerning regulation. Senate Bill 1491, offered by Representative Jim Meyer, a Bill for an Act concerning criminal law. Senate Bill 1699, offered by Representative McKeon, a Bill for an Act concerning State Government. Senate Bill 1833, offered by Representative Molaro, a Bill for an Act in relation to public employee benefits. Senate Bill 1865, offered by Representative Beiser, a Bill for an Act concerning revenue. Senate Bill 1930, offered by Representative Fritchey, a Bill for an Act concerning civil law. Senate Bill 1949, offered by Representative Watson, a Bill for an Act concerning education. Senate Bill 1953, offered by Representative Collins, a Bill for an Act concerning right to counsel. Senate Bill 2032, offered by Representative Reis, a Bill for an Act concerning education. Senate Bill 2066, offered by Representative Brauer, a Bill for an Act concerning employment. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."