

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

40th Legislative Day

4/14/2005

Speaker Hannig: "The hour of 12:00 having arrived, the House will be in order. The Members will please be in their seats. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Reverend Rebecca Gordon with Nativity Lutheran Church in Wonder Lake. Reverend Gordon is the guest of Representative Franks."

Reverend Gordon: "Let us lift our hearts before the One who is all loving and all powerful. Loving and merciful God, we give You thanks for this day and the world that You have created for us to enjoy. We give You thanks for the blessing and privilege of meaningful work, of strong and supportive communities, of family, friends and neighbors. We give You thanks for these public servants who are gathered here. Guide them with wisdom, skill and vision as they seek to build up people and communities, to build up infrastructure and industry. Give them courage, empathy and honesty as they make decisions about social welfare, economics and education. Make them trustworthy in their representation of all people so that the greatest good is sought for our society. Keep foremost in their minds those who are poor and hungry, the care of our natural world and perception of those people and things most vulnerable to exploitation. Give these leaders rest and refreshment they need to care for themselves and their families with the responsibility and burden of their work when it strains them. We pray for their spouses and

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families and others who love and support them that they would be kept in strength and love. We pray for the nations of the world, for peace where there is strife and division, for comfort and safety for those who are forgotten, hungry, oppressed and homeless. We pray also for our President. Give him and the leaders of our nations discernment, understanding and knowledge so that our nations may know stability and well-being, internally and abroad. We pray for the staff, aides and for though all those who keep these buildings clean, inviting and functional. For though all those who work so hard behind the scenes to support the work that is done here. Again, we pray for those gathered here. Bless them with Your presence this day as they set about the work and the decisions that they have before them. Keep us always in the arms of Your care. Amen."

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

Rita - 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. Rep... Representative Currie."

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

Speaker Hannig: "And Representative Bost."

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

Speaker Hannig: "Thank you. The record will so reflect. Mr. Clerk, take the record. On this question, there are 117 Members answering the Roll Call, a quorum is present. Representative Jefferson, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Jefferson: "Just want to recognize from the great City of Rockford, Illinois, all these great students that have come all the way from AC Thompson School under the tutelage of their principal Emma Gentry. They're in the balcony up here to my right. I would ask that you would give them a warm welcome to the House of Representatives. Oh, to my left."

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

Younge: "On a matter of personal privilege, Mr..."

Speaker Hannig: "State your point."

Younge: "Visiting with us today and in the balcony is the St. Clair County Chapter of Jack and Jill of America. Their sponsor is Pam Madding. They are students from O'Fallon High School, Bellville East, Pontiac Junior High and Fulton and Whiteside. Let's give them a warm welcome."

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

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Jakobsson: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Hannig: "State your point."

Jakobsson: "I'd like to introduce to you today a wonderful group of young women who are here from Urbana and Champaign. They are students at Home High and they've got wonderful teachers and parents and sponsors who've brought them here today. And they're here to see Springfield, our great Capitol and to observe what we do here in this great Body. Please give them a warm welcome."

Speaker Hannig: "Mr. Clerk, would you read the Committee Reports?"

Clerk Mahoney: "Committee Reports. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on April 13, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 44, Floor Amendment #1 and 2 to House Bill 822, Floor Amendment #2 to House Bill 1044, Floor Amendment #1 to House Bill 1604, Floor Amendment #1 to House Bill 2977; 'recommends be adopted' as amended House Joint Resolution 31. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on April 13, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 1716 and Floor Amendment #1 to House Bill 3045. Representative Colvin, Chairperson from the

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Committee on Consumer Protection, to which the following measure/s was/were referred, action taken on April 13, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 873 and Floor Amendment #1 to House Bill 1662. Representative Reitz, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on April 13, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 666 and Floor Amendment #2 to House Bill 2712. Representative Daniels, Chairperson from the Committee on Developmental Disabilities & Mental Illness, to which the following measure/s was/were referred, action taken on April 13, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 1450. Representative Howard, Chairperson from the Committee on Computer Technology, to which the following measure/s was/were referred, action taken on April 13, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #3 to House Bill 3650. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on April 13, 2005, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 277; 'recommends be adopted' Floor Amendment #1 to House Bill 2249. Representative Fritchey, Chairperson from

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the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on April 14, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 House Bill 1870. Representative May, Chairperson from the Committee on Environmental Health, to which the following measure/s was/were referred, action taken on April 14, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 2572. Representative Granberg, Chairperson from the Committee on Agriculture & Conservation, to which the following measure/s was/were referred, action taken on April 14, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 1074. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on April 14, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 1679 and Floor Amendment #1 to House Bill 3066. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on April 14, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #3 to House Bill 315. Representative Lang, Chairperson from the Committee on Gaming, to which the following measure/s was/were referred, action taken on April 14,

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2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 1916. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on April 14, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 2312 and House Resolution 199. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on April 14, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 1133."

Speaker Hannig: "Representative Beiser, on page 22 of the Calendar you have House Bill 2241. Mr. Clerk, read the Bill, please. 2241."

Clerk Mahoney: "House Bill 2241, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Beiser."

Beiser: "Thank you, Mr. Speak... Thank you, Mr. Speaker. I rise asking for everyone's favorable consideration of House Bill 2241 as amended. Basically, it's the Senior Amber Alert Bill. The Amendment addressed concerns by the State Police. I'll be brief. I'll answer any questions that anyone may have. Thank you."

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'."

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mulligan, 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 Mulligan."

Mulligan: "My switch is not working correctly, which I pointed out earlier. And I would have liked you to have automatically put me on up there because I pushed and nothing happened."

Speaker Hannig: "Okay."

Mulligan: "So, there's obviously a malfunction."

Speaker Hannig: "We'll have the electrician take a look at your switch and we'll try to... try to work with you. Repre... Okay. Mr. Clerk, read the Committee Reports."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on April 13, 2005, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #1 to House Bill 1370 and Amendment #4 to House Bill 2521. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on April 14, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 201 and Floor



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Amendment #1 to House Bill 2001 and Floor Amendment #1 to House Bill 2004."

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

Berrios: "Point of personal privilege."

Speaker Hannig: "State your point."

Berrios: "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 hydraulics. In today's society many vehicles are equipped with hydraulics. Sudden failure of hydraulics could result in loss of control of these vehicles. Also, serious injury could result from being sprayed with hot, high pressure hydraulic fluid. So, it is important for any of you with this equipment to inspect it regularly. Check for holes or leaks by holding a piece of cardboard above the hoses, keep hands clear of hydraulics, hydraulic leaks using the hand can cause ser... can result in serious burns or in hydraulic fluid being injected directly into the hand. This and other simple and inexpensive preventive checks will greatly extend the life and safety of you and your vehicle. Thank you."

Speaker Hannig: "I think that was the best yet, Representative Berrios. Representative Bradley, John Bradley, on page 22 of the Calendar is House Bill 1592. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1592, a Bill for an Act concerning minors. Third Reading of this House Bill."

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Speaker Hannig: "Representative Bradley."

Bradley, J.: "Thank you, Mr. Speaker. This is a Bill to try to deal with the issue of chronic truancy. The Bill went through several different forms and I kept an open mind about it and discussed it and dealt with several of the juvenile justice groups around the state. And as a result of that we've come out with some language which I... I believe is agreeable with everyone. Basically, it gives us different remedies and different opportunities to deal with chronic truants in ways that would help reform and rehabilitate these children so they can become productive members of society. I would ask for an 'aye' vote at this time. Thank you."

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? Have all voted who wish? Representative Meyer and Millner. 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 Bradley, you also have House Bill 2412. Okay. Out of the record at the request of the Sponsor. And Representative Rich Bradley, you have House Bill 805. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 805, a Bill for an Act concerning business. Third Reading of this House Bill."

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Speaker Hannig: "Representative Bradley."

Bradley, R.: "Thank you, Mr. Speaker and Members of the House. 805 simply makes some changes to the Copper Purchase Registry as agreed to by the State Police, utility companies and metal dealers resulting in a more efficient use of this program. Appreciate your support."

Speaker Hannig: "The Gentleman moves for the passage of House Bill 805. This is on the Order of Short Debate. Anyone stand in response? Then 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 Jefferson and 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 received a Constitutional Majority, is hereby declared passed. Representative Brosnahan on 3596. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3596, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Hannig: "Representative Brosnahan."

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3596 amends the Public Aid Code. This legislation deals with children with severe and chronic health problems. We're only talking about severely disabled children. Currently, the Public Aid Code provides benefits to these children who require level of care provided by a hospital, skilled nursing facility or an intermediate care facility, but the disabled person is

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receiving this care at home. These benefits continue until a disabled person reaches the age of 21 years. It's also known as the Katie Beckett Medicaid Waiver. Once these individuals age out of the waiver program their status changes, the cost comparison becomes inpatient nursing home care rather than inpatient hospital care. With the decrease of these benefits we see that these families are being forced to make very, very difficult decisions and sometimes that includes putting their children, their adult children, into nursing homes after caring for them for many years at home. Under this legislation, it requires the Department of Public Aid to apply for a federal Medicaid waiver under Section 1915 of the Federal Social Security Act to serve medically-fragile, technology-dependant individuals age 21 and over who have been receiving home-based nursing home care under the current children's waiver and who require the continuation of that level of care so that these individuals can avoid unnecessary institutionalization. We're not saying that everyone that's in the children's waiver would qualify for this. We have tried to... to work on this for a number years in limit to bring down the cost. I think we've been successful in doing that. I've had this legislation a number of times in the House. And I would be happy to answer any questions."

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

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

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

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Parke: "Representative, we've talked about this legislation and there's a fiscal note showing \$26 million as a possible expenditure. Do you believe that that is a correct fiscal note? And if not, why is it not correct?"

Brosnahan: "Representative Parke, the fiscal note of 25 or 26 million is absolutely ridiculous. The person that... that found that it costs 25 or 26 million obviously did not read this legislation. We asked the Department of Human Services who filed the note, who has never filed a note on this in the past, we've asked them to... to tell us how it could cost 26 million. One of their responses was that their... this is DHS saying that there are approximately 150 adults currently in the home services program that received exceptional care rate due to being medically-fragile, technology-dependant. They're saying that these hundred and fifty customers, these hundred and fifty adults could apply for this and that they would be... it would cost the department over \$19 million to provide care for them. However, the legislation says it only applies to individuals who participate in the DSCC waiver. So, the hundred and fifty customers they're talking about that are going to cost 19 million, they don't even qualify under this Bill. So, that's completely wrong. Also, the federal waiver approval is conditioned upon cost neutrality. The... the language of the legislation by its very terms, the Bill requires that the cost of home-based care not exceed the cost of comparable institutionalized care that the individual will need if the home care is not offered. The

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Department of Public Aid has filed a note that says that the cost would be between, I believe, 600 thousand and 1.2 million. That's a much more realistic note. Even that, I think, ya know, may be on the high end, I'm not sure. But I... I think between 600 thousand and 1.2 million, which is what the DPA's note is, that's a lot more realistic than this \$25 million figure that was filed by DHS."

Parke: "Is this the same legislation Representative Daniels talked to me about that he is in support of?"

Brosnahan: "Yes, it is."

Parke: "Okay. Thank you."

Speaker Hannig: "And this is on Short Debate and Representative Daniels will be recognized to close. Representative Daniels."

Daniels: "Just briefly, Mr. Speaker. I commend the Sponsor for his excellent work on this very important piece of legislation. Hopefully, we can get it through the Senate this time and have the Governor sign it. The Katie Beckett legislation would continue to support young adults who have already been receiving services in the children's waiver program. This is cost effective and the right thing to do. And I join the Sponsor in recommending your support for 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? Representative Cultra, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 117

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voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 21 of the Calendar, Representative Brady. Representative Brady, you have House Bill 914. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 914, a Bill for an Act concerning coroners. Third Reading of this House Bill."

Speaker Hannig: "Representative Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is a particular piece of legislation that would deal with the coroners, DNA and State Police. It's an initiative of Cook County. And what it would propose is simply that, at the time of examination, testing would be done and DNA samples kept for future reference regarding unsolved homicides and other related cases. I do wanna note, though, that in moving this Bill from the Senate I have an agreement with the State Police, the Cook County State's Attorneys Office and the Illinois Coroners and Medical Examiners Association that they will try to initiate a pilot program and all work together before any such Bill would specifically blanket the State of Illinois under this particular procedure. I'd be happy to answer any questions."

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

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Representative... Okay. 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 Coulson, you wish us to call House Bill 2453? Mr. Clerk, read the Bill, please."

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

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

Coulson: "Thank you, Mr. Speaker. House Bill 2453 is the Senior Aftercare Planning Bill. It requires hospital discharge planners to notify senior service case managers to prepare an aftercare plan when a Medicare patient is about to be discharged. It also prohibits discharge planners from referring any Medicare patients to unlicensed facilities that are required to be licensed by law. Most people believe that hospital discharge planners are charged with assisting patients to develop these aftercare plans. But, in actuality, their job is to provide for the orderly discharge and not necessarily a plan. With this Bill we are requiring a plan. And I can 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... Excuse me. Representative Parke, did you wish to stand in response?"

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

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



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Parke: "Representative, I noticed here that the Illinois Department of Public Health is filed in opposition. Do you know if they're still opposed to your legislation?"

Coulson: "The... Amendment #1 should have been an agreed Amendment between the Illinois Hospital Association, AARP and the department. I'm not aware of any other opposition."

Parke: "Very good. I noticed on Amendment 1 they're neutral. Thank you."

Coulson: "Thank you."

Speaker Hannig: "Representative Coulson to close."

Coulson: "I would appreciate your support on this important Bill for seniors. 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 Meyer and 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 received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 315."

Clerk Mahoney: "House Bill 315 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #2 was adopted by the House. Floor Amendment #3, offered by Representative Burke, has been approved for consideration."

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

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #3 is brand new language in the Spay and Neuter Bill. If the Members would remember the last discussion there was a fee involved and the Bill was on Postponed Consideration. All that language has been removed. We now have gained the support of the veterinarian community and there was only one individual in opposition and that's the Department of Public Health. And their concern was strictly with respect to where the authority would rest. So, I would ask for the Body's favorable consideration."

Speaker Hannig: "The Gentleman moves for the adoption of Floor Amendment #3. And on that question, the Gentleman from Cook, Representative Parke."

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

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

Parke: "Representative, wasn't this originally a very controversial Bill until you amended it?"

Burke: "Yes, Representative Parke, the veterinarians were opposed and a number of other individuals were opposed due to the imposition of a \$3 fee that would have been collected at the point of vaccination. That has been eliminated, that's removed from the language of the Bill."

Parke: "Now, the fee has been removed, but the fines are still there, right? As people can still be fined for their animals?"

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Burke: "Yes. That's how they hope to fund the fund that would be created to provide for free spaying and neutering services."

Parke: "Now, is this... is this free or is it mandatory? Can the court say that this animal has to be neutered?"

Burke: "Not that I'm aware of, no. There's no language in there."

Parke: "Well, I think... thank you, Mr. Spon... Mr. Burke. All right. Ladies and Gentlemen, to the legislation. Be aware that the Sponsor has amended this Bill, but it originally was very controversial. Many of us received correspondence on this Bill. So, we should make sure we're aware of what it is now that it's been amended. Thank you."

Speaker Hannig: "Any further discussion on the Amendment? Representative Black is recognized."

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

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

Black: "Representative, there's one fundamental... and I talked about this before. There's still one fundamental fact that I... I don't understand. Why are you putting this under the Department of Public Health? The Animal Control Act is under the Department of Agriculture, has been for... since it was passed. To me, it just makes administrative sense that anything dealing with animal control, rabies registration, all of that currently is in the Animal Control Act administered by the Illinois Department of Agriculture.

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Why does this Bill, as amended by 3, put it under the Department of Public Health?"

Burke: "We... given the very serious nature of what can occur as a result of these stray animals in our communities across that state, we consider it to be a public safety initiative to control these stray animals and that's why we identified the Department of Public Health. And they indeed have voiced their opposition, insisting that it should be in the Department of Agriculture. Now, the way we had inter... interpret this language is saying again, very basically, a public safety concern. And our thinking is that it properly should be in the Department of Public Health."

Black: "But, the Department of Public Health does not have a state veterinarian, DOA does. I mean, Dr. Bromwell was the state veterinarian for probably 35 years. Who in the Department of Public Health is going to have any training or ability to deal with rabies, inoculation, registration of animals expertise? They deal with human beings, now they're gonna deal with animals. Who's gonna deal with that? I mean, who's going to be responsible for the administration of this amended Animal Control Act in the Department of Public Health?"

Burke: "From what I understand they'd have to create a new entity that would be managing or administering this particular activity. But frankly, Representative, I don't care what agency would govern this activity. To me, the goal of the legislation is sufficient... I don't care what agency would administer this."

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Black: "Okay. What..."

Burke: "So, I would have no objection in... in changing that."

Black: "Perhaps... perhaps you and I can talk to Director Hartke.

And I... I'm not trying to create any artificial barrier to your Bill. That department has handled the Animal Control Act and I think rather well, for a number of years. I... I just don't want to see a separation of responsibilities. I think that's where sometimes we... agencies often fail to communicate, we end up with misunderstandings because all of the animal control agencies are responsible to the Department of Agriculture and the state veterinarian. Now, if you get the Department of Public Health coming in to all of the county animal control entities, humane societies, et cetera, my only fear, Representative, is that we just may set up... kind of like the confusion you and I have seen on nursing home regulation. Public Aid comes in one day, Department of Public Health comes in the next day and sometimes the recommendations are at absolute odds with each other. So, maybe it's something you could look at as the Bill progresses in the Senate. Maybe you and I could talk to Director Hartke to see whether or not just for administrative continuity it might be better to have DOA do this than... than DPH."

Burke: "I'd be happy to..."

Black: "Okay, fine. Thank you..."

Burke: "...discuss the matter..."

Black: "...very much."

Burke: "...with you further."

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Speaker Hannig: "So, now under the rules of debate, two have spoken in response. So, 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?"

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

Speaker Hannig: "Third Reading. Representative Collins, you have House Bill 1397. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1397, a Bill for an Act concerning children. Third Reading of this House Bill."

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

Collins: "Yes, thank you, Mr. Speaker. This Bill... it just adds an integrated assessment to the kids who are already in foster care, those older children that's hard to place. So, the department is gonna now work with the Department of Children and Family Services, probation, any... educational department, any services that are needed to make that kid's life adjustment really well. So, we ask for an 'aye' vote."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. On page

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9 in the Calendar is House Bill 1535. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1535, a Bill... has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. On page 23 of the Calendar is House Bill 2521. Representative Cultra, do you wish us to read that Bill? Mr. Clerk, read the Bill. Okay. Mr. Clerk, move this... this Bill back to the Order of Second Reading at the request of the Sponsor. Is that correct? No? Excuse... let's... let's take it out of the record and we'll try to figure out what's going on here. Representative Davis, on page 22 of the Calendar is House Bill 2408. Representative Monique Davis. Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2408, a Bill for an Act concerning finance. Third Reading of this House Bill."

Davis, M.: "Thank you, Mr. Speaker. House Bill 2408 is legislation that allows five digital divide districts to be selected and to be... participants can get up to \$225 subsidy with the appropriation to the state in order to purchase computers. This Bill will help to eliminate the digital divide and the Office of Economic Opportunity will administer the program. This Amendment, Mr. Speaker, is with the support of that department. And I urge an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Representative... does anyone speak in response?"

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Representative Howard, would you like to close? Can Representative Howard close? Representative Howard."

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

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

Howard: "Representative Davis, tell me how this program will work to make certain that we eliminate the digital divide."

Davis, M.: "Well, the program will allow families who cannot afford computers to have a small subsidy, no more than \$225, with the express need of purchasing a computer and, you know, using it at home. It could be used or new."

Howard: "I think it's a wonderful program. Thank you so much. To my colleagues. We are going to have to make some real serious decisions about how we want to not leave people behind in this state in terms of computers and the Internet. This is certainly a Bill that will go a long way toward helping us to do that. I urge you to vote 'yes' on House Bill 2408. 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 Meyer. Representative Meyer, you having trouble? Rep... record Representative Meyer 'yes' and then have the electrician take a look at his switch. Okay? 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 11 of the Calendar you have House Bill 1680. Out of



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the record at the request of the Sponsor. Representative Daniels, you have on page 9 in the Calendar House Bill 1450. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1450 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Daniels, has been approved for consideration."

Daniels: "Mr. Speaker..."

Speaker Hannig: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 becomes the Bill and as it amends it provides further clarification and the need for recovery-based services to persons with mental illness. This is an agreed Amendment between the department and my colleagues. I ask your favorable support."

Speaker Hannig: "The Gentleman moves for the adoption of Floor Amendment #2. On that question, Representative Black. Okay, not Representative Black. Any discussion? Then all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Eddy, would you like us to read House Bill 690? Mr. Clerk, read the Bill. 690."

Clerk Mahoney: "House Bill 690, a Bill for an Act in relation to economic development. Third Reading of this House Bill."

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Speaker Hannig: "Representative Eddy."

Eddy: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 690 creates the Eastern Illinois Economic Development Authority and allows that authority to issue bonds not to exceed \$250 million for the purpose of economic development, job development. This... this board would consist of 14 members. It's very much like legislation that we passed before regarding these authorities to help spur economic development. And I would be happy to answer any questions that anyone may have on this legislation. I ask for your favorable vote."

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

Miller: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Miller: "How ya doin', Representative? Good morn... good afternoon. What... what was the genesis of this?"

Eddy: "The genesis of this was actually an economic development authority creation at the request of a couple of economic development groups in my district. They saw the... the authorities that were created in south... in Southern Illinois. Last year Representative Grunloh created one of these authorities and there's another one that exists in... in Southern Illinois. And this is just basically an attempt to replicate that in my area at the request of constituents."

Miller: "In the composition of the board, is this in line with similar... with similar finance authorities?"

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Eddy: "Yeah. The only difference is the... the appointments in this one are not all made by the Governor and approved by the Governor and in the past ones that has been the case. And most authorities are local appointment anyway, so we've gone back to that theory for that local control. And hopefully, the members will be appointed that way. We've had a long struggle trying to get the... the members of the council that Representative Grunloh created last year even appointed. So, we're trying to get that local."

Miller: "To the Bill."

Speaker Hannig: "To the Bill."

Miller: "I support economic development and finance authority, I think it's a wonderful tool for communities. Last year you mentioned... Representative Eddy mentioned Representative Grunloh in Southern Illinois. And I think this is a wonderful tool. However, I have House Bill #5 which... which has an Economic Development Finance Authority in urban area of the south Cook region of south suburban Chicago. In that area we have five of the poorest communities in Chicago and in the entire region and arguably the state. I would like to see Members on both sides of the aisle and all parties support this type of effort as we will. And I'm sure this Bill will pass unanimously in our region of the state, too. Thank you."

Speaker Hannig: "Representative Eddy to close."

Eddy: "Thank you very much, Mr. Speaker. I... I agree wholeheartedly with the Representative's comments regarding support and I would be happy to support his effort as he

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brings that Bill forward for that type of development in his area. And... and I want to point out one other thing. There is an Amendment that made this Bill a little bit different than last year's as well, in that the... the bonding authority that's created, the state is not on the hook for that authority. And I think that's an important part that I would also support in... in future economic developments. So, I... I just ask for your 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? Representative Giles, would you like to be recorded? Representative Stephens. Okay. 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, would you read House Bill 1475."

Clerk Mahoney: "House Bill 1475, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Hannig: "Representative Eddy."

Eddy: "Thank you very much, Mr. Speaker. House Bill 1475 amends the School Code with respect to school districts other than Chicago. And requires that contracts involving expenditures of in excess of \$25 thousand be bid rather than the current amount of \$10 thousand. This is similar to a Bill that we passed out of here that dealt with municipalities several weeks back. And I would ask for your favorable support of this legislation as well."

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Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 76 voting 'yes', 41 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 2 of the Calendar is House Bill 2. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2 has been read a second time, previously. Amendments #1 and 2 were approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Feigenholtz, would you like us to call House Bill 3628? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3628, a Bill for an Act concerning children. Third Reading of this House Bill."

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

Feigenholtz: "Thank you, Mr. Speaker. House Bill 3628 is one of the final products of what's been a year-long effort to try and reform adoptions in the State of Illinois. This week many of you met little baby Tamia, who is one of our youngest and most effective advocates. I can't help but talk about how this adorable child who was here this week giggling after quite an ordeal and I'm hoping that she doesn't really remember what she's been through, but her

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family will. And for the rest of their lives they're gonna remember what happened to her. House Bill 3628 is a Bill that attempts to protect adoptive families and birth families in the State of Illinois to set a much higher standard for how adoption providers provide those services in the State of Illinois. And I'd like to thank all of the members of the committee who very quickly huddled with me and talked about some of the problems we were facing in the state. And the Governor and Lisa Madigan and the Department of Children and Family Services for working so diligently on this Bill with me. I'd be glad to answer any questions. And I just want everyone here to know that ultimately what we're trying to do is make Illinois an adoption-friendly state so that we don't have to have perspective(sic-prospective) adoptive parents turning the television on and seeing some of these harrowing... harrowing situations that happened to our adoptive families and birth families and that we are a... an adoption-friendly state. I'd be glad to answer any questions."

Speaker Hannig: "Okay. This is going to be moved to the Order of Standard Debate. And on that question, Representative Beaubien is recognized."

Beaubien: "Will the Sponsor yield?"

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

Beaubien: "I just have one question. Does this eliminate private adoptions?"

Feigenholtz: "No, Sir, it does not."

Beaubien: "Thank you."

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Speaker Hannig: "Representative Miller. Sponsor will yield."

Miller: "Representative Feigenholtz, can you detail quickly some of the provisions in this?"

Feigenholtz: "I'd be glad to, Representative Miller. There's a lot in this Bill and I'm glad that you asked that. The... the first thing that we're doing, Representative Miller, in this Bill is we're establishing a complaint registry within the department with a toll-free telephone number where birth families and perspective(sic-prospective) adoptive parents can access substantiated licensing violations. In order to curtail some of the behavior that occurred during the baby Tamia case, even though the agency was an out-of-state agency, we're following the lead of a few other neighboring states who have banned unlicensed companies from advertising adoption-related services in the State of Illinois. And making sure that when they advertise that their license number is on... in the ad so that there is a connection to DCFS and they could also call in. We're also requiring service providers to disclose their policies and fees in advance of adoption proceedings. Very often, we have adoptive families walking into agencies not knowing what to expect. We want full and fair disclosure up front for those fees."

Miller: "What... what... just let me interrupt one second. When you talk about fees, how... I mean, what are you... what is the average or what are you talking about in terms of... the... the department or just the process to somebody for... to adopt a child?"

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

Miller: "The fees that you're referring to, is it... is it towards the... towards regulation of this Act or the adoption process?"

Feigenholtz: "The... the adoption process at that agency, at that particular agency."

Miller: "Okay. Any other provisions?"

Feigenholtz: "I'm sorry? Other provisions of the Bill? It prohibits providers from compelling or enticing birth parents to waive their rights at a... any legal rights at an agency. And it... it makes every agency... it asks every agency to have an internal complaint procedure file. But the... the overarching theme of the Bill, Representative Miller, is that we're... we are departing from... what we're really doing is we're focusing on children and we're asking that every licensed child welfare agency who places children to become a 501(c)(3) not-for-profit."

Miller: "And... and you feel that's the root of the problem, particularly with the baby Tamia situation, that... that that adoption was profit driven as opposed to have caring for the child?"

Feigenholtz: "Well, I... I think that, you know, it wasn't just the baby Tamia situation that has led many of us in the adoption arena to believe that if we had charitable missions focused on children, if there were independent boards and annual reports and 990s filed that there'd be more transparency in the system. And it's... it's actually more of a public... public experience so that we know what



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agencies are up to because, ultimately, we want to be able to provide the gold standard of adoption here."

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

Speaker Hannig: "To the Bill."

Miller: "I had the opportunity of meeting the grandmother of baby Tamia outside in the hallway and... and actually to my know... to my unawareness it's actually one of my former patients. And when we talked, she had indicated, ya know, it was a happy ending to this long story to a very tumultuous situation that could have ended in a very tragic situation. You know, sometimes these things happen and I believe good things can come out of it. And one of the good things is this Bill. And... and... and across the country and our region the adoption laws are not uniform and that's part of the problem which this Bill tries to help address. As uniformity among states will help a long way to deciding how children are adopted, what fees are there and also just making the process that at the end of the day that everybody at least may not be so hap... happy with the adoption process but at least know that it was fair and open. This is... this Bill is long overdue and I ask for all Members to support the legislation."

Speaker Hannig: "Okay. We've now had Representative Miller speak in favor, Representative Beaubien spoke in response, Representative Black is recognized. Are you in favor or in response, Representative Black?"

Black: "I don't have a clue, Mr. Speaker."

Speaker Hannig: "Okay. Proceed."

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

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

Black: "Representative, you and I have talked about this and let me again try to clarify what the Bill does or does not do. Some years ago there was a African-American minister in Chicago who started the One Church One Child Program. Very, very successful. His name escapes me, I know he was down here several times being recognized for his efforts. In fact, I think he was even recognized, as I recall, nationally. Under... under your Bill, would the program that he started be allowable?"

Feigenholtz: "I... ya know what, Representative Black, if I knew a few more particulars about his program, if you could elaborate a little bit, I might be able to answer that. I don't know who you're talking about or what program that is."

Black: "Well, I... I... I think and... and let me... let me reach out..."

Feigenholtz: "But, if it's a church it's already a 501(c)(3), I believe."

Black: "...yeah, let me reach out to the Black Caucus if I could. I think they may know more about this than I. I remember that he came down to Chicago on more than... from Chicago on more than one occasion. He started a program called One Church One Child. I believe he's now a minister in Washington, D.C. Lou Jones just told me his name was Father Clemens. And the program had a great deal of... of success. I don't know how his program was set up. I don't know whether he was a 501(3)(c)(sic-501(c)(3)), I don't

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know whether he was... I really don't and maybe somebody here does. But, that... that's an example and I've talked to you about it."

Feigenholtz: "Right. No..."

Black: "That was a very successful program."

Feigenholtz: "Right."

Black: "And I wanna make sure that a program like that is permissible under your legislation?"

Feigenholtz: "Representative Black, I have been... I see Lou Jones shaking her head up and down that Father... it was Father George Clemens, right? And that his church is or was a 501(c)(3). And as you know... as you and I discussed when we visited the other day, one of the things that I definitely want to accomplish in this Bill is to make ado... adoption a cho... a safe choice and option. There's nothing else... there's nothing in this Bill that intentionally is going to prohibit families from adopting. But... but, as you know, as an adoptive parent and I as an adoptee, I think all of us are... who are in the triad are very, very sensitive to news stories... adverse news stories about bad adoptions. And I think that when perspective(sic-prospective) adoptive families, whether it be in One Church One Child Program or people who wanna adopt privately, see these kinds of stories in the news they are chilled by some of the activity that goes on. And it is not the intention of this Bill at all to curtail the adoption practice. It is our intent essentially to make it a safer one for children, birth families and adoptive families. And we're

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hoping that that's what this Bill will attempt to accomplish."

Black: "Let... let me ask you a procedural question, Representative, then let me come back to that if I still have time. Did you add Floor Amendment #3 to the Bill? Is that on the Bill?"

Feigenholtz: "Yes."

Black: "Okay."

Feigenholtz: "We did it yesterday."

Black: "All right. Now, that... that was some clarification language. Can you tell me what that did? What... what did Floor Amendment #3 do?"

Feigenholtz: "Well, actually Floor Amendment #3 was something that would have... it removed the 72-hour portion of the Bill. What we were trying to do is... and what we're trying to do as Representative Miller was talking about earlier... it's very difficult to tell out-of-state adoption agencies what to do. And of course, because we're in the modern age and a lot of children are born here or are being adopted in other states, we are part of the interstate compact, but what we were attempting to do..."

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

Black: "Mr. Speaker, I'd be glad to. I asked very short questions, the answers are very long."

Speaker Hannig: "Yeah, that sometimes happens."

Black: "If... if she would finish this answer and then I just have one more question and that's it."

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Speaker Hannig: "Okay."

Feigenholtz: "We took the 72-hour provision out of it."

Black: "Okay. So, in... in my closing question, Representative, if another Father Clemens comes along and runs a successful program there's no barrier to a church-based group becoming a 501(3)(c)(sic-501(c)(3)), right?"

Feigenholtz: "Correct."

Black: "All right. But, if they didn't become a 501(3)(c)(sic-501(c)(3)), then they would not be able to place children, under this law?"

Feigenholtz: "Correct."

Black: "Okay. I... I'll... I'll... let me digest that for a while."

Feigenholtz: "But..."

Black: "I appreciate the effort you spent, appreciate the time you've taken talking with me, appreciate you answering the questions. Mr. Speaker, I appreciate your indulgence."

Speaker Hannig: "Representative Lindner, do you stand in support or in response?"

Lindner: "In support."

Speaker Hannig: "Okay. Represen..."

Lindner: "Yes, thank you very much, Mr. Speaker. To the Bill. I'm very happy to be a cosponsor of this Bill and thank Representative Feigenholtz for bringing this Bill. Certainly, we're not trying to penalize anybody in Illinois. There are commercial operations that are doing a good job, but I think it just makes sense to change the direction of adoption in Illinois. And one of the witnesses said it the best way, that this is not a question

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of ethics, it is a question of philosophy. Does Illinois want to provide a beacon saying to its citizens and the nation that if you want to participate in the field of adoption then you must do so in a charitable manner. Certainly, this will provide a structure for all agencies to operate in the same way. It provides transparency, it provides accountability and says that Illinois really stands for the best interests of the children rather than profit in this area. And I think baby Tamia's grandmother certainly made a statement that is indicative of what our adoption laws should be. She said, 'Adoption is a divine, loving act, but adoption driven by pure profit without adequate safeguards harms not only the biological family but also all those deserving and selfless families seeking to adopt and share the joy of parenthood.' I would strongly urge an 'aye' vote for this."

Speaker Hannig: "Under the Order of Standard Debate, we've now had two speak in favor; two speak in response. Does anyone else wish to speak against the Bill? Then Representative Feigenholtz is recognized to close."

Feigenholtz: "Thank you, Ladies and Gentlemen. This Bill has a long, long list of proponents: the Illinois State Bar Association, the Child Welfare League of America, again, the Governor, the Attorney General, State's Attorney Richard Devine and DCFS. It is a... a response to a bunch of committed people who want to see Illinois become at... at the forefront of adoption to date... at the forefront of adoption in this country. Adoption's a very emotional and

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vulnerable time for birth families and adoptive families. Really, what we're trying to do in this Bill is ensure that we have protections in place in the law so that this is an incredible and wonderful decision in the lives of family building and people who want to do it. I'd appreciate 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? Represen... 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, would you read House Bill 1870 for Representative Monique Davis. Representative Monique Davis."

Clerk Mahoney: "House Bill 1870 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Monique Davis, has been approved for consideration."

Speaker Hannig: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. This is... this Amendment merely asks those who are bringing parents into court to allow the defense attorney to know which 9-month period they're speaking of when they're going in in an attempt to terminate parental rights. The 9-month period will be designated by the prosecuting attorney, but it will give the defense attorney an opportunity to defend his or her

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client. The Bill came out of committee without any opposition. And I'd be happy to answer any questions."

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

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

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

Parke: "Representative, give us an example of what we're trying to solve here. I... that's all I want is some example."

Davis, M.: "We're trying to solve the high number of parental terminations that take place in Cook County."

Parke: "Terminations of what?"

Davis, M.: "For example... for example, a parent might have committed a crime in 1990, 1991, 1992. So, the prosecutor picks one of those 9-month periods to defend the parent, but the defense attorney doesn't know which 9-month period. So, this Bill merely asks that whatever 9-month period they're gonna discuss to let the defense know."

Parke: "Thank you."

Davis, M.: "Is... is there a problem? I mean..."

Parke: "All I wanted to understand is that... what we were trying to solve. Sometimes this... the... this technical parts are confusing to me..."

Davis, M.: "Well..."

Parke: "...and I want a clarification, not only for myself, but for the Body."

Davis, M.: "...this was a part of 2588 and 2588. The other part was that they had to commit three forcible felonies. So,



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we have removed the forcible felony part and left that as it currently exists."

Parke: "I know. We had a problem with that and so..."

Davis, M.: "So, that's why we took that out."

Parke: "Very good. Thank you."

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

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

Speaker Hannig: "Third Reading. Representative Reis, for what reason do you rise?"

Reis: "Mr... Mr. Speaker, I rise on a point of personal privilege."

Speaker Hannig: "State your point."

Reis: "Could I have the attention of the House, please? Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Far too often in this chamber we are reminded of the bravery that our young men and women in uniform give to our country and the ultimate sacrifice they give to protect the freedoms that we all enjoy here in America. Joining me today in the gallery is the family of Sergeant Kenneth Levi Ridgley: his father, Clarence, his mother, Betty, and his Aunt Ruth. We often hear these unfortunate and untimely losses, but they always seem to affect someone else, another part of the state, another part of the country. We pay our respects to them and we remind ourselves of just how fortunate we are to live in America and to be able to do the things we do. So, you can imagine when, this past

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week, word came that one of our own had fallen defending our freedoms. The area took the news in shock and disbelief. We thought to ourselves, this just couldn't be, a small town so peaceful. This past Friday, Sergeant Kenneth Levi Ridgley was honored with a beautiful memorial service in Olney, Illinois, for the ultimate sacrifice he gave to his unit and our country. From the horse-drawn cart down Main Street, to the Roll Call vote with no response after three times calling out his name, to the playing of the taps and the 21-gun salute, the citizens of this small town found out very quickly just what a fine young man had been taken from them far too soon. I stopped by to visit the Ridley family over the weekend and I told them that we would like to do a Resolution in his honor, I'd just like to read a couple paragraphs that tells about the bravery and commitment that he... he so gave to his country and his unit. Sergeant Kenneth Levi Ridgley, formerly of Olney, died on March 30, 2005 protecting his squad members from enemy fire at checkpoint in Mosul, Iraq. Just before he gave his life he valiantly killed several insurgents while saving the lives of the members of his unit. The men of his squad and platoon are alive today because of the actions of Sergeant Ridgley who sacrificed everything for the men he was sworn to lead and protect. His actions ended the gunfight, allowing the men of his unit to be evacuated for medical attention. Today we honor the memory of former Sergeant Ridgley's life and his willingness to serve our country which led him to make the

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ultimate sacrifice. The sheer fortitude and personal courage that he demonstrated shows that he is a real American hero. To the Ridgley family, our thoughts and prayers and condolences go out to you. This was Kenneth's second term in Iraq, he volunteered to go back last summer. He was married in August and went to Iraq in October. Now, that's real commitment to our country. You should be proud of your son, we're proud of him. And our thoughts and prayers go out with you in this time of loss. You are real heroes, as well. And I ask for a moment of silence. Thank you."

Speaker Hannig: "Thank you, Representative Reis. Now, returning to the regular order of business, Representative Flider has on page 6 of the Calendar House Bill 1038. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1038 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #3, offered by Representative Flider, has been approved for consideration."

Speaker Hannig: "Okay. Let's... let's take this out of the record at the request of the Sponsor. Representative Flider, how about House Bill 1463? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1463, a Bill for an Act concerning driver's license. Third Reading of this House Bill."

Speaker Hannig: "Representative Flider."

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. House Bill 1463 is an initiative that was brought

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to my attention at the request of the Decatur Public School District and its dropout task force. And it is designed to help us alleviate the impact of a high dropout rate. And in Decatur our dropout rate is higher than the state average. And in Illinois, the dropout rate is among the highest in the nation. And recent statistics that I've seen show that we are the seventh highest in the nation. And this Legislature and... and we in the General Assembly and we here who go back to our communities do so much to do everything we can to capture the hearts and minds of our students, make sure that they stay in school, they understand the meaning of a good education and that they do all the right things so that they get their degree so that they can be productive citizens. And one of those things that a student will often look forward to, particularly beginning in the junior high years is receiving your driver's license. And we know that because of the graduated driver's license provisions in our state, we... our... our children can get a driver's license through a course of instruction. If they're 16 years old, they can get their driver's license two years early because they've taken the... the driver's license program and test. The objective of this legislation is for students to stay in school. And... so that if they stay in school, they continue to do good work and... and work as hard as they can, then they will be able to maintain their driver's license. And this legislation further provides that if a student is not able to stay in school due to some kind of hardship like...

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like... well, a family emergency, some sort of a similar situation as determined by the school district or a student must go to work and not... is not able to stay in school due to marriage or some other hardship or a student is working on their GED or is in alternative school then they would not be... this legislation would not apply to them. Additionally, the legislation ensures that if a student is in school they can get their driver's license permit. However, if they were chronically truant and in the case of a chronic truant are not able to actually go through the driver's education class and... and participate in the requirements, then they would not be able to maintain their driver's license permit. This is not a new idea, other states have done it. It's called, no pass, no drive. And I would encourage the support of the Body. Thank you."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Representative Winters, would you like to close? I see you're a cosponsor..."

Winters: "Yes."

Speaker Hannig: "...so why don't you just close."

Winters: "All right. Thank you, Speaker. Again, I certainly applaud the intent of this. We did include an Amendment that would deal with the learner's permit and the graduated driver's license for not only those who have dropped out of school, but those who are chronically truant. I think it really goes to the matter what kids really care about. Let's keep 'em in school. I think this is a great Bill. Thank you."

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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? Represen... Mr. Clerk, take the record. On this question, there are 115 voting 'yes', 1 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Fritchey, would you like to call House Bill 1633? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1633, a Bill for an Act concerning business. Third Reading of this House Bill."

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

Fritchey: "Thank you, Speaker, Members of the Body. We touched on this measure briefly yesterday during the Amendment. This is legislation aimed at what most of you will know as, the choice point issue. The reality is that it's much broader than that, as is the issue of security breaches and identity theft. In 2005 alone, security breaches have affected over 18 million people in this country. These are not just small companies that have been tampered with, it's large companies as well. If you read the news yesterday you would see that LexisNexis just had records of over 300 thousand people that were appropriated from their records. Out of those 300 thousand, over 8 thousand of them were our constituents. Up until recently the only state that really had legislation dealing with this was California. Washington also enacted legislation. But as the issue of

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identity theft has grown, as awareness of the problem has grown, as awareness of how to handle the problem has grown, a number of states, including us, are now attempting to deal with this issue. This legislation has been negotiated, I believe it will continue to be negotiated. But what we are doing essentially is something very simple. We're saying that if a company has notice that person... personal, identifiable information about their customers has been obtained by an outside source, that they need to take steps to notify those companies. We've talked about what triggers those steps... or what... that notice. We talked about what steps that need to be taken. We have curtailed the Bill and modified the Bill significantly. But I have made a commitment to the opponents. And let me tell you right now, there are opponents to this measure. But I have told them that we will continue to try to work with them. I am not guaranteeing an agreed Bill, I am guaranteeing continued efforts to try to reach further resolution to take a good piece of legislation and make it better. I'd be happy to answer any questions on this. Thank you."

Speaker Hannig: "This is on the Order of Short Debate. And standing in response is Representative Hultgren."

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

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

Hultgren: "Chairman Fritchey, I know you have mentioned that this still is a work in process. I just want to make it very clear that... to the Members of the Body that even

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though we have amended this there are still opponents to this legislation, is that true?"

Fritchey: "There... there... there are still opponents in the legi... to the legislation. Most notably or most actively are the people that raised concerns from the Illinois Chamber to the Illinois Bankers Association. I've met with individuals from Citicorp and from Microsoft. I'm happy to say that they've taken me at my commitment, while not a guarantee of agreement, but there will be continued meetings when this Bill goes over to the Senate. I think all of us agree that there is... that this is an issue on which we need to take action. What that specific action is is subject to debate. But there are opponents and they have acknowledged that they think that this Bill is going to come out of the House. They agree that they want legislation. What that legislation will look like at the end of the day, is still subject to debate."

Hultgren: "Just to clarify again, your commitments and I think I heard it clearly that you're not committing to an agreed upon Bill, I don't know if we're ever going to get completely to that point. But it is your commitment to continue to work on this and... and I think from our discussions directly it's your intention and commitment personally to keep working on that... this, as well. Is that true?"

Fritchey: "I... I've been asked to personally participate in the negotiations. I've agreed to do that. The Attorney General's Office has been taking a very good lead on this.



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Illinois PIRG been very active. The interest groups, I don't want to say on the other side, the interest groups that are affected have been very active because it's an important issue for all of us and we want to make sure that we get it right. Some had said, let's just take what California had done and roll that out. We went beyond that, we've scaled back. My belief isn't that we should simply replicate what another state has done, we should put forth the best model that we can and hope we have that legislation be a model for other states to follow. Now, this is being looked at the state... at different state levels in about a dozen different states. It's being looked at by the Federal Government. But we hope that we can come up with a piece of legislation that other states and maybe even the Federal Government will look to and say, this is the right way to address this problem that addresses the issues of business... of the business community. But as importantly or more importantly protects consumers. The issue isn't how to help consumers once they become the victims of identity theft, the issue is what do we do to protect them from becoming a victim of identity theft in the first place."

Hultgren: "Thank you. To the Bill."

Speaker Hannig: "To the Bill."

Hultgren: "I just would... would like to express some of the concerns. I think all of us agree this is a very important issue, I do wanna thank the Sponsor for his work on this and for his commitment to continue to work on it. I think

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it's definitely something that we all support, to make it more difficult for identity theft to happen, for clear warnings to be presented when identity theft happens or when there's a breach of security. The problem is still in the details. And I also expect that the Sponsor does not intend for, ya know, a computer falling in the wrong hands or something... ya know, someone accidentally stumbling on to a secure site with no intention of doing any damage. Something like that unfortunately still would trigger this. And potentially in smaller communities you might know if word got out if it had to be declared that, ya know, someone had misplaced their laptop computer that had some information on it, it was an accident and yet potentially that small bank, small institution would have to disclose that their security's been breached. You and I all know that there could be a run on that bank, it could really affect the future of that bank continuing. I think that's the type of thing that needs to be worked out here. There's some real questions. I... I think... it's my gut feeling that this Bill is gonna come back to us. I understand there's a deadline this week and I... I don't blame the Sponsor at all. We need to obviously run Bills when there's a deadline coming up. I'm gonna vote 'present' on this right now because I have the full expectation that I'm gonna have another chance to vote on this when it's completed, when it comes back from the Senate. I... I think all of us, again, do support this concept, do support absolutely the idea of protecting

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people's identity, letting there be... when there's a true breach of security, when there's bad intent out there, we should know about it. But in those accidents... accidental situations or inadvertent situations we don't wanna drive banks out of business or lose the confidence of the public in a situation like that. So, I'm gonna vote 'present'. I encourage many of you to consider voting 'present' because this as the Sponsor has said is a work in progress. We're gonna have a another chance to vote on this, I think, when it comes back from the Senate. And so, would encourage many of my colleagues to vote 'present' on this Bill since again it's in progress. Thank you very much."

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

Fritchey: "Thank you... thank you and I appreciate the prior speaker's comments. And he... he is correct. I don't think anybody, including the Bankers Association, has felt that there's anything here that can drive banks out of business by any means. At the risk of speaking for the Bankers Association, they have expressed their willingness to continue to talk and an eagerness to continue to talk that obviously can only happen if this Bill continues to go forward. It's easy for all of us and especially myself at times to engage in hyperbole, but I think it's a safe statement to say that this may be one of the most important consumer Bills that we deal with this Session. So, I'd request your 'aye' vote. Will this Bill come back? Almost

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assuredly, but we need to keep it going forward right now.  
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? Mr. Clerk, take the record. On this question, there are 96 voting 'yes', 12 voting 'no' and 9 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Flowers, on page 23 of the Calendar you have House Bill 2547. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2547, a Bill for an Act concerning human rights. Third Reading of this House Bill."

Speaker Hannig: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2547 comes from the Department of Human Rights. And it merely clean up some technical language in regards to who can bring a case forward and the question of their credibility. And I'll be more than happy to answer any questions you have in regards to House Bill 2547."

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

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

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

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Parke: "According to my analysis it says that the Illinois Chamber Employment Law Council is in opposition to your legislation. Can you tell us why they're in opposition?"

Flowers: "Representative, when I brought this Bill before the committee I was not aware of any opposition. And again, this came from the department as a result of a court finding. And we're merely cleaning up the language that was found in the court ruling. We're concurring with what Cooper v. Salazar. The Federal District Court permanently enjoined the department from... enjoined the department from considering questions of credibility in determining whether there is a substantial evidence of a violation of this Act."

Parke: "What court ruling are we talking about?"

Flowers: "I'm sorry? What..."

Parke: "What... you said that came from a court ruling."

Flowers: "Yes."

Parke: "What was the court ruling?"

Flowers: "Let me in... in... the Illinois Department of Human Rights provides that a determination of substantial evidence included determinations of material issues on question of credibility. And there was a court ruling dealing with Cooper v. Salazar. And the Federal District Court permanently enjoined the department from considering questions of credibility in determining whether there is substantial evidence of a violation. Because the department is enjoined from making credibility determination, this Bill eliminates the language providing

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that question of credibility to be considered in determining whether there is substantial evidence of a violation of that act in consistence with Cooper v. Salazar."

Parke: "Okay. Thank you. That... that's part of the problem. The... the opponents are concerned that by striking out the element of credibility as one of the determining factors needed in reviewing whether one's standing to move forward on a civil rights violation will open the floodgates to unsubstantiated complaints. So, what we're trying to do is say almost like, is this frivolous? Is there credibility in this? And if you've removed it then anybody can sue."

Flowers: "No... no. What... Representative, what's being said here is that you don't judge a book by looking at its cover. If I bring to you a complaint and you are the Department of Human Rights, don't look at me and judge whether or not what I'm saying is credible. I'm saying, investigate. And then upon investigation then you can do... deal with your elimination. But in the meantime, you have the right because I've brought this suit forward to investigate."

Parke: "Well, up until this point all of the cards'll be laid on the table, the... the... the... the decision will be made by the department. But if you remove credibility that means that any frivolous challenge can be brought forward without any determination on the validity of it. And therefore, we'll have a floodgate of accusations that will not be substantiated and ultimately will probably be ruled against the case that'll cost us a ton of money. And it'll cost

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the businesses a ton of money because they will have to have that employer take time off, especially if they're a small company, come down to the court or come down to that agency and have to substantiate their case and have to hire an attorney to represent them. Whereas, if you keep credibility in there then the agency can determine whether or not this is a credible complaint or not. So, I will rise in opposition to the Lady's Bill. And we have serious concerns about this Bill."

Speaker Hannig: "Representative Black."

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

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

Black: "Representative, you quoted a court case and our staff is trying to find what was the disposition of the court case? Many cases are filed, they don't always result in a judgment."

Flowers: "I'm sorry. The... what was your question again, please? I didn't hear you."

Black: "You quoted a court case that you said led to the language of this Bill."

Flowers: "Right."

Black: "Somebody v. Salazar."

Flowers: "Right."

Black: "What we would like to know because we don't have that information, what was the disposition of that court case?"

Flowers: "Well, let me just read to you what I have here. Where there is a question of credibility, the department

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makes a substantial evidence finding and files a complaint with the Department of Human Rights... I'm sorry with the Human Rights Commission where there's a trier of fact and they may consider the question of the credibility or not. So, it's not like we're striking it altogether. It's moving from the Department of Human Rights, then it goes to the depart... the Human Rights Commission and there as a trier of fact they will determine. But the fact of the matter is if I come forward and complain to you about something that happened, you cannot just look at me because of how I look or the way I dress or the way I sound or my dialect and make a decision that what I'm saying is not credible. There must be a trier of fact, there must be some evidence before you can come to this conclusion."

Black: "But the court... the language of the court case that you read did not say that you could not consider credibility as a factor. So, there was no ruling that outlaws the factor of credibility."

Flowers: "And... and you're right and I..."

Black: "Okay."

Flowers: "...Excuse me, you're absolutely right."

Black: "Okay."

Flowers: "And I said that there must be... you cannot just from the onset make that decision. There must be substantial evidence in your finding to make the credibility determination. I should have my day or there will be some type of... as I... I'm gonna read to you verbatim that the



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Human Rights Commission where a trier of fact may consider... they may consider the question of credibility."

Black: "Well, that... I think that's our point. Credibility is and still can be used as an issue."

Flowers: "Yes."

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

Speaker Hannig: "To the Bill."

Black: "The issue of credibility has not been stricken by any court decision. And it goes without saying that the credibility factor is always looked into, you cannot capriciously and arbitrarily say, 'Oh, I don't think you're a credible complainant.' I don't know that they've ever done that. I doubt that anyone has ever done that because it wouldn't stand up to an administrative review. Let me just tell you wh... and I'm sure you're all familiar with a very recent case and this wasn't in the Department of Human Rights, this was a case that was headed to court. The recent case that a woman found a fingertip in her chili at Wendy's. When they did the perfunctory examination they found that this woman had filed several lawsuits. They got into her computer, they went into her home, they did some DNA analysis. Well, guess what? The woman has withdrawn her suit. There was a question of credibility. And so she has withdrawn that lawsuit, as well she should have. And I agree with the Sponsor, I don't want to judge a book by its cover. But as a colleague of mine said, we're not about that. What we want to know and what this Bill would destroy, what is behind the cover? What are on the pages?"

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What... what information exists within the book that might lead to a director saying this sounds very similar like 25 other cases you've filed. That's the issue of credibility.

No court decision has stricken it, it still must be used..."

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

Black: "...will, Mr. Speaker, thank you. In all due respect to the Sponsor, credibility is still allowed, due diligence has to be done to see about credibility and it often strikes at the very heart of someone who files numerous complaints, frivolous complaints if you will. It does not impede the ability of anyone with a legitimate complaint to file. We're not judging a book by the cover. What we are giving the director the right to do is to open the book and see what's on the pages of the book. And if those pages would say, oh, oh, we may have a problem here, the director is able to say and use the defense of credibility of the complainant. I don't think you really want to take that out unless you want to clog the Department of Human Rights with thousands of complaints, many of which have no basis."

Speaker Hannig: "We've had two speak in response. Representative Scully, do you rise? How do you wish to be recorded? In response or in favor? Just go ahead, there's room on each side."

Scully: "Thank you. The issue involved in this Bill has to do with a court decision by the Federal District Court, Northern District of Illinois which specifically ruled that an investigator of a human rights complaint cannot take

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into consideration the credibility of a witness. The investigator's perfectly free to conduct further investigation to see if there is any ancillary facts that either support or refute the testimony of the witness. But the investigator does not have the power as a trier of fact would at a... at a court, such a judge or a jury, to say, 'You know what, I don't believe this witness.' The Federal Court decision specifically said that an investigator for the Illinois Department of Human Rights doesn't have that power. And the reason for that is really quite simple. The ability to make decisions on credibility of a given witness really hinge primarily on the ability of the opposing party to conduct a proper cross examination and expose issues of credibility. In the investigatory process that... that adversarial situation with the opportunity to cross examine a witness simply does not exist. The decision of the... of Cooper v. Salazar in my opinion was a correct decision. I'm not sure I... I agree with it as a long-term solution to the problem, but I do agree with... the Federal Court made the proper decision. Now, by passing this Amendment we are removing from the Human Rights Act a provision that the Federal Courts have said the Illinois Department of Human Rights cannot conduct. Therefore, I support the Lady's Bill and I ask for your support also. Thank you."

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

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Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would appreciate an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 62 voting 'yes' and 51 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed."

Speaker Turner: "Representative Turner in the Chair. On page 24 of the Calendar, Third Reading, we have Representative Jenisch on House Bill 3819. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3819, a Bill for an Act concerning health care. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from DuPage, Representative Jenisch. Out of the record. On page 24 of the Calendar, Representative Mathias, we have House Bill 3555. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3555, a Bill for an Act concerning education. Third Reading of this House Bill."

Mathias: "Thank you, Mr. Speaker."

Speaker Turner: "I'm sorry. Proceed."

Mathias: "Yes, thank you, Mr. Speaker. House Bill 3555 allows the school district by resolution, in other words it's optional on the school district, to operate on a four-day school week plan if it's approved by the State Board of Education. And I ask for your 'aye' vote."

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Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 3555 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 voting 'aye', 5 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from St. Clair, Representative Holbrook, for what reason do you rise?"

Holbrook: "Point of personal privilege for an announcement."

Speaker Turner: "State your point."

Holbrook: "We're joined today by the Whiteside School up in the gallery directly behind me from Shiloh, Illinois. Let's give them a nice welcome from here at the Capitol."

Speaker Turner: "Welcome to Springfield, Shiloh. On page 4 of the Calendar we have Representative Giles on House Bill 666. Representative Giles. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 666 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Giles, has been approved for consideration."

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

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen... Ladies and Gentlemen. Amendment #2 has been... this is an agreed Amendment. There was some questions by the Chicago Bar Association initially, but we've worked out an agreement."

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Now, the Cook County Treasurer, the Cook County Clerk, the Cook County State's Attorney and the Chicago Bar Association approves of this Amendment. What the Amendment does it... what we're trying to do is regulate the private buying and selling of... of these scavenger sales tax certificate. And the reason... what we're trying to do is to make the scavenger sale more effective in an improve and blighted communities. We're trying to allow the private transfer of the scavenger sale of certificates and we're trying to stop fraud in the process of the scavenger sale process. One of the... one of the main reasons is to try to regulate and not pro... prohibit the private buying and sale of the scavenger tax sale certificate. And the reason why we're trying to that so that we can transfer it so... in order to have the transfer of the tax sale... the scavenger tax sale certificates. And the original buyer what they would simply... would register the ownership of the transfer of the certificate at least 5 months before the expiration of the tax redemption period. And also be subject to mandatory registration and disclosure of the identity of all interested parties administered by the county clerk. And so we're trying to be more clear... trying to have a more clear subject to the laws against tax sale fraud, including the requirement of the new tax purchaser. So, once again, this is agreed language. We've been working extensively on this language. We have the City of Chicago, the Cook County Clerk, the Cook County Treasurer, the Cook County

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State's Attorney and the Chicago Bar Association is in agreement of this Amendment."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, we... you and I talked earlier about this Bill. It was my understanding that it only impacted Cook County, but in Floor Amendment #2 I see that there is a provision that allows no more than a \$10 fee for... automation fee of \$10 in all other counties. Now, is that an existing law or have you put the other 101 counties in the Bill? 'Cause... they weren't in there in the underlying Bill."

Giles: "Yes, Rep... Representative, that's... that's in the existing law."

Black: "All right. So, the \$10 automation fee on... on counties of less than 3 million population, you're telling me that is in existing law, correct?"

Giles: "That's correct."

Black: "So, it's your understanding that we are not adding or giving authority for the other 101 counties to add a fee if they see fit. This... this only... your intent is only to impact Cook County, correct?"

Giles: "That is correct."

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

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Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt Amendment #2 to House Bill 666?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On the Order of Second Reading, page 10, we have Representative... Rep... Rep... The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you, Mr. Speaker. I think you've got a piece of paper on my light. I can see the reflection from here. I have an inquiry of the Chair."

Speaker Turner: "State your inquiry."

Black: "Mr. Speaker, you and I have been here a number of years. Both of us recognize busy work. And I don't mind, you know, I... I'd rather be back in my office working on constituent matters, but we're out here passing a variety of Bills, most of which are passing with 100-plus votes. Now, it appears we're going to be here late this afternoon. Most of these Bills are going to pass unanimously or close to it. In years passed, we've put together an Agreed Bill List. Why... why aren't we doing that now? I don't think there's any reason to be here 'til 5:30, 6:00 tonight. I could work... I need to work on constituent matters. I mean, if we're gonna sit here for three hours and pass these Bills out with 100-plus votes, I recognize busy work. I've got other things I could do just as important than to sit



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out here and piddly, diddly, squiggly on a bunch of Bills that the Senate probably isn't gonna let out of Rules anyway. And they pass out of here unanimously. Let's have an Agreed Bill List. Let's move along."

Speaker Turner: "Representative, if you'll talk to your Leader, I'll talk to mine."

Black: "All right. I will be on my way to my Leader's office in about two seconds. Thank you."

Speaker Turner: "Mr. Clerk, you have a Committee Report."

Clerk Mahoney: "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 14, 2005, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #5 to House Bill 483."

Speaker Turner: "On page 10 of the Calendar, Representative Gordon on House Bill 1658. Read the Bill, Mr. Clerk. No. Out of the record. On page 21 of the Calendar, on Third Reading, we have Representative Lindner on House Bill 756. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 756, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Lindner: "Thank you, Mr. Speaker. This Bill creates the Veterans' Memorial Commission to gather information on memorial preservation and management and advise us on that. Members are from the General Assembly and from the

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Department of Veterans' Affairs. And shall serve with... for 2 years without any compensation. There was no opposition. I would ask for an 'aye' vote."

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

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

Speaker Turner: "To the Bill."

Flider: "Ladies and Gentlemen of the House, this is really a very important piece of legislation from the standpoint of our history of our nation and our ability to preserve the monuments to those who have kept us free, our veterans. And throughout our state in... in... whether they're in parks, whether they're in... in state parks or local parks, no matter where they are, we have monuments... Civil War monuments, WWI monuments, Korean War monuments, WWII monuments, Vietnam Veterans monuments. Some of these monuments over the years have just fell into disrepair. And what this commission would do as envisioned was create a body to really make sure that we look after these monuments and we can put 'em back into condition to... to... so that we could honor our veterans who have kept us free and kept our country free. So, this is really important piece of legislation that Representative Lindner has put forth and one that probably has not been talked about so much, but something that everybody in this Body should know about and should be very proud to be a part of. And I just wanted to state that for the record and... and look forward to unanimous support on this. Thank you."

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

Lindner: "Thank you, Representative Flider, for that lovely closing. I would urge an 'aye' vote."

Speaker Turner: "The question is, 'Shall the House pass House Bill 756?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mathias on House Bill 2461, page 22 of the Calendar, Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2461, a Bill for an Act concerning aging. Third Reading of this House Bill."

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

Mathias: "Thank you, Mr. Speaker. We actually added the Amendment yesterday which became the Bill. It... it is agreed language. It basically allows the Department of Aging to provide training to case managers to assist family caregivers for adults who have adult children who are disabled. It is subject to appropriations and I ask for your 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 2461 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Second Readings, Representative Mathias, we have House Bill 44. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 44 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Mathias, has been approved for consideration."

Speaker Turner: "Rep... the Gentleman from Lake, Representative Mathias on Amendment #2."

Mathias: "Thank you. Actually, Amendment #2 becomes the Bill. It basically adds home nursing services and in-home support services to the Home Health Agency Licensing Act. Today we actually have no protection for our most vulnerable adults who are at home, our seniors, our parents, who have in-home caregivers. And yet, these caregivers who come from agencies, right now there's no law that requires any background checks of who these... who the people are. I know most of 'em and 99 percent of 'em do a wonderful job for our seniors. But I believe we should have some sort of licensure of these agencies and also to make... we need to make sure that there is a background check. So, I ask for your 'aye' vote."

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Speaker Turner: "Seeing no questions, the question... The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Black: "Representative, you have language in Floor Amendment #1 that says the department may establish fees for home service agencies in rules in a manner that will make the 24 program self supporting. What's that fee going to be?"

Mathias: "Actually that will be determined by rule."

Black: "That's what scares me. He who makes the rules gets the gold."

Mathias: "That's why I didn't make the rule."

Black: "In other words, you're asking me to vote for a Bill that establishes a fee and I don't know what the fee will be and I'm not even sure who will determine the fee?"

Mathias: "Well, hopefully, the... JCAR will have to approve of those rules and hopefully, the rule will be just enough to take care of running the program."

Black: "Yeah. To the Amendment, Mr. Speaker."

Speaker Turner: "To the Amendment."

Black: "Just like yesterday when Chapin Rose had a Bill that was gonna supposedly cost \$95 million over a 10-year period, I'm just gonna echo the remarks made by the front row. Where's this money come from? Where's it gonna come from? How many dollars are you gonna vote for? Now you're asking me to vote for a fee established by a department."

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You're asking me to vote for an open-ended fee? What am I gonna do if they establish a fee of \$5 thousand in my rural area? No way. No more. I'm not giving the authority to a bunch of bureaucrats to stand there and create a fee. It's my responsibility. I'll vote on the fee. I'm not giving bureaucrats the right to establish a fee and then after they establish it everybody calls me and says, 'Hey, why is that fee that much?' And I... 'Well, I voted for a Bill that said the department would set the fee?' You want a fee, you bring it to the General Assembly so I know what it is and I'll vote 'yes' or 'no'. I'm gonna vote against the Amendment and I'm gonna vote against the Bill."

Speaker Turner: "Representative Mathias, you wanna close?"

Mathias: "I assume Representative Black does not want this on the Agreed Bill List? I ask... I think this is an important Bill. It does... it does try to make sure that those caregivers that are in our homes with our parents during their most trying times are... are adequately... that we make sure that these people have background checks to make... ya know, to make sure that they have not had problems with the law before. So, I ask for your 'aye' vote."

Speaker Turner: "The question is, 'Shall Floor Amendment #2 to House Bill 44 pass?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

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Speaker Turner: "Third Reading. On page 21 of the Calendar, Representative Deborah Graham, we have House Bill 990. Out of the record. On page 10 of the Calendar, Representative Holbrook, we have House Bill 1679. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1679 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Holbrook, has been approved for consideration."

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

Holbrook: "Thank you, Speaker. House Bill 1679 with Floor Amendment #1 would allow the Kaskaskia Port Authority and the Tri-City Port Authority to make loans instead of 1 year, up to 3 years. There's a lot of expansion going at these programs and it's much cheaper for them to do commercial bank loans rather than revenue bonds. And they've requested this. I know of no opposition."

Speaker Turner: "The question is, 'Shall Floor Amendment #1 to House Bill 1679 pass... be adopted?' All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And Floor Amendment #1 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Connie Howard on Rep... on House Bill 2578, page 23 of the Calendar. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 2578, a Bill for an Act in relation to health. Third Reading of this House Bill."

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

Howard: "Yes, thank you, Mr. Speaker. House Bill 3650 is another one of our attempts to try to make certain that the digital divide in this state is eliminated. This particular Amendment #3..."

Speaker Turner: "Representative..."

Howard: "...makes some changes..."

Speaker Turner: "...Connie, wrong Bill. 2578. We know you're carrying a lot over there."

Howard: "Okay. Wrong Bill. All right."

Speaker Turner: "Want to start over? We'll come right back to you. It sound like a great Bill, too. Take the Bill out of the record. On page 23 of the Calendar, on Third Readings, we have Representative Granberg on House Bill 2526. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2526, a Bill for an Act concerning employee benefits. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you... thank you, Mr. Speaker. House Bill 2526 creates the Employee and Retirees Benefit Protection Act. Currently, there are no state provisions which require the federal bankruptcy decisions to provide payments with any priority of claims. This Bill requires an employer who files bankruptcy must pay their claims in the following order: administrative expenses, fees and charges; unsecured



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claims for wages; contributions to employees and retiree health and pension benefits and all other priorities established by the Federal Bankruptcy Code. Additionally, the Bill requires the bankrupt employer to make a contri... a continuation of a promised pension and health insurance benefits. It provides protection to those employees when a company does file for bankruptcy... assures those pension benefits are guaranteed."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, one quick question. Was it my close personal friendly John Bradley and his twin brother Rich, weren't they the original Sponsors of the Bill? I can't keep the two straight."

Granberg: "They're very similar, Representative Black. No wonder you..."

Black: "I understand that."

Granberg: "...very confusing. Yes."

Black: "You're aware that there are constitutional issues with the Bill, I'm sure?"

Granberg: "Yes, I am."

Black: "It's your desire then to have the courts be the determination factor in this Bill. That because of some problems we've all witnessed legislatively it's your intent to pass the Bill to the Senate, the Senate follow suit, the

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courts will probably ultimately rule on the constitutionality of the Bill, correct?"

Granberg: "Representative Black, I wanna thank you for leading the witness... yes."

Black: "Ya know, I'm not a lawyer, but I play one on the House Floor. So, if this Bill is stricken as unconstitutional, you will accept full responsibility?"

Granberg: "The Bradley brothers..."

Black: "All right."

Granberg: "...will accept full..."

Black: "Good point."

Granberg: "...responsibility."

Black: "Good point. I, on the other hand, will accept none of the responsibility. That's... I just wanted to clarify that for the record. Thank you very much."

Granberg: "Thank you, Representative."

Speaker Turner: "And speaking of one of the twins, the Gentleman from Williamson, Representative Bradley."

Bradley, J.: "Yes, Representative Black, you're absolutely right. And... and desperate times call for desperate measures. And we've got thousands of coal mine families in the State of Illinois that have lost their health insurance benefits and it's a very frustrating situation for us in Southern Illinois. And we just felt like we needed to do something. We know this is an uphill battle, we know there are constitutional concerns. But we felt like we needed to send a message and... and let the courts tell us we can't do this. And also, there's... there's legislation in Congress

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currently and hopefully, the State of Illinois takes a stand on this and sends a strong message to Col... to Congress that we don't want our people going without health insurance."

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

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

Speaker Turner: "He indicates he will."

Mulligan: "Representative, currently, what are the priorities under bankruptcy for the claims to be fulfilled?"

Granberg: "Costs, attorneys fees, and then secured claims."

Mulligan: "I can see in our analysis costs, administrative expenses... I suppose they would have nobody that would take the case or work with them if they weren't going to get paid, which is a problem. The second in ours is claims for wages, salaries, and commissions. Now, I can certainly understand because this is happening around the country in other places, claims for contributions to employee benefit and retirement and health. But don't you think claims for immediate salaries that are probably obligated to pay rent and grocery bills and things like that should still come before pension and health benefits?"

Granberg: "Representative, I'm not sure if I understand the question?"

Mulligan: "On our list in the priorities, first comes fees, et cetera... probably lawyers' fees to represent them in court. Second comes unsecured claims for wages, salaries and commissions and then third comes unsecured claims for

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contributions to employee and retirement benefits plans, including health insurance. So, although I agree with you, and this is happening around the country, about pensions and health benefits. My concern is that salaries, which are immediately obligated to pay house payments, rent, food, would come before health and retirement 'cause those would be immediate costs. So, don't you think that that's probably one of the reasons this would be unconstitutional?"

Granberg: "No."

Mulligan: "No. So, you think that immediate costs..."

Granberg: "That... there are other reasons why it might be held unconstitutional."

Mulligan: "All right. But don't you think that immediate needs, that unpaid salaries would cover... would be just as important if not more important for the first future and the distance future?"

Granberg: "I think we're on the same page, Representative. What we're talking about are a class of employees or former employees... these are retired parties."

Mulligan: "Okay."

Granberg: "These are re... these are retired parties who rely on these benefits so they can actually go out and secure groceries..."

Mulligan: "Right."

Granberg: "...and make those incidental purchases. They need the pension money..."

Mulligan: "So, kind of..."

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Granberg: "...to actually go out and purchase those goods."

Mulligan: "All right. So, it would kind of be equal..."

Granberg: "Right."

Mulligan: "...if they have unpaid wages?"

Granberg: "Right."

Mulligan: "Okay."

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

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

Speaker Turner: "To the Bill."

Winters: "Actually, I guess, will the Sponsor yield? And I assume that he will. There were questions about the constitutionality of this. It's Federal Bankruptcy Law and basically would preclude the state from passing legislation that would change the order of priority. Do you have a response to that?"

Granberg: "The Federal... Federal Bankruptcy accord obviously has priority, but there is some latitude with the states. We can do a homestead exemption. So, the states are allowed to change or modify certain provisions of the Bankruptcy Code. That will be the question in this case. Whether, in fact, this is outside of that scope."

Winters: "But... but you're willing to pass the legislation knowing that there is a constitutional challenge, potentially a constitutional challenge, on this order? You want to put it to the courts, say this is state... state policy, let's let the court decide then how it would ultimately..."

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Granberg: "Representative..."

Winter: "...play out?"

Granberg: "...yeah, Representative Winters, it's... I... we felt it was better to attempt to send a message that we had to prioritize the retirees pension benefits and health benefits. And to send that message, it's rather to do something to be proactive as opposed to not doing anything."

Winters: "And this, I understand, is a... is a response to a constituent concern that you have in your area. The coal mine has gone bankrupt and there's a... there's a significant..."

Granberg: "In..."

Winters: "...problem that you're trying to address."

Granberg: "...in Southern Illinois there are about 7 thousand of these employees who are impacted."

Winters: "Okay. Well, to the Bill, Mr. Speaker."

Speaker Turner: "To the Bill."

Winters: "I think this is a perfect example of a problem that we're facing in this state, but the problem that we're facing statewide is a lack of medical providers. There's been Bills that have been proposed and the main argument against them is that they're unconstitutional. Well, I would make the argument then if we're gonna pass this Bill that may be unconstitutional, we also ought to go after the medical liability insurance problem that we have, pass the Bill and let it face ultimate constitutional interpretation by the Illinois Supreme Court after we've passed the Bill."

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Let's address the problem and then let the court side... decide whether, in fact, it's constitutional. So, while this... this Bill... it's, I think, a perfect example. I think we ought to be aware that we do have some constitutional questions with this Bill, a number of us voted against the Bill in committee for that specific reason. And if we are going to pass this Bill, we ought to use this as a parallel and then look at medical liability reforms that we don't drive the doctors out of the state. Which I would say is probably... no matter how serious your problem is with the coal miners and bankruptcy, that is a relatively localized problem for this state which you are attempting to address. We are facing a nat... a statewide problem with access to medical care. Let's use this Bill as our parallel and pass some medical liability reform. Thank you."

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

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

Speaker Turner: "He indicates he will."

Bost: "And Kurt, you know I'm in support of the Bill and... and my only question... and we hope this works. We hope it passes constitutional muster. We... we hope all of that because of the seriousness of... of the situation that has occurred. Is there also something that we can do through a Resolution possibly to encourage the Federal Bankruptcy Laws to... to change in a way that... and my thought on this is if the company is going to offer a benefit and they negotiate a benefit then there should be a secure trust

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created that would actually make sure those benefits could be provided in the future and... and they would be protected from any bankruptcy law and they would be able to be offered to those people who have been offered... the employers."

Granberg: "I think that's an interesting idea, Representative Bost, because we have to do anything we can to protect those people. 'Cause if you make that commitment and people rely on that commitment that they will have certain goods in terms of pension and health benefits, they ought to be protected because when that happens what alternatives do that have? They have to go on Medicaid or use up their savings. And that's a broken promise."

Bost: "Right."

Granberg: "And we should address it."

Bost: "And... and if we can work on that in the future I'd appreciate that. I'm... I'm supporting the Bill. I... I... Ladies and Gentlemen, when... when negotiating through their unions for these benefits it was... they felt that... that it would be offered to them for rest of their lives. And that's why I'm... I'm saying at least that we're trying to do something here, I hope it does pan out. I'm going to support as obviously you can see as a Sponsor, but if... if that doesn't work we do need to encourage the Federal Government to get something straightened out on that."

Granberg: "Right. Thank you."

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



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Granberg: "Thank you, Mr. Speaker. The Gentleman brought up some interesting points. What we're trying to do is address a situation that's basically addresses the coal miners... retired coal miners who have been den... denied their pension and health benefits. But as Representative Bost has indicated, this is not the only industry. This has happened in the automotive industry. This has happened with large corporations who have defaulted on their commitment, who have broken their promise to their employees at a time when they're retired. And that's something we have to address. And whether we can address the constitutional issue or not, we need to send the message that companies... large corporations need to fulfill their commitments to their employees. And I'd ask for passage."

Speaker Turner: "The question is, 'Shall House Bill 2526 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 106 voting 'aye', 11 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 24 of the Calendar, Representative Jenisch, we have House Bill 3819. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3819, a Bill for an Act concerning health care. Third Reading of this House Bill."

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

Jenisch: "Good afternoon, Mr. Speaker and thank you. I rise to put forward House Bill 3819. This Bill as amended provides that the Department of Public Health shall establish a registry of all active and retired health care professionals to access in the event of a bioterrorism or other public health emergency. With the Amendment that you all approved yesterday, we have both Public Health and the Department of Professional Regs in agreement on how to handle this procedure. So, I would ask for your favorable vote. Thank you."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 3819 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from DuPage, Representative Daniels, for what reason do you rise?"

Daniels: "Point of personal privilege."

Speaker Turner: "State your point."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. York Community High School located in Elmhurst, Illinois, which has brought to you many state championships in cross country, has 34 students and their teachers in Springfield

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to attend the 60th Annual Family Career and Community Leaders of America State Leadership Conference. Thirty-one students from York will compete Friday at the Prairie Capital Convention Center. Students are competing in interior design, fashion, culinary arts and child development. They are here with us today. This area is represented by Representative Biggins and myself. They're in the gallery and please give them their best in a warm welcome to Springfield, Illinois, York Community High School."

Speaker Turner: "Welcome to Springfield. Representative McAuliffe. On the Order of Third Readings we have House Bill 3694. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3694, a Bill for an Act concerning local government. Third Reading of this House Bill."

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

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3694 provides that a municipality can voluntarily extend its sewer system outside the corporate limits of a municipality and then cannot threaten to shut off the sew... sewer service if the area does not annex into the municipality. We adopted the Amendment yesterday so this would only apply to non-Home Rule municipalities. And I ask for the passage of House Bill 3694 and happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 3694 pass?' All those in favor should vote

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'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bost. The Clerk shall take the record. On this question, there are 108 voting 'aye', 9 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative McAuliffe on House Bill 3825. Read the Bill, Mr. Clerk. Representative McAuliffe."

Clerk Mahoney: "House Bill 3825, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Cook, Representative McAuliffe. Out of the record. Representative Connie Howard on House Bill 2578. That's page 23 of the Calendar, Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2578, a Bill for an Act in relation to health. Third Reading of this House Bill."

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

Howard: "Yes, thank you, Mr. Speaker. House Bill 2578 creates the African-American HIV/AIDS Response Act. This Act would be... would address the disproportionate numbers of persons who are afflicted by HIV/AIDS in the African-American community. And there are several features of that Act that I talked about in detail yesterday. I don't think I will do that again today. And I will just be ready to answer questions of anybody who has questions for me."

Speaker Turner: "Seeing no questions, the question is, 'Shall House... The Gentleman from Vermilion, Representative Black."

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

Speaker Turner: "She indicates she will."

Black: "Representative, in... in no way... I don't want you to construe my remarks as opposition of the Bill nor diminish the seriousness of... of HIV/AIDS. There is one thing I don't understand and I mean no disrespect and I hope you take it that way. But in the fiscal note from the Department of Corrections they point out that to follow the letter of your proposal they would have to hire a coordinator to deal with African-American HIV/AIDS. That salary and benefit package would be approximately \$85 thousand and that there are other costs as well that approach 3½ million. But I'm... I'm not so worried about the cost as I am trying to understand why we want to put in statute the African-American HIV/AIDS project when... when the disease does not know... and certainly we have evidence to show that there is no racial barrier, there's no gender barrier, there's no a... age barrier. Why don't we just have an HIV/AIDS response so that the coordinator... as I understand it, if a Caucasian or Hispanic inmate were to contact this new position he or she would not be able to respond to them unless they were an African American. And that... that's what I'm having trouble understanding."

Howard: "Representative Black, it is very painful of me... for me to say that although African Americans are about... are less than 20 percent of the population of this state, that the incidents in the African-American community is about 70

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percent of all new cases. There was a time when AIDS was considered to be a gay, white disease. It is no longer that. It has gone into the African-American community and now African-American women are the... are the... the most new cases of AIDS. And in fact, the community represents 54 percent. We consider that an emergency. And we believe that there have to be some emergency measures that are taken. Some emphasis must be put on the... the fact that our community is suffering and is being devastated by this disease. So, that is why we say it is essential that we have individuals who are doing almost nothing except working on trying to eliminate this. Certainly it affects the African-American community, but in the long run it's going to affect all the communities of our state. We are spending money... hundreds of millions of dollars to take care of these kinds of... of... of incidences throughout the state. We believe that unless we begin to pay some attention, to focus the attention on this disease in the African-American community, that it will never, in fact, be addressed appropriately."

Black: "I... I appreciate that answer, Representative, and I share your concern. Let me... for my own peace of mind let me pose a scenario and you give me the answer. Let's say that this Bill becomes law, a coordinator is hired and I'm a Caucasian inmate or a Hispanic or Latino inmate and I'm concerned about the disease and I seek out help under this program. Would that inmate be turned away if they were not classified as an African American?"

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Howard: "This program is designed to focus on the African-American community. We certainly would not want anyone who has this dread disease to not be ob... to not be helped. But this particular program is focusing on where the seriousness of the problem exists."

Black: "Representative, I... I appreciate your... your indulgence and your patience. And again, and I mean no disrespect. I'm having difficulty understanding why and your answer was... I understand it. I... I... I've brought that in and I understand the figures that you quote. But I... well, I won't even go there. But I... I think, that if we did this or do this by ethnic or racial basis we're headed for a very interesting court case. But that's not for me to decide. That's... that's for others to decide."

Speaker Turner: "Representative Black, bring your remarks to a close."

Black: "Thank you, Mr. Speaker. I just thank the Representative for her indulgence and her work on the issue. There just are some interesting sidebar issues to this Bill that may have to addressed at a later time."

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

Miller: "To the Bill."

Speaker Turner: "To the Bill."

Miller: "I can understand Representative Black's concern. In fact, I had a sidebar conversation with my... one of my colleagues on why this particular legislation is affecting African Americans. And let me just put it like this, as

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Representative Howard had mentioned, African Americans make up a small percentage of the population but a high percentage of the number of HIV and AIDS cases. In fact, the growing population of HIV and AIDS cases are African-American women. Now, various reasons why the increase in numbers. However, clearly this is disproportional. Just in any diseases that we deal with regardless... Okay."

Speaker Turner: "I apologize, Representative."

Miller: "I'll make it quick."

Speaker Turner: "Go ahead."

Miller: "Regardless of whether they are... regardless they are prevalence in certain diseases. Naturally, none of us want to be stricken or have anyone of our... our families stricken by this dreaded diseases. Clearly, it's in all parts of the country, all parts of the world, but even if we look at the global incidence of AIDS, we know as a Body that it increases in Africa and communities in Africa. And so all this does is try to address a little bit of effort where the increases in population of HIV and AIDS are to address a problem that has stricken and increasing in our community. I would ask everyone to support this legislation."

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

Molaro: "Ya know, to... thank you, Mr. Speaker. To Representative Black's comments and... and even the Speaker, I mean the Sponsor. When I look at this Bill, I don't even see how it's limited to African Americans whatsoever. The



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Act is already there. I think it basically... what it does by naming it what we name it, it just brings awareness to the African-American community. And they need to be made more aware. Those figures she... she said out there are absolutely true. But I don't see anything in the Bill that would preclude anybody from anything of any race, nationality or... or religion, anything whatsoever. The name of the Act is the name of the Act and that's just a public policy to let the name go out. But as far as the rest of the Bill is concerned it's for everybody. And as we all know, this is a scourge on all of our communities. And I think it's a great Bill as is. Thank you."

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

Howard: "Yes, thank you very much all of my colleagues who spoke on behalf of the Bill. The fact is that there needs to be something done. We are in an emergency state in the community that I represent and across this state. I just ask that you be sensitive and compassionate and give me a 'yes' vote. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 2578 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 106... there's 116 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority,

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is hereby declared passed. The Gentleman from Winnebago, Representative Winters, for what reason do you rise?"

Winters: "Point of personal privilege."

Speaker Turner: "State your point."

Winters: "Mr. Speaker, I'd like to introduce a class from Harlem High School in the gallery for Family Career and Community Leader Competition down here with their teacher, Pat Dowdakin. People in the... from Harlem, please arise."

Speaker Turner: "Welcome to Springfield. Representative Howard, you have another Bill, 3650 is on Second Reading. Read the Bill, Mr. Clerk. Page 19 of the Calendar."

Clerk Mahoney: "House Bill 3650 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #3, offered by Representative Howard, has been approved for consideration."

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

Howard: "Amendment #3 to House Bill 3650 is an effort to make certain that we have the support of the Department of Commerce and Economic Opportunity. And they have given us some provisions that we have accepted, including the addition of two members to the Digital Divide Elimination Advisory Committee and the... the creation of the Digital Divide Elimination Working Group. We feel that the provisions that have been given to us by DCEO will help us to make certain that we have attacked this problem which of course is going to make certain that people across the state are not going to be left behind."

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Speaker Turner: "Seeing no questions, the question is, 'Shall Floor Amendment #3 to House Bill 3650 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #3 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On page 23 of the Calendar, Representative Bill Mitchell, we have House Bill 3523. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3523, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Macon, Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3523 is a derivative Bill of my colleagues Representative Brady and Representative Rose's on their task force... Meth Task Force. It amends the Department of State Police Law Enforcement Civil Administration Code requires the Illinois State Police establish a state... known as a Methamphetamine Abuse Hotline."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House ad... I'm sorry. The Lady from Cook, Representative Graham, for what reason do you rise?"

Graham: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Graham: "Representative Mitchell?"

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Mitchell, B.: "Yes."

Graham: "I wanna commend you on the legislation that you're bringing forth."

Mitchell, B.: "Thank you."

Graham: "But my concern is... year after year, I know my colleagues have served before I got here. I know that there have been talks about crack and heroin. Is there... is there any room to expand your legislation to include those issues as well? I know that you guys have an outbreak, but we've had an outbreak for quite sometime and..."

Mitchell, B.: "Right."

Graham: "...I think you guys are being a little selfish..."

Mitchell, B.: "Sure."

Graham: "...with some of the legislation that you're putting forth that only talks about meth."

Mitchell, B.: "Representative, I'd be glad to work with you on those other issues."

Graham: "I... I hope so and I'm looking forward to it."

Mitchell, B.: "Thank... thank you, good suggestion."

Graham: "Thank you."

Speaker Turner: "Seeing no further question, the question is, 'Shall House Bill 3523 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed."

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Representative Jerry Mitchell on House Bill 2946, page 23 of the Calendar. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2946, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2946 is a... is a very simple Bill. What it says is that a convicted felon if they have a dog it must be spayed or neutered. As we all know dogs that are spayed or neutered..."

Speaker Turner: "I'm sorry, Representative."

Mitchell, J.: "...are much less aggressive and we are hoping that this takes some of the aggression out of those particular dogs. Many times if you talk to State Police, if you talk to parole officers, they've had a lot of difficulty with dogs that have been trained to attack. And we're hoping that this will slow that down somewhat. I'd be happy to answer any questions."

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

Jenisch: "Sponsor yield?"

Speaker Turner: "He indicates he will."

Jenisch: "One simple question, Mr. Mitchell. Is there a fee in this Bill?"

Mitchell, J.: "No, there's not."

Jenisch: "There is no additional fees proposed to pay for this program. It is straightforward as the Bill reads."

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Mitchell, J.: "It's straightforward as it reads. And the only fee that's in there is what it costs to have your dog spayed or neutered."

Jenisch: "Thank you very much."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 2946 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall... Boland? Pihos? The Clerk shall take the record. On this question, there are 108 voting 'aye', 5 voting 'no', 4 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 23 of the Calendar, Representative Moffitt, we have House Bill 3532. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3532, a Bill for an Act concerning methamphetamine. Third Reading of this House Bill."

Moffitt: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3532 is another one of the package of Bills from the House Republican Methamphetamine Task Force. What this legislation would do would... under... under the Bill would require the Illinois Department of Public Health, the Illinois Environmental Protection Agency, and the Illinois State Police to jointly develop a protocol to be followed in determining whether a dwelling, a structure, or other site at which an illegal lab was found when it would be safe for reentry. If the contaminated site is inside a

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dwelling or structure then the... the protocol would be established by the Department of Public Health. If it's outside then it's by the EPA. They have different functions there. Just to develop a protocol for when it's safe. Be happy to entertain any questions."

Speaker Turner: "Seeing no... The Lady from Cook, Representative Graham, for what reason do you rise?"

Graham: "Thank you, Mr. Speaker."

Speaker Turner: "Come on, you can share it with us, too. Come on, tell us the joke. Seeing no further questions, the question is, 'Shall House... shall House vote for... Shall House approve House Bill 3532?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Patterson. McCarthy. The Clerk shall take the roll. On this question, 116 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Winnebago, Representative Sacia, for what reason do you rise?"

Sacia: "Mr. Speaker, simply an inquiry. Representative Moffitt's Bill seemed quite significant and... and I think I must have missed something when he was speaking that the Lady couldn't address the Bill. And maybe she would share with the rest of us what was so good."

Speaker Turner: "Representative Graham, your name was mentioned in debate."

Graham: "What was that? I'm sorry. I didn't hear the..."

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Speaker Turner: "That's why she was laughing the first time. On page 2 of the Calendar, Representative Joyce, we have House Bill 483. Out of the record. Read the Bill, Mr. Clerk. That's on page 4 of the Calendar."

Clerk Mahoney: "House Bill 483 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #3 has been approved for consideration."

Speaker Turner: "The Gentleman from Cook, Representative Joyce on #3."

Joyce: "Mr. Speaker, I move to withdraw Floor Amendment #3 and Floor Amendment #4."

Speaker Turner: "Gentleman asks leave to table Amendment #3 to House Bill 483. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. Amendment #3 is tabled. Gentleman asks leave to table Amendment #4 to House Bill 483. All... all those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #4 is tabled. Further Amendments, Mr. Clerk?"

Clerk Mahoney: "House Amendment #5, offered by Representative Joyce, has been approved for consideration."

Speaker Turner: "Gentleman from Cook, Representative Joyce on Amendment #5."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I believe Floor Amendment #5 addresses the concerns. I've spoken with Republican staff and they seem to be comfortable with that... that this does redact all



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personal information from the Act. I'd be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment #5 to House Bill 481?' All those... 483. All those in favor should vote 'aye'... I mean, say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And Amendment #5 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On page 24 of the Calendar, Third Reading, we have Representative Kelly on House Bill 3800. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3800, a Bill for an Act concerning the Metropolitan Water Reclamation District. Third Reading of this House Bill."

Kelly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3800 amends the Metropolitan Water Reclamation Act. The Village of Madison has requested an Amendment of state and area wide water quality management plans to reflect a transfer of approximately 38.5 acres of land from a nonfacilities planning area to the Metropolitan Water Reclamation District's facilities planning area. I can answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 3800 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? Have all voted who wish? The Clerk... Bailey. Poe. The Clerk shall take the record. On this question, there are 65 voting 'aye', 51 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Kelly, we have House Bill 2593 on page 14 of the Calendar. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2593 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Kelly, has been approved for consideration."

Speaker Turner: "Representative Kelly on Amendment #2."

Kelly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I wanted to table Amendment 2."

Speaker Turner: "Lady wants to withdraw Amendment #2."

Kelly: "Right. Withdraw."

Speaker Turner: "Leave is granted. Further Amendments?"

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

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

Kelly: "Amendment #3 just makes the Bill subject to appropriation."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment #3 to House Bill 2593?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #3 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On page 20 of the Calendar, Representative Reis... Reis, we have House Bill 340. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 340, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Reis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I present to you House Bill 340, provides that the waiting period for withholding delivery of a firearm after the application for the purchase of firearm has been submitted does not apply to the transfer of an operable firearm in exchange for another operable firearm. I'd be happy to answer any questions."

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

Osterman: "Representative Reis, you and I talked about your Bill yesterday... I believe it was yesterday, just a point of clarification. Under your legislation or what the intent of your legislation is if someone... a colleague of yours, you have a firearm you wanna do a one for one switch or a two for two switch, that is what your intention is? It's not the intention that if someone goes in with one gun and \$5 thousand and says, 'I wanna trade for 'x' amount of firearms.'" "

Reis: "Thank you, Representative. Yes, that is correct. It is a one for one provision. One gun for one gun only."

Osterman: "Okay. It's my only question."

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Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 340 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The... Fritchey. Franks. The Clerk shall take the record. On this question, there are 72 voting... 73 voting 'aye', 42 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 17 on the Calendar, Representative Reis, we have House Bill 3125. Read the Bill, Mr... out of the record. On page 23 of the Calendar, Representative Rose, we have House Bill 3528. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3528, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Rose: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 3528 requires the Department of Agriculture to conduct a public information campaign for farmers on the protocols to be followed when a farmer encounters a possible site where methamphetamine is being manufactured. And I would ask for its passage."

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

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

Speaker Turner: "He indicates he will."

Graham: "Now, what is the intent of your legislation? I couldn't hear you clearly."

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Rose: "The intent of the legislation is that... for the Department of Agriculture as part of its public relation materials to farmers to talk about what to do when the encounter a meth site... a methamphetamine lab in a rural area of Illinois."

Graham: "I'm sorry, Mr. Speaker, I really can't... can't hear him. I really can't hear him."

Rose: "The intent of the legislation... the intent of the legislation is that the Department of Agriculture will conduct a campaign to inform farmers of the protocols to use when coming upon a methamphetamine lab in a farm field or area of their farm in downstate Illinois. At our committee hearing, the director of Agriculture and I had a short discussion in which he thought that his agency wasn't gonna have any problem with this. They routinely talk to farmers anyway. And this would be part of what they do."

Graham: "I wanna commend you on your piece of legislation, but I also would be interested to know if you would be interested in exp... expanding it? Oftentimes, in the city we have places, street term would be called a 'shooting gallery' where people use heroin and needles are strolled(sic-strewn), ya know, across yards and children may come across it or... or people coming across crack cocaine, places where they produce it. And I was just wondering if you would like... if... if you would like to extend your piece of legislation to cover issues of that matter as well... of that nature?"

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Rose: "Well, I'd be happy to... to talk to you about that. The... the issue for the Department of Agriculture and the farm community is that these meth labs are hazardous waste sites. And so they're extremely dangerous and, ya know, to the farmer when they come upon 'em and have to be cleaned up..."

Graham: "With all..."

Rose: "...in an appropriate way."

Graham: "...with all due respect, Representative, shooting galleries are hazardous waste sites, too, when people..."

Rose: "I... I understand. I guess what I'm saying though is, this is the Department of Agriculture and I'm not sure this is a public information campaign to farmers. So, I'd be happy to work with you..."

Graham: "I'm sure..."

Rose: "...to do this."

Graham: "...I'm sure if... if you're willing to work with me, we can find an agency that could assist us..."

Rose: "Sure."

Graham: "...in getting rid of that."

Rose: "Sure. Absolutely."

Graham: "Thank you. Just having a background in social services I'm extremely knowledgeable with some of the extenuating circumstances that affect our communities, too. And I just wanted to be assured once I vote 'yes' in supporting your legislation that, you know, we could work further to..."

Rose: "Absolutely."

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Graham: "...fight some of the causes in our communities as well.  
Thank you."

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

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

Speaker Turner: He indicates he will."

Molaro: "You... you know, I could hardly hear you, too. I... are  
you okay? You're tired or something? I could hardly hear  
what you were saying. You're all right?"

Rose: "I'm okay, Representative."

Molaro: "Yeah, I know."

Rose: "Thank you."

Molaro: "It probably comes from the fact that we've had about  
12 or 14 Bills already which leads me to another point.  
That's about the third Republican in a row. When are we  
going to get to some Democratic Bills? I'm beginning to  
think... what's the sense of having the gavel if we're gonna  
be calling their Bills all day?"

Speaker Turner: "Representative, you know I will call good  
Bills as they come. The Lady from Cook, Representative  
Davis, for what reason do you rise?"

Davis, M.: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Davis, M.: "Representative, exactly how much are you asking to  
be appropriated for this public service campaign?"

Rose: "There's no... there's no fiscal note on this Bill. The...  
the conversation I had with the director of Agriculture was  
that this is something that they routinely talk to farmers

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about. And so that, this is something that you just incorporate within their outreach materials that says, here's what you do when you find a meth lab, here's the number to call. So..."

Davis, M.: "Representative, our..."

Rose: "...not nothing."

Davis, M.: "...our analysis, correct me if this is incorrect. Our analysis states that you're seeking \$400 thousand from the General Service Appropriation."

Rose: "I don't think that's in our... that's not in our... I'll tell you what, Representative, I'll withdraw this from the record because that's not in our analysis and I don't wanna get crossways with you on something like that."

Davis, M.: "Okay. And if..."

Rose: "Because the conversation that I had with the director of Agriculture was this was something they could just do as part of their ongoing public outreach anyway and that wouldn't have really any cost."

Davis, M.: "Well, according to our analysis House Bill 3538 assigned to the Appropriations General Service Commission..."

Speaker Turner: "This is 3528."

Rose: "This is 3528."

Davis, M.: "No, I know, but... but they're saying this other Bill is seeking 400 thousand for this purpose."

Rose: "I'll tell you what, Mr. Speaker, why don't we take this out of the record. I'll speak with... with the Representative..."

Davis, M.: "Okay."



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Rose: "...and we'll talk about that."

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

Speaker Turner: "Take the Bill out of the record at the Sponsor's request. On page 16 of the Calendar, Representative Sacia, we have House Bill 3022. Read the Bill, Mr. Clerk. Representative Sacia."

Clerk Mahoney: "House Bill 3022 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Sacia, has been approved for consideration."

Speaker Turner: "Representative Sacia on Amendment #1."

Sacia: "Ladies and Gentlemen of the House, Amendment #1 applies specifically to the community of Apple River, Illinois, which is a small community in Northwestern Jo Daviess County with 372 citizens. What the Amendment tries to do is to allow the fire protection district to sell liquor at their establishment more than six times a year. The genesis of the Bill is in order for the Apple River Fire Protection District to build a new facility... they were granted a hundred and twenty-five thousand dollars in Illinois FIRST money which unfortunately was never funded. Accordingly, they have a \$12 thousand a year obligation to the debt that they have incurred to build this facility which includes a community building attached physically to the fire station for the purposes of community events, training for law enforcement and firefighters and other community events. And the purpose again of the Bill is specifically for the community of Apple River, Illinois, a

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small community that simply needs to be able to sell liquor more than six times a year, which is current liquor regulations in the State of Illinois. The Illinois Liquor Commission is neutral on the Bill. Some of your analysis may say that they would be opposed. They were at committee last night where it passed 14 to 0 and they have no opposition to the Amendment. Be glad to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House adopt Amendment #1 to House Bill 3022?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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

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

Pihos: "Thank you, Mr. Speaker. I rise on a point of personal privilege. I'd like the Members of the House to help me welcome today the 8th Grade Class from Koras School in Palos Hills and their teacher Beth Shizas and their Principal Mary Zaharis."

Speaker Turner: "Welcome to Springfield. And Representative Pihos on that note, would you like to call House Bill 3816 where they can see you in action?"

Pihos: "Thank you, Mr. Speaker. Thank..."

Speaker Turner: "Mr. Clerk, read the Bill."

Pihos: "...to the House..."

Speaker Turner: "Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 3816, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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

Pihos: "Yes, I'd like to present House Bill 3816. This Bill amends the Illinois Vehicle Code and provides that a person convicted a third time of driving under the influence of alcohol, drugs, or intoxicating compounds is guilty of a Class II felony. It further provides that a person convicted of the offense a fourth time is guilty of a Class II felony and not eligible for a sentence of probation or conditional discharge. And finally, it provides that a person convicted of the offense a fifth or subsequent time is guilty of a Class I felony and not eligible for a sentence of probation or conditional discharge. And basically, the reason for this Bill is so that people who continually are convicted of driving under the influence have stiffer penalties. So, I ask for your 'yes' vote and I would be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House... shall the House pass House Bill 3816?' All those in favor vote should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Soto. The Clerk shall take the record. On this question, there are 115 voting 'aye', 1 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Second Reading,

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Representative Munson, page 18 of the Calendar, we have House Bill 3273. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3273 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Munson, has been approved for consideration."

Speaker Turner: "The Lady from Cook, Representative Munson on Amendment #1."

Munson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 1 becomes the Bill, prohibits the state from asking for upfront cash, signing bonuses, or incentives to be paid to the state by bidders for state contracts."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3273?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. Amendment #1 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Munson on House Bill 2396. That Bill is on Second Reading, page 13 in the Calendar. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2396 has been read a second time. No Committee Amendments. No Floor Amendments. However, notes have been requested and not yet received."

Speaker Turner: "That Bill should remain on Second. Representative Hannig, you've got a couple Bills. One is

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House Bill 2712, it's on the Order of Second Reading. Read the Bill, Mr. Clerk. 2712 on page 15 of the Calendar. 2712. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2712 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Speaker Turner: "The Gentleman from Montgomery, Representative Hannig, on Amendment #1."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. This is a cleanup proposal that came to me from the Department of Revenue and came out of the Revenue Committee yesterday, I believe, on a unanimous vote. And it would simply increase the amount of money that the Department of Revenue would have available to them in the fund that they use to try to... try to offer to informants to get information on people who are doing ill... illegal activities in the State of Illinois. Under the current law, this account can't exceed \$5 thousand. And the problem is that this is a number that was put into the statute a long time ago and the more... and the number that we'd like to see today is \$50 thousand. So, that's what the... that's what the Amendment does. I... I'd be happy to answer any questions."

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

Black: "Mr. Speaker, an inquiry of the Chair. I believe the... I believe the Gentleman was talking about Floor Amendment #2.

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So, I'm not sure whether he wants to withdraw Amendment #1 and move to #2. 'Cause the explanation that he gave is not... it isn't what Floor Amendment #1 says."

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

Hannig: "Thank you, Mr. Speaker. And I appreciate Representative Black bringing that to my attention. That's exactly what I need to do. Withdraw Amendment #1, please."

Speaker Turner: "Gentleman asks leave to withdraw Amendment #1 to House Bill 2712. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is withdrawn. Further Amendments?"

Clerk Mahoney: "Floor Amendment #2, offered by Representative Hannig, has been approved for consideration."

Hannig: "Yes, and thank you, Mr. Speaker and Members of the House. This is the Amendment that I just explained and I'd move for its adoption."

Speaker Turner: "Gentleman moves for the adoption of Amendment #2 to House Bill 2712. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

Clerk Mahoney: "No further Amendments."

Speaker Turner: "Third..."

Clerk Mahoney: "All Motions have been filed."

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Speaker Turner: "Third Reading. Representative Hannig you have one more, House Bill 2244. That Bill is on Second Reading, page 12 of the Calendar. 2244. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2244 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Speaker Turner: "Representative Hannig on Amendment #1."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This was the proposal that came to me regarding the amount of payroll deductions that need to be collected in order to stay in the program. And currently, what's happened is we're all aware that the headcounts in the State of Illinois are down about 12 thousand dollar... 12 thousand people since their peak a few years ago. And the result has been that because of that there have been less collections for a number of these smaller charities and unless we pass this proposal the Comptroller will be forced to remove a number of them from the... from the roll. So, this... this is a proposal to try to give them some additional time to continue to be in the payroll deduction plan. And so, I'd be happy to answer any questions. And I'd move for the adoption of the Amendment."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment #1 to House Bill 2244?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On page 20 of the Calendar, Representative Millner, we have House Bill 341. Representative Millner. Out of the record. On page 11 of the Calendar, Second Reading, Representative Lang, we have House Bill 1916. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1916 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lang, has been approved for consideration."

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

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. Floor Amendment #1 to House Bill 1916 is the Bill that would separate the Gaming Board from the Department of Revenue. There's many reasons for it. This also creates some new ethical requirements for members of the Gaming Board. Rather than to discuss and debate this on... on the... at the Amendment stage, I would... I would prefer, I hope you will also that we just put the Amendment on and have our debate on Third Reading. But I'd be happy to answer any questions you do have."

Speaker Turner: "Seeing no questions, the question is, 'Shall Amendment #1... The Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, it's very difficult to hear in here. If I... Will the Sponsor yield?"

Speaker Turner: "He indicates he will."



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Black: "Representative, if I heard you correctly you wanna separate... maybe that's the wrong word. You want to... the Gaming Board completely separate from the Department of Revenue?"

Lang: "Under today's law, Representative, the Illinois Gaming Board, which all of us have always presumed as sort of a separate independent autonomous agency, has really been under the wing of the Department of Revenue. The House Gaming Committee... the House Gaming Committee had hearings several weeks ago where the remaining members, the two remaining members at that time of the Gaming Board, came to testify on the issue of all the things they could not do because they did not have a quorum. As you know now, the Governor has appointed new people to the Gaming Board, but at the time it was almost a year be... be... since the Gaming Board had a quorum to do their business. And they came to talk to us about the licenses they couldn't renew, et cetera. But during the course of that hearing it became very apparent that because of the current state of the law the Department of Revenue was spending the Gaming Board's money. They were hiring people, signing contracts, putting people to work, doing audits, doing all kinds of things. And the two remaining members of the Gaming Board didn't even know they were going on, never had a chance to approve the contracts. And the Department of Revenue is siphoning the money out of their budget to do that. Now, that was bad enough. But in addition, all of this meant that there was really undue influence by the executive branch of

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government over this agency that we all thought was autonomous. And so, here's the Gaming Board running the whole system of riverboat gaming in Illinois, almost a billion dollars in revenue to the taxpayers and it was not an autonomous agency. And it's time that we made that happen."

Black: "If... if memory serves wasn't a legislative liaison hired for the Gaming Board? Are you telling me that the Gam... well, I don't know how the Gaming Board could have hired anybody if they only had two members."

Lang: "That liaison was an... a... an employee of the Department of Revenue, that's part of the point of this. So, not that one particular job..."

Black: "Okay."

Lang: "...but the whole system by which the Department of Revenue really had influence over the Gaming Board and rendered it less than independent and autonomous. That's what we're getting after here."

Black: "When all of this started 16 years ago was the Gaming Board... I thought the Gaming Board at that time was a stand-alone board? Or..."

Lang: "Well, I believe it was and I think we passed some legislation not too long ago that sort of..."

Black: "All right."

Lang: "...folded it into the Department of Revenue in such a way that they lost some of their autonomy."

Black: "Okay. Thank you, Representative."

Lang: "Thank you."

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Speaker Turner: "The question is, 'Shall the House adopt Amendment #1 to House Bill 1916?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Mahoney: "No further Amendments. However, notes have been requested and not yet received."

Speaker Turner: "The Bill should remain on Second Reading. The Gentleman from Cook, Representative Lang, for what reason do you rise?"

Lang: "Mr. Speaker, I would move that all the note requests filed be inapplicable to this Bill."

Speaker Turner: "Mr. Clerk, could you identify the notes that have been filed on this Bill."

Clerk Mahoney: "The following notes have been filed on this Bill as amended: fiscal note, a state mandates note, a balanced budget note, a correctional budg... a Home Rule note, a judicial note and a state debt impact note."

Speaker Turner: "You've heard the Gentleman's Motion. Is there any discussion? Representative Parke."

Parke: "Thank you, Mr. Speaker. It's obvious that the... the Sponsor of this Bill knows that those fiscal notes apply to this legislation and he knows also that we have two days left and he's very concerned about moving this legislation, which he obviously feels is important. But you know, it's a bigger issue here. The integrity of allowing vote... votes to be educated, for us to know really what the cost to our budget is, to know what the cost of this legislation is.

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These are parts, intricate parts, of what this Body's all about. To allow the Gentleman to circumvent what all the rest of us have to go through is not right. It's an... it's also against the rules. And I would just ask for the Members of this Body to protect the integrity of the General Assembly, of the rules that the majority of us voted for. Ladies and Gentlemen, this is not the right thing to do. It is obvious that the fiscal note applies here. It's obvious that a note for the budget applies here. These cannot be ignored. Do not allow this just because somebody wants to push something through in two days. This cannot be allowed. Please protect the integrity of your system by not allowing this Motion to be... be done. In addition, Representative, Mr. Speaker, if this is such an important piece of legislation then let him go to the Speaker and ask for an extension of the deadline if that's really what he wants, but those notes have to be part of the information of the House. And we would like and request a Roll Call, Mr. Speaker. May we have a Roll Call, please, on this... on these Motions?"

Speaker Turner: "On the question?"

Parke: "Yes."

Speaker Turner: "Your request is in order."

Parke: "Thank you."

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

Lang: "Thank you. In brief response to Mr. Parke, let me just simply say that this won't have any impact on the state

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budget except to save the state budget and GRF lots of money because the Department of Revenue will no longer be monitoring the Gaming Board. They will no longer be spending their money to do the Gaming Board's work. This will not cost the State of Illinois a dime. In fact, we'll save GRF thousands and thousands and thousands of dollars. That's clear to anyone who listened to me who understands the Bill."

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

Fritchey: "Thank you, Speaker. To the Motion. We discussed the integrity of the process. Ladies and Gentlemen, many of us, myself included, have been guilty of using notes for other than fact-finding purposes. We do nothing about the integrity of the process in filing a housing affordability impact note or a judicial note or a Corrections note. These were not notes that were filed on this Bill in order to determine the underlying information. We know what the answers are going to be. The integrity of the process may be such that there are repercussions for filing these notes, but these notes are inapplicable. The Gentleman's within his right to ask that they be found such. Just as the Gentleman from Schaumburg is within his right to ask for a Roll Call on this vote. Mr. Lang is entitled to this. We be... I believe that these notes would be found inapplicable, should be found inapplicable, should not be used to delay this legislation. And let's let it move forward."

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

Black: "Well, Mr. Speaker, if we wanna go down this road, I would move that all fiscal notes, all notes of any kind, be removed from every Bill currently on the Calendar. There are Republican Bills on the Calendar that have had... we all know that they're just notes to slow down the process. I've had a... I've had notes requested on a Social Security unemployment insurance Bill that's strongly supported by AARP for two and a half months. I can't get anybody to reply. And then the Speaker moves that it get recommitted to committee. Now, I... what the heck is going on here? It's okay if you do it to us, but oh my goodness, we shouldn't do it to you. If it's good enough for this Bill, then it's late... deadline's tomorrow. That I intend after you deal with this to make the Motion and I expect bipartisan support every note on every Bill on Second Reading on the Calendar should be ruled inapplicable. And then we can get on with everybody's Bills. If we want to play this game then let's play it openly and fairly. And... and the last Gentleman who spoke, holy Toledo, he's got every note ever thought of filed on Representative Reis's Bill. Tell him to take those off. Don't sit here... don't sit here and feed me a load of bull. I didn't fall off the turnip truck last night. Come on. You wanna play this game, then take every one of your note requests off of our Bills and I'll go back and talk to my Leader and we'll see if we can take every note request off of your Bill. Let's

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just be fair. We're gonna be here 'til 7 or 8:00 tonight doing a whole lot of absolute nothing. So, let's just take every note request off and then we can sit here and debate every Bill and vote on every Bill that will save the western world for democracy as we know it. Get serious, come on."

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

Lang: "Thank you, Mr. Speaker. Well, first let me say that we have rules that allow for such Motions. So, I'm not violating anybody's civil rights. But in the interest of keeping this place calm so we can move toward getting out of here at the end of the week, I withdraw my request."

Speaker Turner: "The Gentleman withdraws his request. The Bill shall remain on Second Reading. On page 20 of the Calendar, Third Reading, we have House Bill 341, put on your vest. Representative Millner. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 341, a Bill for an Act concerning firearms. Third Reading of this House Bill."

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

Millner: "Thank... thank you, Mr. Speaker and Members of the House. House Bill 341 addresses the gun show loophole by amending the Firearm Owners Identification Card Act to define 'gun show'. And to require that any person who is not federally licensed firearms dealer must call into the

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State Police to conduct a background check on the prospective recipient of the firearm. And it amends the Firearm Owners Identification Act to provide that if the receipt of the firearm does not violate Federal or State Law, the State Police shall assign identification number to the transfer providing the licensee with the number and then destroy within 90 days all records of the system with respect to the call other than the identifying number and the date it was assigned. If the transfer of the firearm is denied, the State Police may keep records of the denial until there is an appeal and it is overturned. The State Police may not retain, copy or distribute any information previously collected under the dial-up system. Also, it preempts Home Rule by stating that the provisions of any ordinance or resolution adopted before, on or after the effective date of this Act by any unit of local government that imposes restrictions or limitations on firearms in a manner other than those that are imposed by certain sections of the Act dealing with unlawful use of weapons. They're invalid and those existing ordinances and resolutions are void. But we exempt the City of Chicago. And I ask for your support."

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

Krause: "I wish to speak on the Bill and will the Sponsor yield?"

Speaker Turner: "He indicates he will."



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Krause: "Representative, addressing the part of your legislation that preempts Home Rule is of a great deal of concern to me because of the municipalities that I represent. Every one of them has adopted and passed regulations in the area of gun control. And under this legislation, I believe, that all of those pieces of legislation would be declared void. Looking at your legislation, it provides that a unit of local government including Home Rule may not regulate acquisition, possession, transportation, storage, purchase, sell, et cetera, et cetera, not regulate ammunition for firearms. And then only gives an exemption for zoning and security requirements. Is that correct?"

Millner: "That's correct."

Krause: "So, that all current Bills that are... that all current laws that our Home Rule municipalities have that have been adopted under this legislation, unless zoning which they already have the power and security requirement, are going to be declared void?"

Millner: "Right. Unless there's a gun shop or anything like that, because of zoning they can certainly..."

Krause: "So, you are... we're gonna declare them all void?"

Millner: "The..."

Krause: "So, that in Cook County which is my county..."

Millner: "Yes. There are a number of communities that have the Home Rule now. 'Cause I believe that we should have a statewide standard..."

Krause: "No, no. I... I..."

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Millner: "...not a local standard."

Krause: "...want to go through this. Sir, this is serious. It has a serious impact on all of these municipalities where the local mayors, the local boards, the local aldermen have, through a period of time, passed these laws and your Bill just wipes them off the record including Cook County, which is a Home Rule government, but you also take all of those off the books. In Cook County we have a legislation that prohibits dealers for more than one gun a month. Will that be voided?"

Millner: "I'm sorry?"

Krause: "Will that ordinance be voided? Cook County has an ordinance that prohibits dealers from transferring more than one firearm per month."

Millner: "No. Federally fire licenseed dealers... for example, gun shops will still be controlled."

Krause: "Okay. Then let me go to all of the local dealers and the requirements that our municipalities have that you secure a local license. Will all that be permitted or void?"

Millner: "Guns that are sold regularly by federally licensed firearm dealers..."

Krause: "No, not... I know that. I'm talking about can we require local permits?"

Millner: "Yes, I don't see that in the state statute. I'm not sure I understand your..."

Krause: "Well, a number of..."

Millner: "...what... what you're doing?"

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Krause: "...municipalities, jurisdictions, make it unlawful for any person to engage in the business of selling firearms without obtaining a local dealer's license. Will all those remain on the books or are they void?"

Millner: "Yes, if they're not in the state statute they would be void."

Krause: "So, all of those municipalities that have passed that, your legislation voids and takes off the..."

Millner: "That..."

Krause: "...books?"

Millner: "...that is correct."

Krause: "Cook County and others have prohibited the transfer or possession of assault weapons, will those continue to be on the books?"

Millner: "Yeah, they... let me read the Section to you that may clarify. It says, 'this Section does not apply to any municipality with a population of over 2,000,000.' Which is the City of Chicago."

Krause: "No, I'm talking about Cook County. I'm not talking about..."

Millner: "No, Cook County..."

Krause: "...the city."

Millner: "...Cook County, no."

Krause: "All right. So, if the Cook County and the other municipalities that bar the possession of assault weapons, your legislation takes all that off the books and they now are void?"

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Millner: "That's correct. And would you let me know what coun... what towns ban what assault weapons and what their definitions are?"

Krause: "There are a host that ban assault weapons. I now wanna go into concealed carry. Would those be permitted or are... do you also voiding those?"

Millner: "This doesn't address concealed carry."

Krause: "So, those local ordinances are permitted? So, that would all continue under the ordinances that they have passed?"

Millner: "One moment, Representative. Yeah, we'd have to know what Section that would apply to."

Krause: "No, it's local..."

Millner: "We don't... I don't know that much..."

Krause: "Yeah, I know. But local ordinances through the years these municipalities as I said, all six of mine have passed laws that I... that there is a great deal of concern that your Bill is just voiding and taking off. What about all those municipalities that hold a dark... adults liable for allowing minors access to firearms?"

Millner: "We're checking, Representative. It's still covered under the State Law, 24-3. You can't sell to anybody under the age of 18."

Krause: "No. But what about those communities that have passed their own local ordinances that have other ages? And I'm not talking about the sale of it, I'm talking about the municipalities that have passed legislation that hold adults liable for allowing minors access to firearms?"

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Bensenville, Mt. Prospect, Mundelein, Aurora, Elgin, Gurnee, Hanover Park, Hoffman Estates, Northbrook, Streamwood, Vernon Hills, Wheeling, Grayslake, Rolling Meadows, Park Ridge. Do those stay on the books or are they void under your legislation?"

Millner: "Representative, did you say any age or 18?"

Speaker Turner: "Representative, you have to bring your remarks to a close."

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

Speaker Turner: "Representative Krause, you've had your five minutes."

Krause: "Well, could I have just a little more time because I understand that they just had a need to do some research? Just let me then..."

Speaker Turner: "Rep... Representative Giles. Turn on, Giles."

Giles: "Thank you, Mr. Speaker. I will yield my five minutes to Representative Krause."

Speaker Turner: "Representative Krause. I'd like to remind the Members that this Bill is on Short Debate. But Representative Krause you can continue."

Krause: "No, I think it should... All right. Let me continue. This legislation... this legislation that I'm talking about are local communities using their Home Rule powers that have held adults liable for damage done to minors below the age of 18, where they've held adults liable. And we've passed that type of legislation. My question to you is, under your legislation which is voiding a number of... of municipality bills, is this one also voided?"

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Millner: "No. If it's... if it's a local ordinance regarding this issue, no. It's not... it would be... it would only... it would preempt Home Rule."

Krause: "All right. So, it is voided. Does it preempt Home Rule? These Home Rule municipalities pass this... my question is, are those..."

Millner: "Yes. Yes. Yeah, again yes, that's what it does."

Krause: "All right. All of the municipalities? Arlington Heights, Bensenville, Vernon and so forth..."

Millner: "Right."

Krause: "...that have made it unlawful to engage in the business of selling firearms without local dealers, where do we stand again on that? Can we have a local... my municipalities have local dealer licenses. Are those going to continue or are you wiping those out?"

Millner: "No. And again, it does not allow for that. If it's not in State Law and it's not in the Bill which we... which I just read to you... and I don't know how to say this, but again, that's correct. You are correct."

Krause: "I'm correct that all of those laws..."

Millner: "Right. If it's not in State Law."

Krause: "...are being wiped off on the..."

Millner: "That is correct."

Krause: "...on the books. Every one of my municipalities?"

Millner: "Well, I don't know about every one, but the ones you've asked me about."

Krause: "Well, all six of mine do. There are jurisdictions that require dealers to maintain registrars of firearm

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sales, including the name, purchase, description of the firearms and these municipalities have it more strict than the State Law. There's about 20 or so of those. But those..."

Millner: "That is correct. Same thing, same answer. It'll keep... it'll keep..."

Krause: "So, all of those are going..."

Millner: "...yes, it will continue to be the same answer. I don't know how else to say that. It's just going to preempt Home Rule."

Krause: "So, all of those are going to be wiped out?"

Millner: "Correct."

Krause: "Wow. And on the minimum age of firearms, if it's below the state, that's gonna be wiped out that these counties have?"

Millner: "Representative, that's correct. And any question you continue to ask about that will be the same. I don't what I can tell you any more."

Krause: "Because I guess my point is, is that what your Bill does is to first of all take local control and just take it off the books."

Millner: "Regarding these..."

Krause: "Because all of these municipalities have with care, through their local governments, determined that there was a need in the area of firearm protection to pass these."

Millner: "Right, it does... Representative, it does not take it off the books. It just doesn't allow it to go beyond the state requirements."

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Krause: "It declares it to be void..."

Millner: "So, if they're beyond..."

Krause: "...with your legislation."

Millner: "...correct. If they're beyond the state requirements."

Krause: "Okay."

Millner: "Yes, it would take it off. If they're not beyond the state requirements..."

Krause: "Okay."

Millner: "...no, it wouldn't."

Krause: "So, handgun control Bills, though? What happens to those? All of those that had..."

Millner: "If they go beyond the state requirements and they're not in the City of Chicago..."

Krause: "So, we are taking all of these books off... all of these off the record?"

Millner: "Again..."

Krause: "We must have 50 to 75, at least."

Millner: "Right."

Krause: "And predominately in Cook County, but in the surrounding counties."

Millner: "Right. Apparently, I'm not clear..."

Krause: "Your Bill..."

Millner: "...right. Apparently, I'm not clear on this. What I'm trying to say is, yes, that's what it will do. If the... if the local law is stricter than State Law, we... it won't be effective anymore."

Krause: "Okay. To the Bill. Ladies and Gentlemen of the House, if we ever believed in the rights of our local



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government and the rights of our mayors, the rights of our trustees to have the authority to look at the decisions that they made this Bill takes it all away. This Bill takes away all of those laws that they have put in. And even as alarming as what they are doing to Cook County, which is not exempted also under this Bill, a county of almost 3 million and all of the Bills that they put into effect, by this legislation is just being wiped off the books. The concerns that Cook County had on the illegal trafficking of guns, they are stepping in and taking off. All of our local control that we had in this area, by this Bill steps forward and once and for all just takes them all away from the many communities in the State of Illinois that deemed it was necessary to control for safety and for their best interests of their governments. They are voiding each and every one of those Bills. I would sincerely urge that we take a close look at this, that we let the powers of our local governments... are the ones to determine what they determine is best. If they have a safety issue, if they have a gun trafficking issue, if they believe that young people should not have... that we let them determine that issue, that we let those Bills and those laws stand on the books. And I would urge a 'no' vote. Thank you, Mr. Speaker."

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

Osterman: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

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Osterman: "Representative Millner, I first wanna thank you for bringing forward a gun show loophole Bill. You, 2 years ago, stood on this floor against a lot of pressure and voted on a Bill, Senate Bill 947, that was passed. So, I appreciate that."

Millner: "Thank you."

Osterman: "You and I have also had many conversations in the last two months about the need for a gun show loophole Bill. And others are joining in on that call and I appreciate that. It's fair to say, though, that you and I are taking two different paths to try to get this. And I think the jury is out. We'll find out later today which path will get there. I honestly don't know which it'll be. But your Bill, as it is written right now, has law enforcement squarely opposed to it. Is that correct?"

Millner: "Most... most of the groups, yes."

Osterman: "All right. My understanding is most of law enforcement, chiefs of police, a lot of other agencies..."

Millner: "Yeah, they're... they're opposed to a Section or two, yes."

Osterman: "Right. The two parts of your Bill besides the gun show loophole part that law enforcement is against and I think Representative Krause very eloquently talked about the preemption part. And the part I just wanna let the Body know is dealing with the destruction of records. That issue is something that law enforcement feels very strongly about the need to keep those records. Those records are used in criminal investigations. Those records are used

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when they're checking on an individual before law enforcement goes in on and serves a warrant on someone. Those records are checked only in a time when there's a criminal investigation. State Police today has a policy on the books that law enforcement must abide by. It says that if a law enforcement officer wants to do a check they must provide their name, their star number, their supervisor, their star number, the reason for the check, the agency and then how to get back to them. State Police and law enforcement feel that that will prevent the rogue officer from checking that. You as a former law enforcement officer, is that something that you would think would try to minimize misuse of the system?"

Millner: "Representative, what was that?"

Osterman: "I just asked if you thought the current state policy by State Police... if you as a former law enforcement officer would think that that would minimize misuse?"

Millner: "The current policy... I think it started after we first implemented this Bill, which was good that they finally started making some changes. And as you know, you and I both worked very hard on the... our pieces... respective pieces of legislation. In respect to the other speaker who asked questions about the preemption of Home Rule, that was one of the things we could do to try to bring consensus on this most important issue."

Osterman: "Besides State Police current policy and I'm sure that some of the people that are gonna get up to speak in support of this legislation, they're gonna talk about a

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Federal Law. And currently, the Federal Government in a Bill last year allowed for states to destroy records dealing with firearm sales. Illinois, because they had the FOID Act in front of the Brady Act, we have been given jurisdiction or authorization from the Justice Department and the FBI to continue to do things as we are doing them now. Currently, there are five laws... Federal Laws that are on the books for misuse of the criminal justice... the NICS system in FTIP in Illinois. Laws that... they're on the books federally that have been used to convict people for misuse of those systems. So, there are a great deal of protections that are on the books right now. Is that something that you would concur with?"

Millner: "Yes. But we don't know for how long. And that's one of the issues. Currently, so the Body here knows, most states in the Union, the destruction of records have to occur within 24 hours. This Bill allows it 90 times that. The people are being... will be able to, in this state, legislatively, will be able to keep it for 90 days. We don't know if the Federal Government tomorrow will pull the rug out from under us and then go back to the 24 hours. This gives us that room of 90 days."

Osterman: "I appreciate that response. And that is an argument that will be brought up I'm sure from someone else. I will let the Body know that I reached out to the Justice Department and the FBI, to the woman who administers the NICS program for the United States. And I asked them about how is Illinois conducting their business and I would

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challenge, and I think I gave you the number and the name of the individual to call, her and ask what they thought of Illinois and the way State Police conducts themselves. The FBI audits the State Police every 2 years. If there is misuse, the FBI can take away the ability for a state to have access to the NICS system. And as of now, they've given nothing but a clean bill of health to the State of Illinois. I asked that individual at the FBI..."

Speaker Turner: "Bring your remarks to a close."

Osterman: "...could they envision, under a new Attorney General, change of policy? And their response was, they could not foresee any change in policy under this new Attorney General. So, Ladies and Gentlemen of the House, I just want everyone to be aware that those are two provisions that law enforcement is against."

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

Phelps: "In purpose of a Motion, Mr. Speaker."

Speaker Turner: "State your purpose."

Phelps: "I move to take this off Short Debate."

Speaker Turner: "The Gentleman asks leave to take this Bill off... he's got five Members asking to take it off Short Debate... Standard Debate. Leave is granted. The Bill will now be placed on Standard Debate. Representative Phelps..."

Phelps: "Yes."

Speaker Turner: "...you can proceed. Now, that only gives you five minutes, now."

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Phelps: "Right. Right. Thank you, Mr. Speaker, Ladies and Gentleman of the House. Just to... just... just today the Senate passed a similar version of this with 37 votes. To the Bill. What I wanna do is to commend the Sponsor for all his hard work. This is a good compromise and I urge a... it exempts the City of Chicago and I do urge an 'aye' vote."

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

Molaro: "Well, with all this talk about Home Rule, I will be in inquiry... I was in the middle of a sentence there, Sir. There... inquiry of the Chair?"

Speaker Turner: "State your inquiry."

Molaro: "Inquiry is... with all this talk of Home Rule, does this Bill preempt Home Rule? And if it does, how many votes will it need to pass?"

Speaker Turner: "The Chair has been advised by the parliamentarian that this Bill will need 71 votes to pass."

Molaro: "Okay. Thank you."

Speaker Turner: "The Lady from Cook, Representative Coulson, for what reason do you rise? Mr. Millner, for what reason do you rise?"

Millner: "Yes, under Section 6(i) of the Local Government Article of the Illinois Constitution, Article VII, Home Rule units may exercise and perform concurrently with the state any power or function of a Home Rule unit to the extent that the General Assembly by law does not

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specifically limit concurrent exercise or specifically declare the state's exercise to be exclusive."

Speaker Turner: "And..."

Millner: "And I... Simply saying that the... Okay, hold on one second."

Speaker Turner: "So, are you challenging the 71-vote requirement?"

Millner: "Yeah. I... I would ask that based upon the information of our Consti... reading the Constitution and this specific information, it doesn't do any taxing or anything, I would ask the parliamentarian to please review this. 'Cause our staff believes it requires 60 votes."

Speaker Turner: "The parliamentarian is taking it under advisement at this point. Actually, we will continue with the debate and the parliamentarian will get back to us. Representative Coulson, you were next, I believe."

Coulson: "Thank you, Mr. Speaker. Will the Spon... Thank you. I think Representative that spoke before me from Cook County said a lot of what I wanted to say about preemption. But what I really wanna hear is that how do you feel when a huge part of Cook County and I have a list of 40 different cities in the... in Cook County that have ordinances that you're gonna be... preempt. That part of the state has chosen to make their gun control Bills stronger and yet... yet, you're saying to that whole part of the state that they can't do that in this Bill. No matter what you do with the gun show you're basically telling a large

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proportion of the state population that they no longer have control. How do you explain that?"

Millner: "I explain it by the statistical analysis. If you look at the number of crimes committed, what did those specific ordinances do? Weighing that against the gun show loophole that we've been trying to put together. By putting the preemption in, I took a lot of strong opposition away from this Bill that would allow us the gun show loophole language to take effect. So, it's... actually it's weighing one against the other. And I... and I thought... and those people I spoke to thought that this would be the weight of the gun show loophole would be more so than the Home Rule preemption."

Coulson: "So, even though... I guess, why do the State Police... why are the State Police opposed to this Bill?"

Millner: "Because they currently can keep their records forever which frankly, may be construed by many as a violation of privacy because they can literally if they... they can go check on you and if you have purchased a gun and you live in one of those communities, they can go to your house with a search warrant and look for that gun. So, it's..."

Coulson: "If they have probable cause? They can't just go look for that gun."

Millner: "Well, they..."

Coulson: "They have to have a court order."

Millner: "...there could be other issues with it, but more so than anything else. So, this would do it. This would be enough to put it over the edge. This would be the tipping



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point to allow someone for a search warrant to give that one more factor to allow them to go into your home, yes."

Coulson: "And the Cook County State's Attorney, you think that they're opposed for th... just those reasons or not that they... we have... as I said over... and I can read these, but I don't want to bore people. But, every one of my communities has an ordinance and every one of..."

Millner: "Can I... can I..."

Coulson: "...surrounding communities has an ordinance."

Millner: "...Yes, and I understand that. And I understand the issue of the Home Rule issue. However, the gun show loophole, I was told by many people in this Body and others that this was so important that if we could negotiate some process by letting that go, we would be able to get this."

Coulson: "Well, I... To the Bill, Mr. Speaker. The voters in my district in Wilmette, Evanston, Winnetka, Morton Grove and several other communities have chosen to regulate guns in their communities to the extent that they feel it's important. They have not said to me that they are that concerned about gun show loopholes. Yes, we're concerned, but we don't have them in my area. And you're... the... the Sponsor of the Bill is basically making a compromise that the people who have passed these ordinances are not necessarily interested in. And I'd urge an 'aye'... a 'no' vote."

Speaker Turner: "Representative Millner, the parliamentarian's ready to respond."

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Parliamentarian Uhe: "Representative Millner, on behalf of the Speaker and in response to your inquiry, House Bill 341 purports to preempt Home Rule under subsection(h) of Section 7 of Article VII of the Constitution. In fact, the effect of the language is to preempt Home Rule powers under Section(g)... subsection(g), where the state is preempting a Home Rule unit from regulating in an area where the state itself is not regulating. In this instance, that area is, for example, registration of guns or the regulation of guns themselves. Whereas, the state here is regulating people who may possess guns. That is the basis for the ruling."

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

Rose: "Ques... for a question. Will the Sponsor yield, Mr. Speaker?"

Speaker Turner: "He indicates he will."

Rose: "Mr. Millner, this... this business about the destruction of records. What is the federal rule?"

Millner: "The... the federal rule is 24 hours, they must be destroyed."

Rose: "But because we were timed in before that took effect, they've given us an... an exemption from the federal rule. Is that sort of the situation?"

Millner: "Ri... Right. But we don't know if that's a permanent exemption or not. And it's possible it could be pulled out tomorrow. We don't know."

Rose: "But your Bill is actually 90 days? Is that right?"

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Millner: "Correct. It's 90 times more than the federal requirement."

Rose: "And that's... you're a former chief of police, is that more than enough time for an investigation to take place if necessary? I mean, there's some argument that 24 hours isn't enough time."

Millner: "Ab... Absolutely, it is. And one of the issues is the issue of privacy and big brother... by allowing us to keep records forever on guns we could actually get to the next point of... as I said earlier, looking at somebody, any other thing could be the tipping point to get a search warrant to get into their homes."

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

Speaker Turner: "To the Bill."

Rose: "Ladies and Gentlemen, you've... you've heard the Sponsor, this is 90 times what the Federal Law requires in terms of retention of records. That's ample time for law enforcement to do its job. If your argument is that 24 hours is too little time, well, you've got 90 times that to do it here. And as for this whole issue of preemption, all I have to say is, what right do local governments have to preempt the United States Constitution?"

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

Mathias: "Thank you, Mr. Speaker. First, I do want to commend Representative Millner. I know he has worked very, very hard on this Bill. And we both agree that we need to... to close the gun show loophole. It's something that... and we

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both have voted in the past to close it. However, as a former mayor of a town in suburban Cook County, the Village of Buffalo Grove, when I was mayor we debated the issue of gun control and various aspects of it and there were proposals on the table to ban the sale of guns. There was even proposals to ban ownership of guns in our community. And we had several days of... of testimony and public hearings. And after taking all of the testimony in consideration, the village board at that time decided to allow people not to... to do anything with... with the issue of having people own... own guns in the Village of Buffalo Grove. They felt that that is a right that people should have. But they also felt very important... that was very important to them that we don't sell any guns or ammunition in the Village of Buffalo Grove. That was their policy after listening to the testimony and ordinances have been passed to that effect. And... and they cannot, at this point, businesses cannot sell any guns or ammunition in the village. Would your Bill preempt the Village of Buffalo Grove and all of the work that they've put in... the hard work they've put in in listening to the people on the local level and then making a determination? Would that be preempted under your Bill?"

Millner: "If it's more expansive than the State Law, that would be correct. But let me read one section of this that may help respond, as well. 'A unit of local government also establishes zoning and security requirements for the retail sale of firearms by... by the federally licensed firearms

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dealer.' So, that would be the only one that would be allowed... allowed beyond that."

Mathias: "Not... so you're saying that we could zone them and put them into a industrial district of the village, the site of that, but we could not ban them from selling."

Millner: "Yes, that's correct."

Mathias: "Under... under your..."

Millner: "Yes, that's correct."

Mathias: "...ordinance? Do you think that the people in Buffalo Grove should make that decision or do you think someone in Springfield should make that decision?"

Millner: "That... that is also a good question, but again, through the... getting through the compromise to get to this important piece of legislation there, this is one thing that... that I did."

Mathias: "And I... and I do really believe that this is an important piece of legislation. And I think, though, because of the very areas that it affects, I think it should be put the... to the General Assembly in the sections that are affected. In other words, the gun show loophole should be brought to us as a... as a Bill as well as the preemption. And that way, people don't have to choose between, you know, Bills that they may feel are good and other portions of this Bill that they feel may over... overweigh passing portions of the Bill that are not good. So, to the Bill, Mr. Speaker. As a former Mayor of Buffalo Grove and having been on the other end of... of this on the local level and having listened to the people in my

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community, and... and there were many people who objected to any type of... of legislation. But after listening to everyone in town and... and coming to a conclusion that this is what... what we felt was best for our community, I think that's the place where these decisions should be made, not in Springfield. I believe very much in... in less government and in believing in less government, I also believe very strongly in local control. So, I reluctantly, because there are very good provisions in this Bill, however, I reluctantly urge everyone to vote either 'no' or 'present' on this Bill until we see a Bill that just deals with the gun show loophole. Thank you."

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

Millner: "Thank you, Mr. Speaker and Members of the Assembly. Just... I understand this Bill has its yin and yang, if you will. I mean, there's areas of this Bill that's so important that all of us look at this gun show loophole. And we know the realities of getting things passed in this Body. Two years ago I passed a ban that would go after... local law enforcement officers to go after unlicensed gun dealers. And the way we were able to do that is to be able to craft legislation that both the anti-gun group and the pro-gun group were able to agree on. And we were able to pass that meaningful piece of legislation. Yesterday we had a Bill by one of our Representatives regarding trigger locks, it was an excellent piece of legislation. She, too, was able to work with both sides to compromise. This

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particular Bill, as you know, has a part about... some of our Representatives had made some good comments here. But what's more important? Our Second Amendment right is one issue that..."

Speaker Turner: "Bring your remarks to a close."

Millner: "...I ask to consider everything that was said here today. It's very important on both sides. And I... I would certainly ask for an 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 341 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Leitch. The Clerk shall take the record. On this question there are 63 voting 'aye', 50 voting 'no', 2 voting 'present'. And this Bill... this Bill, not having received the Constitutional Majority... Representative Millner."

Millner: "Post..."

Speaker Turner: "The Gentleman asks that the Bill be placed on Postponed Consideration. Bill will be placed on Postponed Consideration. The Gentleman from DeKalb, Representative Pritchard, for what reason do you rise?"

Pritchard: "Mr. Speaker, for a point of personal privilege."

Speaker Turner: "State your point."

Pritchard: "I'd like to introduce some students up in the balcony behind us. Twelve students from the St. Charles East High School down competing in the state competition for Family and Consumer Science Student Organization, led today by Nancy Kroll. Let us welcome them."

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Speaker Turner: "Welcome to Springfield. On page 2 of the Calendar, Mr. Clerk, we have Representative Yarbrough's Bill, House Bill 45. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 45 has been read a second time, previously. Amendment #1 was approved in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. The Gentleman from Cook, Representative Osterman. Mr. Clerk, read House Bill 794."

Clerk Mahoney: "House Bill 794, a Bill for an Act concerning firearms. Third Reading of this House Bill."

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

Osterman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 794 aims to close the gun show loophole here in Illinois. It will require that nonlicensed firearm dealers at gun shows in Illinois will have to request an instant criminal background check on prospective firearm buyers and receive an approval from State Police before completing the sale. Why is this important? Today at gun shows in Illinois nonlicensed dealers sit next to federally licensed dealers, both selling firearms. The federally licensed dealer is required to conduct an instant criminal background check through the State Police, the nonlicensed dealer is not. This is common knowledge. Criminals and those who want to avoid a background check and what will be uncovered will gravitate to the nonlicensed dealer to illegally purchase firearms, guns that may be used in crimes. Instant criminal background checks in Illinois



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work. Last year State Police stopped 1,108 criminals and domestic abusers from purchasing firearms because of the instant criminal background check. In 2003, over a thousand. Over the last 2 years... the last 2 years over 2 thousand people were denied access to firearms because of the instant criminal background check. How many of those criminals sought gun shows to purchase firearms? How many times? Ladies and Gentlemen of the House, it's time to act on this legislation. Some will say that gun shows have not been a problem. ATF reports that 20 percent of guns used in gun trafficking cases come from gun shows, 25 percent of gun sellers at gun shows are not licensed, terrorists have used gun shows to try to purchase firearms and 2 percent of inmates have used gun shows to purchase firearms. Last week for the first time since I've been down here, the NRA has finally joined the fray and acknowledges for the first time that gun shows are a problem. These are not my words, they are the Rifle Association of Illinois. Legislation that closes the gun show loophole is needed to reform... to reform the Illinois gun laws. If passed, terrorists and other criminals will be unable to purchase firearms at gun shows, thus shutting down possible gun pipelines that would be used to do society harm. This is a Bill, 794, that is forged by input from this Body. Over the last 2 years, comments in committee, individual Members coming forth, we have made a better Bill. The definition has been modeled after Representative Millner's Bill to expand how many guns are there to 50 or more firearms, 5 or more vendors. It

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also includes... excludes shooting events, trap shoots, dinners like the Sportsmen's Caucus and Pheasants Forever. This is reasonable. Dealing with the issue of destruction of records which we just debated, House Bill 794 comes at it from a different angle, an angle that is supported by law enforcement. It codifies State Police's recent policy. It says if law enforcement wants to check the NICS system they have to send a letter or a fax to the State Police including the name of the officer, his star number, his supervisor and star number, the reason for the check, the agency they're from and the case number. This is reasonable and it will prevent the rogue officer from trying to misuse the system. Ladies and Gentlemen of the House, the proof of the need for this Bill is not gonna come today, it's gonna come in a year after its passage. When we are able to look back and see how many criminals we stopped. As in Colorado and Oregon, they've done that and they can check and see how many criminals they've prevented from doing this. In both Colorado and Oregon, the general public in the state enacted legislation only after the General Assembly failed to act. And only after tragedies at Columbine and Thurston High School. I would simply say that we've seen far too many gun... gun violence tragedies here in our state. Let's not wait for another one before we enact this legislation. I ask for an 'aye' vote and would ask... answer any questions."

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

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

Speaker Turner: "He indicates he will."

Dunkin: "Okay. So, I wanna be clear, Representative. So, you've worked with opponents of this Bill as well and they have all agreed on this legislation?"

Osterman: "Absolutely not. Because they... they have their version of the legislation. This Bill... for those that have been in various committees that this Bill has been brought forth in and debate that I've heard last year when I ran this dealing with Pheasants Forever and, ya know, the Sparta Shooting Range. The language in this legislation has taken that stuff into consideration. So, this is not an agreed Bill by any stretch of the imagination, but it's a reasonable Bill. A reasonable Bill that I don't think is gonna affect sportsmen and hunters in this state in a negative way."

Dunkin: "Thank you for that. To the Bill. Ladies and Gentlemen of the House, this Bill here is a breath of fresh air in that it gets us to the level of somehow slowing down criminals getting easy access to weapons that saturate many of our communities here and throughout the state, especially on the south side of Chicago and the we... some parts of the west side. If you look at some of the murder rates in some of these troubled areas, even down in... from East St. Louis and Rockford, Illinois, it's some of these very same loopholes that people who are intent on hurting other individuals take advantage of. And there is a market for... for people or these criminals, if you will, who look

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for an opportunity to exploit so they can get a weapon illegally or creatively. And those weapons end up back on the streets all across the State of Illinois to do nothing but hurt, harm, maim and kill people. I think this legislation is one of the an... the... the better answers that we have in trying to curb the issues of gun violence that plague our state here. I think the Sponsor is very keenly aware of some of the dynamics that it takes to close and help to try to curb this issue of illegal gun activity here in the State of Illinois. And I would strongly, strongly encourage an 'aye' vote in supporting this measure. And for those serious gun collectors or those hunters, this Bill I see it as... I see it not hurting that activity. I see this only helping us to reduce crime in our great state. And I would ask and encourage all of us to support this legi... this measure. And do an 'aye' vote for him. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House... The Gentleman from White, Representative Phelps, for what reason do you rise?'"

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

Speaker Turner: "To the Bill."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In all due respect to the Sponsor when he said that this is a reasonable Bill, this is not a reasonable Bill. If you're for registration in this state then, yeah, you ought to vote for this. This is abuse that has been caught up... there's a Chicago school principal that got caught up

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in this, a Chicago firefighter that got caught in this. This is something that the State Police doesn't even have the authority to have and shouldn't be able to keep. And I just urge a 'no' vote. This is not a reasonable Bill. And please vote 'no' on this Bill... 'no'."

Speaker Turner: "Representative Osterman to close."

Osterman: "I appreciate the debate and the work and the people that have considered this throughout this Session. I think it's an important Bill to stop criminals from getting firearms, to stop domestic abusers, potentially stop terrorists. I look at this legislation that's something that affects everybody in the State of Illinois. It's not a partisan issue. And I'm going to close with words that again are not mine, but these are the words of U.S. Senator John McCain. Last year in Washington he said, 'Why do we need gun show loophole legislation?' Some might point to the tragedy such as Columbine, but as horrific as this massacre in Columbine was where 11 people were needlessly killed, that is not what drive us to close the loophole. We need this... need this Amendment because criminals and terrorists have exploited and are exploiting this very obvious loophole in our gun safety laws. We need this Amendment because our Second Amendment rights do not extend to criminals who violate our laws and terrorists who hate our country. We need this Amendment because according to the NRA hundreds of thousands of unlicensed firearms sales occur at gun shows every year. We need this Amendment because ATF has identified gun shows as a second leading

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source of firearms recovered from illegal gun trafficking investigations. We also need this Amendment because my law-abiding constituents who attend gun shows should not have to rub shoulders with the scum of the earth who use this loophole to evade background checks to buy firearms. Ladies and Gentlemen of the House, the time is now. I'd ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall the House pass House Bill 794?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Leitch. The Clerk shall take the record. On this question, there are 63 voting 'aye', 51 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings we have House Bill 3528, Representative Rose. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3528, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Rose: "Thank you, Ladies and Gentlemen. This is the Bill that I had pulled earlier at Representative Davis's request to check, I did check with the Department of Agriculture. They don't see any cost to this Bill at all. Again, they do not see any cost to this Bill at all. So, with that, I'd ask for its favorable adoption."

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

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Davis, M.: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Motion. We did find after talking with Representative Rose and our staff that the Department of Agriculture will find the funds without an additional appropriation. And I think this is an excellent piece of legislation in reference to the growing plague of the drug abuse. Thank you, Sir."

Speaker Turner: "The question is, 'Shall the House pass House Bill 3528?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mendoza, on page 2 of the Calendar we have House Bill 1197. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1197, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Lang, has been approved for consideration."

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

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1197, Amendment #3 is up for consideration right now. I'd ask for your support. And basically what it does is that this legislation would require an individualized behavioral support plan based upon a functionalized behavioral assessment for individuals

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who exhibit violent behaviors, self-injurious behaviors and things of that nature. And basically, for those of you who may not know, it's still legal in Illinois to use electric shock in community programs for individuals with developmental disabilities. What Amendment #3 to House Bill 1197 does is it would prohibit the use of electric shock and create a committee to write rules regarding the use of aversive techniques in community programs which serve individuals with developmental disabilities. Be happy to answer any questions and would ask for your favorable support of the Amendment."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment #3 to House Bill 1197?' All those in favor should vote 'aye'; all those... should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #3 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On page 23 of the Calendar, Representative Skip Saviano, we have House Bill 2577. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2577, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 2577 as amended is an initiative of the Department of Professional Regulation which will... this will allow the department to begin suspension proceedings and revocation



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proceedings on people's professional licenses when they are notified by the Department of Revenue for failure to pay their income taxes and any other... and any other... any other tax that is outstanding. If the Members remember on the Reg and Reg Committee this was brought up that what steps were taken before it was referred to the department. The Department of Revenue and the Department of Professional Regulation has informed me there are eight steps that they go through in making sure that they've exhausted all means to collect these taxes and that the individual whose license is in jeopardy has been notified by certified mail in that process. They also inform me that it takes 259 days from start to finish before they contact the department for these failure to pay taxes. This is along the same lines as the failure to pay child support and other... other scofflaw situations. And I would ask for your approval on House Bill 2577."

Speaker Turner: "Seeing no questions, the question... The Gentleman from Cook, Representative Molaro. Seeing no questions, the question is, 'Shall the House pass House Bill 2577?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Parke. The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed.

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Representative Saviano, you also have House Bill 1178.  
Read the Bill, Mr. Clerk. It's page 21 of the Calendar."

Clerk Bolin: "House Bill 1178, a Bill for an Act concerning  
regulation. Third Reading of this House Bill."

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

Saviano: "Thank you, Mr. Speaker. House Bill 1178 simply  
extends the sunset date for Hearing Instrument Consumer  
Protection Act to January 1, 2006. It's an agreed Bill. I  
would ask for your favorable vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall  
the House pass House Bill 1178?' All those in favor should  
vote 'aye'; all those opposed vote 'no'. The voting is now  
open. Have all voted who wish? Have all voted who wish?  
Have all voted who wish? Yarbrough. The Clerk shall take  
the record. On this question, there are 115 voting 'aye',  
0 'noes', 0 voting 'presents'. And this Bill, having  
received the Constitutional Majority, is hereby declared  
passed. On page 24 of the Calendar, Representative Joe  
Lyons, we have House Bill 3851. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3851, a Bill for an Act concerning  
State Government. Third Reading of this House Bill."

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

Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. House Bill 3851 amends the Illinois Act of the  
Aging creating a community care program advisory committee  
in the Department of Aging to advise the Department of

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issues related to the Department's programs of service to prevent unnecessary institutionalization. It sets forth the terms and conditions of the membership of the committee, provides the committee reports and recommendations are advisory only. The Amendments that we put on there were to basically say that there is no cost that's gonna be affecting the department. And it clarifies that members must comply with the ethics statement. I'm looking for your positive... 'yes' votes on this and be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House... shall the House pass House Bill 3851?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Reitz. The Clerk shall take... the Clerk shall take the... take the roll. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 15 of the Calendar, Representative Mautino, we have House Bill 2612. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2612, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On page 10 of the Calendar, Representative May, we have House Bill 1628. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 1628, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #4, offered by Representative May, has been approved for consideration."

Speaker Turner: "Out of the record. Representative Rita on House Bill 1337. Take it out of the record. Representative Jefferson on House Bill 1370. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1370, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Soto, has been approved for consideration."

Speaker Turner: "The Lady from Cook, Representative Soto or Representative Jefferson on Amendment #1."

Jefferson: "Thank you, Mr. Speaker. Amendment #1 makes two changes to the original Bill. The first change was made in response to committee Members' concern of the Bill's increased penalties that might apply to employees who are unaware that they were subject to prevailing wages. And the second change is made in response to opponents' concern that the debarment period provided for in the Bill was too high."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment #1 to House Bill 1370?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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

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Speaker Turner: "Third Reading. On page 2 of the Calendar, Representative Miller, we have House Bill 9. Out of the record. On page 26 of the Calendar we have Representative Molaro on House Bill 1284. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1284, a Bill for an Act concerning local government. Third Reading of this House Bill."

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

Molaro: "Thank you, Mr. Speaker. There was a misunderstanding in this Bill last time it was called. This just allows by front door referendum that if the mayor and the city council pass, it's put on a referendum the voters have to vote and pass. Right now, you can pass half a percent. This allows 1 percent. But it's a front door referendum, must be passed by the voters. And this is for all these towns and villages. This is brought by about 25 suburbs in Cook County and many, many small towns downstate. It is a front door referendum and the people must vote if they wanna increase their sales tax by 1 percent. This is not a tax increase nor is it a fee increase."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 1284?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Patterson. Moffitt. Karen May. Bill Black. Mike Bost. Anybody else? The Clerk shall take... Any further changes? The Clerk... the Clerk shall take the record. On this Bill... this Bill having rece... this

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Bill... there are 23 'ayes', 92 'noes', 0 'present'. This Bill, having not received the Constitutional requirement, is hereby declared failed. Molaro, you want to try another one? How about House Bill 2369? You got close on that last one. The Gentleman from Cook... Read the Bill, Mr. Clerk. 2369."

Clerk Bolin: "House Bill 2369, a Bill for an Act concerning children. Third Reading of this House Bill."

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

Molaro: "Thank you. Can I have leave to present this from my chair? I'm a little woozy. I'm a little weak. This Bill... now this... thank you very much. Thank the camera man for that. I... I... I could get through this though, if I just have a minute. This Bill... I... I... I think I can stand, I... I'll make it. Thanks. This Bill came out of... it's actually of little serious Bill. But what... what we've done here is, this Bill came out of the City of Berwyn. There was a man that was accused of maybe about 3 or 4 years ago of doing something inappropriate with a couple of children in school. And what should have happened, it should have been reported to either DCFS or law enforcement and they could have looked this over and see if it was inappropriate or not. And it has to do with reporting statutes. He didn't and it wasn't turned over by the principal or the superintendent or some school board members. And then about 4 years later there was a bunch of accusations that it's pending for about 20 or 30 students who came forward

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saying they were fondled amongst other things. Basically, what happened was we found out that the five or six people who knew about this and didn't report it, one of the things was they wasn't... they weren't aware of the law. So, after talking to school principals, after talking to principal associations, the IEA, the School Alliance Board, what we came up with we thought would be a great idea that when someone's hired as a teacher or one of these reporters that all they do is they read the law and they sign a little statement that they read the law and they understand that they now have to report this type of abuse. And that's all it goes. There's no penalties, there's nothing with it. It's just like when we take our ethics laws, we just sign a paper that we read 'em. And that's all this does. But it's important that the reporters know what the law is and that's what this Bill does. And this has now... have all been agreed to by all the parties."

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

Delgado: "Yes, Mr. Speaker, will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Delgado: "Representative Molaro, just for a question 'cause I see on the screen here, maybe I missed it in your... in your presentation. Are the Illinois Principals Associations against this legislation?"

Molaro: "No, they're for it. Now, them as well as the School Alliances, they wrote the Bill. All this language is their language."

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Delgado: "No, that's fantastic. 'Cause I... I would think that they would be and maybe the... the screen here was wrong 'cause I... To the Bill. I rise in strong support of this legislation and I just wanted to ask that question as it in... just to clarify what I had here on my screen. Thank you."

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

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

Speaker Turner: "Indicates he will."

Black: "Yes. Representative, there's a... is there a fee increase in this Bill subject to referendum? Oh, that was the last one, I'm sorry. Forgot... goodness, let's not... let's not confuse the issue. Representative, walk me through the Amendment on the matter of increased penalties. Floor Amendment #1, if our analysis is correct, it said the Bill raises these penalties on a first offense is a Class IV felony and a second or subsequent offense is a Class III felony. Is that an increase in..."

Molaro: "That's..."

Black: "...the punishment?"

Molaro: "...yeah, that's... that's the previous Amendment that we withdrew and this... we never filed. So, we never even voted on it. I took that out. The School Board Alliance and the Principals Association made me see the light of day. So, I pulled that."

Black: "And so what... what Amendment is on the Bill then?"



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Molaro: "Floor Amendment #1. And it does not raise penalties nor does it even talk about penalties."

Black: "All right. Let me ask... in the... in the Bill if you would look on... or the Amendment, I'm sorry, line 8, page 1 where it says, 'any physician' then it goes on, ta da, ta da, ta da. Then skip over to page 4 and there's new language that says... I'm carrying this from page 1 now. And then on page 4, line 3, carrying it on it says, 'any physician must sign a statement on a form prescribed by or approved by the department to the effect that the person understands his or her responsibilities under this section.' Now, physicians are already mandated reporters. And the... the opposition from the medical community is, why are you requiring a physician who's already a mandated reporter to sign a statement that they have read and understand his or her responsibilities under this section?"

Molaro: "Well, it certainly isn't my intention to do that. As a matter of fact, we went through committee and someone came up to me afterwards. But going through all of committee no one from the Medical Society slipped it or came in and said they had a problem with it. And as you all know, the Medical Society is pretty..."

Black: "Yeah."

Molaro: "...pretty strong down here. If they had any opposition, they certainly would have come to me or slipped it or it would be in our analysis and it's not."

Black: "It's on ours."

Molaro: "Pardon me?"

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Black: "It's on ours that they have..."

Molaro: "Oh. Never con..."

Black: "We just talked to them yesterday and they are opposed because of that language."

Molaro: "Well..."

Black: "I think if you take it out in the Senate, they would probably embrace you warmly."

Molaro: "Well, they could... if they have a problem with it, I... I'm trying to make this Bill as friendly as I can. I don't wan... I don't wanna take on the doctors or anybody."

Black: "Okay."

Molaro: "I wanted it to..."

Black: "Yeah."

Molaro: "...the doctors amend it. I'm fine, 100 percent with that."

Black: "Okay."

Molaro: "I'm on that program."

Black: "Yeah, I think if you take that particular language out, Representative, in the Senate, they would withdraw their concern. And then I think you'd... and... and, you know, you need to be embraced warmly after that last horrendous experience that you were subjected to by Members of your own side of the aisle, I might add."

Molaro: "Well..."

Black: "I stuck with you until the bitter end."

Molaro: "...well... and if you would just give me a hug after this vote, I think that would..."

Black: "I..."

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Molaro: "...that would take care of and I'd feel that."

Black: "I have been in this..."

Molaro: "It... it would help."

Black: "...I have been in this chamber today so long that a hug  
from you would make things a lot better."

Molaro: "Thank you. Well, can we do that in private later?"

Black: "Yeah, yeah."

Molaro: "I don't want the whole Body..."

Black: "I'll..."

Molaro: "...in case I start crying..."

Speaker Turner: "Please, guys."

Black: "...I'll meet... I'll meet you out in the back hall."

Molaro: "All right."

Speaker Turner: "Don't tell everybody."

Black: "Thank you very much."

Speaker Turner: "Don't tell everybody. Representative Molaro  
to close. Representative Black."

Black: "Thank you very much, Mr. Speaker. With the Sponsor's  
indication that he will remove the reference to a physician  
having to sign a statement that he's read... he or she has  
read and understand it, I think that would eliminate the  
opposition of the Medical Society. And then I think we  
would truly have an agreed Bill. And at this point in the  
process he needs an agreed Bill. I'm gonna vote for it...  
for the Bill. I trust him to do what he said he will do in  
the Senate."

Speaker Turner: "Representative Molaro, do you need to close?"

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Molaro: "No, I might start crying. So, I just ask for a 'yes' vote."

Speaker Turner: "And the question is, 'Shall House Bill 2369 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 22 of the Calendar we have Representative Nekritz on House Bill 2390. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2390, a Bill for an Act in relation to bicycles. Third Reading of this House Bill."

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

Nekritz: "Thank you, Mr. Speaker. House Bill 2390 is a Bill that we've... that's been before this General Assembly many, many times before. And over the last year I've made some significant changes to it that do make it friendlier for the municipalities, townships, and counties around the state. The purpose of this Bill arises out... The background of this Bill is that it arises out of a Supreme Court case that was decided in 1998. And that Supreme Court case determined that bicyclists are not intended users of the roadway. The result of that is that on municipal, county, and township roads there is... cyclists have... municipalities, townships, and counties have complete immunity with regard to... to bicyclists and no duty of care."

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But if that unit of government puts in a 'Share the Road' sign or a bike lane they move from being complete immune... completely immune to having regular negligence. The result of that... the public policy result of that has been that there is a disincentive in the State of Illinois to putting in bicycle facilities, to installing a 'Share the Road' sign, to putting in a bike lane. This is... this is bad public policy for us. We ought to be doing just the opposite. We ought to be encouraging these kinds of facilities to promote a healthy lifestyle. The opponents of this and let me just say one other thing about... in 49 other states when it comes to liability, bicyclists are treated the same as automobiles. It is only in the State of Illinois where we have this distinction. The opponents of this legislation have said many things about this Bill. First would be that they have to upgrade the roads to some... to some higher stand... they have to upgrade the roads to include facilities for bicyclists. Or that they have to maintain the roadways to some higher condition than they already do. I'd like to read from... read to you from the Bill because we expressly deal with this in the legislation. The legislation says that this, 'shall not impose an obligation to upgrade, widen or reengineer existing highways for use by bicyclists or install or upgrade lighting or signage or... or pavement markings. And does not impose an obligation to maintain streets and highways to a higher standard for bicyclists.' I don't know how we could be anymore clear than this that there is

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no additional obligation imposed under this legislation. But there's a further piece to that and... and this comes out of a question that was raised in committee. So, what happens if you have a gravel road or a tar and chip road or a dirt road that a bicycle was ride... bicyclist was riding on and they fall? Is... does that create liability? And the answer is, no. And the reason is that in the liability... in the legislation we establish cyclists as intended users of the roadway. But that word 'intended' means that there is this negligence liability. But in order to recover against a unit of local government under the Tort Immunity Act you have to prove that the local public entity had either actual or constructive notice of a hazardous condition in sufficient time prior to the injury to repair or warn about the condition. A loose stone shaking... a loose stone on an existing gravel road or dirt on a dirt road or a rock on a tar and chip road is not a defect or a hazard, but a necessary and unavoidable condition of that roadway. Those are standard things, they are not special conditions that would have to be... that would have to be dealt with. We're only asking the... the... these units of local governments to maintain the roads as they currently are. Another example... another objection that we have heard is that this will create lots and lots of lawsuits. And again, nothing could be further from the truth. And... and we have experience in this regard to give us some back... to give us some information on that. The City of Chicago has, I believe, it's over a hundred miles of existing bike lanes and on

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those bike lanes they have a regular negligence liability to bicyclists. The County of DuPage has been fabulous about developing bike facilities throughout their county. My hometown of Northbrook has 'Share the Road' signs. All of those places are places where bicyclists can sue if there's negligence. Now, if there were so many lawsuits that are gonna happen as a result of this legislation why is the City of Chicago about to expand their bike lanes by a... by 4 to 5 hundred additional miles in the next few years? If they were having a problem with lawsuits where they already have liability, one would think that they would be doing the reverse. They would be taking up the bike lane markers, they would be doing away with them, not expanding them. So, their rhetoric does not match the experience. Their rhetoric says one thing and their experience and what they're doing says exactly the opposite. We've also heard that... that... Thank you, Representative. We've also heard that it's ridiculous that a... that a six-year-old would be an intended user of the roadway. And believe me, if I could find a different word for this I would. But this is the word that the... that the statutes require me to use in order to fit within the Motor Vehicle Code. So, it's not that I'm... no one's gonna send a six-year-old out on a 45 mile an hour road. That would be ridiculous and it would be unsafe regardless of the road condition. It would be unsafe because it's unsafe to deal with the automobiles that are out there, not because of the road conditions. We would... I would like to create and I'm

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sure all... and as I've talked to many of you, I know many of you would like to create the situation in the State of Illinois where cycling can flourish. And that we can have an environment where healthy lifestyles are encouraged and not discouraged. This Bill is a necessary move before we can... before we can become a state where we are a leader in developing these active and health-friendly lifestyles. I urge your support."

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

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

Speaker Turner: "To the Bill."

Hultgren: "I wanna commend the Sponsor. She has done a lot of work bringing groups together on this. Many of you remember we had legislation up a couple years ago that I think would have been much more drastic than this. I really commend the Sponsor for taking time, being open to every single group out there, having meeting after meeting after meeting, trying to address everybody's concerns, trying to make this as good as we possibly can. I don't know if there's a way to make a perfect Bill and certainly there's gonna be people who will always be opposed philosophically to this, but I really do think this is a good compromise. It... every single opportunity in the world was offered out there for every group that would potentially have a concern on this to come in and talk, to give recommendations, to work out language. And those were accepted. It's really tough, all the groups that have an



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interest here to bring them together. And yet, again, the Sponsor has done that. I wanna encourage you... I... I do think this is a good Bill. I think it's important for us to encourage our towns, our municipalities to have bike paths whenever possible, to encourage them to do that. I really think the state of our law the last couple of years has really been a discouragement for them to create new bike paths, to designate areas as bike paths. And I... I think this helps in creating that. And yet, does not increase the burden on our municipalities, townships. I really do think it fits in with what they're already doing. But then, ups the... the level or encouragement, I guess, for them... incentive for them to also have bike paths, as well. So, I know people need to vote the way they need to vote on this, but I... I do think this has been discussed, listened to, worked on. And again, I commend the Sponsor and encourage your support."

Speaker Turner: "I'd like to remind the Members that this Bill is on Short Debate. There's 12 people willing to speak. And so, I'd like to hear from an opponent. Representative Parke, the Gentleman from Cook."

Parke: "Thank you, Mr. Speaker. I would like to have this taken off of Short Debate to have the full debate on this issue. And I'm joined by a regulated amount of people to do so."

Speaker Turner: "The requisite number of hands have been raised and the Bill will be placed on Standard Debate."

Parke: "Thank you, Mr. Speaker. I... To the Bill."

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Speaker Turner: "To the Bill."

Parke: "I'm, ya know, I really want this kind of legislation to pass. I... a couple years ago I helped get a bikeway path over a major expressway because I... I like to have that, but do you know this Bill, as much as they've worked on it, still has serious flaws. Ladies and Gentlemen, this opens the way for a major cause of action... a major cause... so that they can... people can get sued. Our municipal governments are gonna get sued. The cost that this legislation is gonna have is... is unbelievable. You know, the DuPage County Mayors and Managers are neutral. But the Illinois Municipal League is in opposition. The City of Chicago... the City of Chicago is in opposition, Will County Governmental League, the Metro Counties, the Township Officials... the Township Officials really... why they're opposed is they have all of these township roads that they know leaves your townships exposed and vulnerable to lawsuits. As much as they've worked hard on this and it certainly it sounds like they did. They still have major problems. The West Central Management Conference is opposed to this. Not because they don't want bicyclists, but because of the ability for people not to meet the standard. They're gonna get drawn into court because there's a standard that has to be met on having at... a road that a car can drive on be the same that a cy... bike... bicycle can safely ride on. That's a determination that'll be made in the courts. And I... and it's gonna cause our township governments to spend lots and lots of money on

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attorney fees, it's gonna require our municipal governments... And ya know, those of us that come from township governments should be really strongly opposed to it. You guys that are so strongly in advocates for... for municipal government ought to be rising in opposition to this also 'cause it's gonna cost our local governments a lot of money in legal fees. And then... and if it rules... the settlement ends up being in favor of the plaintiff, it's gonna cost our taxpayers a ton of money. We have bikeway paths, we don't need this legislation the way it's structured. I... I regretfully rise in opposition to the Lady's Bill."

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

Froehlich: "To the Bill. This Bill has been negotiated. I'd like to second what Representative Hultgren had to say. Two years ago the Northwest Municipal Conference and the DuPage Mayors and Managers were both opposed. They're no longer opposed, they're neutral because the Sponsor has made good faith negotiations on this Bill. Unfortunately, some other lobbyists kept moving the goal line and are still opposed. But I... I'm also happy to see when... when Members negotiate in good faith we should expect a lobbyist to keep their word and to pull off their opposition. So, I'm... I'm voting for this, I think it's a good piece of legislation now."

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

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Mathias: "Thank you, Mr. Speaker. I know I... I just recently talked to Representative Reis about this Bill..."

Speaker Turner: "Representative Reis?"

Mathias: "Yes."

Speaker Turner: "Where is Representative Reis? Has anybody seen Representative Reis? Oh, he's in... Representative Reis, your name has been mentioned in debate. You're in the gallery? Are you working today? You wanna come on down? We'll see you when you get through, bro. Representative Mathias on House Bill 2390."

Mathias: "Thank you again, Mr. Speaker. I know the... the Sponsor has... has worked on this Bill for... for several years and has put a lot of effort into it. And I know she has... I know that she has attempted to... to negotiate a settlement. But I guess unfortunately for me I still have to wear my... my old municipal hat and... and I just feel that this Bill actually, I know that... that it's been portrayed to be a... that the existing law would be a disincentive to building new bike paths. But I know in this law it basically states that if a municipality wants to it could put up signs and say, you know that bike... bicyclists are prohibited. And I feel that any municipality who has... who really feels that this is going to be a problem with their insurance rates may actually do that. They actually may prohibit bicycling and this may be a disincentive. Unfortunately, with the rising cost of expenses and we've talked in this House about the rising cost of expenses. One of those is insurance premiums. And I have no doubt that when you

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lower the bar from what the court has initially set it, that means there's gonna be additional insurance premiums and it's gonna be more expensive for municipalities to maintain the insurance necessary in this case. So, I really reluctantly ask this Body to vote 'no' or 'present' on this Bill even though I know that the Sponsor has done a... the best job that she can in... in trying to compromise. But it's... in this day and age where expenses are so high for municipalities already, to have to increase their liability is just not the right time to do that. Thank you."

Speaker Turner: "Now, we've heard two for and two against, am I correct? I think... Representative Reis, welcome back. The Gentleman from Vermilion, Representative Black. Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill."

Speaker Turner: "To the Bill."

Black: "As the Sponsor has indicated in her opening remarks, this Bill's been around a long time. Ladies and Gentlemen, we live in the lawsuit capital of the wor... of the United States. Class... more class action lawsuits are filed in Illinois than any state in the country. And we know where that... those counties are and we are... we haven't been successful in any kind of tort reform liability in this state. Let me ask you one fundamental question. Have... have governments not established that there's a difference between bicycles and cars when they create a bicycle trail?"

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Isn't that prima facie evidence that there is a difference? And that's why the City of Chicago has built well over a hundred miles of bicycle trails. Other municipalities have as well. They're building.. in the last 4 years, well over a hundred miles of bicycle trails have been constructed. But they are separated from buses, automobiles, and trucks. This Bill really comes down to some simple questions. County highway engineers are opposed to it, township highway commissioners are opposed to it, the Municipal League, mayors, aldermen and women are opposed to it for the following reasons. What financial burden will be placed on the government unit to try and meet the standards in this Bill? What legal liability will be placed on local units of government? What claims and lawsuits will be filed on local units of government? Last, but by no means least, and I think the most important and I said this 3 years ago. What safety problems are you creating when you mix a ten-year-old bicyclist on a road with 80 thousand pound trucks and 4 thousand pound automobiles going 65 miles an hour, 55 miles an hour, or 50 miles an hour? What safety hazard are you imposing when you say that that young bicycle rider, a minor child, is an intended user of a highway? Now, you show me in the law and that's why you're trying to change it. Where did it ever say a bicyclist is an intended user of a roadway? What's next? Skateboarders? Pedestrians? Roadways are built for cars, buses, trucks and motor vehicles. And that's why we build.. that's why we build bicycle paths. We've already admitted

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there's a liability question. It's out there, you can't negate that. I will stand with the Sponsor and help her build bicycle paths anywhere in the state she wants to. But we have no reasonable right to tell a local unit of government all throughout this very diverse state that is... it is your responsibility local unit of government to permit a bicycle as an intended user of a roadway built and paid for by motor fuel taxes. Mr. Speaker, if this Bill gets the required number of votes for passage, I shall seek a verification."

Speaker Turner: "Gentleman is within his rights. We have heard two people for, we've heard two people against. The Bill is on Standard Debate. Representative Nekritz to close."

Nekritz: "Thank... to... to some of the remarks made by the last speaker, I... I would like to say that those hundred miles of paths are on... on Elston Avenue, Milwaukee Avenue, Damen Avenue, some of the most heavily trafficked streets in the city. Those are not bike paths, they are streets with bike lanes on them where many modes of transportation live very peacefully. I would also like to say that the... that the word 'intended' is not my word, that's not the word I selected. That's the word required by the Illinois statutes. And before 1998, before this Supreme Court case came down, bicyclists were intended users of the roadway. It was that Supreme Court case that changed the situation and put us in the fix that we are in where Illinois is the only state in the union that has a disincentive, a disincentive for developing bicycle facilities. And I

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would also like to say to one of the previous speakers that his mayor, the mayor of Schaumburg, is supportive of this legislation and... and has been wonderful about developing bicycle facilities. And when we talked about costs, we talk about the rising cost of gasoline and we're gonna talk about the rising cost of public transportation. Bicycling is an affordable, reasonable alternative to those things. And... and when we're facing a transportation crisis in the City of Chicago and we're threatening with... we're threatening public transit cuts, we have to provide alternatives. Ladies and Gentlemen, this is not going away. This Bill is gonna be around as long as I am. And I hope you will support it this time so we can move ahead in this state on affordable, healthy forms of transportation. Thank you."

Speaker Turner: "I would advise the Members to punch their own button, the Gentleman has asked for verification. The question is, 'Shall the House pass House Bill 2390?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Flowers. Acevedo. Cultra. Bradley. The Clerk shall take the record. On this question... on this question there are 60 voting 'aye', 55 voting 'no', 0 'presents'. And the Gentleman has requested a verification. Representative Black. Mr. Clerk, poll the absent... poll the absentees. Poll those voting in the affirmative."



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Clerk Bolin: "A poll of those voting in the affirmative:  
Acevedo. Bailey. Bellock. Berrios. Bradley, Rich.  
Brosnahan. Burke. Chapa LaVia. Chavez. Collins.  
Colvin. Coulson. Currie. Daniels. Davis, Monique.  
Delgado. Dunkin. Dunn. Feigenholtz. Franks. Fritchey.  
Froehlich. Giles. Graham. Hamos. Hoffman. Howard.  
Hultgren. Jakobsson. Jefferson. Jenisch. Jones, Lou  
Jones. Joyce. Kelly. Krause. Lang. Lyons, Eileen.  
Lyons, Joseph. May. McAuliffe. McCarthy. McGuire.  
Mendoza. Miller. Molaro. Mulligan. Nekritz. Osterman.  
Pihos. Rita. Ryg. Saviano. Scully. Soto. Turner.  
Washington. Winters. Yarbrough. Younge and Mr. Speaker."

Speaker Turner: "Representative Black."

Black: "Mr. Speaker, it would be much easier if you could just  
have your Members sit in their seats instead of wandering  
all over the chamber."

Speaker Turner: "Would all the Members please take their seats  
so that we may proceed? The longer we take to take our  
seats, the longer we sit here, or you stand or you walk.  
So, if all Members and staff retire to the rear of the  
gallery, we will proceed with this verification. Before  
you..."

Black: "Ready?"

Speaker Turner: "...before you proceed, Representative Cultra has  
his light on. Representative Cultra."

Cultra: "Yes, Mr. Speaker. I just don't ask to speak very  
often, but when a Bill so negatively affects the area which  
I represent... I represent... I really regret that you didn't

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give me an opportunity to speak against this Bill. Thank you."

Speaker Turner: "Your point is well-taken, but the Bill was on Standard Debate, Representative. Representative Black, you may proceed with the verification."

Black: "Thank you very much, Mr. Speaker. Representative Flowers?"

Speaker Turner: "Mr. Clerk, how is Representative..."

Black: "It's been so..."

Speaker Turner: "...Flowers..."

Black: "...it's been so long since I've done this, I'd forgotten the check."

Speaker Turner: "You'll have to bear with me also, Representative."

Black: "Yeah, I will."

Speaker Turner: "I... I believe Representative Flowers is voting 'no'."

Black: "Well, ya know, I'm... I'm about ready to give up anyway since the Speaker(sic-Sponsor) said she was gonna bring the Bill back for the next 65 years. I thought that was a nice touch, didn't you?"

Speaker Turner: "I didn't hear that."

Black: "Yeah, I heard it. I heard it very well. It's one of those things I'll file away. Representative Yarbrough?"

Speaker Turner: "Representative Yarbrough. How's the Lady recorded, Mr. Clerk?"

Clerk Bolin: "Representative Yarbrough is voting 'yes'."

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Speaker Turner: "Is Representative Yarbrough in the chamber?  
The Lady is not here. Remove her from the Roll Call.  
Representative Black."

Black: "I have no further questions. You're free to take the  
record."

Speaker Turner: "Mr. Clerk, there are 59 voting 'no', 55  
voting... I should say 59 voting 'aye', 55 voting 'no'. And  
this Bill, having... Representative Nekritz."

Nekritz: "Mr. Speaker, if I could put the Bill on Postponed  
Consideration?"

Speaker Turner: "The Lady requests that the Bill be placed on  
Postponed Consideration. The Gentleman from Jasper,  
Representative Reis... Reese, for what reason do you rise?"

Reis: "Reis, Reis."

Speaker Turner: "Reis, Reis."

Reis: "Thank you. It's hard to top those theatrics right  
there, but I would like to introduce my first cousin,  
Elaine Stock, from my hometown of St. Marie, the mother of  
our Page for today who's in the gallery."

Speaker Turner: "Elaine, cousin Elaine, welcome to Springfield.  
The Gentleman from Randolph, Representative Reitz, for what  
reason do you rise?"

Reitz: "I'd just appreciate it if Representative Reis would  
stay on the floor 'cause I thought I was in the gallery and  
I was a little concerned about that."

Speaker Turner: "Representative Lou Jones, on page 24 of the  
Calendar we have House Bill 3742. Read the Bill, Mr.  
Clerk."

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Clerk Bolin: "House Bill 3742, a Bill for an Act concerning government. Third Reading of this House Bill."

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

Jones, L.: "Thank... thank you, Mr. Speaker and Members of the House. House Bill 3742 is just simply some cleanup language from last year. It requires that all audits that are to be completed under the Illinois Grant Funds Recovery Act, the Local... the Local Records Act and the Illinois Municipal Code and the Public Water Districts Act must be performed by the certified public accountants permitted to perform all this under the Illinois Public Accounting Act. Again, it's just a simple cleanup from last year and I ask for an 'aye'... favorable vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass 3742?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bost. Bost. Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Macon, Representative Flider, for what reason do you rise?"

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

Speaker Turner: "State your point."

Flider: "Okay. Ladies and Gentlemen of the House, I just wanted to let you know that one of our fellow Representatives was blessed with her... with a grandchild

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yesterday evening. Representative Naomi Jakobsson her... had a granddaughter born last night at 11:20 and this is her ninth grandchild. So, I just wanna congratulate her."

Speaker Turner: "Congratulations, Representative. Little boy, little girl? Little girl. On page 2 of the Calendar, Representative Miller, we have House Bill 9. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 9, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Miller, has been approved for consideration."

Miller: "Thank you, Mr. Speaker. Floor Amendment 3 is just language in regards to the Good Samaritan Act. The Illinois State Medical Society and the Illinois Trial Lawyers are in agreement in the language."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment #3 to House Bill 9?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And Amendment #3 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On page 23 of the Calendar we have House Bill 2853, Representative Tyron... Tryon, I'm sorry."

Clerk Bolin: "House Bill 2853, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from McHenry, Representative Tryon."

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Tryon: "Thank you, Mr. Speaker. House Bill 2853 makes a... an Amendment to the code that regulates cell... cellular phone companies and their billing practices. It will require any cellular phone bill to disclose any third party that they are billing for, the name of that party and the address and phone number at which you may contact and... them and cancel any bill that they may be billing you for. And I think it will solve a problem that we are seeing. It's an emerging problem with kids that get on the Internet and download free ring tones and the download may be free, but some of these companies bill as much as \$3 a week to use the ring tone. So, I think this will provide an easy mechanism for parents to be able to cancel those services the first time they see them on the bill. I've had support from all of the cell phone providers that have been working with me on this. And I would urge a 'yes' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 2853?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Sullivan, on page 21 of the Calendar we have House Bill 782. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 782, a Bill for an Act concerning local government. Third Reading of this House Bill."

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Speaker Turner: "The Gentleman from Lake, Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. Let's see here. House Bill 782 would allow IDOT to enter into agreements with other municipalities, townships, basically other units of government to lease land for less than fair market rent as long as there's no permanent structures or additions put on the land. I'll be happy to take any comments."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 782 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Kosel. The Clerk shall take the record. On this question, there are 99 voting 'aye', 12 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 7 of the Calendar, Representative Reitz... oh, Reis... Reis and Reitz. We... he's here. Not in the gallery. This is on House Bill 1074. Read the Bill, Mr. Clerk. Page 7 of the Calendar."

Clerk Bolin: "House Bill 1074, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Reitz, has been approved for consideration."

Speaker Turner: "The Gentleman from Randolph, Representative Reitz on Amendment #2."

Reitz: "Thank you, Mr. Speaker. Amendment #2 is similar to it's... it's an agreement we reached with the Farm Bureau and

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a few other deer hunting groups in relationship to caps. It's similar to... we had... we had Representative Dugan's Bill that dealt with putting caps on... on the amount of archery... nonresident archery deer hunting permits. This will put that at... at 20 thousand and adjusted the fee that's also in here. And I'd be happy to answer any questions."

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

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

Speaker Turner: "He indicates he will."

Parke: "Representative, does the Illinois Farm Bureau still stand in opposition to this Bill?"

Reitz: "No, they're now in support of the Bill."

Parke: "And they... they have changed their mind based on what?"

Reitz: "They... their original opposition was not on the... the... actually the original Bill. The original Bill was... had a residency clause, it had a fee in for a nonresident deer hunters. They were opposed to it because they wanted some... they wanted to take the cap off of the nonresident deer hunting permits. And in an agreement with them we have raised the permit limit from 15 thousand currently to 20 thousand. We have a technical change that we wanna make in the Senate. But with that... with the raising it from 15 to 20 they are now in support."

Parke: "And how about the farmers in that area who are concerned about the over proliferation of deer? Are they still in opposition to this Bill?"

Reitz: "No. I don't know that they ever were. Which..."



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Parke: "Yeah, they were."

Reitz: "...which farmers?"

Parke: "Farmers that have the land out there where the... where the animals are eating their fruit trees and their crops because... where they have such high fees for out-of-state hunters that it discouraged them from coming in and cleaning up some of the overabundance of deer. So..."

Reitz: "I... I... I think with the... the raising... as opposed to taking the cap off completely, raising the limit will address their concerns. That coupled with raising the fees should keep it at 20 thousand being a... a manageable number. And we have an agreement with the department to sit down and look at the number of... of permits that are requested next year and hopefully adjust that accordingly."

Parke: "Well, Ladies and Gentlemen, and obviously the Sponsor has done some work on it. But I still think that the fees are... have been raised, not lowered, for out-of-state farmers(sic-hunters). And I think that it will discourage them for coming into Illinois to hunt deer because we have way too many deer in this state. So, that concerns me. So... sobeit."

Speaker Turner: "The question is, 'Shall the House adopt Floor Amendment 2 to House Bill 1074?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

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

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Speaker Turner: "Third Reading. On page 17 of the Calendar, Representative Saviano, we have House Bill 3066. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3066, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

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

Saviano: "Thank you, Mr. Speaker. Floor Amendment #1 becomes the Bill. This will allow... this was brought to me by my township. This would allow the township in conjunction or approval of the Cook County to set up a TIF district to spur some economic development in the area. And I would ask that you approve Floor Amendment #1."

Speaker Turner: "Seeing no questions, the question is, 'Shall Floor Amendment #1 be adopted to House Bill 3066?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On page 5 of the Calendar, Representative Saviano, we have House Bill 873. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 873, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Saviano, has been approved for consideration."

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

Saviano: "Thank you, Mr. Speaker. Floor Amendment 2 to House Bill 873 is a negotiated Amendment which would put in the proper consumer protections for ticket sales over the Internet. And I would ask that you adopt Floor Amendment #2 to House Bill 873."

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

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

Speaker Turner: "He indicates he will."

Parke: "Now, Amendment #2 has been agreed by the... the big ticket brokers: Ticketmaster, eBay and SubHub(sic-StubHub), but how about the local ticket breakers(sic-brokers) like Central States Tickets Brokers and Clear Channel Entertainment? Are they still in opposition?"

Saviano: "Well, Clear Channel Entertainment, number one, has a general policy that they're against the resale of tickets. So, that's the base of their opposition."

Parke: "Okay."

Saviano: "Central States Ticket Brokers are in opposition pretty much because it's a... a competitive thing. But as we have found out through the process, Central States Ticket Brokers also use eBay to sell their tickets. We wanna make sure that Ticketmaster, eBay, StubHub, all these other avenues that ticket brokers use also have the same consumer protections in there that the Central States Ticket Brokers have outside of the Internet. I think the basis of their

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objections are more about the fact that it's... it's competition. It's just passed out of the Senate 55-0 today. And I think everybody did a good job. We had eight meetings in excess of two hours a piece. And I... the basic difference here is that ticket brokers gain ownership of the tickets and they have to pay the tax when those things are sold. The Ticketmaster, eBay and StubHub never have ownership of the tickets, they're simply accommodating sales between other people and collecting a service fee for that service they provide."

Parke: "Okay. One last question. How is the consumer protected? You... this kind of legislation came up last year, I believe it was and was defeated. What is different in terms of consumer protection with Amendment 2 as really the bulk of the Bill? What can we expect..."

Saviano: "Okay. This... this is light years ahead of that Bill. Last year, eBay came... light years... eBay last year came in with a Bill to... just... had to give a blanket permission for them sell tickets on the Internet. And the only consumer protection built into that Bill, which actually wasn't built into it, was that they could go back to their credit card company and protest if they didn't receive the tickets. eBay completely rewrote their business plan for Illinois to bring themselves to the level of consumer protection that the ticket brokers have here in Illinois. And that... same goes for Ticketmaster and StubHub. That's the difference. And like I said, it... it's come a long, long way. And we are confident now that the consumer

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protections that are put into this Bill will be effective and we'll be able to enforce all the provisions."

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

Molaro: "Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Molaro: "I don't... has... has their been any conversation with the IRS or any special agents of the IRS over this Bill, where they stand? Gotten any phone calls lately on it?"

Saviano: "No. I only spoke to the City of Chicago Department of Revenue."

Molaro: "That... they're... they're probably controlling this anyway."

Saviano: "Yes, they are."

Molaro: "So, thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt Amendment #2 to House Bill 873?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And Amendment #2 does adopt... is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On page 5 of the Calendar we have Representative Phelps on House Bill 934. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 934, a Bill for an Act concerning transportation. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Turner: "The Gentleman from White, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 934 is an initiative of ABATE..."

Speaker Turner: "No, Third Reading. On page 19 of the Calendar we have Representative Ryg on House Bill 3767. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3767, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Ryg, has been approved for consideration."

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

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3767 creates the Business Location Efficiency Act. And I'd like to thank the Members of the International Trade and Commerce Committee for their consideration of this Floor Amendment versus the Committee Amendment. The Amendment addresses the concerns of the Department of Commerce and Economic Opportunity and economic development groups and local governments by providing incentives to businesses who consider workforce housing and transportation needs when locating their businesses. Businesses who qualify for the existing EDGE Program, DCEO's incentive for economic development for a growing economy, can receive an additional 10 percent in tax credits or an extension of EDGE credits if they locate in a site with access to affordable workforce housing or accessible transit options or if the business creates jobs

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in a labor surplus area. A business can also qualify for the additional tax credit or extension if its selected location is not location efficient, but they can submit an acceptable plan addressing employee housing and transportation needs. DCEO may provide technical assistance to employers in developing such a plan. The Bill provides for progress reports as required by the Corporate Accountability for Tax Expenditures Act with data on outcomes. A report on incentives awarded and DCEO findings and recommendations shall also be reviewed by an appropriate House Committee prior to distribution to the General Assembly. This Act will sunset on December 31, 2010. I ask for your support of House Bill 3767 as a true incentive to businesses to address our priorities of employment opportunity, affordable workforce housing and shortened commute times. I thank the committee Members and staff for their advice and direction in drafting this Amendment. And I'm open to any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment #1 to House Bill... I'm sorry. The Gentleman from Vermilion, Representative Black."

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

Speaker Turner: "She indicates she will."

Black: "Representative, you've certainly tried to work out this Bill from what it started, but... I don't think the Amendment would satisfy most of us in rural Illinois. Are you really wanting to tell people in my area who are unemployed,

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underemployed... let me just tick off the list here. General Motors plant was built in Danville right after World War II, it closed in 1995. The loss of 3 thousand jobs. General Electric plant opened in Danville shortly after World War II, employed 750 jobs, closed in 1996. Heister Manufacturing, at one time the largest manufacturer of lift trucks in the United States, employed about 12 hundred people in Danville, closed their Danville operation, moved most of their manufacturing capacity to a nonunion state of North Carolina. I could go on and on and on. There isn't any way my district, under your Amendment, could ever meet the definition of 'location efficient'. And you want DCCA (sic-DCEO)... Are you serious? You want the Department of Commerce and Economic Opportunity to consider location efficiency when you're trying to attract jobs to anywhere in the State of Illinois?"

Ryg: "I share your concerns about the employment opportunities, Representative, and that is why we took out the priority requirement for awarding of the EDGE grants. And we also addressed your district by including labor shortage areas as being eligible... I'm sorry, labor surplus areas, for being eligible for the additional credits. So, Danville, the City of Danville, is eligible for the incentive under this new Amendment."

Black: "But I don't... I don't think the portions of the two counties I represent would be. And you still have in the Bill that incentives of increased value would be available to locations in a location efficient area. And I... I don't



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understand that. I mean... this is a very diverse state. Maybe you can enlighten me as, what are you trying to do?"

Ryg: "We're trying to provide incentives for businesses to locate throughout this state by asking them to consider the other priorities of this state. So, that's why we included the labor surplus areas and areas that have issues with affordable workforce housing and transportation congestion. I'm open to other suggestions that would meet the needs of other areas of the state. We accommodated every request that was presented."

Black: "Representative, as I stand here, my... my home community of Danville is in a fight to the finish with Terre Haute, Indiana, for a facility that will employ 600 people and cost approximately \$100 million to... to build. We cannot match the incentives of the State of Indiana. We've put together what I think is a very reasonable package. The Governor's economic Opportunity Returns Program hasn't even been constituted in most areas of the state. And now, you're coming in with another layer of consideration that I honestly do not understand at all. Why not let the Governor constitute his Opportunity Returns Program statewide as he has indicated he intends to do, just hasn't done it yet, and let's see how that works. Why... why do you think it's necessary to add this kind of an Amendment that is none of our business? It's the business of the local unit of government, the local economic development association, the Opportunity Returns people that the

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Governor has hired to go after a plant that is looking for a site, whether it's green grass, whether it's brownfield..."

Speaker Turner: "Bring your remarks to a close, Representative."

Black: "Well, I... I... Do some of you people realize that some of us represent areas that are 3 thousand square miles? Nineteen counties. Some of you people can walk around the block and you've... you've done your district in thirty minutes. It takes some of us an hour and a half to cover one end of our district to the other. Why... what's so damn hard about recognizing the diversity of the State of Illinois? Why don't you just let what's out there work? I'm not gonna ask for a Roll Call on the Amendment, but I'm gonna tell you something. This shows a complete lack of understanding of how hard some of us in rural Illinois are trying to keep and attract jobs. Don't put another layer of bureaucracy or incentives..."

Speaker Turner: "Representative Ryg, do you want to withdraw this Amendment? Representative Molaro?"

Molaro: "When his mike went off, I couldn't hear the end of that. Would he please repeat the end of that part with... with a mike?"

Speaker Turner: "When he... when he comes back to give you the hug he can tell you. Seeing no further questions, the question is, 'Shall House Amendment #1 to House Bill 3767 pass?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes'

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have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. A fiscal note and a mandates note have been requested on the Bill as amended and the notes have not been filed."

Speaker Turner: "The Bill shall remain on Second Reading. Representative Ryg, you have another Bill, 834. Mr. Clerk, read that Bill."

Clerk Bolin: "House Bill 834, a Bill for an Act concerning public health, which may be referred to as Ally's Law. Third Reading of this House Bill."

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

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 834 creates the Restroom Access Act. This requires a retail establishment that does not have a public restroom, but has a toilet facility for its employees allow a customer to use that facility during normal business hours if the customer suffers from an eligible medical condition. I have introduced Ally's Law because my constituent who is a high school freshman shared her story with me and asked that Illinois respond to the needs of the thousands of Illinoisans who suffer from Crohn's disease and other irritable bowel conditions. Maryland and Michigan have similar legislation and served as the model for this Bill. Thanks to the efforts of the retail merchants, trial lawyers, petroleum marketers and convenience store operators, the Bill as amended has been agreed to by all parties and I am unaware of any

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opposition. I ask for your support to ensure that the painful and embarrassing experience of Ally Bain and others like her leads to a commonsense Illinois law, so that all our constituents have access to a restroom when they need it. Again, I'm open to any questions."

Speaker Turner: "The Gentleman from Cook(sic-Vermilion), Representative Black, for what reason do you rise?"

Black: "At this point... at this point I'm not sure. What difference does it make? To the Bill, Mr. Speaker."

Speaker Turner: "To the Bill."

Black: "Representative, just to show you that I can be very emotionally against one of your Bills and I can switch gears very quickly. Let me share with you about Crohn's and colitis. I've had it. I had the surgery. I am an ostomate. I have an ileostomy. I cannot control my bodily waste. It... it drains into a appliance, a pouch, if you will, external pouch, on my right side. Depending on my diet and the level of stress that pouch may fill up rather quickly. I have been in the position that your constituent was, only worse. Because when the pouch that holds about a pint of... of waste gets full, you either empty it or it pulls off and you have a embarrassing mess. And that has happened to me twice on this House Floor. It's not only embarrassing... it is embarrassing not only to me, it's embarrassing to those around me and embarrassing to the custodian who on at least two occasions in my tenure here have had to clean it up. I wouldn't wish that on anybody. I wouldn't wish the surgery on anybody. I

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wouldn't wish the illness on anybody. So, I've been in that position. I've been denied the use of a bathroom and on occasion have had to go out behind the store or literally behind a phone booth and figure out some way to empty my ostomy appliance. Which again, is very embarrassing and very difficult to do. So, I stand in full support of your Bill. I've been there, I know the embarrassment, I know the difficulty and I'm glad that you have worked it out. I thank you for working it out on behalf of people who suffer from the illness and on behalf of people like me who have the appliance, it's a very difficult and embarrassing position to be in. I wouldn't wish it anybody. Thank you for the work you've done."

Speaker Turner: "The Lady from Kane, Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker. I, too, stand in support of this Bill. My... my husband has gone through a lot of issues in life, probably in the last 15 years with colitis and he knows of every washroom within three miles of the vicinity of my home. And to see a older man or a man period get up and talk like my colleague just did for... on behalf of quite a few hundreds of thousands of people in the State of Illinois, I am very proud for what he just said. And I want to commend you, Representative Ryg, on all the work you've done on this in behalf of that board and a lot of boards in this state and throughout this country. Thank you for carrying this Bill."

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Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt House Bill 834?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 23 of the Calendar we have Representative Soto on House Bill 3471. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3471, a Bill for an Act concerning employment. Third Reading of this House Bill."

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

Soto: "Thank you, Speaker and Members of the House. House Bill 3471 as amended makes many changes in the statute regarding day and temporary labor. The Amendment was an agreement that was worked out between a large staffing groups and proponents. IMA was involved and is currently neutral. The Bill provides legislation... finding notification to employees, record keeping, wage, food and transportation provisions, company registrations and penalties. In specific, the Bill requires as follows. It does a number of things and it's on the... our... on our computer. So, I'm open for questions. And I urge an 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 3471 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? The Clerk shall take the record. On this question, there are 76 voting 'aye', 37 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Soto, we have House Bill 1133. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1133, the Bill's been read a second time, previously. Floor Amendment #1 has been adopted to the Bill. Floor Amendment #2, offered by Representative Soto, has been approved for consideration."

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

Soto: "Thank you, Speaker. Yes, House Bill 1133 becomes the Bill, rewrites the requirement for the Department of Public Aid to undertake a pediatric asthma initiative. The Chief Sponsor made the commitment to work out the language with the department. I urge an 'aye' vote. I'm open to qu..."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment #2 to House Bill 1133?' All those in favor should vote 'aye'... should say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Mr. Clerk, what's the status of House Bill 3687?"

Clerk Bolin: "House Bill 3687 is on the Order of House Bills-Third Reading."

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Speaker Turner: "Gentleman asks leave to bring the Bill back to Second Reading. Leave is granted. On page 5 of the Calendar we have Representative Washington on House Bill 822."

Clerk Bolin: "House Bill 822, the Bill's been read a second time, previously. No Committee Amendment. Floor Amendment #1, offered by Representative Washington, has been approved for consideration."

Speaker Turner: "Representative Washington on Amendment #1."

Washington: "Thank you, Mr. Speaker. Move for adoption of the Amendment #1, please."

Speaker Turner: "Gentlemen moves for..."

Washington: "This Bill is a Bill that creates a career ladder for those already in the Illinois long-term health care and creates a better assistant for the nurses who take care of the patients throughout the State of Illinois."

Speaker Turner: "Gentleman..."

Washington: "I ask for favorable approval."

Speaker Turner: "...Gentleman moves for the adoption of Amendment #1 to House Bill 822. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #2 offered by Representative Washington."

Speaker Turner: "The Gentleman from Lake, Representative Washington, on Amendment #2. Eddie?"



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Washington: "Yes, Sir, thank you. Amendment #2 was agreement between the nursing industry and the Illinois Trial Lawyers. And I ask for favorable approval of Amendment and adoption of Amendment #2."

Speaker Turner: "The Gentleman moves for adoption of Amendment #2. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed. All notes requested on the Bill have been withdrawn or filed."

Speaker Turner: "Third Reading. On page 20 of the Calendar, Representative Winters, we have House Bill 242. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 242, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Winnebago, Representative Winters."

Winters: "Thank you, Mr. Speaker. House Bill 242 makes a change to the formula for motor fuel tax to allow taxing districts that do not tax their full eight cent required, get a proportionate share of the motor fuel tax based on their current taxing effort. And be happy to answer any questions."

Speaker Turner: "The question is, 'Shall House Bill 242 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Parke. Wait. Parke. Have all

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voted who wish? The Clerk shall take the record. This Bill having received 46 'ayes', 63 'noes' and 3 'presents'... not having received the Constitutional Majority, fails. Representative Watson on House Bill 866. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 866, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "The Gentleman from Morgan, Representative Watson. Third Reading. Representative McAuliffe on House Bill 3696. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3696, a Bill for an Act concerning regulation. Third Reading of this House Bill."

McAuliffe: "Thank you."

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

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3696 would extend a sunset for the Illinois Dental Practice Act to January 1, 20... 2016. And everyone's in agreement with the Bill. And I'd be happy to answer any questions and ask for the passage of House Bill 3696."

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

Miller: "To the Bill. The... I believe this Bill may be tweaked just a little bit, but we do support it, the Illinois State

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Dental Society. And I will be voting in favor of it... of it even though it may be a conflict of interest."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 3696?' All those in favor vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 6 of the Calendar, Representative Saviano, we have House Bill 1031. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1031, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Saviano, has been approved for consideration."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #2 is a culmination of negotiations with Cardinal Health, the Illinois State Medical Society, the Illinois Pharmacists Association. What this does is creates a new Division VI to address offsite reviewing pharmacists. If you look on your analysis, the Illinois Pharmacists Association is currently opposed because they wanted to create a Division VII which is unrelated to this legislation, but we are running out of time and we didn't have a chance yet to negotiate it. So, with Division VI everybody is in agreement. And hopefully, in the Senate

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they'll be able to address Division VII. And I would ask for it to be adopted."

Speaker Turner: "Gentleman moves for the adoption of Amendment #2 to House Bill 1031. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And Amendment #2 is adopted Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Saviano we have House Bill 3045. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3045, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

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

Saviano: "Thank you, Mr. Speaker. Floor Amendment #1 becomes the Bill. And it represents an agreement between the Chicago Journeymen Plumbers, the Illinois Pipe Trades Association, Illinois Mechanical and Specialty Contract Association and the Department of Public Health. This is an agreed Amendment and I'd ask that it be adopted."

Speaker Turner: "Seeing no questions, the question is, 'Shall Amendment #1 to House Bill 3045 pass?' All those in favor should vote... should say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

Clerk Bolin: "No further Amendments? No Motions filed."

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Speaker Turner: "Third Reading. On page 8 of the Calendar, Representative Chavez, we have House Bill 1320. Representative Chavez. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1320, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. No note requests are pending."

Speaker Turner: "Third Reading. On page 9... 4 of the Calendar, Representative Boland, we have House Bill 542. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 542, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Mr. Clerk, we have House Bill 2260, Representative Soto. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2260, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. All note requests have been filed."

Speaker Turner: "Third Reading. Representative Younge on House Bill 1271. Read the Bill, Mr. Clerk. 1271."

Clerk Bolin: House Bill 1271, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Turner: "Representative Younge."

Younge: "Take it out of the record, please."

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Speaker Turner: "Okay. Representative Younge, would you like to call 962?"

Younge: "Yes, I would."

Speaker Turner: "Mr. Clerk, read the Bill. 962."

Clerk Bolin: "House Bill 962, a Bill for an Act in relation to foreign trade zones. Third Reading of this House Bill."

Younge: "Thank..."

Speaker Turner: "The Lady from St. Clair, Representative Younge."

Younge: "Thank you, Mr. Speaker and Members of the House. House Bill 962 amends the Foreign Trade Zone Act and makes it possible for a City of East St. Louis to apply to the Foreign Trade Zone Board for an approval of a foreign trade zone designation. East St. Louis was approved in the statute, but later there was a limitation placed on the number of foreign trade zones designation... no more than one in an area of 35 miles for two counties bordering the Mississippi River, St. Clair and Madison County. I was asked by the committee to contact the Federal Government in order to see whether or not... what would be their reaction to a... an Amendment to this legislation. And basically, the response was that it was... it would not be appropriate for them to... for the Federal Government to comment about legislation, but that the enabling legislation was the priority of... of the State Legislature. And that is what the Foreign Trade Zone Board would look at."

Speaker Turner: "The Gentleman from DuPage, Representative Meyer."

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

Speaker Turner: "She indicates she will."

Meyer: "Representative, I realize you said you'd contact the Federal Government to find out the answer to the question that was raised in committee. Their... their concern was whether this legislation would infringe on the establishment... on any other established trade zones. Why could they not tell you if the addition of this legislation would not affected other trade zones? I don't understand why they couldn't tell you that."

Younge: "The... the answer was that they would not comment on pending legislation in the General Assembly. That that was the prerogative of the State Legislature. And..."

Meyer: "Well, the prerogative..."

Younge: "...they would..."

Meyer: "...of the State Legislature's whether it passed legislation or not. It's the prerogative of the Federal Government, if... if they're controlling these trade zones, whether an additional trade zone or whatever the effect of your legislation is will... will hurt already established trade zones in this state. The two are different things, are they not?"

Younge: "The Federal Trade Zone Board will look at the enabling legislation and decide whether or not to approve the application of the particular municipality. What... what the director... the Executive Director of the Federal Trade Zone Board said that he... he did not want to comment on pending legislation in reference to this matter. They would look

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at it if at some time there was an application by a municipality. Then they would look at the enabling legislation and come to some conclusion. East St. Louis was approved by the... the General Assembly to apply for a designation as a federal trade zone location. And what I'm trying to do is to eliminate the... the restriction of no more than one federal trade zone designation in the St. Clair, Madison County area."

Meyer: "Well, Representative, is Granite City located in fairly close proximity to East St. Louis?"

Younge: "Yes, it is. And it is the... the one current federal trade zone designation."

Meyer: "So, they already have a current federal trade zone in Granite City? And that is located at different sites, correct?"

Younge: "It's located in Granite City."

Meyer: "Well, that's not exactly what I asked. The... the trade zone located in Granite City has several different sites to it, correct?"

Younge: "It..."

Meyer: "Sub... sub zones."

Younge: "...it has sub zones, yes."

Meyer: "And did Granite City offer to give East St. Louis an additional sub zone and therefore not create a problem with two trade zones in that area?"

Younge: "It has offered sub zones, but a sub zone usually is one particular business and it doesn't have the



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comprehensive effect of a... of a full zone. East St. Louis needs a revitalization of its economy."

Meyer: "Well, I would think the sub..."

Younge: "And new jobs."

Meyer: "...I would think that a... a trade zone is a trade zone whether it is located in a single site or a sub site, a sub zone. And... and I... I... I personally don't understand why we need this legislation if in fact there's a remedy without it that does not in any way jeopardize... a possible jeopardy of... of an existing trade zone. And if you pass this legislation we have no assurances that it won't jeopardize that... that trade zone. To me..."

Speaker Turner: "Bring your remarks to a close, Representative."

Meyer: "...to me, Representative, you have the remedy in front of you already without the need for this legislation. I would just encourage you to help us all out by not pushing it forward from here and accepting the sub zone."

Younge: "The... the sub zone does not have the economic impact and effect of a... of a full zone. There is a need for a drastic economic recovery in the East St. Louis area. And what is needed is the federal trade zone designation to help to bring about that economic recovery. And it will not be sufficient to just have a sub zone with one business, which is usually the case."

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

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Parke: "Mr. Speaker, I rise in support of the Lady's legislation. She is not going to cost the State of Illinois anything for this Bill. She is working with other municipal governments to try and find a compromise that she'll find. I understand the previous speaker's concern on this. But she is gonna have to negotiate with those other municipal governments to set this up. I think the Lady has a good piece of legislation. If she can do it, it'll be beneficial to her area and that's what she's supposed to do. So, I rise in support of the Lady's Bill."

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

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

Speaker Turner: "She indicates she will."

Washington: "Ms... Ms. Younge, this is two different counties, Madison and St. Clair. And if a federal trade zone was to be established in St. Clair County, which East St. Louis is within those boundaries, how many zones do you know that would be sites... I'm sorry, not zones, how many sites would be created in that zone?"

Younge: "There could be numerous sites created in that zone, Representative. Five, ten, it's according to how... how many offers of various types of businesses that would want to locate there. But it would give East St. Louis much more strength to have the full zone to offer, rather than just one sub zone."

Washington: "Well, Ms. Younge, so basically, this piece of legislation is one that you can say that, mama may have,

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papa may have, but God bless the child that's got his own, right?"

Younge: "I... I think that that is... is the case. I think..."

Washington: "To the Bill, Mr..."

Speaker Turner: "To the Bill."

Washington: "...Mr. Speaker. Mr. Speaker, I rise in support of this Bill and I commend the Sponsor for having the vision to try to create and evolve East St. Louis in a direction that will bring it up from the level that we've known that it has been trapped in for so many years. And ask my colleagues to give support for this Bill."

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

Reitz: "Speak to the Bill, Mr. Speaker. The only... I guess the only, just for clarification, all Representative Younge is trying to do with this Bill is to change the law. You can currently not apply for a free trade zone if it's within 50 miles of another free trade zone. Granite City is around 30 to 35 miles away. This will allow them to make application and will be a useful economic development tool for East St. Louis. And... and I stand in support of her Bill."

Speaker Turner: "The question is, 'Shall the pass... House pass House Bill 962?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 112 voting 'aye', 0 'noes', 1 voting

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'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Members, for your attention... May I have your attention? Any Member who had an Amendment that was passed out of committee either last night or today and their Amendment has not been adopted to a Bill as of yet, please come down to the front of the podium. If you had an Amendment that was heard in a committee last night or today, either out of Rules or in a committee and it has not been adopted, please come down to the podium now so that your Bill will be in a position to be voted on tomorrow. If the Amendment is not adopted today, you will not be on... be able to move this Bill tomorrow. So, if you were not called, please come to my left and state so we can move forward. Representative Lyons will now be in the Chair."

Speaker Lyons, J.: "Thank you, Representative Turner. Representative Lyons in the Chair. Representative Munson, for what purpose do you seek recognition?"

Munson: "Thank you, Mr. Speaker. I wish to change my vote on House Bill 3471. I'd meant to vote 'yes'."

Speaker Lyons, J.: "The record will so reflect. Representative Schock, for what reason do you seek recognition?"

Schock: "Mr. Speaker, on... because of a switch malfunction here, I'd like House Bill 1633, for the record to indicate my 'no' vote on 1633."

Speaker Lyons, J.: "The Journal will so reflect."

Schock: "Thank you."

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Speaker Lyons, J.: "The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. I would like to let the Body know that the Economic and Fiscal Commission will be meeting at 8:30 tomorrow in Room A-1 in the Stratton Building. We'll be voting on the HMO contract and the Vision Care contract. 8:30 A.M., A-1, Economic and Fiscal Commission."

Speaker Lyons, J.: "Thank you, Representative Parke. Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. I've made several bad votes today and I would like the record to reflect that whatever the bad vote was I want it to reflect that I should have voted the other way."

Speaker Lyons, J.: "Thank you, Representative Black. Representative Molaro, for what reason do you seek recognition?"

Molaro: "On that... Thank you, Mr. Speaker. ...same vote. I think it was Representative Munson who just said she... she'd like to change her vote. I mean is that possible, can we do that?"

Speaker Lyons, J.: "Repeat the question, Representative Molaro, on the..."

Molaro: "Well, I think it was Representative Munson you called on... didn't... as Representative Black said, I'd like the record to reflect. But I think she actually asked that her vote be changed. Can we do that? Okay. Oh."

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Speaker Lyons, J.: "Just in the Journal will reflect her wishes, but the record will stand. Representative Parke."

Parke: "I... just that Representative Munchin would like to... Munson would like to be recognized for clarification of that statement. And I want to remind everybody that tomorrow is the magic day, April 15th. Ya gotta file your taxes. Just wanna remind everybody."

Speaker Lyons, J.: "Thank you for all those wonderful public service announcements, Representative Parke. If anybody needs that suggestion, they're in trouble. Chair recognizes Representative Munson."

Munson: "Yes, Mr. Speaker, thank you. I misspoke. I meant to say that the record... I wanted the record to... I hit the wrong button and I wanted to... would like the record to reflect I inadvertently voted 'no' when I meant to vote 'yes' on this Bill. Thank you."

Speaker Lyons, J.: "And the proper response, Representative, is the Journal will so reflect. Thank you. Mr. Clerk, on page 10 of the Journal... page 10 of the Calendar Representative Art Turner has House Bill 1662. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1662, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Turner, has been approved for consideration."

Speaker Lyons, J.: "Chair recognizes the Gentleman from Cook, Representative Art Turner."

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Turner: "Thank you, Mr. Speaker. Amendment #1 is an Amendment that was brought to me by a constituent. And it deals with satellite television disc(sic-dish). And basically, what this Amendment says... right now if you discontinue service with a satellite company and you decide to go, say, with cable or another provider or wherever you may wanna read... receive your television signals, the company... the disc(sic-dish) company does not come out and remove the disc(sic-dish). And in fact, there's a USB port on the satellite itself that they require you to move and if you do not remove it, they will charge you some fee to take that and send it back. The contention is that if they climb up on your roof that you as a senior or whatever should not have to go up on the roof to return that USB dish. And I'm... in this legislation we're saying that it's the responsibility of the satellite company to come out and remove its property from your... from your land or out of your house. And I move for the adoption of Amendment #1."

Speaker Lyons, J.: "Any discussion on Floor Amendment #1 to House Bill 1662? Seeing none, those in favor signify by voting 'yes'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Adopt Floor Amendment #1. Any further Amendments, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 13 of the Calendar Representative Soto has House Bill 2260. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 2260, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lyons, J.: "Chair recognizes the Lady from Cook, Representative Cynthia Soto."

Soto: "Thank you, Speaker, Members of the House. House Bill 2260 becomes the Bill. On House Am... House Amendment #1 makes court reporters subject to a sole supervisory authority of a various Circuit Courts whether than the Supreme Court. The Bill is intended to make it possible for the court reporters to have collective bargaining rights under the Illinois Public Labor Relations Act. I urge an 'aye' vote."

Speaker Lyons, J.: "Is there any discussion? Seeing none, the question is, 'Should House Bill 2260 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 112 Members voting 'yes', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 23 of the Calendar Representative McCarthy has House Bill 3488. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3488, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons, J.: "Chair recognizes the Gentleman from Cook, Representative Kevin McCarthy."

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3488 amends the Health Services



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Education Grants Act. This is a Act that we distribute money throughout the state to all of our medical institutions. And the Amendment yesterday made this agreed Bill. We basically said instead of doing it just on enrollment, we're now gonna let the Board of Higher Ed look at the different medical needs of our state. If they feel that there's a greater need for more nurses, they'll put a little bit more money toward the nursing programs. If they feel there's more need for like optometrists, they'll put a little bit more money toward optometry. So, with that 10 percent of the money going into a fund that the Board of Higher Ed will be able to distribute it is an agreed Bill. And I'd ask for your support."

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

Davis, M.: "Thank you, Mr. Speaker. Will the Sponsor yield? Is this the program..."

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

Davis, M.: "...in which the University of Illinois is given dollars in order to increase the number of medical professions... prof... professionals in our state?"

McCarthy: "No, it's not. The..."

Davis, M.: "Oh, it's not."

McCarthy: "...this is the program that is mostly distributed to private universities throughout the state."

Davis, M.: "Oh... only how many?"

McCarthy: "Pardon?"

Davis, M.: "Five?"

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McCarthy: "I'm sorry?"

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

McCarthy: "I said that, no, it's not. This does not have anything to do with the money for the University of Illinois. That's handled through direct appropriation, so..."

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

McCarthy: "Thank you."

Speaker Lyons, J.: "Seeing no further questions, the question is, 'Should House Bill 3488 pass?' All those in favor of the Bill 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 Black. Representative Colvin. McAuliffe. Representative McAuliffe. Michael McAuliffe. Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 8 of the Calendar, House Bill 1314. Representative Phelps will be representing Representative Bost on this. Read the Bill, Mr. Clerk. Page 8 of the Calendar, House Bill 1314."

Clerk Bolin: "House Bill 1314, a Bill for an Act concerning animals. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 26 of the Calendar Representative Burke has House Bill 1285. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 1285, a Bill for an Act concerning liquor. The Bill has been read a third time, previously."

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

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This matter was on Postponed Consideration, previously. It has to do with individuals who are in elected public office and the ability to hold a liquor license. There would be exemptions for mayors, village presidents or county board chairmen as these positions can currently serve as local control commissioners. House Bill 1285 further provides that if such an individual, if elected, does not participate in any meeting, hearing or decision on matters which he or she has a direct interest. Local government actions and decisions impact all aspects of business community. Outside of the business owners that hold a liquor license, there are no restrictions on the type of business owners that can be elected to local office. And I'd be happy to answer any questions."

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

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

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

Parke: "Representative, earlier this Bill was alluded to that it was being done for a special need for a specific alderman in the City of Chicago. Is that true?"

Burke: "That is absolutely not true, Representative. I never even meet the alderman that... whose name was suggested."

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Parke: "And would this affect people wanting to run for public office all over the State of Illinois?"

Burke: "Yes."

Parke: "So, this isn't... not just for the City of Chicago? This affects all the... all... anybody who wants to run for public office just because they have a liquor license. This is... we want to allow them to do that."

Burke: "That is correct."

Parke: "So, this is different than we originally had thought about the Bill?"

Burke: "Yes. I understood that there was some error in your analysis earlier."

Parke: "Okay. Well, I just wanted to clarify that. In fact, this is not what we originally thought that it was... for only a specific need in the City of Chicago. But that there truly are men and women in this state that wanna run for public office, but are precluded by the current law if they have a liquor license establishment. So, I guess we allow the voters the opportunity to decide who's gonna be in elected office. Thank you, Representative."

Burke: "Thank you."

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

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

Speaker Lyons, J.: "To the Bill."

Fritchey: "Ladies and Gentlemen, our Legislature and our government in this state and in this country is built upon having citizen Legislators. The reality and the fact is

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that certain people who want to come into public office, they own restaurants, they may own a tavern, they may have inherited a family business. We don't want to preclude these people from being able to give back to the community and be in public service because of their vocation. This Bill has been narrowly drafted to preclude against any conflicts, but still allow the concept of a citizen Legislature. I ask you to think about what this Bill does. And I ask for an 'aye' vote. Thank you."

Speaker Lyons, J.: "Chair recognizes the Gentleman from Cook, Representative Will Davis."

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

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

Davis, W.: "I just wanna make sure that I understand. As I'm reading in the analysis, it says the Bill prohibits individuals such as aldermen, members of city council, commissioners, village board, members of the county board. I assume that means mayors and village presidents, as well, correct? And... and assuming that that is correct, it says, 'the Bill prohibits these individuals from participating in any meeting, hearing or decision-making process on matters pertaining to the manufacture, sale, or distribution of alcohol. Mayors, presidents of village, county board members and all law enforcing public officials remain prohibited from having any direct interest in the sale, manufacture, and distribution of alcohol.' Correct?"

Burke: "The only exception is mayor or village president."

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Davis, W.: "What... what do you mean they're exempted?"

Burke: "'Cause they very often act as liquor control commissioners."

Davis, W.: "So, they..."

Burke: "So, they are not included in this Bill."

Davis, W.: "...they are not included in this."

Burke: "They are not included in this Bill. So, any elected office with the exception of mayor or village president or county board chairman."

Davis, W.: "Okay. So, we're allowing... with the exception of board presidents and mayors... with the exception of them we're allowing any of the other aldermen or what have you to have some interest. They can own a liquor license, they can own a tavern... any..."

Burke: "Restaurant, bar..."

Davis, W.: "...anything like that."

Burke: "...whatever the case may be, yes."

Davis, W.: "How... how does this affect their ability to vote when an establishment comes before them in terms of... in terms of allowing a liquor license?"

Burke: "I would suggest to you, Representative, just as we do in this Body, if we have a conflict of interest we can either state it or simply vote our conscience. And that would be the way I think they would handle it in this instance."

Davis, W.: "Okay. So, they can vote if they wanted to?"

Burke: "They could, in fact, vote on the matters that affect, but they'd have to declare their conflict."

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Davis, W.: "Right."

Burke: "Just as we would here."

Davis, W.: "Okay. Thank you."

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

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

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

Black: "Representative, you just made a statement that caught my attention. You said the only people that can't participate would be a mayor or a village board president. I... I don't... a county board..."

Burke: "Chairman."

Black: "...president could not participate..."

Burke: "That is correct."

Black: "...because he or she is a liquor control commissioner."

Burke: "That is correct."

Black: "All right. So, those are the three?"

Burke: "Those are the three exceptions."

Black: "Fine. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Winnebago, Representative Sacia."

Sacia: "Thank you, Mr. Speaker. My comments will be brief. This is a Bill that's on Postponed Consideration and I voted against it last time and I think I did for the same reason many others did, we didn't fully understand the consequences. Representative Fritchey did an excellent job of explaining the importance of this Bill and how we are citizen Legislators. And I applaud the Representative for

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bringing this Bill forward and I intend to vote 'aye'. And I think it's a good Bill for all of us to support. Thank you."

Speaker Lyons, J.: "The Gentleman from Randolph, Representative Reitz."

Reitz: "Thank you, Mr. Spe... thank you, Mr. Speaker. I think... I think the... Representative Burke addressed this earlier, but I... I guess similar to what Representative Sacia said. I voted against this last time. There wasn't really clarification that... that the mayor and the county board chairman or anyone that would be in control of a liquor license... and actually be liquor commissioner. So, your... your legislation specifically prohibits county board chairmen and mayors?"

Burke: "That is correct, Representative."

Reitz: "Thank you very much."

Speaker Lyons, J.: "Representative Burke to close."

Burke: "Thank you, Mr. Speaker and Ladies and... I think the matter has been discussed at length. And I'm certain we all understand the details of the legislation. I would simply ask for your 'aye' vote."

Speaker Lyons, J.: "The question is, 'Should House Bill 1285 pass?' Those in favor of the Bill indicate 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 Winters. Representative Brauer. Representative Dave Winters, wanna be recorded on this? Mr. Clerk, take the record. On this Bill, there are



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79 Members voting 'yes', 34 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 12 of the Calendar Representative Verschoore has House Bill 2137. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2137, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 21 of the Calendar Repre... Hold on one moment. Mr. Clerk, on page 21 of the Calendar Representative Saviano has House Bill 875. Read the Bill, Mr. Clerk."

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

Speaker Lyons, J.: "Chair recognizes the Gentleman from Cook, Representative Skip Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 875 now is an agreed Bill. It extends the Dental Practice Act 'til January 1, 2016. It also puts in some cleanup language which the department and the Dental Society wanted to put in there. And I would ask for a favorable vote."

Speaker Lyons, J.: "Any discussion on House Bill 875? Seeing none, the question is, 'Should House Bill 875... should House Bill 875 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? Have all voted who wish? Representative

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May, would you like to be recorded? Representative Wait.  
Mr. Clerk, take the record. On this Bill, there are 88  
vot... Members voting 'yes', 25 voting 'no'. This Bill,  
having received the Constitutional Majority, is hereby  
declared passed. Mr. Clerk, on page 26 of the Calendar  
Representative Monique Davis has House Bill 3802. Read the  
Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3802, a Bill for an Act concerning  
education. The Bill's been read a third time, previously."

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

Davis, M.: "Thank you, Mr. Speaker. A number of years ago,  
when there was a large growing epidemic of drug use in the  
United States, the Federal Government passed legislation  
stating that those who had been arrested or convicted of a  
drug crime could not get student financial assistance loans  
or grants. Since the Federal Government no longer  
implements that law, the Illinois Student Financial  
Assistance Commission in Illinois no longer adheres to that  
law, also. And this Bill merely states that young people  
who have committed a drug offense early in their lives have  
a second chance and can obtain a student loan, a student  
grant, or a scholarship. We've discussed this Bill before.  
And I would hope that I would get the votes that we need to  
pass this legislation. We're merely codifying what our  
state already does."

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Speaker Lyons, J.: "On the discussion of House Bill 3802, the Chair recognizes the Gentleman from McHenry, Representative Franks."

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

Speaker Lyons, J.: "She indicates she will."

Franks: "Representative, I'm looking at this Bill and I wanna look at the underlying charge of the Illinois Student Assistance Commission. It's my understanding that this commission is basically a clearinghouse for guaranteed student loans, is that correct?"

Davis, M.: "That is correct."

Franks: "Okay. Now, you're aware that there are many private organizations that provide student loans, correct?"

Davis, M.: "I'm sure there are, certainly."

Franks: "There... there are. And the thing... It's a big business and the... and the student loans are guaranteed by the Federal Government. Are you aware of that?"

Davis, M.: "Yes."

Franks: "Okay. And this is where I'm going with it. And it's not so much on your Bill. But I've got a problem on why we even have ISAC. I don't understand why the State of Illinois is subsidizing this organization when there are private organizations out there doing it. And now we're tinkering with how they can and can't give loans. And I wanted to ask your opinion of that."

Davis, M.: "Well, ISAC administers a number of programs."

Franks: "But... but their main focus..."

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Davis, M.: "They... they administers... they administer other state programs and they also make sure that students are aware of deadline dates. They go out and speak to different colleges, including private colleges and let them know what is available to them. Many times ISAC only has about six workers. So, they..."

Franks: "Right."

Davis, M.: "...can't get to as many places as they like."

Franks: "But my... but..."

Davis, M.: "However, based upon the small office that they have and the limited funds, they do an excellent job."

Franks: "Representative, here's my point. What I think we should be doing with this organization, I think we should be selling them. Because what they're basically doing is competing with private organizations that are giving out student loans. They are because there... there was a huge market. There's six major companies that are doing it now. And the thing is..."

Davis, M.: "And they charge."

Franks: "But, all right, and so do we. But here's the difference. When they have those student loans, they sh... certainly we do, we make money on them. The fact of the matter is, it's an ongoing business entity which has hamstrung itself that it can't maximize its response because of the... it can't maximize the money it can make because of the restrictions we're putting on it. I believe that we would be better off in a time when we have a \$2 billion budget deficit is actually looking to sell the

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portfolio of guaranteed student loans to private entities that can run it cheaper, more efficiently and we could get rid of an entire agency and..."

Davis, M.: "Well..."

Franks: "...and probably bring a hundred or \$200 million to our State Treasury to help bring down the deficit without caus... without bothering the real issue of getting the student loans out."

Davis, M.: "Representative, to this Bill that we're addressing at this present time, I would feel awfully embarrassed as a Legislator if I decided that the services of the Illinois Student Assistant (sic-Assistance) Commission should be sold, that we should barter a student's ability to get grants, scholarships..."

Franks: "Ma'am, this has nothing to do with grants."

Davis, M.: "...and go to college."

Franks: "I'm talking about the student loans."

Davis, M.: "Now, wait a minute. Banks... banks... banks sell loans. Anybody can go to a bank and purchase a loan. But why should we do that to students and have them to have a greater expense than just the college expense? It really amazes me when we..."

Franks: "...finish up. Can we just finish up? I understand where you're going. I don't want to be misunderstood. I'm talking about the portfolio of the guaranteed student loans. It's the same application, whether it be a private entity or a public entity. So, what I'm saying is that we have a portfolio here that we really... the state should not

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be in this business of the guaranteed student loans. If they wanna talk about the grants, we can have that. They can cut this down to a two-person agency possibly or maybe put it under another agency. But the fact of the matter is, we ought to be selling that portfolio, fixing a problem, and the kids would still get the same service without any increased cost."

Davis, M.: "Well, that would..."

Franks: "I mean, that's what we ought to be looking at and..."

Davis, M.: "I appreciate..."

Franks: "I... I thank you."

Davis, M.: "...your comments, but that would certainly require an entirely different Bill. That... You know what I'm saying? That would be called, ya know, when the Bill it's not germane to this legislation. I appreciate your comments, but this legislation has absolutely nothing to do with the privatizing of the student loan application process."

Speaker Lyons, J.: "Thank you, Representative. The Chair recognizes the Gentleman from Champaign, Representative Chapin Rose."

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

Speaker Lyons, J.: "The Sponsor will yield."

Rose: "Just a quick question, Representative. You said something about the Federal Government no longer following its statute. Can you explain that?"

Davis, M.: "They... they don't implement that law. They... they have pending legislation to abolish the law and they no longer... they... they only deny aid to students who have drug

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offenses while they're receiving state aid for college, but not former offenses."

Rose: "And your legislation limits it..."

Davis, M.: "My legislation merely follows the Federal Law today... the current state... the current standards to date with the feds and our state and that is to allow students an opportunity to apply for grants and scholarships and loans. And in the State of Illinois we have always done that. And the Federal Government's legislation is pending and their actions are similar to what this Bill does."

Rose: "Okay. Thanks."

Davis, M.: "You're welcome."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan."

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

Speaker Lyons, J.: "She indicates she will."

Davis, M.: "Yes."

Mulligan: "Representative, since I was multi-tasking here I might not have heard the previous questions. So, if I replicate them, I'm sorry."

Davis, M.: "It's okay."

Mulligan: "Are you saying that the Illinois Student Loan Commission au... automatically does this now?"

Davis, M.: "They have never discriminated on the basis of drug offenses or convictions. They have honored student's request in the State of Illinois for loans or scholarships as long as they were available."

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Mulligan: "Okay. So, why do you feel it necessary to put this in legislation?"

Davis, M.: "You know what, Acevedo asked me the same thing. He said, 'Why fix it if it's not broke?' But what we're doing, Representative, is codifying what we do. We're putting into code what we do, our actions as they have been in the past. And the national organizations are requesting that we do this and other states are beginning to follow suit. Similar to..."

Mulligan: "All right. I understand where you're going with this. The other day I don't think everybody did. But I... I think the one... the one issue that seems important to me is... if it's a past offense rather than a current offense that the person should be allowed to have some hope of bettering themselves to get a... an education in order to support themselves, and particularly if they made a good effort. I think the only concern would be if it happens... I'm not going base this after you've had a loan and I would presume that there's some mechanism when they're getting the loan to look at those records."

Davis, M.: "Absolutely. And if anything occurs during the time they have the loan, it is immediately... it's not during the course of the use of the application."

Mulligan: "All right. So, it would be primarily the students that are getting them are ones that have had a previous problem but have certainly gotten..."

Davis, M.: "That is correct."

Mulligan: "...their lives more on an even keel."



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

Mulligan: "And does the commission actually look at that?"

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

Mulligan: "Does the commission actually look at that when they're processing the application?"

Davis, M.: "Yes... yes, they did."

Mulligan: "Our staff says they don't think it's in the application. I... I think the goal here was to provide money for education..."

Davis, M.: "To give students a second chance."

Mulligan: "...whether it... whether it's for tuition, housing, whatever and certainly not for drugs."

Davis, M.: "Certainly not."

Mulligan: "So, and..."

Davis, M.: "Certainly not."

Mulligan: "...I'm sure that's... that's what the goal was is to make this an incentive to move forward with your life."

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

Mulligan: "All right. Thank you."

Davis, M.: "Thank you."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Debbie Graham."

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

Speaker Lyons, J.: "To the Bill."

Graham: "I stand in strong support of this piece of legislation. And I've only been here a short time. And I won't tell you how many times some of the comments that have been made on this floor really amazes me. To say that

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an agency should be sold off because of their competing with private businesses. I think we need as many agencies that will a... advocate for our youth to provide them some hope. I've dealt with ISAC. I have a bachelors degree. Upon every quarter, each time I completed a quarter and it was time for additional money to be disbursed I went through a clar... a reverification process. They verified whether I was in school. They verified what my background was. And if I had a problem the ISAC also had a ombudsman office, where I could go to that office and make the complaints to say that if something happened to pop up to prevent me from getting the funding, they had all kinds of services that could assist me with getting through the process to assure that I stayed in school. So, it amazes me how... how people who have achieved something in life and maybe have a business or license to practice and also wanna just continue to close the door on people who need a second chance at life. I urge an 'aye' vote on this piece of legislation. We pass all kinds of legislation to give people a second chance, clean up their neighborhoods, their communities and make sure apartments are in best... safe haven for them to come back into it. I think this is an excellent piece of legislation and I urge an 'aye' vote."

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

Collins: "Thank you, Mr. Speaker. I, too, rise in support of the legislation. As a matter of fact, I contacted several lawyers over the summer to sue the Federal Government

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because it's discrimination. It's discrimination when the only question on the application says, 'Have you ever been convicted of a drug offense?' So, that means you can be a murderer, a serial killer, sex offender, you could be a... a rapist, you can kill all kind of people, yet, you can get money to go to school. So, the only persons that cannot get money to attend a higher education is people who've been convicted of drugs. Now, who are those people? African Americans, Hispanics, minority students. So, it is discrimination. And so, if we wanted to continue that then I guess we'll go in that route. But if we wanna stop that and say, oh, these young people are gonna be a part of our society. They're not just gonna die, we can't continue to keep them in jail year after year after year after year. They gonna co... be out of jail. They're gonna get out of jail and they're gonna become members of our society. But, what are they gonna be able to do? Absolutely nothing. They can't get a job. They can't get a student loan to get... to get into college to make a better life for themselves. They also can't get in public housing because the Federal Government also says that if you're a convicted felon you can't live on public housing. So, you can't take care of your family, even though you are trying to do better, because you can't get any money to go... get an education to do better. So, when are we gonna recognize that... that law, just drug offenses. Now, if wanted to make it better you can include all offenses. Have you ever been convicted of a felony, would be a better question as

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opposed to, have you ever been convicted of a drug offense.  
So, I support an 'aye' vote."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from  
Lee, Representative Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen.  
This is a very simple situation. The Lady has a Bill that  
absolutely says once you've paid your debt to society you  
have a second chance. It doesn't make any difference what  
color, doesn't make any difference what race. It's for  
everyone and drugs affect everyone. Give 'em a second  
chance, vote 'aye' and let's get on. Thank you, Mr.  
Speaker."

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

Davis, W.: "Thank you, Mr. Speaker. To the Bill. I rise in  
support of the legislation. One of the previous speakers  
talked about, I guess, what appeared to be the  
ineffectiveness or obsolescence of the Illinois Student  
Assistance Commission. Well, some of you may not know that  
prior to becoming elected I served 6 years as a college  
admissions counselor for one of our state schools. And I  
worked with the Illinois Student Assistance Commission  
trying to make sure that they provided not only just simple  
information but plenty of information for students who are  
interested in going to college. Now mind you, I was  
dealing with high school students that... that may not have  
gotten to the point where we're trying to pass this piece  
of legislation, but nevertheless, the Illinois Student



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voted who wish? Mr. Clerk, take the record. On this, there are 63 voting 'yes', 48 voting 'no', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 14 of the Calendar Representative Nekritz has House Bill 2572. Read the Bill, Mr. Clerk."

Clerk Bolin: House Bill 2572, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Nekritz, has been approved for consideration."

Speaker Lyons, J.: "The Lady from Cook, Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. This Amendment is to a Bill that seeks to ban toxic flame retardants, polybrominated diphenyl ethers. There are no opponents to this Amendment. We are banning two types of the toxic flame retardants that are already being phased out by industry and we are doing a study by the EPA, an initial study by the EPA, followed by some review with the Department of Public Health. And both agencies have agreed to do that study."

Speaker Lyons, J.: "Any discussion on Floor Amendment #2 to House Bill 2572? Seeing none, the question is, 'Should Floor Amendment #2 be adopted?' All those in favor signify by saying 'yes'; those opposed vote 'no'. In the opinion of the Chair, the 'ayes' have it. Floor Amendment #2 is adopted. Anything further, Mr. Clerk?"

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

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Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 11 of the Calendar Representative Acevedo has House Bill 2004. Read the Clerk... read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2004, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Acevedo, has been approved for consideration."

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

Acevedo: "Thank you, Mr. Chairman and Members of the House. House Bill 20... 2004 creates the Healthy Kids-Healthy Minds Expanded Vision Program in Chicago Public Schools. Contains findings that 80 percent of the kid... the child's learning is failed through the visual system and mandates that the school board establish a program to identify students who are in need of basic health care, but not covered by insurance or public assistance. Through the program, school districts are to provide visual examinations and glasses, dental care, hearing examinations and hearing aids. Priority for eligibility is based on financial and physical need. I'll be happy to answer any questions."

Speaker Lyons, J.: "Are there any questions on Floor Amendment #1? Seeing none, the question is, 'Should Floor Amendment #1 be adopted to House Bill 2004?' All those in favor signify by voting 'yes'... by... by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it."

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And Floor Amendment #1 is adopted. Mr. Clerk, anything further?"

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

Speaker Lyons, J.: "Third Reading. Chair recognizes Representative Bill Mitchell. Representative Mitchell, for what purpose do you rise?"

Mitchell, B.: "Thank you, Mr. Speaker. I'd like the Journal to reflect on House Bill 875, I wish to be recorded as an 'aye' vote. My switch malfunctioned."

Speaker Lyons, J.: "The Journal will so reflect. Mr. Clerk, on page 11 of the Calendar Representative Yarbrough has House Bill 2000... 2001. Representative Colvin, I believe you're gonna move the Amendment for Representative Yarbrough? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2001, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Colvin, has been approved for consideration."

Speaker Lyons, J.: "On Floor Amendment #1, Representative Colvin."

Colvin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 20... the Amendment... Amendment #1 to House Bill 2001 becomes the Bill. And it would create the Financial Literacy Fund which... whose goal is to teach important life lessons to high school students who may get credit card applications, who apply for mortgages. In teaching them to learn how to manage their credit through their college years and into their early adult years. This



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Bill came as an idea from a financial literacy seminar that Representative Yarbrough and myself attended in Washington, D.C., in January of this year. It's modeled after legislation that was created in a... in the State of North Carolina where it has been... it was a very popular Bill and it is very popular in the classrooms. This Bill is not a mandate in the... in the sense that it requires school districts to teach this class in any particular way. But what it does do is allow different schools... different high school districts to implement financial literacy into their course curriculum across the state. I'll be happy to try to answer any questions."

Speaker Lyons, J.: "Are there any questions on Floor Amendment #1 to House Bill 2001? Seeing none, the question is, 'Should House Bill... should Floor Amendment #1 be adopted?' All those in favor signify by saying 'yes'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #1 is adopted. Anything further, Mr. Clerk?"

Clerk Bolin: "No further Amendments. No Motions filed. A state mandates note has been requested on the Bill as amended and the note has not been filed."

Speaker Lyons, J.: "So, we'll hold the Bill on Second Reading. Representative Colvin, for what purpose do you rise?"

Colvin: "Mr. Speaker, I... maybe I... I don't know if I understood you or heard you. But you're holding the Bill on Second for what reason?"

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Speaker Lyons, J.: "I believe there's a note... there's a note on the Bill. The Clerk informed me there's a note. Mr. Clerk, verify that on... on House Bill 2001."

Clerk Bolin: "For House Bill 2001, a state mandates note was requested on the Bill as amended by Amendment #1 and the note has not been filed."

Speaker Lyons, J.: "Representative Stephens has House Bill 2941 on page 23 of the Calendar. House Bill 2941. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2941, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons, J.: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. The... Ladies and Gentlemen of the House. House Bill 2941 creates the... excuse me, just amends the Fire Owners Identification Act to include stun gun and tasers. Creates the offense of committing a crime while armed with a stun gun or taser. And to acquire or possess a stun gun or taser a person must first possess a Fire Owners ID card and undergo some training. The Bill was further amended to require a 24-hour waiting period. And I would be glad to answer any questions."

Speaker Lyons, J.: "Is there any discussion on House Bill 2941? Seeing none, the question is, 'Should House Bill 2941 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? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes', 0 voting

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'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 2 of the Calendar Representative Yarbrough has House Bill 1478. Representative Colvin will be running that Amendment. Read the Bill, Mr. Clerk. 1428."

Clerk Bolin: "House Bill 1428, the Bill's... the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Colvin, has been approved for consideration."

Speaker Lyons, J.: "The Gentleman from Cook, Representative Colvin."

Colvin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #3 to House Bill 1428 is a gut and replace and redefines 'mortgage lender' to include 'savings bank, credit union, mortgage banker or a person who receives... who services the loan, including successors in the interest of the foregoing.' Essentially, that's the Bill. In addition to its main provision which provides that any mortgage lender pays the taxes... who pays the taxes charged on any property, the mortgage lender within seven days must notify the borrower of the date the taxes were paid and the amount the taxes... and the amount of the taxes paid and which installment was paid."

Speaker Lyons, J.: "You've heard the explanation on Floor Amendment #3. Are there any questions? Chair recognizes the Gentleman from Cook, Representative Terry Parke."

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

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

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Parke: "Representative, it's my understanding that initially the mortgage brokers and the mortgage bankers are... and Ameriquest were opposed to it. Is that... are they still opposed or are they been taken off their opposition with your Amendment?"

Colvin: "I don't believe they're opposed with these Amendments that are being proposed today."

Parke: "I'm sorry, I didn't hear that answer."

Colvin: "I don't believe they're opposed to the Bill with these Amendments... this Amendment and as a fourth Amendment to be adopted to the Bill which removes their opposition."

Parke: "And you're going to attach that Amendment? This says here within Amendment 4 they have... they are still in opposition according to our notes."

Colvin: "Representative Parke, I... I think the appropriate thing to do is to adopt the Amendment and we'll find out tomorrow when we call the Bill."

Speaker Lyons, J.: "Representative Parke."

Colvin: "But the... and I just wanna add that the Sponsor of the Bill is not here. But I... I would suspect between today and tomorrow if the mortgage brokers are still opposed to this Bill, they will let you know. But that's not the information I have here."

Parke: "I'm sorry, I cannot hear the Gentleman. There's too much noise."

Colvin: "Representative Parke, I... I'll repeat it. I think the appropriate thing to do is to adopt the Amendment today. I think if the mortgage brokers are still opposed to the Bill

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and they will let you know that when we call the Bill... before we call the Bill on Third tomorrow."

Parke: "Well, if they're still opposed, then I'm opposed. And... but thank you for your answer."

Speaker Lyons, J.: "Any further discussion? Seeing none, the question is, 'Should Floor Amendment #3 be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #3 is adopted. Representative Colvin, there's a Bill been place... a note been placed on... on the... on the Bill. And we'll still move on Floor Amendment #4. Floor Amendment #4, offered by Representative Colvin."

Colvin: "Thank you, Mr. Speaker. Floor Amendment #4 simply deletes the immediate effective date of the legislation. And it also deletes the requirement that the mortgage lender must notify the borrower of the installment that was being paid."

Speaker Lyons, J.: "You've heard the explanation on Floor Amendment #4 to House Bill 1428. Is there any discussion? Seeing none, all those in favor of Floor Amendment #4 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #4 is adopted. Mr. Clerk, any further Amendments?"

Clerk Bolin: "No further Amendments. A fiscal and a mandates note have been requested on the Bill as amended and have not been filed."

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Speaker Lyons, J.: "The Bill will be held on Second Reading. Mr. Clerk, on page 23 of the Calendar Representative Cultra has 2521. What's the status of that Bill, Representative? Mr. Clerk."

Clerk Bolin: "House Bill 2521 is on the Order of House Bills-Second Reading. The Bill has been read a second time, previously. Floor Amendments 2 and 3 have been adopted to the Bill. Floor Amendment #4, offered by Representative Cultra, has been approved for consideration."

Speaker Lyons, J.: "Representative Cultra."

Cultra: "Yes. Amendment 4 just makes a technical change, actually corrects spelling error in Amendment 3. And I'd move for its adoption."

Speaker Lyons, J.: "Seeing no questions on Amendment #4, all those in favor of the House Bill... of Floor Amendment #4 to House Bill 2521 being adopted signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #4 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 4 of the Calendar Representative Chapa LaVia has House Bill 712. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 712, the Bill's been read a second time, previously. Amendments 1 and 2 were adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Lyons, J.: "Third Reading. On page 3 of the Calendar Rep... Mr. Clerk is... Representative Joyce has House Bill 481. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 481, a Bill for an Act concerning criminal law. Second Reading of this House Bill. The Bill's 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 Representative Washington has House Bill 1604. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1604, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Washington, has been approved for consideration."

Speaker Lyons, J.: "Chair recognizes the Gentleman from Lake, Representative Ed Washington."

Washington: "Mr. Speaker, I ask for favorable approval of Amendment 1 which deals with the advanced directive for the end-of-life situation."

Speaker Lyons, J.: "Is there any discussion on Floor Amendment #1 to House Bill 1604? Seeing none, the question is, 'Should Floor Amendment #1 be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Anything else, Mr. Clerk?"

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

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Speaker Lyons, J.: "Third Reading. On page 7 of the Calendar, Mr. Clerk, Representative Mary Flowers has House Bill 1044. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1044, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Flowers, has been approved for consideration."

Speaker Lyons, J.: "Chair recognizes the Lady from Cook, Representative Mary Flowers."

Flowers: "Thank you, Mr. Speaker. Amendment #2 would require the Department of Public Aid to report information for each employer who has more than 100 employees receiving public subsidies health care. And that information would be reported to the General Assembly on October 1 of 2006 and thereafter. Thank you."

Speaker Lyons, J.: "Heard the explanation of Floor Amendment 2. Are there any questions? The Chair recognizes the Gentleman from Cook, Representative Terry Parke."

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

Speaker Lyons, J.: "She indicates she will."

Parke: "Representative, I understand you... is Amendment... this is Amendment 2, what happened to Amendment 1? Is it still on your Bill?"

Flowers: "It's the same Amendment, but there was a little technicality. So, Amendment #1... Amendment #1 became Amendment #2."

Parke: "Could... can I ask the Clerk, did Amendment #1 ever go on the Bill?"



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Speaker Lyons, J.: "Mr. Clerk, repeat that."

Parke: "Inquiry of the Chair. Was Amendment #1 ever approved to be on the Bill?"

Speaker Lyons, J.: "Mr. Clerk, the status of Amendment #1 to House Bill 1044?"

Clerk Bolin: "Amendment #1 was referred to committee and a Motion to recommend adoption failed in committee."

Parke: "So, this... Amendment #2 is the same and it failed in that committee. Then I will stand in opposition to Amendment #2."

Flowers: "It didn't... No, Representative."

Parke: "All right. If it was... No?"

Flowers: "No."

Parke: "I don't want to stand on..."

Flowers: "No, I'm... you said it."

Parke: "Have I said something wrong?"

Flowers: "No, you didn't say anything wrong."

Parke: "Okay. So, you said it was the same Amendment, right?"

Flowers: "It is the same Amendment."

Parke: "But it failed in committee..."

Flowers: "But you said it..."

Parke: "...then it should fail here, too."

Flowers: "No. It passed but it was not supposed to be heard the second time when it passed. And so therefore, therefore, we did Amendment #2. Because I did not want you to be upset over a technicality."

Parke: "Okay. Well, then let's just talk about your Amendment. Is... this Amendment #2 become the Bill?"

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Flowers: "Yes. No, it... no, it's just... it's amending the Bill."

Parke: "It amends the Bill?"

Flowers: "Yes."

Parke: "What... what are you gonna require from a patient under your legislation? What does a patient have to tell the hospital under yours..."

Flowers: A patient? No, this is a... any... this is where the Department of Public Aid would require employers... information for each employer who has more than 100 employees receiving some type of public assistance. For instance, let's use business ABC. ABC is a very profitable business, but most of ABC's employees are getting subsidy. For instance, like childcare... or... on some type of Medicaid or KidCare, something like that. So, we just want to know how many businesses are using the state to subsidize their health care for the people that work for them."

Parke: "Okay. Where are we supposed to get that information? Where's the hospital supposed to receive that information?"

Flowers: "When the..."

Parke: "All that... all that the employer... I mean, they all have the patient there in emergency room, they just simply say, I work for XYZ company. How is the hospital supposed to substantiate..."

Flowers: "The... the same way they get their information now. When a patient come into the hospital, they ask the question, do you have insurance?"

Parke: "So..."

Flowers: "Yea or nay or..."

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Parke: "...if it's 11:00 or 12:00 at night, they can't access it, the patient's gonna sit there until they can identify what kind of coverage they have?"

Flowers: "Whatever they do now is what they will continue to do only this time that information will be gathered and submitted in. And we'll just really... the information is... Let me say this, Representative. The department already have this information, we're just really getting it from them."

Parke: "Well, if they have it, why do we need your Bill?"

Flowers: "We don't have that information in our venue. And we want to know specifically how many businesses are using the state for health coverage."

Parke: "All right. To the Bill. Ladies and Gentlemen, the hospital is not gonna know what kind of coverage that patient has. That patient may end up having to sit in that hospital room until they can... 'til that company opens up the next day. This just doesn't make sense. The Illinois State Chamber, the Illinois Retail Merchants, Department of Human Services, Department of Public Aid, they're all in opposition. Why? Because they know that this is not a workable idea, that this is very difficult. It'll put patients at risk in emergency rooms to try and find out all this information. Ladies and Gentlemen, I respectfully ask for you to vote 'no' on the Lady's Bill. She has... sometimes has pretty good Bills. But unfortunately, I don't believe that this Bill is... ranks up there with some

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of the other good ones she's had in the past. I will oppose the Lady's Bill."

Speaker Lyons, J.: "Chair recognizes the Lady from DuPage, Representative Patti Bellock."

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

Speaker Lyons, J.: "She indicates she will."

Bellock: "We had a lot of discussion about this in the Human Service Committee and the reason the second Amendment... I think it was the second Amendment was brought twice to be voted on so that it had to be brought again. That explains why it was brought again. But we still had a lot of concerns about the Bill. And one of them was whether a part-time employee would be considered somebody to be tracked regarding health care because we thought a lot of employees that are part-time do not have health care. Is that correct?"

Flowers: "Representative, for whatever reason people are on Medicaid and if they get sick, for whatever reason, when they go to the hospital this information is asked. So, we're just gathering information that's already being asked. Are you on Medicaid? Do you have insurance? Where do you work? Irregardless of what time of the night or day, whatever it is. And... and quite frankly, you know, all of us is very concerned about the budget and the constraints that we're under. And so this is information that the department... Department of Public Aid need to know so if they do have insurance, we'll be able to collect."

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Bellock: "But most employees don't know what percentage of their health care is covered by their employer, do they?"

Flowers: "But they do know if they are... if they are insured or not. That's one thing for sure. They do know, if they are part-time or full-time, if... either their employer is offering insurance or they do not."

Bellock: "But I think the report requires more than that, doesn't it?"

Flowers: "Pardon me?"

Bellock: "I think the report requires more information than just that?"

Flowers: "No, that's... whatever information that the department would have. Their name, address, telephone number, just the basic information. If they're insured or not, the department need to know what to collect and from whom to collect."

Bellock: "I think... in the end I think the NFIB took off their opposition, but I think a couple of the other groups were still opposed, is that correct?"

Flowers: "I don't think they are opposed to the process, Representative. What they are opposed to is the disclosure, adding sunshine on what's going on. Let me just give you an example. Taxpayers in Massachusetts spent more than 2... \$52 million in one year to provide health care to employees from the state's largest business. So, this is the type of information that this state would like to collect and we would like to disseminate."

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Bellock: "I just wanted to ask if... I think in the end that the State Chamber and the Retail Merchants were still opposed, was that correct?"

Flowers: "Pardon me?"

Bellock: "I think in the end at the discussion yesterday that the Retail Merchants and the State Chamber were still opposed?"

Flowers: "Did... did... yes."

Bellock: "Okay. Thank you very much and I appreciate what you're trying to do. But I think there still is a lot of opposition. Thanks."

Speaker Lyons, J.: "Chair recognizes the Gentleman from Winnebago, Representative Sacia."

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

Speaker Lyons, J.: "She indicates she will."

Sacia: "I was not going to speak against this as it was just an Amendment, but she just brought up Massachusetts. Representative Flowers, are you aware that IRMA is very opposed to this?"

Flowers: "IRMA is opposed to it?"

Sacia: "IRMA is very opposed to this."

Flowers: "Oh, yes."

Sacia: "Yes."

Flowers: "I understand."

Sacia: "You do understand. And... and they indicate in their analysis to us and may I share with you a brief paragraph, this report has proven essentially useless in Massachusetts, consider the February 1, 2005 report of the

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Massachusetts Executive Office of Health and Human Services Division of Health Care and Policy. This report notes substantial problems with the validity of their own report including double counts, verification, double employers, self reporting, inconsistency among hospital collection, when a recipient changes employers, franchisees being grouped together or separately and on and on. Representative Flowers you would have us believe that this is working well in Massachusetts and according to IRMA it's falling on its face. Would... would you share something with me to help me understand?"

Flowers: "I'll be more than happy to, Sir. First of all, I did not tell you that it was working well. And the fact of the matter is, hopefully this state will do a better job at collecting the information than Massachusetts did. But one thing for sure that did come out of all of that is the substantial amount of moneys that the taxpayers in the State of Massachusetts was paying out. Now, we cannot argue with that and also, the State of Alabama. Come to found out that they, too, was spending between 5.8 and 8.2 million dollars for a big multi-million dollar businesses, as well as the State of Connecticut. So, now all of those states cannot be wrong. And once again, I would think that our state is... was a little bit more sophisticated in how we would collect our numbers and disseminate our information. And remember, you're talking about IRMA being concerned about it. The people, the taxpayers of the State of Illinois they, too, are concerned, Sir."

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Sacia: "Representative Flowers, I'm just gonna make one more comment now because the hour is late. But the State of Illinois has spent millions of dollars asking employers to encourage their employees to enroll in FamilyCare and enroll in children and KidCare. Is this state now going to punish those same employers? I... I think that's what you're asking. I... I'm not gonna debate the issue now, again, the hour is late, we all want to get out of here. But I will stand in strong opposition when this is on Third Reading. Thank you for listening, Representative Flowers."

Flowers: "And thank you very much for your questions. And once again, Sir, I want to thank you for that question because if we can go it through the premium process for those employers who are collecting the premiums from their employees, that's great. And for those who are not, we need to do something about that. And once again, we could be losing federal matching funds by not having a lot of these people who would be eligible to make them eligible. So, this is a win-win situation for everyone around. Again, it adds sunshine on some issues that's been rather in the dark and will give us the data that we need. And I would please urge for the adoption of Amendment #2."

Speaker Lyons, J.: "The question is, 'Should Floor Amendment #2 be adopted?' All those in favor signify by saying 'yes'; those opposed vote 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted to House Bill 1044. Mr. Clerk, any further Amendments?"



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Clerk Bolin: "No further Amendments. A balanced budget note and a housing affordability impact note have been requested on the Bill as amended by #2 and have not been filed."

Speaker Lyons, J.: "House Bill 1044 will be held on Second Reading. Mr. Clerk, read the status of House Bill 2001, on page 11 of the Calendar."

Clerk Bolin: "House Bill 2001, the Bill's been read a second time, previously. Amendment #1 was adopted to the Bill and was... the Bill was held on the Order of Second Reading pending the filing of a mandates note. That note request has been withdrawn."

Speaker Lyons, J.: "Third Reading on that Bill. Mr. Clerk, read the... the Chair recognizes Representative Chapin Rose, for what reason do you rise?"

Rose: "Inquiry?"

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

Rose: "I'm about halfway through the rules. I just want to make sure I'm gonna have plenty of time to finish tonight?"

Speaker Lyons, J.: "I don't think you're gonna get much further, Representative. We are knocking at the door for adjournment. In fact, Mr. Clerk read the Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 302, offered by Representative Kelly. House Resolution 303, offered by Representative Howard. House Resolution 304, offered by Representative Kosel. House Resolution 305, offered by Representative Joyce. House Resolution 306, offered by Representative Rose. House Resolution 307,

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offered by Representative John Bradley. House Resolution  
308, offered by Representative McCarthy. House Resolution  
309, offered by Representative McCarthy. House Resolution  
310, offered by Representative Saviano. House Resolution  
311, offered by Representative McCarthy. House Resolution  
312, offered by Representative Franks. House Resolution  
313, offered by Representative Reis. House Resolution 314,  
offered by Representative Churchill. House Resolution 315,  
offered by Representative Fritchey. House Resolution 316,  
offered by Representative Kelly. House Resolution 317,  
offered by Representative Howard. House Resolution 319,  
offered by Representative William Davis. House Resolution  
320, offered by Representative Granberg. House Resolution  
321, offered by Representative Granberg. House Resolution  
322, offered by Representative Chapa LaVia. House  
Resolution 323, offered by Representative Flowers."

Speaker Lyons, J.: "Representative Lang moves for the adoption  
of the Agreed Resolutions. All those in favor signify by  
saying 'aye'; those opposed... In the opinion of the Chair,  
the 'ayes' have it. And the Agreed Resolutions are  
adopted. Any announcements, Mr. Clerk? Seeing none,  
allowing perfunctory time for the Clerk, Representative  
Lang moves that the House stand adjourned to the hour of  
9:30 a.m. tomorrow, tax day, Friday, April 15 at 9:30 a.m.  
All those in favor signify by saying 'aye'; those opposed  
'no'. The 'ayes' have it. The House stands adjourned 'til  
9:30 tomorrow morning."

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Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and Reading of Senate Bills-First Reading. Senate Bill 15, offered by Representative Flider, a Bill for an Act concerning State Government. Senate Bill 92, offered by Representative Joyce, a Bill for an Act concerning criminal law. Senate Bill 98, offered by Representative Mathias, a Bill for an Act concerning civil law. Senate Bill 176, offered by Representative Schock, a Bill for an Act concerning education. Senate Bill 187, offered by Representative Feigenholtz, a Bill for an Act concerning elections. Senate Bill 189, offered by Representative Moffitt, a Bill for an Act concerning law enforcement. Senate Bill 198, offered by Representative Lang, a Bill for an Act concerning the lottery. Senate Bill 226, offered by Representative Froehlich, a Bill for an Act concerning government. Senate Bill 241, offered by Representative Holbrook, a Bill for an Act concerning safety. Senate Bill 262, offered by Representative Washington, a Bill for an Act concerning revenue. Senate Bill 304, offered by Representative Brosnahan, a Bill for an Act concerning government. Senate Bill 319, offered by Representative Froehlich, a Bill for an Act concerning criminal law. Senate Bill 406, offered by Representative Lang, a Bill for an Act concerning liquor. Senate Bill 409, offered by Representative Acevedo, a Bill for an Act concerning education. Senate Bill 411, offered by Representative Hoffman, a Bill for an Act concerning employment. Senate Bill 2064, offered by Representative

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Mendoza, a Bill for an Act concerning regulation. Senate Bill 2072, offered by Representative Saviano, a Bill for an Act concerning business. Senate Bill 2075, offered by Representative Hoffman, a Bill for an Act concerning employment. Senate Bill 2111, offered by Representative Acevedo, a Bill for an Act concerning criminal law. Senate Bill 2112, offered by Representative Froehlich, a Bill for an Act concerning education. Senate Bill 413, offered by Representative Molaro, a Bill for an Act concerning animals. Senate Bill 458, offered by Representative Colvin, a Bill for an Act in relation to minors. Senate Bill 482, offered by Representative Davis, Will, a Bill for an Act concerning regulation. Senate Bill 489, offered by Representative Mathias, a Bill for an Act concerning government. Senate Bill 505, offered by Representative Mautino, a Bill for an Act concerning regulation. Senate Bill 506, offered by Representative Hoffman, a Bill for an Act concerning children. Senate Bill 508, offered by Representative Hoffman, a Bill for an Act concerning transportation. Senate Bill 518, offered by Representative Saviano, a Bill for an Act concerning procurement. Senate Bill 519, offered by Representative Delgado, a Bill for an Act concerning public aid. Senate Bill 521, offered by Representative Osterman, a Bill for an Act concerning insurance. Senate Bill 526, offered by Representative Osterman, a Bill for an Act concerning safety. Senate Bill 553, offered by Representative Acevedo, a Bill for an Act concerning mobile homes. Senate Bill 21, offered by

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Representative Bradley, Rich, a Bill for an Act concerning public employee benefits. Senate Bill 23, offered by Representative Jones, a Bill for an Act concerning State Government, which may be cited as the Act to End Atrocities and Terrorism in the Sudan. Senate Bill 26, offered by Representative Bassi, a Bill for an Act concerning regulation. Senate Bill 27, offered by Representative Molaro, a Bill for an Act concerning public employee benefits. Senate Bill 41, offered by Representative Gordon, a Bill for an Act concerning education. Senate Bill 52, offered by Representative Granberg, a Bill for an Act concerning government. Senate Bill 57, offered by Representative Millner, a Bill for an Act concerning firearms. Senate Bill 2015, offered by Representative Boland, a Bill for an Act concerning elections. Senate Bill 2030, offered by Representative Colvin, a Bill for an Act concerning revenue. Senate Bill 2060, offered by Representative Chapa LaVia, a Bill for an Act concerning military personnel, which may be referred to as the Illinois Patriot Plan. Senate Bill 2062, offered by Representative Lyons, Joe, a Bill for an Act concerning aging. Senate Bill 2078, offered by Representative Burke, a Bill for an Act concerning health. Senate Bill 2082, offered by Representative Granberg, a Bill for an Act concerning criminal law. Senate Bill 2087, offered by Representative Saviano, a Bill for an Act concerning State Government. Senate Bill 2090, offered by Representative Yarbrough, a Bill for an Act concerning criminal law.

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Senate Bill 2091, offered by Representative May, a Bill for an Act concerning State Government. Senate Bill 2094, offered by Representative Soto, a Bill for an Act concerning child support. Senate Bill 2104, offered by Representative Phelps, a Bill for an Act concerning criminal law. Senate Bill 2116, offered by Representative Schock, a Bill for an Act concerning State Government. Senate Bill 1767, offered by Representative Madigan, a Bill for an Act concerning safety. Senate Bill 1826, offered by Representative Burke, a Bill for an Act concerning local government. Senate Bill 1894, offered by Representative Madigan, a Bill for an Act concerning animals. House Bill 1898... Senate Bill 1898, offered by Representative Gordon, a Bill for an Act concerning criminal law. Senate Bill 1908, offered by Representative Madigan, a Bill for an Act concerning regulation. Senate Bill 1932, offered by Representative Black, a Bill for an Act concerning education. Senate Bill 1960, offered by Representative Coulson, a Bill for an Act concerning criminal law. Senate Bill 1966, offered by Representative Hamos, a Bill for an Act concerning government. Senate Bill 1967, offered by Representative Flider, a Bill for an Act concerning aging. Senate Bill 1968, offered by Representative Madigan, a Bill for an Act concerning civil law. House(sic-Senate) Bill 18... 1989, offered by Representative Madigan, a Bill for an Act concerning drilling operations. Senate Bill 274, offered by Representative McKeon, a Bill for an Act concerning government. Senate Bill 293, offered by

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Representative Parke, a Bill for an Act concerning education. Senate Bill 318, offered by Representative Washington, a Bill for an Act concerning local government. Senate Bill 323, offered by Representative Jakobsson, a Bill for an Act concerning State Government. Senate Bill 383, offered by Representative Mathias, a Bill for an Act concerning education. Senate Bill 62, offered by Representative Lyons, Joe, a Bill for an Act in relation to vehicles. Senate Bill 66, offered by Representative Black, a Bill for an Act concerning transportation. Senate Bill 69, offered by Representative Froehlich, a Bill for an Act concerning education. Senate Bill 75, offered by Representative Hamos, a Bill for an Act concerning housing. Senate Bill 94, offered by Representative Mathias, a Bill for an Act concerning local government. Senate Bill 101, offered by Representative Feigenholtz, a Bill for an Act to create the Assistive Technology Protection Act. Senate Bill 143, offered by Representative Osterman, a Bill for an Act concerning government. Senate Bill 157, offered by Representative Currie, a Bill for an Act concerning hospitals. Senate Bill 159, offered by Representative Mathias, a Bill for an Act concerning business. Senate Bill 223, offered by Representative Mathias, a Bill for an Act concerning education. Senate Bill 251, offered by Representative Black, a Bill for an Act concerning civil law. Referred to the House Committee on Rules is House Resolution 318, offered by Representative Mautino and House Joint Resolution 44, offered by Representative Coulson.

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There being no further business, the House Perfunctory Session will stand adjourned."