

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

41st Legislative Day

4/15/2005

Speaker Hannig: "The hour of 9:30 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 Lee Crawford, the Assistant Pastor of the Victory Temple Church in Springfield."

Pastor Crawford: "Let us pray. Most gracious and Almighty God, our heavenly creator, our Father who has dominion over life and death. Father, I pray that You will grant to us the grace to remember that with love and reverence that we are to go forth and we are to go forth in peace with the courage to hold fast to that which is good, Father, rendering to no one evil for evil. But I pray, Father, that You would help us, strengthen us to strengthen the fainthearted. Give us the strength to support the weak. Give us the strength to help the afflicted and help us to honor all people. Loving them and serving them in the same love and in the same spirit in which You have loved us and in which You have served us. This we ask in Your Son's name. Amen."

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

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

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

Currie: "Thank you, Speaker. Please let the record show that Representatives McKeon and Yarbrough are excused today."

Speaker Hannig: "Representative Bost."

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

41st Legislative Day

4/15/2005

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

Speaker Hannig: "Representative Bost, you need to... you need to get on the Roll Call. It's still open. Mr. Clerk, take the record. There are 115 Members answering the Roll Call, a quorum is present. Representative Bost, would you like to start the day with House Bill 1314? Mr. Clerk, read the Bill, please."

Clerk Mahoney: "House Bill 1314, a Bill for an Act concerning animals. Third Reading of this House Bill."

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker. If I can get my notes together here. Mr. Speaker, can you come back to me on this Bill, please? Can we... we come back to this Bill in just..."

Speaker Hannig: "I'm... I'm sorry. Did you wish to come back to it?"

Bost: "If we can come back to this Bill, I need to get... with some more information on it right quick."

Speaker Hannig: "All right. So, we'll just take it out of the record at this time. Representative Cross has House Bill 1535. Would someone like to handle that for Representative Cross? Okay. We'll take... No. Take that out of the record, Mr. Clerk. Okay. On House Bill 1535, Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1535, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. House Bill 1535 updates the current Comprehensive Health Education Program to include more of an emphasis on teaching children the values of nutrition and life-long wellness. This is an initiative to

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

41st Legislative Day

4/15/2005

decrease obesity in children, and there are no opponents to this legislation. I'd appreciate an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone speak 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? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting no. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mike Boland, do you have House Bill 542? Mr. Clerk, read the Bill, please."

Clerk Mahoney: "House Bill 542, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Boland."

Boland: "Thank you, Mr. Speaker. House Bill 542 amends the Illinois Income Tax Act to create a tax checkoff for the Heart Saver AED Fund. And it is effective immediately."

Speaker Hannig: "The Gentleman moves for the passage of House Bill 542. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0 voting 'no', and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, let's return to House Bill 1314."

Clerk Mahoney: "House Bill 1314, a Bill for an Act concerning animals. Third Reading of this House Bill."

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker. House Bill 1314 simply establishes a new per... permit for fur traders for out-

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

41st Legislative Day

4/15/2005

of-state traders so they can go strictly to trade shows. That doesn't change existing. But I'd be glad to answer any questions. And it's for trading of... of both what's known as green furs and dry furs, as well."

Speaker Hannig: "The Gentleman moves for the passage of House Bill 1314. Does anyone stand in response? Then the question is, "Shall this Bill... Representative Franks, do you stand in response?"

Franks: "Thanks. I just have a question, if the Sponsor will yield?"

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

Franks: "I'm looking..."

Bost: "Right here."

Franks: "There... Sorry, I wasn't sure who had it. This... this is a new permit that you're trying to do?"

Bost: "It... it is a new permit. See, right now out-of-state traders can... can trade statewide, and that's about a \$250 permit. This is a new permit that will allow them only at the trade shows to trade. And it's at the request of the furriers of the State of Illinois."

Franks: "Okay. And this permit... there's a new fee for this permit?"

Bost: "There is a fee on this that is actually less than the \$250 fee... it's a \$50 fee, but the other one for out-of-state is 250. But this only allows them to trade at the shows."

Franks: "And what is the \$250 fee allow them to do?"

Bost: "The 250 allows them to trade anywhere. They can come into the state and be a fur trader..."

Franks: "Oh, I see."

Bost: "...in the state. This just allows them to go to the shows."

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

41st Legislative Day

4/15/2005

Franks: "Okay. Thank you."

Speaker Hannig: "Representative Osterman."

Osterman: "Will the Sponsor yield?"

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

Osterman: "Just one question. What is a green hide?"

Bost: "A green hide is one that has not been tanned and dried the way a dried... and it's... ready... A dried hide would be ready to a be used, where a green hide has to be dried and then cleaned and all of that."

Osterman: "Okay."

Bost: "But a green hide is a brand new hide."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Chapa LaVia, you have House Bill 712. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 712, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Hannig: "Representative Chapa LaVia."

Chapa LaVia: "Thank... thank you, Speaker and Members of the House. What this Bill does... It came to me through a constituent last year who... him and his wife were married for some time, had a few children. The par... the couple decided to get divorced. The wife later married a sex offender. And the gentleman... did not... was not aware of this. We have laws that state that you have to tell the schools if you're a sex offender, your surrounding neighbors if you're a sex offender, but in this case, the paternal parent of a child

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

41st Legislative Day

4/15/2005

that was living with the mother now and the husband that was a sex offender didn't need to be notified. So, what this Bill does, it does not give a penalty, it just requests that the parental custodial parent gives notification to the other parent in which the new spouse is a sex offender. The second portion of this Bill allows the courts to look into this... the section in am... in House Amendment #1 is deleted, but House Amendment #2... Wait a second, I'm sorry, wait a second. Okay. House Amendment #1 says that the courts could go back in and based on the new evidence of the new parent with the children in their household would have to... they could reevaluate where the children need to go in this case. If there is a sex offender in the household with the children. And should... shall provide reasonable notice to the other parent. I'll take any questions."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Cultra and Representative Dunn, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Cultra on House Bill 2521. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 2521, a Bill for an Act concerning wildlife. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Iroquois, Representative Cultra."

Cultra: "Thank you, Mr. Speaker. House Bill 2521 simply lets lineal descendants of landowners buy deer permits without

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

41st Legislative Day

4/15/2005

going through the lottery. And I would be open to any questions."

Speaker Hannig: "The Gentleman moves for the passage of House Bill 2521. 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? Rep... Okay. Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Chavez, would you like to call House Bill 1320? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1320, a Bill for an Act concerning children. Third Reading of this House Bill."

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

Chavez: "Good morning, Mr. Speaker and Ladies and Gentlemen of this honorable House. House Bill 1320 amends the abuse of the Neglected Child Reporting Act. It increases the penalty for a school teacher, principal, administrator, board member or a school personnel who fails to immediately report or cause to report an evidence... incident of sexual abuse of a child by someone responsible for the child welfare. It only impacts the school personnel and not any other reporters. It is only applies for sex offenses. The need for this change in the law was prompted by the horrible incidence of child abuse and molestation allegedly pe... perpetrated by the musical tea... a music teacher in Berwyn public school attended by my constituents. So far, 20 young girls have accused these men for over 200 incidents of a child abuse. In that case, a report has been made to the school principal three years previous and she had refused to call DCFS. As a result, many more children suffer. My hope is to elevate

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

41st Legislative Day

4/15/2005

the penalty for not reporting this crime so that all school's administrators will do the right thing and report an incident of abuse immediately. This Bill seeks to have the school personnel to do the right things and make a report to Ds... Df... DCFS. Whenever a serious charge of sexual abuse is made against more responsible for the care... the care of the child, I think every parent in Illinois will expect no less for our school system so that terrible crime, like those committed in the Berwyn school could be avoided in the future. I ask for your support."

Speaker Hannig: "The Lady moves for the passage of House Bill 1320. This is on the order of Standard Debate. And on that question, the Lady from Grundy, Representative Gordon."

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

Speaker Hannig: "To the Bill."

Gordon: "Ladies and Gentlemen of the House, this... this Bill... I stand in strong support for this legislation. This is about protecting the kids in our schools. Our first line of defense are the school administrators, the principals, the teachers and the school board members. It is not meant to punish them. This Bill has safeguards built in. There has to be a violation that is knowingly and willfully done if a sex offense to a child is not reported. Knowingly and willfully. This isn't about you... that you hear something in the coffee shop. This isn't about something that someone tells you on the street. This is a knowing violation of this in... offense. Now, we passed a Bill yesterday that said that these administrators are gonna have the information about how they are mandated reporters. We'll give them the information. We'll teach them about it. And now the Lady from Cook County is asking us to make them use that

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

41st Legislative Day

4/15/2005

information. There are a few things I want to tell you that have happened in our state that could've been prevented with legislation like this. There was a case that started in the '70s. A man was a teacher, he was a band teacher and he was accused of molesting boys. What they said to him was, if you go, we won't tell anyone. Just leave us alone; we don't wanna get involved. He then got another job and it happened again. This time they said, we're gonna take your... your teaching license, but were not gonna tell law enforcement. Guess what? The guy didn't have a criminal record. He was then allowed to become a foster parent in our state. He took a boy in and abused him methodically for years and years and years. He was then finally arrested and convicted out of LaSalle County, served his time in the Department of Corrections as a model prisoner, got out, was on parole, never violated the law. He then became a... a music teacher at a private music school. Guess what? Teaching children. Now, Ladies and Gentlemen, that man is currently locked up in our sexually dangerous persons unit in this state where he should have been years and years ago. Ask the victims if they wanted somebody to tell. Ask the victims if they would've wanted to know that this man was dangerous. There's a case in Franklin County, a teacher molested 16 young girls. Sixteen. Guess... ask one of those girls if they would've wanted the help of the school personnel to tell because they didn't believe this man was doing this to them because he was a teacher. This is not about abusing or in any way picking on the administrators. This is about protecting the kids. We stood here a few de... a few days ago and a very good friend of mine on the other side of the aisle talked about saving money on the counseling for sex offense victims. Ladies and Gentlemen, once again, this is

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

41st Legislative Day

4/15/2005

about protecting the children. That's our first duty. And these... this is our first line of defense with them. I ask for your 'aye' vote. I ask for you to give your 'yes' vote to the Lady from Cook. This is excellent legislation and everyone should support it. Thank you."

Speaker Hannig: "Representative Lindner."

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

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

Lindner: "All right. First, just so we get this straight. Amendment #1 becomes the Bill, is that correct?"

Chavez: "Yes."

Lindner: "Okay. So that is the full Amendment. And you are upping the penalties right now for all of the mandated reporters. A first offense is a Class A misdemeanor, is that correct?"

Chavez: "No, we are not raising the penalties for... for all mandated reporters. Only for school personnel, the school board members, the school administrators and school teachers."

Lindner: "You are only upping the penalties for school board members and school administrators."

Chavez: "Administrators. Yes."

Lindner: "So, there..."

Chavez: "And the teachers."

Lindner: "Other mandated reporters are... get a Class A misdemeanor for the first time, but school administrators and school board members are gonna be convicted of a Class 4 felony?"

Chavez: "Only if the child was a victim of a sex offense and they knowingly and willfully fails to disclose. Because they are around the children every day."

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

41st Legislative Day

4/15/2005

Lindner: "Well, school board members are not around the children every day."

Chavez: "This only applies if a school board member knows that a child was a victim."

Lindner: "You know, I... I assume that doctors or pediatricians and nurses who work in pediatrics are also around children every day and yet their... if they fail to report, it's a Class A misdemeanor, but now you're making school board members who are not at the school every day get a Class 4 felony."

Chavez: "The teachers and principals reports to a school board. And if they are trying to hide this, we're gonna have what happened in Berwyn School where 20 kids were abused. And the school board... the..."

Lindner: "All right. Your Bill in Amendment #1 says, 'any school administrator, school principal, school teacher, board member or other school personnel.' Who are the other school personnel? Does that include secretaries, cleaning people, part-time people? Who does that include?"

Chavez: "Any employee that works at a school. That's the current definition in the law."

Lindner: "All right. What about, say, parents who are volunteering at school? Are they school personnel?"

Chavez: "They're not getting paid for the school... proper... I mean, from... from the school properties."

Lindner: "All right. If you were..."

Chavez: "I mean, services."

Lindner: "...if you were a part-time..."

Chavez: "If..."

Lindner: "If you're a part-time personnel..."

Chavez: "If a part-time person is working under the school, he should be in place an employee of the school."

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

41st Legislative Day

4/15/2005

Lindner: "All right. Now, this Amendment also says having reasonable cause to believe. What is reasonable cause? If somebody tells them something are they supposed to go and report this? Do they have to see this? Do they have to have personal knowledge? What is reasonable cause?"

Chavez: "Reasonable cause is currently used in the law. It is a question of fact for the jury."

Lindner: "I'm sorry, I didn't understand it..."

Chavez: "It's a question of fact for the jury to decide it."

Lindner: "A question of fact for the jury. Okay. And immediately, what... what is immediate? Is that within the hour, within a day?"

Chavez: "That, again, is a question for the jury. And all these terms are currently in the law. And we just raised the penalties."

Lindner: "Well, ya know, I know that this comes from an incident that happened in your district, and we certainly want to all protect children, but I have certainly heard from a lot of my school board members, and I don't know about everybody else, but they're a little concerned about having a Class 4 felony. If they don't have all the facts and information and just hear a rumor, are they are gonna get tried and convicted of a Class 4 felony? I think we have to think very carefully. Maybe it's a Class 3 felony? No, I think that's for the se... Is a Class 3 felony the second offense or is it the first?"

Chavez: "Yes, the second."

Lindner: "It's the second. All right. I think we gotta think carefully about this Bill, everybody. And I... I think we should listen carefully to the debate from some of our other school people."

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

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

41st Legislative Day

4/15/2005

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in strong support of this Bill. I understand the previous speaker and her concern for the concern of some of those involved who this Bill might apply to in terms of being possibly charged with a Class 4 felony. But I can tell you that my greater concern lies with, quite frankly, the 200-plus violations that happened in Berwyn. God only knows how many of these incidents are happening in other corners of our state. And I think we need to remember that and we need to send a strong message to people that those who are closest to our children, those who we entrust with their care during the school hours of the day, if they knowingly and willfully fail to report a very, very, very extremely serious issue, which is sexual child abuse, that they are not going to get off with a misdemeanor offense. I think when people understand that their willful and their knowing failure to report a serious crime of this nature is going to bring upon them perhaps a felony that they'll have to defend in court, people are going to think twice about knowingly and willingly failing to report. This Bill is very simple. All we're doing here is increasing the penalties associated with this knowing and willful lack of disclosure one class. We're saying we don't think it's a petty offense enough to just call it a misdemeanor. We think that violating that sanctity of a school and that safe haven for our children is a serious enough issue to warrant it being charged with a felony offense. Again, we are talking about the current law. This is... the questions that have come up so far, the concerns that have come up so far, are concerns that are dealing with current law. What's changing in this particular Bill, House Bill 1320, is simply that we will be raising the penalties one class. Before it

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

41st Legislative Day

4/15/2005

was a misdemeanor, now it's a Class 4 felony. If you go on to commit it a second time, it's a Class 3 felony. If you're part of a conspiracy theory to keep this information quiet, it's a... it's a serious crime and so you go to a Class 3 right off the bat. We're sending a strong message to our educators, to people who deal with children, to school board members who are taking too long to investigate incidents where there's 200 incidents of possible and alleged sexual violations that they shouldn't take that long, and they should make sure that these predators are not in contact with our kids. So, mandatory disclosure is important and what we're saying today is, let's support House Bill 1320 because it will send a message that we entrust our kids with you, but we also need to know that if you know something, you're going to... you're going to tell someone in order to protect that child, that you will not knowingly and willingly fail to report a very serious offense that is worthy of a felony. Thank you. And I would ask for your support."

Speaker Hannig: "Okay. We now have Representative Chavez has presented the Bill. Representative Gordon and Mendoza have spoken in favor. Representative Lindner has spoken in response and the rules provide that two additional Members can speak in response. So, Representative Eddy, would you like to speak in response?"

Eddy: "Thank you very much, Mr. Speaker. Would the Sponsor yield for some questions?"

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

Eddy: "Representative, do you understand, at this point, school board members have not been expa... the pool has not been expanded to include school board members in even training for this issue?"

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

41st Legislative Day

4/15/2005

Chavez: "Yes, I understand that."

Eddy: "So, your legislation would take the school board member, and by the way do you understand school board members serve in their districts, without pay, for the betterment of their communities and your legislation would take the school board member who has had no training in this issue, none, and require that if they, who may not even be trained in this issue, don't fol... you're... you're gonna a Class 4 felony."

Chavez: "This... this only applies if a child... if a school board member knows that a child was a victim of a sex offense and they knowingly and willfully fails to disclose."

Eddy: "I understand that. My question was not when they would be guilty. Do you understand you're taking a school board member, who has had absolutely no background or training in this up to this point, and you're gonna charge him with a felony in a situation that they have not had the opportunity to be trained in?"

Chavez: "The current law applies to all the school personnel."

Eddy: "I understand what the current law is. Would you please answer my question?"

Chavez: "And that covers board members."

Eddy: "Would you answer my question? My question is, does this take that school board member and make that member a felon based on your legislation?"

Chavez: "If they knowingly and willfully fails to disclose it. They have to know this and they have to fail to report."

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

Speaker Hannig: "To the Bill."

Eddy: "Yesterday this Body took a very responsible course of action related to this issue. Representative Molaro brought forth to this Body a Bill that provides to school board members and other school personnel to which we're expanding

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

41st Legislative Day

4/15/2005

the mandated reporting act the requirement that they become trained, that they understand the law, and that they now participate in a very, very serious and important process. There's no question about that. No one can take away the importance of what we're asking these folks to become included in. But to take those expanded pool members and without the training and without the mandated reporter status inclusion that's now been passed out of here to make them felons, this simply goes too far. It goes too far. I would ask the Body to consider the fact that up until this point, up until this point in time, school board members and other school personnel have not been included. Now, there have been many who do come to administrators over the years. They do the right thing; they get involved. And they report to those administrators who do have the mandated status as a reporter. Expanding the pool isn't the issue. The issue is that this goes way too far. Representative Molaro's Bill did a very good job. It passed out of here yesterday and should be given the opportunity in schools to do exactly what the Sponsor of this Bill wants to do. I don't have a problem with what she's trying to do, but this is not the right way to do it. This is not the right solution to the problem that we have, and we do have a problem. She's absolutely correct. But this is not the solution. Earlier a speaker said that... that this just simply enhances the penalty. That's not true. This expands the pool and enhances the penalty. Please pay attention to this; this is not a good vote. The good vote, the good Bill went out of here yesterday with overwhelming support. That's what we need to do for now. I strongly urge a 'no' vote on this Bill. Thank you."

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

41st Legislative Day

4/15/2005

Speaker Hannig: "Okay. We... we now have two have spoken in response and the rules provide that a third Member can speak in response. Representative Black, would you like to fill that role?"

Black: "Thank you very much, Mr. Speaker. I don't think I can add anything to what Representative Eddy said. I would like to yield my time to Representative Mulligan."

Speaker Hannig: "To who?"

Black: "Representative Mulligan."

Speaker Hannig: "That'll be fine. Representative Mulligan."

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

Speaker Hannig: "She will yield."

Mulligan: "Representative, what other mandated reporters have this type of a penalty?"

Chavez: "It's just a misdemeanor offenses."

Mulligan: "I'm sorry. What?"

Chavez: "Would you repeat that again?"

Mulligan: "What other mandated reporters have this serious of a penalty?"

Chavez: "You mean currently?"

Mulligan: "Yes. None, correct?"

Chavez: "That's correct."

Mulligan: "So, no other mandated reporters have this serious of offense. Does this Bill apply to parochial schools?"

Chavez: "All schools."

Mulligan: "All schools."

Chavez: "Yes."

Mulligan: "Would clergy at parochial schools be included in this?"

Chavez: "If they're considered school personnel, the school teacher or school board member or a school administrator. Yes, it does."

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

41st Legislative Day

4/15/2005

Mulligan: "So, would it conflict with the clergy standards if it was for parochial schools also?"

Chavez: "Would you repeat that?"

Mulligan: "Would the clergy standards in a parochial school, if they are a mandated reporter under the school reporting part of it, be a conflict with the statute for the clergy mandated reporting?"

Chavez: "No. Because the Amendment says not with the standing anybody or the part of the Section."

Mulligan: "So, clergy would also be liable to the penalty and would be able to go away, which I understand Class 3 is 3 to 7 years, Class 4 is 1 to 3?"

Chavez: "That's true. But only if they knowingly and willfully fail to disclose."

Mulligan: "How do you determine whether someone knowingly and willfully fails to disclose? Wouldn't that take a jury trial?"

Chavez: "Yes."

Mulligan: "So, who will pay for the defense of either the clergy or the school board member in either a parochial or a public school? The local school board would be probably obligated to come to their defense or the local union."

Chavez: "Who's gonna pay to put the kids in counseling?"

Mulligan: "Who will pay for their defense? Would not the school board, the school district, or the union, depending on who it is, be obligated to come to their defense and pay their legal fees if this can only determine... be determined in a court?"

Chavez: "No. Because this... no... because it's a crime."

Mulligan: "Representative, both you and other Representatives on this floor have spoken to this... spoken to this Bill, which would actually put, in effect, legal intent that is not in

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

41st Legislative Day

4/15/2005

this Bill. Representative Molaro, yesterday, put out a reasonable Bill, House Bill 2369. I certainly understand the Sponsor's... and to the Bill. I certainly understand the Sponsor's responsibility to her district and what she thinks has happened in her district, but I think this response is a little over the top. It puts people in line that may have to report what they may think happened because they have no clue and otherwise they will be at great risk for higher penalties and certainly for higher court costs if they have to defend themselves. In some instances, maybe penalties greater than the offender. I think this is really a Bill that does not need to be passed. House Bill 2369, which Representative Molaro passed out yesterday, was a reasonable Bill that provided training and did not disturb the general mandating reporter act. This Bill is way over the top. It is not a simple Bill. It creates all kinds of problems certainly for school boards, clergy, parochial schools, public schools. It is way more than needs to be necessary. I certainly understand the lady's reaction to a very bad situation in her area. But that does not mean that we change the whole law over one or two incidences when we've already changed the law yesterday in a much more appropriate manner. Anytime you put a Bill forth like this, people are nervous about it. You talk about sex offense. That is no reason for the General Assembly to overreact when we've already passed a better Bill yesterday."

Speaker Hannig: "We've now had the full complement of speakers on both sides. And Representative Molaro, the chairman of the committee, will be recognized to close. Representative Molaro."

Molaro: "Thank you, Mr. Chairman. Two reasons: was originally part of my Bill and also the name was used in debate. First

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

41st Legislative Day

4/15/2005

of all, I wanna thank the people that say came up with a great Bill last... yesterday that... that's thankful. But I would only hope that some of the speakers who spoke against this Bill would just give a minute and the good news is I only have a few minutes anyway and I'll be shut off. Let me explain... let me explain what her Bill, the Representative's Bill, does so we're clear because every argument that was made against the Bill is absolutely well thought out and is exactly right on point. However, that's not what the Bill really says. What this Bill does do is it does add a school board member, and I wanna make this clear, it does add a school board member as a reporter, which they should be. So, if a school board member has reasonable cause to believe that there was suspected sexual abuse, they have to report. Now, it says in her Bill, so we're clear, it says that if you are to report and you reasonable believe, then you report. She doesn't add penalties there. She doesn't make that a felon. Nobody's in jeopardy if they fail to report. There's no problem. Even if there's reasonable grounds or reasonable cause and you don't report, you are not a felon. We're not changing that law; this Bill doesn't change that. Where there is a change in the law, and I wanna make this clear, and if you read it, you'll see it, it says that if this same people, school principal, teacher, administrator, school board member who knowingly and willfully fails to report. So, therefore, if you're a school teacher, school board member and you have a suspected case of sexual abuse and you know that and you willfully do not report it, then you can be charged with a felony. So, I'll repeat that again so we're clear. If you had reasonable belief like everybody else, we're not changing that law. But if you know it and you willfully fail to report, then you could be

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

41st Legislative Day

4/15/2005

charged with a felony. And I'm just saying that it's not bad public policy. I think, in fact, it's pretty good public policy that we would go to a teacher and say if you know it and you willfully fail to report it, then you have a problem. So, if you know it and you willfully don't report it and you're a teacher, well then, shame on you. Then you should be held to a higher standard. You know it and willfully understand it and you willfully knew there was sexual abuse and you didn't report it then, damn it, you should pay that price. Now we have to prove it and we should do it. This is a good Bill and this should get 'yes' votes. Thank you very much. You have a good Bill, Representative."

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? Have all voted? Mr. Clerk, take the record. On this question, there are 63 voting 'yes', 47 voting 'no' and 6 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2244."

Clerk Mahoney: "House Bill 2244, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Hannig: "Representative Beaubien."

Beaubien: "Thank you, Mr. Speaker. This is an Amendment to the Voluntary Payroll Deduction Act of 1983. It permits the number of voluntary deductions to be reduced from 500 to 250 to stay on the automatic payroll deduction. This is an initiative of the Special Olympics of Illinois and the United Community Fund. I'd appreciate an 'aye' vote."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed

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

41st Legislative Day

4/15/2005

'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 115 voting 'yes', 1 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Burke, did you wish to call 315? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 315, a Bill for an Act concerning animals. Third Reading of this House Bill."

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

Burke: "Thank you, Mr. Speaker. Yesterday when we passed the Amendment, just to refresh the mem... Members' memory, 315 has been entirely changed. It is now being supported by the Illinois Veterinarians Association and there is no opposition to the Bill. There is no fee included and this legislation directs itself to the subject of controlling stray dogs in our state. It sets up a fund that would provide free spaying and neutering for disadvantaged families. And I would be happy to answer any questions."

Speaker Hannig: "The Gentleman moved for the passage of House Bill 315. And on that question, the Gentleman from Bond, Representative Stephens is recognized."

Stephens: "Thank you. Will the Gentleman yield?"

Speaker Hannig: "Indicates he'll yield."

Stephens: "Thank you. Representative, most of us received a lot of communication from local veterinarians. Are you telling us that that opposition has been removed?"

Burke: "Yes, Sir. They now support this legislation."

Stephens: "Well, it's a good Bill then. I'm sorry I took my name off the sponsorship."

Burke: "I guess there's no more room for you."

Stephens: "Thank you."

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

41st Legislative Day

4/15/2005

Speaker Hannig: "Okay. Representative Winters."

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

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

Winters: "Representative Burke, we've all enjoyed receiving many, many constituent letters on this, some positive, some negative. I'm just trying to clear up a little of the understanding about this. It initially had a mandatory fee that was attached to it. That has been removed?"

Burke: "Yes, Sir. There was a \$3 fee that would've been collected at the point of vaccination. So that would've been a one-time \$3 fee per year."

Winters: "Per year?"

Burke: "Per year."

Winters: "And when you say one-time, every time you had your dog in or cat in to be vaccinated, it would've repeated?"

Burke: "That is correct."

Winters: "Okay. As I understand it now though, you do have... require a minimum of a \$15 differential?"

Burke: "That is a copay for those individuals that would be taking advantage of the free spaying and neutering."

Winters: "If you're getting a free spaying and neutering, then they would be asked if... if they're... Explain it. I don't know... I don't know what you mean by copay if it's free?"

Burke: "It's \$15. They would be charged \$15 for the spaying and neutering as opposed to whatever the veterinarian would be charging routinely."

Winters: "Do you have an estimate of what... if I was to walk in and just say, ya know, I've got a dog and I need her... need her spayed. What would that cost? Any idea?"

Burke: "Oh, there's great disparity across the state. In my community, for instance, it's sometimes under a hundred

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

41st Legislative Day

4/15/2005

dollars; in more affluent communities, it could exceed 3 or 4 hundred dollars."

Winters: "Ya know, we would assume that there'd probably be a differential between spaying, which requires an internal operation, versus neutering, which is..."

Burke: "I would say so, yes."

Winters: "Maybe we should leave that subject alone."

Burke: "I guess the snipping procedure is probably a little easier."

Winters: "Yeah. Well, easier for the veterinarian."

Burke: "I should say."

Winters: "How do you deal with rabies? Is there a requirement for rabies or is that already dealt with in the Animal Health Code?"

Burke: "That is already addressed in the Illinois Animal Control Act."

Winters: "So, you're not... you're not changing the rabies shots?"

Burke: "No, we are not."

Winters: Okay. Where is the fund gonna be spent? Are we setting up another fund that the Governor can then raid when he looks for additional revenue for the budget?"

Burke: "We have language in this legislation that would preclude the Governor's opportunity to raid the fund."

Winters: "Maybe we should include language in this that every fund that's set up for a specific purpose not be raided by the Governor. Would you be..."

Burke: "I'd be... I have no objection to that."

Winters: "Maybe we can amend that on over in the Senate. There's... there's no direct fee then. Go through that copy again. If somebody is coming in for what is termed the free spaying and neutering, they're gonna be asked to go ahead and pay \$15 to help offset what may be a hundred or a

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

41st Legislative Day

4/15/2005

hundred and fifty dollar charge that... Public Health is paying this, Public Aid, or who's paying it? Public Health."

Burke: "It's Public Health."

Winters: "Now, does Public Health monitor veterinarians or does the Department of Agriculture?"

Burke: "The Department of Agriculture."

Winters: "The Department of Agriculture monitors the vets. Wouldn't it be more appropriate maybe to do the funding in that department rather than Public Health?"

Burke: "Possibly."

Winters: "Okay. Was that raised in committee by the Public Health Department?"

Burke: "The Department... the Department of Public Health did object to being asked to administer this program."

Winters: "Based on cost or expertise?"

Burke: "Based on cost."

Winters: "Okay. Well, I'd like you to at least consider over in the Senate, when you found a Sponsor that will deal with this, to, ya know, bring Ag and Public Health and figure out which department is more appropriate. It would seem to me, just logically, that if the Department of Ag is already in contact with the veterinarians, they're trained in... in the College of Veterinary Medicine that which is part of the College of Agriculture at the University of Illinois, that they're used to dealing with that department more than they are with the Department of Public Health that that might be an Amendment we can look at in the Senate."

Burke: "I would certainly take that under advisement. I have no objection to the transfer of authority to Ag."

Winters: "Okay. Thank you very much."

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

41st Legislative Day

4/15/2005

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

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

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

Black: "Representative, we talked very briefly on the Amendment. Are you amenable to perhaps in the Senate seeing if the Department of Agriculture will be the responsible agency for the Bill? Cause that... that's where animal control has always been."

Burke: "Yes, Sir, in fact, I would..."

Black: "Okay."

Burke: "...I would encourage that at this point."

Black: "All right. It's my understanding that the Senate Bill they've taken the tax, for lack of a better word, off of the rabies vaccine. In other words, we're not gonna increase the cost of the rabies vaccine. Is that correct?"

Burke: "That is correct."

Black: "Okay."

Burke: "There was previously a \$3 fee that would be collected..."

Black: "All right."

Burke: "...at the point of vaccination. That is, the bid is out."

Black: "Representative, on a related note. You are an accomplished musician. I've heard you play the piano many times. I would... I would like to sing, but I can't sing. But perhaps you could join me in a chorus of that great old country and western song about You Gotta Quit Kicking My Dog Around at the appropriate time."

Burke: "Well, when the piano is returned to the new Capitol Steakhouse, I believe the week that we return, I will be delighted to be your accompanist."

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

41st Legislative Day

4/15/2005

Black: "And perhaps we can have time to actually sell tickets and raise a little money for the 'dawg fund'. Right?"

Burke: "That's a... that's a great idea, Representative."

Black: "Okay. Thank you, Representative."

Speaker Hannig: "Okay. Representative Stephens, Winters and Black have spoke in response. Does anyone wish to rise in support? Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Dan and I have... have been on a... on a very similar track this entire Legislative Session. We both had incidents that were very, very unfortunate in our districts which... which caused us to pay attention to a situation that... that we normally, like everybody else here, takes for granted. Today was to be Lydia Chaplin's birthday. She would've been 15 years old had she not been mauled to death a few months ago by three pit bulls and a boxer. She was found early in the morning, stripped and frozen, because she couldn't put up with the environment. The dogs were still there guarding their prey. Because of that, we started looking at the Animal Control Act. We have two Bills that are very, very similar, mine and this one. Both have provisions to try to strengthen the Animal Control Act, to try to reduce the aggressiveness of some animals and to do the right thing for children and for people that become victims. This Bill has no fees, has no increases, has a slight differential, which quite frankly some of the breeders sell their pups for \$12 hundred or more; it certainly can be afforded. That money, I wish, we're gonna put... be put in animal control so that we have at... at least enough money to protect the citizens with the laws we have. It's true that... that it's difficult to keep track of all of the stray dogs of all of those that... that are with... with

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

41st Legislative Day

4/15/2005

individuals that shouldn't have dogs, irresponsible dog owners, and I agree with everybody that's talked to me about this whole situation that that's what we need to address. I think this Bill helps to address that. I certainly applaud the Gentleman for sticking with this legislation. I am in strong support of it. And I hope it flies out of here with a strong, strong message and vote. Thank you, Mr. Speaker."

Speaker Hannig: "Okay. The rules of debate provide that one additional speaker can speak in support. Representative Moffitt. Representative Brosnahan. In support? Okay. Five minutes."

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong support of this legislation. I wanna compliment Representative Burke for all of his hard work on this piece of legislation. I... I think the genesis of this Bill was an incident that occurred at the Dan Ryan Forest Preserves in the City of Chicago, which is my district adjacent to Representative Joyce's district. A woman by the name of Anna Cieslewicz was attacked by vicious dogs and murdered. I know I've said this before on the House Floor. Anna Cieslewicz was a friend of my family. She was a registered nurse. She was my pediatrician's nurse, so I saw her on a regular basis. I am in contact with her family occasionally and I've seen the kind of damage and despair that was brought to this family because of wild and vicious dogs. Representative Burke has worked very hard to appease all parties. I know originally there was some opposition to this legislation by the veterinarians. My understanding, they are totally fine with this piece of legislation. They removed their opposition. Again, I just want to compliment Representative Burke. I think this goes a long way. It's just not gonna benefit my

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

41st Legislative Day

4/15/2005

district or urban areas; this will benefit the entire State of Illinois. It's a very good piece of legislation. I ask for everyone's support. Thank you."

Speaker Hannig: "Representative Burke to close."

Burke: "Thank you, Mr. Speaker. Ladies and Gentlemen, please let me, one more time, remind you, there is no fee increase in this legislation. All of that language previously has been removed. We are attempting to resolve and to correct and to assist in a very, very serious public safety issue. If you don't have the problem in your district today, you're very fortunate. In larger urban areas, indeed, we are seeing an increase in the stray animal population that's off the charts. I can't let this moment escape without, again, talking about the lady that Representative Brosnahan just referenced, Anna Cieslewicz who is 42 years old, out for a lovely run in the morning and was attacked by two stray dogs and mauled to death. Ladies and Gentlemen, last year there were 24 thousand calls made to the City of Chicago nonemergency line with respect to animal issues, in particular, stray dogs. We have a serious problem. It's not only in the City of Chicago; it's across the state. If we begin to attend to it through this legislation, I am confident that we're gonna see a major reduction in this stray animal population similarly to other states that have employed close... legislation there. I, again, would insist to you, there is no fee. Those who have voted 'no' previously can be perfectly comfortable in understanding that there is no fee increase in this legislation. But, indeed, it would offer a reasonable solution to what is becoming a very, very serious public safety concern. And I would ask every Member to consider this very seriously and please vote in favor. Thank you so much."

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

41st Legislative Day

4/15/2005

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 90 voting 'yes', 25 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Howard, for what reason do you rise?"

Howard: "I rise on a point of personal privilege."

Speaker Hannig: "State your point."

Howard: "My colleagues, you perhaps know that there's a wonderful effort under way to try to interest young women in our state to seek public office. Today we are joined by women from the Illinois Women in Leadership Institute. Please help me to welcome them to Springfield."

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

Phelps: "A point of personal privilege."

Speaker Hannig: "State your point."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like for all of you to help me welcome to Springfield teacher Mari Beth Hull and the FCCLA students from my hometown of Eldorado."

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

Nekritz: "Point of personal privilege."

Speaker Hannig: "State your point."

Nekritz: "Thank you, Mr. Speaker. As you all 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 and to tie this issue with my concern for the

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

41st Legislative Day

4/15/2005

environment, my car care tip for the... today is about idling your car. Every time we drive to school, use our furnace or air conditioner, clean our windows or even style our hair, we make choices that affect air pollution. These are... there are... there are steps you can take to help reduce air pollution. Restricting engine idling is one of them. Keep your automobile well tuned and maintained. Follow the manufacturer's instructions on routine maintenance and avoid excessive idling of your automobile. This and other simple and inexpensive preventive checks will greatly extend the life and safety of you, your vehicle, and the world we live in. Thank you."

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

Franks: "A point of personal privilege, Speaker."

Speaker Hannig: "State your point."

Franks: "For those of you that have not been to the brand new Lincoln Museum and Library, I encourage you to go. That... the day... the opening, the grand opening is Tuesday and I had the privilege of going through a few times and it is a very moving experience. And it is truly the crown jewel, the gem of all museums and libraries in the country. And the reason I stand today is because obviously we have the big opening on Tuesday, but today also happens to be the 140th anniversary of the death of Abraham Lincoln. And I think it's appropriate that we recognize that, being in this august Body where he served so well, and I just thought it'd be a nice remembrance to take a minute and think of our greatest son and America's greatest President."

Speaker Hannig: "Thank you, Representative Franks. Representative Holbrook, you have House Bill 1679. Mr. Clerk, read the Bill."

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

41st Legislative Day

4/15/2005

Clerk Mahoney: "House Bill 1679, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Holbrook."

Holbrook: "Thank... thank you, Speaker. House Bill 1679 with House Amendment #1 simply allows the Kaskaskia Port Authority and the Tri-City Port Authority to make loans from commercial lenders licensed by the state for up to 3 years. They've got a lot of development going on in those areas, and this would fit into their financing plan much better than some of the long-term bonding. I know of no opposition."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting no. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lang, you have House Bill 1916. Mr. Clerk, would you read the Bill?"

Clerk Mahoney: "House Bill 1916 has been read a second time, previously. No Committee Amendments. Floor Amendment #1 was adopted by the House. All notes have been filed or withdrawn."

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

Clerk Mahoney: "House Bill 1916, a Bill for an Act concerning gaming. Third Reading of this House Bill."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the Bill that would separate the Illinois Gaming Board out as an independent agency from the

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

41st Legislative Day

4/15/2005

Department of Revenue. You may have all seen the editorial in the Chicago Tribune today about the current Gaming Board's activities and their desire to act as a completely independent body; the Tribune seems to endorse that notion. Just to repeat a couple of the comments from yesterday, the Illinois House Gaming Committee had a hearing with the members of the Gaming Board, which were only two, some weeks ago and we uncovered some very heavy-handed tactics on behalf of the Department of Revenue and the Governor's Office in terms of telling the Gaming Board how to do its business, spending the Gaming Board's money. This Bill will separate the Gaming Board out from the Department of Revenue and make it a separate agency responsible only to us and to their own consciences without any undo influence by the Governor's Office or the Department of Revenue. In addition, this Bill has a Code of Ethics. The Code of Ethics portion of this Bill was written by the Governor and the Governor's Office, but I think he's got some good ideas there which we should adopt. And I would ask your support on the Bill."

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

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

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

Black: "Representative, embodied in this Bill, is there language that allows a city council member to serve on the Gaming Board?"

Lang: "Yes, ther... clearly that's a... one of the only portions of this Bill that's controversial at all. And so, we passed some ethics rules not too long ago that said if you're an

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

41st Legislative Day

4/15/2005

elected official anywhere, you can't serve on a state board or commission. And I grant you that that seemed like a reasonable thing at the time. And some would talk about the fact that this was carved out for an individual. But I do think that when a person serves on a city council or is making a very small sum of money as an elected or appointed official to some other municipal organization in this state, that doesn't... that doesn't... should not preclude them from doing the good work they can do on behalf of all the taxpayers of the state where there's no other conflict. In this case, the City of Carbondale's involved. The City of Carbondale doesn't have a riverboat. The City of Carbondale doesn't want to have a riverboat. And I'm certain that this particular individual, if on the Gaming Board, if this Code of Ethics were to pass, would recuse herself in the case where there was anything involving the City of Carbondale. So, I think we should not exclude people who want to do public service for the State of Illinois simply because they're doing public service elsewhere."

Black: "And, Representative, I don't have any fundamental disagreement with what you said. If... if Ms. Simon was quoted accurately in a news... several news articles this morning in the... in the morning papers, she's quoted as saying she doesn't think legislation should be passed to give her special privileges to serve on this board. She didn't ask to serve on this board. She's willing to do so, but I thought it was very interesting that knowing her father's reputation for integrity, that she states she doesn't think legislation should be passed to give her special consideration and ability to serve on this board. I... I think that's more telling than... than anything you and I might add to the debate."

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

41st Legislative Day

4/15/2005

Lang: "Well, while we know that this particular provision at this particular point in time applies to that individual, the fact remains that we should not preclude people from serving on the Gaming Board, whether it be Ms. Simon or any other individual, simply because they serve on some other elected body. So, I don't know if she was properly quoted or not. I read the same newspaper accounts you did. But I think she also wants to be able to... to provide service as requested by the Governor. Now, you know... well know the Governor and I don't always get along on a lot of issues. But clearly he ought to have the Gaming Board he wants. And if we're going to pass this Bill and provide that the Gaming Board be so... totally separate and distinct, an autonomous and independent agency, I think we will have done a great service to the taxpayers in providing that any bright person who's competent and willing to serve and will do that job in an independent and respectful manner for the citizens of our state ought to be able to serve."

Black: "Representative, and again, I am not in fundamental disagreement with... with what you're saying. I... I... I, again, I don't know if Ms. Simon was quoted accurately, but she recognizes, as would her late father, and I think she alluded to this, that this is special legislation for one person. And... and I don't wanna read anything into that and I certainly can't get into and wouldn't... wouldn't even begin to say that I can speak or... or read or speak for Ms. Simon or read her intent in a quote that may or may not be completely accurate. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Black: "I... I am bothered by the precedent that we're setting. There are many restrictions on what elected officials can and cannot do. And... and the name Simon, whether you're

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

41st Legislative Day

4/15/2005

Republican, Democrat, Independent, Green Party or whatever in this state, I think it enjoys a very... a very exalted status. No one I think had higher respect... enjoyed higher respect than the late Paul Simon and that respect would certainly go to... to his family. I... I guess that the precedent I'm worried about, there are many cities who would like to have a riverboat."

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

Black: "There are many cities that would like to have a riverboat. And if we can let one council member from a city serve, then we may be asked to let other council members serve, who, in fact, do have perhaps a hidden interest in attracting a riverboat. This is special legislation. If she really wanted to serve, she could resign her seat on the Carbondale City Council. Something she has indicated she does not want to do. She enjoys her service on... on that... on that board. I wish the Governor had looked into this before he appointed her. Maybe we could've avoided all of this. I think the underlying Bill is a good Bill. I have nothing but the highest regard and respect for the Simon family. But if she's quoted accurately, even Ms. Simon says this is special legislation and the last time I checked, the last time I checked, that was not something that we are supposed to do by the Constitution. I'll be voting 'present' on the legislation."

Speaker Hannig: "Representative Rose."

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

Speaker Hannig: "To the Bill."

Rose: "Ladies and Gentlemen, this is a very dangerous proposition. We're carving out an exception to our Ethics Statute that we passed and has been in effect, for what, a

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

41st Legislative Day

4/15/2005

year now? We're going down a very dangerous slope with this Bill today. How many more carveouts from ethics will we be asked to approve in the days ahead. I would hope that everyone in this Body would see this Bill for what it is. It's a pullback from the landmark ethics reform that we enacted just a short while ago. And this is a very dangerous proposition. I would urge a 'no' or 'present' vote."

Speaker Hannig: "Representative Lang to close."

Lang: "Thank you, Mr. Speaker. I appreciate the comments, but let's keep our eyes on the ball here. The... the Bill's about separating the Gaming Board out from the Department of Revenue so that the billion dollars we get from riverboats is protected, so that the billion dollars we get from riverboats is... is not suffering under the heavy-handed influence of the executive branch of government. I recognize the comments on the other side relative to this one individual, but I would not consider this to be special legislation. It does affect one particular person at this particular time, but the legislation says that anybody who could be appointed to the Gaming Board, who's making less than \$10 thousand in some other government work, can serve on the Gaming Board. I don't see what the big deal is. In fact, we might want to consider amending our ethic laws to let anybody who's making less than \$10 thousand a year at any municipal work serve on any board of the state. Why should that person not be allowed to serve the citizens of the State of Illinois? This is a very, very important Bill. You might disagree on that one point, but don't let this Bill fail for that point, even if you have some problems with it, because the importance of separating the Gaming

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

41st Legislative Day

4/15/2005

Board out is paramount. We must do this. Please vote 'aye'."

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. Would you like Postponed Consideration? Representative Lang, would you like Postponed Consideration? Okay. Mr. Clerk, put this on the Order of Consideration Postponed. Representative Molaro. Is the Gentleman in the chamber? Rep... Okay. Did you want to call 3849? No. We can... we'll... we'll come back to that, Representative. Representative Reitz. Representative Soto... Excuse me. Representative May, for what reason do you rise?"

May: "Yes. A point of personal privilege."

Speaker Hannig: "Yes."

May: "I would like everyone to welcome to Springfield my... one of my aides in my district office, Michelle Feldman, who was just elected as the Village of Deerfield Trustee. Michelle is awesome; she's a dynamo. Thank you."

Speaker Hannig: "Representative Reitz, you have House Bill 1074. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1074, a Bill for an Act concerning natural resources. Third Reading of this House Bill."

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 1074 deals with out-of-state deer permits. We... It has three components, as presented. It has a fee on out-of-state deer hunters as when they apply for those permits. It addresses the residency code to make sure that we know that... have a clear delineation of people that live in Illinois. And the third component is raises the cap. It's a... we have currently have

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

41st Legislative Day

4/15/2005

15 thousand license... or licenses that they permit in the State of Illinois. We're raising that to 20. It's in negotiations with the Farm Bureau. The Farm Bureau is in support of this legislation at the present time. We have the money that we're going to use is going to implement a point-of-sale system for the State of Illinois so we can get into the twenty-first century, allow people to have permits and get them over the Internet and have a lottery for deer permits for out-of-state hunters and we're going to use the money generated by the fees to pay for this. It's \$1.6 million cost to the state. We're using the mon... the money from out-of-state fees for this. We are... currently we have some changes to make in this in the Senate, and we are currently working with the outfitters and the other affected parties on the fee. This seems to be a point of contention at the present time. And I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Standard Debate. And on that question, Representative Myers is recognized."

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

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

Myers: "Representative, yesterday in committee we had quite a discussion about this and there's just a couple of questions I'd like to ask for... to get the things on the record, if you don't mind. We talked about the level of the cap and the fact that we're raising... or not the cap, but the fee. We're raising the fee by \$210 and some... some hunters and outfielders (sic-outfitters) feel that that may be a little excessive, especially when you're raising the cap to 20 thousand. And they're concerned that this may limit some of the hunters that... that they are enticing to try to come into the state and hunt. Did you not, in committee, agree that

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

41st Legislative Day

4/15/2005

the department would work with these hunters to see if there's a reasonable approach that can be taken, that maybe there's a... a tiered approach to implementing the fee hike for the out-of-state hunters?"

Reitz: "Yes, I did. And I spoke with the director, met with him yesterday. We are trying to get together on two fronts. One, with the bow hunters who have some concern about the cap issue. But the other, we're going to meet with the... with the outfitters and the other affected parties, the landowners, and I talked to Senator Sieben, who I assume will pick this up in the Senate, as this... this is an initiative of the Legislative Sportsmen's Caucus. And we are going to look at that and look at the surrounding states and see what they charge and try to... ya know, our intent is not to... to run any business out-of-state. The intent is to have more... more people come in because it's a tremendous economic benefit for the State of Illinois as these people come in and... and harvest our deer."

Myers: "And in... some of the people that testified in opposition to this yesterday in committee voiced their concerns that the Department of Natural Resources have not in the past been very willing to meet with this group and did the department not agree yesterday to hold more meetings with these individuals and try to work out some of the problems and listen to the concerns of the outfitters and the landlord... landowners?"

Reitz: "I'm glad you asked that... I asked them that also and... and I did get clarification on that. Unfortunately, the gentleman that testified in committee yesterday is the same... is the... filed the complaint and filed the lawsuit to take the caps off. That has moved now to the Attorney General's Office. Because it's in litigation, they have suggested to

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

41st Legislative Day

4/15/2005

the department that they... they don't discuss issues with him concerning the cap, our deer... our deer issues with... with him. I've spoken with him. We're trying to find another spokesman and set up with the department and that should happen in... within the next week."

Myers: "And I spoke on the phone this morning with somebody who is not necessarily a member of his group. He welcomes that openness from the department now and hopes that they will follow through. I certainly do understand the reluctance of the department to sit down and discuss issues that are already part of an ongoing lawsuit. So, I do recognize that. I was pleased yesterday with what I heard in the committee. And I think that many of our deer hunters, while many of them would like to have that cap, that 20 thousand cap, now completely eliminated, they do recognize the fact that the department is... is listening to them and hopefully the dialogue will continue to the point where everybody can be satisfied: the deer hunters, the landowners, the outfitters and the Department of Natural Resources. Thank you very much, Representative."

Reitz: "Thank you."

Speaker Hannig: "Representative Will Davis."

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

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

Davis, W.: "Representative, as I was reading the analysis, according to what's here, it says the Bill changes provisions regarding nonresident fees, open deer season, legal handguns and departmental oversight of application fees. So going back to the part that deals with legal handguns. What does this Bill do as it relates to guns?"

Reitz: "In the original Bill, and we're not sure why the department put that in there, it had something to do with

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

41st Legislative Day

4/15/2005

determining centerfire guns, which is essentially the difference between a rifle and a handgun, I assume, and were... that part is no longer in there. There's three components. It's residency... Excuse me. ...the residency req... language, the fee, and the language that we have on the cap. There's nothing in there on any of this. That... that was in the original Bill and when I asked the department... that was taken out in the first Amendment. So that's... that's no longer in there."

Davis, W.: "Okay. So nothing relative to guns..."

Reitz: "Nothing on that."

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

Reitz: "Appreciate that clarification though."

Davis, W.: "Thank you."

Speaker Hannig: "Representative Mulligan."

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

Speaker Hannig: "Indicates he'll yield."

Mulligan: "Representative, currently DNR goes to JCAR each year to set the numbers, is that not correct?"

Reitz: "That's correct."

Mulligan: "How would this change that?"

Reitz: "They currently have a rule before JCAR, and I'm sure you're familiar with what, ya know, where it is and their... their recommendation this year is to be at 15 thousand and take a portion of those and set those off for the outfitters. This will change it to 20 thousand and I guess they gave that because it will be law in there. So that... the portion, I assume the... whatever else they asked for in Rules, will... or in JCAR, will continue to go through but changing it to 20 thousand when this law becomes... when this becomes law will negate the JCAR cap basically."

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

41st Legislative Day

4/15/2005

Mulligan: "So, then DNR could no longer change this by administrative rule; it would be this... always?"

Reitz: "No. Yes, they could. No. It... the language says it would be no less than 20 thousand. So they can come to JCAR and change that in the future..."

Mulligan: "All right. So, it sets the high end limit but they can change it each year according to the deer herd and what they want to do with it."

Reitz: "That's correct."

Mulligan: "And what about the fees through JCAR, does this set a limit on the fees or does it set the fee in statute?"

Reitz: "This sets the fee in statute. And it currently... it was set in statute before. We're just changing it."

Mulligan: "All right. So the fees were in statute before..."

Reitz: "Correct."

Mulligan: "...the number was through JCAR each year according to what they determined was good that year with a top limit of 15 thousand that your raising to 20 thousand?"

Reitz: "Correct. But they... the 15 thousand never has been in... there never has been a number in law before. That's... that's an addition this year."

Mulligan: "All right."

Reitz: "So..."

Mulligan: "Thank you."

Reitz: "You're welcome."

Speaker Hannig: "Representative Reitz to close."

Reitz: "Thank you. I appreciate the questions, the clarification. We've been working on this and as it moves through we have some changes to make in the Senate and I hope... we're going to meet with the outfitters, meet with the... all the affected parties. This will be back for concurrence and we will have a good piece of legislation

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

41st Legislative Day

4/15/2005

that will help us pay for the point-of-sales system that we're putting in... in DNR. We'll take care of that \$1.6 million cost that we have to incur somehow, but I... ya know, this is an initiative of the department to help do that and make sure we don't pass on any fees to in-state residents in Illinois and I appreciate your support."

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... Representative Granberg, would you like to be recorded? Representative Turner. Mr. Clerk, take the record. On this question, there are 82 voting 'yes', 33 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 822. Representative Washington."

Clerk Mahoney: "House Bill 822, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Washington. Do you wish to call this Bill? Okay. It's been read a third time and now you can present the Bill. You're... you're up, Representative."

Washington: "I'm ready."

Speaker Hannig: "Yeah, the Gentleman from Cook... or the Gentleman from Lake, Representative Washington."

Washington: "Thank you, Mr. Speaker. Mr. Speaker, this legislation, 822, it's... it's a patient care Bill and it is to make better, those in the taking care of the patient business, make them better assistants to the nurses who have an awesome task of trying to nurture one from the time that they get sick in long-term health care and hopefully move them to a position of returning back to normal life. I wanna thank... before I get into some of this Bill, I wanna

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

41st Legislative Day

4/15/2005

thank Representative Delgado who has helped nurture me, teach me, and craft me... helped craft this legislation along with my colleague, Representative Parke, who gave me a touch of wisdom today and added to my legislative term. I wanna thank those Gentlemen for helping me with this. This Bill will benefit residents in long-term health care. Nurses will have more time to complete their assessment, to talk with their doctors, to conduct their treatments, and interact with the residents. This program eliminates a major time obstacle that makes it challenging for a nurse to provide thorough, attentive, compassionate care at the bedsides of residents. It's a win-win program. In addition, I would like to add that for all of those involved in this legislation, I can never thank you enough on behalf of the patients because this will establish a planning and certification commitment to develop curriculum, develop the certification requirements, and testing for continue education standards to make sure that those who already in that industry and they're already doing important things, though they're small in nature, to assist the nurses and others who have more important duties. This will make a better assistant of those already assisting because this provide an educational opportunity to increase their learning and give them certification that they can really be focused on the distribution of medication under the direct supervision of a nurse, and at the same time freeing that nurse, he or she, where they can prioritize other things that are more important as it relates to patient care. One of the additional benefits of this legislation is that a nursing shortage exists and it will create a cadre of people who the industry will absorb the cost of education and move them into the LPN sector, creating some additional nurses

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

41st Legislative Day

4/15/2005

down the line. And I ask for support and favorable approval of this Amendment. I'm open for questions."

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

Parke: "Thank you, Mr. Speaker. I... this is a difficult issue. We have nursing... ya know, we have fewer and fewer nurses in this state; it's not a unique phenomenon to Illinois. They're getting paid better, but ya know, the job is getting more demanding. Nursing homes need more personnel to help them and so they see this as a way of getting more people to work in the nursing homes. The nurses see this as an infringement in their area. They're very concerned that there's a safety issue, that these people may not be trained well enough. But what we've done is that to get this Bill out of committee, onto the floor to be voted on now, the Representative Washington and I have met with them. There's an agreement to bargain in good faith in the Senate, but the bottom line is the Illinois Nurses Association is still opposed to this Bill, regardless of whatever brokering or... that can be done in the Senate and there may never be an agreement with them. You are going to have to make up your mind whether or not you think this is something that you're willing to help the nursing home associations with this or do you want to stand with the nurses who are very seriously concerned about it? We think it could get tightened up; we think it could be a better Bill. The Sponsor said he'll work with the Senate Sponsor to make it a better Bill. And so it's... it's a very fluid arena; it's a difficult arena. And I would just tell you that at this point the Illinois Nurses are still opposed, but there is movement and there's commitments to try and find some kind of a solution."

Speaker Hannig: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Will the Gentleman yield?"

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

41st Legislative Day

4/15/2005

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

Stephens: "Currently in nursing homes, who dispenses medication?
Currently, who dispenses medication in a nursing home?"

Washington: "The nurses dispense the medication and I would
image, from what I've seen, sometimes there's assistant in
that regard with direct supervision."

Stephens: "Registered nurses or someone under direct
supervision... visually over their shoulder kind of thing?
What... do you know what the error rate of medication
dispensed in a nursing home is today?"

Washington: "No, Sir."

Stephens: "Do you know the death rate caused by those errors?"

Washington: "No, Sir. I do not."

Stephens: "Okay. Well, let me tell you, it... it exists. And
because it exists, many of us believe that we should
probably be tightening up the... the dispensing of medication
because the error rate in nursing homes and hospitals is
already a problem. The Nursing Association is going to
great lengths to try to tighten up the rules and regulations
and the oversight so that we can better deal with error
medication rates that are an industrywide problem. We're
not sure of all the causes of those problems, but we are
sure of one thing, and that is if we let lesser trained
personnel with less supervision into the mix things are only
going to get worse. There's no question about that. That
passage of your Bill is going to cause increased error
medications in nursing homes. The Illinois Pharmacists
Association, the Illinois Nurses Association, and others who
are worried about properly dispensing, monitoring
medications, and the problems that not doing that would
cause stand in strong opposition. I just talked to the
Pharmacists Association this morning, the Nurses

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

41st Legislative Day

4/15/2005

Association, we agree we're in strong opposition. To think that well, we'll pass this Bill because we're gonna work it out. I've been here for 20 years, I've seen it happen time and time again. We're gonna work it out; we're gonna work it out. All of a sudden, it's on the Governor's desk and next year, because of passage of this legislation, there are going to be more medication errors in Illinois nursing homes. People will be injured and they will die because we have taken away from the protections that society has asked us to give these people in these nursing homes. This is bad legislation; there's just no other way of describing it. Representative, I apologize. I don't mean to be rude. This is a bad Bill at the wrong time. We should be heading in the other direction and not in the direction of removing safety controls that are already flawed and we're going to make them worse."

Washington: "What..."

Stephens: "I stand in strong opposition, Mr. Speaker."

Speaker Hannig: "Okay. Representative Ryg."

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

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

Ryg: "Thank you. Representative, in terms of the previous line of questioning, when the nurses have the full response... responsibility for medication dispensing, what happens if they're called to respond to an emergency or another issue that requires their attention?"

Washington: "Kathy, I'm sorry, I didn't hear you. The noise was too much. Could you repeat?"

Ryg: "The nurses have sole responsibility currently for dispensing medication in a long-term care facility, correc... that was your... your response to the previous questions?"

Washington: "Yes."

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

41st Legislative Day

4/15/2005

Ryg: "Okay. And so, while they're in that process if something else should occur that requires a nurse's attention, they're disrupted from doing the medication dispensing?"

Washington: "Yes."

Ryg: "So, this is an additional level of trained medical certified nursing assistant, correct? That they have to be a certified nursing assistant?"

Washington: "Yes, Ma'am."

Ryg: "So, is this a supplement to the nurses? Does this change the staffing level?"

Washington: "No, it does not."

Ryg: "So, this is an additional person that's going to be assisting in the provision of health care to the long-term care residents?"

Washington: "Yes, Ma'am. That's correct."

Ryg: "Okay. Thank... Is this done in any other facilities?"

Washington: "It's done in 30 other states."

Ryg: "And in any other type of nursing home situations, assisted living or...?"

Washington: "In Wisconsin and Indiana, there have been no flaw in that system. It has worked perfectly to assist the nurses."

Ryg: "And... and what kind of training will the certified medical assistants receive?"

Washington: "The medical aides will receive around 225 and 250 hours of training that will certify them, some of the same training that nurses themselves get in order to distribute the medication under direct supervision of a nurse."

Ryg: "Okay. Thank you. To the Bill."

Speaker Hannig: "To the Bill."

Ryg: "When we're in a health care crisis and talking about the issues of medical malpractice, it's very difficult to

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

41st Legislative Day

4/15/2005

understand why there's a resistance to adding another level of provider in the health care system, especially given that we've had the opportunity to get input from the nurses in terms of the training they think is needed, the qualifications for supervision. And I just have to question how we can continue to claim we have health care crisis, but yet tie the hands of people who have an interest. That... the... this Bill offers a career opportunity to people who have chosen a field of work that is very difficult and not always pleasant. And what... what we're offering them in this Bill is an opportunity to enhance their skills, provide assistance to other health care providers, and just add to the continuum of services that we so badly need. We may be in a position ourselves to be living in these long care... term care facilities and it's... I think it's very important to our health care system that we provide for this additional level of training and then service in health care. Thank you."

Speaker Hannig: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. I... to the Bill."

Speaker Hannig: "To the Bill."

Osmond: "I stand in support of this. I have... I have the responsibility of my husband's 90-year-old aunt who is in assisted living. And she has been there for two and a half years now; she has received excellent care there. One of her problems is the fact that she's had over nine RNs transfer through the system, but she still has the original technicians that were there from the day she began her residency there. I think that part of the problem is that you need a special gift to be able to work with the elderly and I think that a lot of these certified nursing assistants will be able to be trained to give that tender loving care."

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

41st Legislative Day

4/15/2005

I believe that the Illinois Council on Long-Term Care supports this along with the Illinois Health Care Association. And I just would like to ask for the support in this effort. Thank you."

Speaker Hannig: "Representative Myers."

Myers: "Thank you, Mr. Speaker. For reasons of conflict of interest, I'll be voting 'present' on this Bill."

Speaker Hannig: "Okay. Thank you, Representative Myers. We've had Representative Ryg and Osmond speak in favor of the Bill, Representative Parke and Stephens speak in response. The rules provide that one additional speaker could speak in response. Does anyone wish to speak in response? Representative Jenisch? No. Representative Patterson. I'm looking for someone who's against the Bill or in response. If not, then Representative Washington to close."

Washington: "Thank you. Thank you, all of you. Thank you very much for the education I'm getting on House Bill 822, which allows licensed nurses the time to devote to more professional nursing duties and it also creates a professional career ladder for lower wage workers. I want to share in my closing... I want to respond to something my colleague said earlier that I really firmly disagree. This is an idea whose time has come and I think that change for most of us is scary, but we have to move forward nevertheless. I want to share something that was written two days ago from The Peoria Journal... The Peoria Journal Star. And it says as following, 'Nursing jobs should not be the Legislators' primary concern, patient care should. More than 30 states use this system, including several of its Illinois' neighbors. Supporters say anecdotal evidence indicates care has improved since technician focus only on medicine and nurses free to focus on primary care made fewer

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

41st Legislative Day

4/15/2005

errors. Wisconsin has used medication assistance in more than three decades. The training, duties, and evaluation of Illinois aides will be patterned after Wisconsin law. No system is foolproof, not the one that is proposed or the one that presently exists. Just last week, Riverview Senior Living Community in East Peoria was fined \$10 thousand after a resident got medication 10 times higher than intended. Five nurses on seven different occasion over three days failed to notice the error. Local hospitals are using the new computer program that appears to be remarkably effective in raising cautionary flag. So, we can assign that there will be greater errors based on medical technician.' I refute that and that would be undermining the intellect of those who would move up the career ladder and I thank you and move that you support this Bill."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bradley, John Bradley. Mr. Clerk, take the record. On this question, there are 84 voting 'yes', 29 voting 'no', and 3 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Dunkin, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Dunkin: "Ladies and Gentlemen of the House, if you all would join me in welcoming the wonderful students from the Mikva Challenge visiting us in Springfield today, over to my right. If we can give them a round of applause. Thank you and welcome to your House of Representatives."

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

41st Legislative Day

4/15/2005

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

Flider: "Mr. Speaker, this is with regard to House Bill 1074. And my button was... I pushed the wrong button and I meant to vote 'no' and I'd like the record to reflect that. Thank you."

Speaker Hannig: "The Journal will reflect your intentions, Representative. Mr. Clerk, would you read House Bill 45?"

Clerk Mahoney: "House Bill 45, a Bill for an Act in relation to human rights. Third Reading of this House Bill."

Speaker Hannig: "Okay. Let's take that out of the record and go to House Bill 1370. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1370, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Hannig: "Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker, Members of the House. House Bill 1370, the Amendment... the first change was made in response to committee Members as it related to the employees being unaware they were subject to prevailing wages laws and made an underpayment in error. So what this does is amends that to say that if, in fact, you do commit this act of prevailing wage, then it would give you a warning the first time, but the second time it will actually give you the maximum penalty. This is a good Bill. What it does is holds the contractors accountable to pay a prevailing wage. If, in fact, you're gonna work for these people, they should be held accountable for paying the prevailing wage. So, I would ask for an 'aye' vote."

Speaker Hannig: "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."

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

41st Legislative Day

4/15/2005

Parke: "Representative, what did... what did you say the penalties on this are?"

Jefferson: "I'm sorry?"

Parke: "What are the penalties on this?"

Jefferson: "I've got it right here, Representative. Just a second. The Bill increases the criminal penalty for violating the act from a Class B felony to a misdemeanor."

Parke: "It increases it from a misdemeanor to a Class B felony, doesn't it? Not the other way around."

Jefferson: "From a Class B felony to a Class A misdemeanor."

Parke: "Okay. It increases it to a Class A misdemeanor which would put people in jail, right?"

Jefferson: "If that's the case."

Parke: "Yeah, that's what... I believe a Class A misdemeanor can put people in jail."

Jefferson: "But this would only be on the second offense..."

Parke: "Well..."

Jefferson: "...if they continue to violate this provision."

Parke: "Yeah, but the Class A is the first offense. Second offense is more. It becomes a..."

Jefferson: "It's up to the local prosecutor."

Parke: "Well, we've been told that it's up to 2 years in jail... I mean, 1 year in jail and \$25 hundred."

Jefferson: "It's 1 year in jail."

Parke: "And then what is the second... what happens on the second of not paying prevailing wage? I mean, not paying prevailing wage. You're gonna put some business owner in jail... a possibility of putting him in jail. And so, you know, Ladies and Gentlemen, I understand that we have the opportunity to... for your side to do whatever you want. You've got the votes, you can do that. But you know what's happening here, we're making Illinois, by these kinds of

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

41st Legislative Day

4/15/2005

Bills, a very unfriendly place to do business. An unfriendly place to do business. What does that mean? That means that, if you look around today, you are finding fewer and fewer companies locating in the State of Illinois, you are finding fewer and fewer companies expanding in the State of Illinois because we continue to pass these kinds of Bills that make it difficult. Now, Ladies and Gentlemen, you can pass this. You'll pass this Bill, that's fine. You're gonna do that. But if you keep compounding one Bill after another after another to take care of some perceived evil that business is doing... Who creates the jobs here? Who creates the jobs in this state? It's business. And if you're gonna make this such an unfriendly business atmosphere... I will tell ya, I talked to some businessmen just two nights ago and they told me that they're not going to expand in this state anymore. This is done. They're not gonna put anymore jobs in this... they're not gonna hire the same people you're trying to solve. We're not gonna have any employment in this state. You look at California, look at Minnesota and what happened in those states. When jobs are not here, when businesses are not here, what happens is that the tax base then falls on the residential homeowner, the individual taxpayer, that's who has to pay the taxes when corporations are no longer here. Just keep pat... putting these on. We're gonna make it so that we can put a... for not paying a prevailing wage, we can put 'em in jail for a year. What kind of a thing is that then? He's gotta take off his work, he's gotta go to court, he's gotta hire an attorney, he's gotta miss that time, especially if he's a small contractor or subcontractor. That's why the Illinois Landscaping, Contracting, and the Mid-West Truckers... truckers. Mid-West Truckers, all right? Let's... let's keep

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

41st Legislative Day

4/15/2005

hammering on the truckers. I mean, we won't... I don't know how you're gonna move your products if we don't have anymore truckers in this state. And the NFIB, American Building Contractors, Associated General Contractors are all in opposition. Ladies and Gentlemen, we already have a law that can take care of this. You don't need to expand it; you don't need to go further. We're already making this place such a bad area to do business. I don't know why we keep doing this. Ladies and Gentlemen, we have talked to the labor leaders of this state and say, come on, guys, you can get whatever you want. Be careful on what you're asking for. This is not a good idea; we don't need it. There is already Bill on... there is already laws on the books that will take care of this; you don't need to expand it. I asked the committee how many... how many were involved in this and they said very few. So, very few. Like we need to keep piling..."

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

Parke: "Thank you. I will rise in opposition to the Gentleman's Bill, in case you couldn't tell."

Speaker Hannig: "Okay. This is on the Order of Short Debate. Representative Lang... Representative Jefferson, could you let... would you let Representative Lang close and then we could just go to Roll Call?"

Jefferson: "Yes, he can close. But before he closes, just let me say this."

Speaker Hannig: "Okay."

Jefferson: "I certainly appreciate the..."

Speaker Hannig: "Let's just let Mr. Lang talk then and we'll go through regular debate. Representative Lang."

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

41st Legislative Day

4/15/2005

Lang: "Thank you, Mr. Speaker. I missed the beginning of the debate, but I came in during an hysterical moment. I don't know what all the hysteria's about. We have a law in the State of Illinois called the Prevailing Wage Act. It requires that employers working on projects with state money pay prevailing wage. I don't know why anybody would even think of opposing a Bill that forces employers to do what our... the law is already. Shall we allow employers to back off of the current state of the law and not pay prevailing wage? Shall we tell the Department of Labor and the Attorney General not to enforce the law of the State of Illinois? I think not. I think we're here to enforce the law of the State of Illinois. This Bill gives certain powers to the Attorney General and the Department of Labor to pursue these people and to pursue the dollars. Here's a couple of examples. An Illinois corporation with an underpayment of about \$160 thousand did a job in the City of Evanston. Eighteen workers underpaid by the Prevailing Wage Act of the State of Illinois. An Act we passed, an Act that's the law of the State of Illinois. The average underpayment is over \$5 thousand and two workers are underpaid by almost \$30 thousand each. Another example, an underpayment of \$112 thousand. A complaint involving four different public work projects in Cook County. Twelve underpaid workers. Ladies and Gentlemen, we know that there are construction companies that don't do this purposely. They're protected by this Bill. But we have the law of the State of Illinois, it's called the Prevailing Wage Act. Now, if we're not gonna allow our state agencies and our Attorney General to enforce the law of the State of Illinois, why do we bother passing a law for the State of Illinois? The Prevailing Wage Act is there for a purpose.

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

41st Legislative Day

4/15/2005

It's there to protect people on public jobs that are getting public money to make sure they are paid the appropriate salary. Employers that don't do that are breaking the law. This Bill will ensure that they stop breaking the law. You should be voting 'aye' on this Bill."

Speaker Hannig: "Representative Black."

Black: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill."

Speaker Hannig: "To the Bill."

Black: "I'm certainly glad your side of the aisle urged all of your Members to move their controversial legislation before noon. It's certainly... certainly added a new dimension to my morning headache. Ladies and Gentlemen of the House, as much as I love and respect the previous speaker, if you just listen around here on some days... here's an individual who last spoke who 15 minutes ago said, 'Change the rules. Change the rules. Let a city council member serve on the Gaming Board. We can change the rules. We often oughta change the rules. Sometimes we have to change the rules.' Now, we get into a prevailing wage payment. 'Shame on you.' he points to this side of the aisle. 'Why do you want to change the rules?' The only thing consistent around here is the fact that we often are so inconsistent. If you wanna put people in jail for violating the prevailing wage statute, okay. Do it. Yesterday many of you were ranting and raving that we're putting too many people in prison. And some of you are gonna find that this law comes back to bite you. It could very well be a contractor in the Metro Chicago area who did everything he or she was supposed to do and got the prevailing wage wrong because they're... they're often reviewed and revised. And so, maybe for... for a carpenter or a cement finisher maybe the prevailing wage

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

41st Legislative Day

4/15/2005

that he or she paid was fifty cents off of the federal figure. And so you're gonna put somebody in jail for that? I... I read the Chicago papers and I read about the hired truck scandal and I read about minority- and women-owned businesses that aren't minority- or women-owned. But oh, that's okay. That's Chicago. And we'll clean that up. Now, you Republicans, don't you introduce any legislation. We'll... we'll clean that up in the City of Chicago. Oh, yeah, sure. If you want to put people in prison for making a mistake, that is not hard to do when you try to follow the complex, complicated labor law in this state, you go ahead and put 'em in prison. I don't know why you want to do that, but I guess it makes a good press release. I intend to vote 'no'."

Speaker Hannig: "Representative Joyce. Okay. Representative Jefferson to close."

Jefferson: "Thank you, Mr. Speaker. This is a fair piece of legislation. All it does is hold people accountable. If you promise me a fair day's wage for a fair day's work, what else can I ask for? But when you violate that promise and want to pay me less, then you're not upholding your end of the bargain. So, all this simply states is that if, in fact, you're doing that, you will be held accountable. That's as simple as that. Do we let violators continue to get away with this? I don't think so. If I work for you and I deserve a fair day's wage and you don't pay me, you should be held accountable. So, this is a fair Bill. I'm asking for you to support this. Please vote 'aye'. 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

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

41st Legislative Day

4/15/2005

voted who wish? Representative Mitchell, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 69 voting 'yes' and 46 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Poe, for what reason do you rise?"

Poe: "A point of personal privilege."

Speaker Hannig: "State your point."

Poe: "There's... there's two or three things goin' on here good today. First of all, it's Lee Daniels, Ron Wait, and Brad Bolin... it's their birthday. It's... it's tax day, so we thought maybe we'd bring lunch in since everybody's gonna have to pay their taxes. And so, there's being chicken served out in the hall behind the Democrat side of the aisle. So, have at it."

Speaker Hannig: "Thank you, Representative Poe. Representative Smith."

Smith: "Thank you, Mr. Speaker. On a point of personal privilege."

Speaker Hannig: "State your point."

Smith: "Up in the gallery I'd like to introduce, if there's still a few left, some students from Ingersoll School in Canton. And please join me in welc... welcoming them to the Capitol."

Speaker Hannig: "Welcome to Springfield. Representative Flider."

Flider: "Yes, thank you, Mr. Speaker. In light of the fact that this is National Car Care Month, this is... these remarks are little bit out of order in terms of the announcements that have been made, but I just wanted to announce to you a sad event, at least it's sad to me as... as a driver and owner of a 1997 Buick LeSabre with about 155 thousand miles on it. I

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

41st Legislative Day

4/15/2005

wanted to announce the retirement of Representative Don Moffitt's Buick LeSabre with 250 thousand miles on it. And I was saddened to see Representative Moffitt step into a brand new Buick LeSabre yesterday. And I couldn't hardly... I could hardly believe my eyes. It saddened me so. But the good news is that due to his diligent care, changing the mo... the oil every 3 thousand miles or 3 months, whichever occurred first, that his car not only achieved over 250 thousand miles, it still runs and it doesn't use a drop of oil. So, I just wanted to make that announcement on that sad event. Thank you very much."

Speaker Hannig: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. If somebody has a car with only 258 thousand miles on it and it still runs, would they please donate it to the Illinois State Police? They... they view that as almost brand new. Thank you very much."

Speaker Hannig: "Representative May."

May: "Yes, Representative Moffitt, I would like to inquire. The... your car is a 1997? Oh, okay. Well, anyway, I just would like to remind anyone if they have a car of that age that they're retiring, please, voluntarily take out the mercury switches in the trunk and the hood. Thank you."

Speaker Hannig: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. Representative May, it's actually a '94, the one that's being retired. It... it matched my district number for the past few years. About those mercury switches, maybe you could assist. But the car isn't quite ready to go to the scrap heap. And I've got people lined up wanting to buy it. And so, when... when the day comes that it's going to the scrappers, then maybe you

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

41st Legislative Day

4/15/2005

could assist in getting those mercury switches out of there, if you would. I'd... I'd welcome that. Thank you."

Speaker Hannig: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. I'm shocked and appalled that we haven't filed a Resolution to change the name of the planet Mercury to another name. And I stand ready to cosponsor that Resolution with Representative May. I think it's an outrage that we have a planet in our solar system named Mercury. We must do something. By God, the world could come to an end by midnight."

Speaker Hannig: "Mr. Clerk, on page 19 of the Calendar is House Bill 1133. Representative Soto. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1133, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Hannig: "Representative Soto."

Soto: "Thank you. Thank you, Speaker and Members of the House. House Bill 1133 amends the Public Aid Code to require the Department of Public Aid to begin, during 2006 fiscal year, an initiative to prevent and treat pediat... pediatric asthma. I urge an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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... Representative Collins. Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 19 in the Calendar is House Bill 1450 for Representative Daniels. Mr. Clerk, read the Bill."

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

41st Legislative Day

4/15/2005

Clerk Mahoney: "House Bill 1450, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Daniels."

Daniels: "First, let me thank Raymond Poe for once again fixing a wonderful lunch for all of us. And his son, Lance. Nobody does a better job. Also, let me just say thanks for your birthday wishes, but also we won't be in Session on April 19 so I want to wish Speaker Madigan a birthday wish as well on April 19. House Bill 1450 provides the Department of Human Services shall research and determine requirements for the development and transformation to a recovery-oriented system for delivering state-funded and state-operated services to persons with mental illness. This is an agreed Bill with the department and I would seek your favorable support."

Speaker Hannig: "Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Howard, would you like to be recorded? Representative Washington. Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 17 of the Calendar is House Bill 2. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Speaker Hannig: "Representative Davis."

Davis, W.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2 is brought by the... the issue was brought by a municipality out in the south suburbs that was trying to take over a piece of tax delinquent property,

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

41st Legislative Day

4/15/2005

which had been tax delinquent for several years. The Village of Park Forest sought to obtain the property and market it for a successful redevelopment through the Cook County no ba... no cash bid process. Although the village ultimately gained the property through the process, the property owner committed waste... or he diminished the value on the property and significantly diminished the value of the property even after the village... village successfully bid on the property. Meanwhile, the property owner was allowed to walk away from millions of dollars in past due taxes, interest, and penalties merely by relinquishing a parcel that had been further stripped of its value. None of the local taxing bodies, including local school districts, had any recourse to gaining any of the past due taxes on the parcel that... that are rightfully owed to them. This Bill attempts to remedy that situation. It allows the co... the county or the municipality to file a notice with the county clerk whenever it could acquire property and later suspect that an action for waste had happened on the property. This notice must state, among other things, that if the waste was committed then each person who cause the waste is jointly and se... and severely liable. The county clerk must mail the notice to the proper party within five business days after the receipt. The property... party must then post copies of the notice throughout the premises and mail copies to all owners, occupants, and other interested persons. Furthermore, this allows a county or municipality that acquires an interest in the property to petition a Circuit Court to determine if the waste was committed on the property and then to the extent to which the fair market value of the property has been diminished as a result of the waste. If a court determines that waste was committed

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

41st Legislative Day

4/15/2005

between the notice period and the date the county or municipality acquires title to the property by deed, then each person who cause that waste is jointly and severally liable to the county or municipality for the diminished... diminishment of the fair market value of the property. The monies received... the monies received by the county or municipality must then be proportionately distributed to the taxing bodies that are owed past due taxes on the property. And lastly, the county or municipality must also be awarded its cost, reasonable attorneys' fees, and litigation expenses. I ask for an 'aye' vote."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who yes... have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 20 of the Calendar is House Bill 2137. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2137, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Hannig: "Representative Verschoore."

Verschoore: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. What this Bill is... is it's a... requires contractors and subcontractors to register in... independent contractors. In the past, they might misclassify them and what that does when they misclassify these and not register them, it could cause an individual or an employee, this independent contractor, to pay higher taxes. It would also leave the contractors... they really like the... hire the independent contractor 'cause then they're not responsible

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

41st Legislative Day

4/15/2005

for any of the taxes, health benefits, pension benefits, workmen's comp, Social Security, that type of thing. It not only cheats the state out of a lot of revenue, as far back as 1992 the Federal Government said by having this classification of independent contractors, it could cost the Federal Government up to \$2 billion and most recently 3 to 4 billion dollars. I just want everyone to know that it's not as restrictive as some people might be thinking. All they have to do is, within a... hiring... within the three days of hiring this person, register with the Department of Revenue. And I'd be glad to answer any questions."

Speaker Hannig: "The Gentleman moves for passage of House Bill 2137. And on that question, the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Ladies and Gentlemen. This is another Bill that is between labor and business. Many of our labor friends are for this legislation, many of our business associates like the chamber, Associated Builders and Contractors, Associated General Contractors of Illinois are opposed to the legislation. And... and I will oppose the Gentleman's Bill."

Speaker Hannig: "Representative Franks."

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

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

Franks: "Representative, I applaud you for bringing this. I've seen a lot of abuses in what's going on. I'm wondering... I like what the Bill's doing. I'm wondering if in the Senate we could expand it because I see the same type of things happening in other businesses besides contractors. I see it in restaurants, for instance. I see some restaurants who are saying everyone is an independent contractor and avoid having to pay the taxes; these folks don't get Social

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

41st Legislative Day

4/15/2005

Security. And you're really taking... what they're doing is taking advantage of people and they're exploiting labor. And that worries me because these people aren't gonna have retirement benefits and that type of thing. Would this be something you might be willing to amend once it goes to the Senate to in... to include other industry besides contractors and possibly not even limit it at all to say any employer who does this would be subject to these fines?"

Verschoore: "Any... anything to protect the working men and women of the state."

Franks: "Thank you very much. I think it's a good Bill."

Speaker Hannig: "Representative Rose."

Rose: "This is a point of personal privilege, Speaker."

Speaker Hannig: "Yes."

Rose: "Just ask that we recognize the Shiloh School District, kids up here from my district in the gallery up there and give 'em a welcome to Springfield. Thanks for coming."

Speaker Hannig: "Representative Verschoore to close."

Verschoore: "I just encourage everyone for an 'aye' vote on a good piece of legislation. 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... Mr. Clerk, take the record. On this question, there are 69 voting 'yes' and 47 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Acevedo, do you wish us to read House Bill 2004? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2004, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Acevedo."

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

41st Legislative Day

4/15/2005

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2004 creates the Healthy Kids - Healthy Minds Expanded Vision Program in the Chicago Public Schools. Findings that 80 percent of child.. a child's learning is dealt 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 examination and glasses, dental care, hearing examinations, and hearing aids and counseling services. Priority for eligibility to be based on financial and physical need. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 2004. And on that question, Representative Parke."

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

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

Parke: "Representative, let me get this straight, if a child does not have health insurance through his or her parents, then this is gonna be provided for them free of charge?"

Acevedo: "Yes."

Parke: "Who pays for it?"

Acevedo: "The Chicago Public School system would. Now, Representative, just to let you know, this program was in existence already. It was cut out of the budget last year and I'm just trying to bring the program back into the CPS."

Parke: "I know, but somebody's gotta pay for this. Do you have any idea of what kind of money... and this is for all students in the whole State of Illinois, isn't it?"

Acevedo: "It's... no, just Chicago Public School system."

Parke: "Just for Chicago?"

Acevedo: "Yes."

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

41st Legislative Day

4/15/2005

Parke: "Well, if it's good enough for Chicago, why don't we do it for the other children in the state?"

Acevedo: "That's a good idea."

Parke: "Okay."

Acevedo: "I... Like I said, Representative, the program was impl... implemented with the Chicago Public School system where it started, and I was just trying to bring the program back into existence."

Parke: "Is this part of Kids' Care (sic-KidCare)?"

Acevedo: "No, it's not."

Parke: "And we have no idea how much this is gonna cost. What do... how do the child... how does the child get the vision care? Does the optometrist or the ophthalmologist come into the school to test the children or do the parents take 'em to an optometrist?"

Acevedo: "The parents would take 'em to a vision care center."

Parke: "Do they negotiate a price on... with the optometrist and... with a group? Do they send them all to the same clinic or...?"

Acevedo: "I believe there's a bid process that goes out, Representative. And through the bid process, there is one certain vision care center that would be selected."

Parke: "Okay. Well, I don't know how anybody can rise opposed to this kind of legislation, but there is a cost to it. And the Chicago school system obviously felt it was too costly to do it and have cut it out. Now we're gonna reinforce it. Now, do we... are we gonna... if we're putting this back in place, are we sending any money with this?"

Acevedo: "Yes... yes, Representative. I would like to send them some money, but right now it's done internally through the CPS."

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

41st Legislative Day

4/15/2005

Parke: "But is there... is an appropriation associated with this, Representative?"

Acevedo: "Not at this time, Representative."

Parke: "But perhaps in the future?"

Acevedo: "Perhaps in the future. If I can, I would like to..."

Parke: "Well, ya know, it sounds like a worthwhile idea. I mean, we want all of our children to be able to have good vision so they can learn better and they can... But you know, this is... this is a pretty big Bill, and we're gonna tell the Chicago school system that they have to do this again. And the Chicago school system said, obviously, that this is too costly to do it, so they dropped it. So, the Gentleman responding to his constituents is saying, no, no, no, this is a good program and it oughta be brought back. Our concern is that this is a pretty controversial issue in terms of the funding, only the funding. And here we are, the last day that Bills can come out of committee, and shouldn't we just talk about maybe extending the deadline on this so that we can get a sense of what it's gonna cost? The Amendment was just put out yesterday, wasn't it, Representative? Did we put it out yesterday?"

Acevedo: "Yes."

Parke: "Okay. And that maybe we could extend the deadline until next week... well, when we come back... the week we come back, so that we can find out what this kind of cost is and the Gentleman wants to... wants to be able to send some money with it. If it's a good idea to send money, it will... it come out of the General Revenue Fund? Is there Medicaid money available for the Gentleman? And shouldn't this be something we should be looking at statewide? And if we do it statewide, do all my school districts have to do it?"

Acevedo: "We... we get..."

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

41st Legislative Day

4/15/2005

Parke: "Therefore, it's an unfunded mandate. All these things... here we are, last day and we're doing this. I think that this merits more discussion and more in-depth study on an issue like this. I think the Gentleman has a good idea. But here we are, we're gonna pass something, no funding, just says that the schools should do it. I... it just doesn't make sense to me to do it this way. I wish you to just postpone it and extend the deadline and take care of it when we come back, so that the Gentleman has more time to look into this and we have more time to evaluate it. Thank you."

Speaker Hannig: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I'll try to be very brief. The merit of the Bill, I can't argue against that. I don't think anybody could. It's something we should all strive to do. But you know, what... what concerns me is that yesterday I... I pick up the two Chicago newspapers and what... what blares out at me? The Chicago Transit Authority says they're going bankrupt, they're gonna close down lines, they're gonna raise fares, they're gonna lay off people unless the Illinois General Assembly sends them a lot of money. And then I read another story and the Governor is quoted, 'We're gonna furlough hundreds, if not thousands, of state employees if the General Assembly doesn't pass a supplemental.' What supplemental? I haven't even seen it. I can't find it on the Calendar; I can't find it anywhere. Ya know, there's... I know there are people in the Chicago media that think those of us who live downstate can't read, let alone can actually subscribe and read the Chicago newspapers. The point is this, I'm getting tired of being yelled at by the City of Chicago and the Governor. Why don't you come down here, the City of Chicago, particularly

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

41st Legislative Day

4/15/2005

the Chicago Public Schools in this case, and talk with us? And it might be a good idea for the Governor to come to each caucus and explain the supplemental and what happened to the '05 budget. But... but that's another issue. I... I'm just flabbergasted that, on this Bill, I've not heard one thing from the City of Chicago or the City of Chicago schools. Both of... both of those entities say they are broke, that they don't have any money, the Chicago schools may have to close schools, such and such and so forth and so forth. And here comes a program that I certainly cannot and will not speak against on its... on its merit, but I don't know how the City of Chicago Public Schools are gonna pay for this. I'm not in a position to know that. They don't speak with me. They don't speak with a lot of us. And I... I just... I'm gonna vote 'present'. Not because I think the idea is a bad idea, but I don't have any idea what this costs. I don't have any idea how the Chicago Public Schools will pay for it. All I know is that I read repeatedly that the Chicago Public Schools are a quarter of a billion dollars out of balance and that the City of Chicago is in simlaly... in similarly desperate straights. And so, here comes this Bill and nobody comes down and talks to most of us about how we're going to do this, how the city will pay for it, what's the city's plan for next year's budget, and so forth and so on. I just wish people would stop yelling at us through the press and come down and talk with us. It would make things a lot easier. I intend to vote 'present' on the Bill, simply because nobody's talked to me about it. I don't have any idea what it costs, and I don't have any idea how it's gonna be paid for. But I've read article after article that says the Chicago schools are \$250 million out of balance."

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

41st Legislative Day

4/15/2005

Speaker Hannig: "Okay. Representative Parke and Black have spoken in response. Representative Eddy is next on the list. How would you like to rise, in response or in support?"

Eddy: "Response."

Speaker Hannig: "Response. Proceed."

Eddy: "Thank you very much, Mr. Speaker. If the Sponsor would yield for a question or two."

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

Eddy: "Representative, this program is kind of an expansion of something that did work very well in the City of Chicago, a program under Paul Vallas that... that provided some services. But that was a program that was done at minimal cost because many of the health care providers charged no fees for their services. Isn't that correct?"

Acevedo: "Correct."

Eddy: "Do you have a similar commitment by health care providers that they would charge no fees for the expansion of services under this program?"

Acevedo: "Representative, I... I haven't had their commitment, but I would hope that CPS would continue working with the health care to provide those services."

Eddy: "Well, my concern is we're taking something that worked very well... and it was a good program. And I... again, the previous speaker alluded to the fact you really cannot... you cannot be against the merits of making sure that children receive the basic health care that... that this Bill does provide them. The problem is, and the real problem, we're going from a system that was very minimal at cost to one that could cost millions and millions of dollars. Would you agree that the cost... we don't have an est... we don't have the fiscal impact note on this. The fact of the matter is this

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

41st Legislative Day

4/15/2005

was in committee yesterday. It went through very quickly, and we're on a fast track here, but we don't know. Do you have an estimate at all?"

Acevedo: "Yes, Representative. I'm glad you asked me because the last... the previous speaker continued to... to talk about the Bill, but they haven't asked me how much the estimate of the cost would be. The estimate of the cost would be anywhere from 2 to 3 million dollars."

Eddy: "So, when 16 thousand students took part in the program before, do you have what the cost was at that time for just 16 thousand? Do we have an estimate? 'Cause some of the care was free."

Acevedo: "Two years ago, Representative, the estimated cost that was allocated for the program was \$1.5 million."

Eddy: "Okay. That was at a time when part of that cost was provided without charge. When... when we go to a mandated system where this is made available for all students, do you believe we're still gonna have a system that isn't going to cost?"

Acevedo: "Representative, the goal is that a certain amount of funding would be set aside, just like the previous... in the previous... 2 years ago where 1.5 million was set aside. We would hope to set aside anywhere from 2 to 3 million dollars for the program. Once the funding..."

Eddy: "The problem is this legislation doesn't state that specifically. This legislation puts, as a burden to the Chicago Public School system, the entire cost of potentially providing those basic... basic health services to those students. Not that those students don't need those, but the cost is a factor. Mr. Speaker, if I could, to the Bill."

Speaker Hannig: "To the Bill."

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

41st Legislative Day

4/15/2005

Eddy: "The idea of providing these basic health care needs to students, as has been previously stated, that's not a bad idea. I would hope and it would be my sincere desire that every student that attends school in this state have their basic health care needs taken care of. The problem is, if you pick up any newspaper, the Chicago Tribune or the Sun-Times or any of the papers that discuss the... the problems that Chicago Public School system is facing, they're talking about laying off thousands of teachers. They're talking about closing schools. They're talking about really a doomsday budget for Chicago Public Schools. This is something they cannot afford at this time. Now, I'm a downstate school person. I'm standing up and trying to defend the ability of the Chicago Public School system to provide educational services for children in those schools. Real fear, if this program would be to... to be expanded statewide, I don't know where school districts would find the funds necessary to provide this service. Without a specific... a specific source of revenue and a line item budget or some language subject to appropriation, this is simply not the time to put this burden on school systems, especially the Chicago Public School system. Based on their own predictions, based on their own doomsday budget, they're gonna have difficulty providing basic educational needs of children next year. I would urge everyone to pay attention to this. You're putting burdens on a school system that is having difficulty at this time even meeting the educational needs of the students."

Speaker Hannig: "So we've now had three speak in response. Representative Delgado, do you wish to rise in support?"

Delgado: "I... I rise in strong support as a cosponsor of this legislation. Will the Spo... will the Sponsor yield?"

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

41st Legislative Day

4/15/2005

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

Delgado: "Representative, on this legislation... I appreciate our colleagues who are concerned about maybe this moving around the state more and bringing a burden in their areas at this point in time. But as superintendent of a school district at C... at CPS, Mr. Dunkin, is he in favor of this legislation?"

Acevedo: "CPS supports the legislation."

Delgado: "CPS support this legislation. So, this is coming on... and so, Arne Dunkin is onboard this piece of legislation. This here... and our Chicago Public Schools, who obviously have... all of our children receive, for the most part, are eligible for the free lunch program, too, aren't they?"

Acevedo: "Yes."

Delgado: "And so, with that said and done, these are families who sit in a... in a situation that have poverty issues and yet learning needs... and a lot of the students just need assistance. And some of them are even within our own system within DCFS's kids who are in those classrooms and would maybe be eligible to be able to see the board a lot clearly if they had access to some glasses that were reasonably at a minimal cost or no cost at all. Would you agree?"

Acevedo: "Yes, Representative."

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

Speaker Hannig: "To the Bill."

Delgado: "I would just suggest... I understand, we don't want to cry 'wolf' too soon here. The superintendent of our school system supports this. And I appreciate everyone else's concern about Chicago all of a sudden, but we can be selective in doing that. We should be able to be se... we should be able to be that adamant when we talk about other issues that support... that deal with the inner-city troubles

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

41st Legislative Day

4/15/2005

that's goin' on around our neighborhoods. But on this one, this is progressive because it's gonna help children see the board. It's gonna help children and moms who are concerned why Johnny can't read and why Johnny can't write. But at least we would like to have some kind of, as you see, minimal cost, a sliding scale, that a parent participate. I don't want a handout. I've never projected and wanted a handout from anyone and nor should our communities be looking for handouts. Self sufficiency. But we want the same right to be able to educate and compete in the same avenues and be able to bring our kids downstate for basketball and other games instead of having to worry about Johnny dropping out and maybe coming downstate for other reasons in our prison systems. I would support this legislation strongly and I would ask for your 'aye' vote. Again, the superintendent of schools support this legislation and this would help our city. Thank you."

Speaker Hannig: "Representative Parke, you've spoken in debate. For what reason do you rise?"

Parke: "Thank you, Mr. Speaker. This seems to be... hit a nerve in the Body. I see lots of people wanting to speak on this. Could we just open up the discussion a little longer and give some of these other people some points? There's questions that wanna be asked about it, and in the face of the issue, it's probably gonna pass overwhelmingly. But I think it's opened up the dialogue that needs to be talked about in terms of the direction... the financial direction this state is going. So, I would ask the Chair to consider that."

Speaker Hannig: "Okay. Representative Franks is recognized in support."

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

41st Legislative Day

4/15/2005

Franks: "Thank you, Mr... thank you, Mr. Speaker. I'm not from Chicago, but I'm standing in support of this Bill. And I'm... ya know, I've heard some of the previous speakers talking about the funding here and, folks, we should not be penalizing our children because of a failure to lead in the state. Ya know, last year we spent two extra months down here in Springfield extensively to deal with the budget on school funding. We sat in this chamber and we had 18 Special Sessions of the Legislature to deal with the budget. And we were told by our Governor that the reason we were here was to make sure we had money for the schools. Well, we were here and on those 18 Special Sessions, not once did we talk about education funding. Not once have we dealt with 85 percent of our schools' deficit spending. Not once have we dealt with the State of Illinois being in the bottom of the nation on how we fund our schools. This Bill here is important and it needs to pass. And we also need to make sure that we come... and regardless if the Governor calls a Special Session or not, that we call our own. We call our own here and we deal with the school funding issue because it's obvious that we're not gonna have any leadership from the Governor's Office on this issue. I'm serious about this. We're meeting with a lot of different groups and everybody needs these funds. And until we change the system... the equalization value system isn't working for the state. The hold harmless isn't working for the state. The schools in Chicago aren't getting enough money. It's time to blow up the system and start over. There are 49 other states that are doing a better job than we are. We oughta look at the best practices of those states and bring them to Illinois and fairly fund how we should be doing for our kids so they can get these vision programs so we can do the

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

41st Legislative Day

4/15/2005

things that we're supposed to do for them. Everyone here should vote for this Bill. Don't penalize the children because there hasn't been leadership at the top. Let's take this issue ourselves and let's make sure that we reform how education ought to be done in the State of Illinois."

Speaker Hannig: "Representative Parke, we'll move this to the Order of Extended Debate which will allow two additional speakers on each side. Okay? And Representative Bellock is next in line."

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

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

Bellock: "I'd just like to ask a few questions about the eligibility because I don't think this is for all children in the public school systems. Is that correct?"

Acevedo: "I'm sorry, Representative, can you repeat the question?"

Bellock: "I just wanted to ask about the eligibility of the children for this program you're talking about. I don't think it's for all children in the public school system, is it?"

Acevedo: "It... it's based on a need, Representative, and the standards would be set by the CPS."

Bellock: "Okay. Are these children that are in the schools, the Chicago Public School system, under what I think is that the majority of the children who cannot get private insurance now who are low-income would be under our KidCare Program?"

Acevedo: "Representative, if they're enrolled in KidCare, they would be eligible. But if they haven't signed up for it..."

Bellock: "I... what I'm asking is, is that we get a lot of money matched from the Federal Government for the KidCare Program and if they could be enrolled in the Kid Care Program, then

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

41st Legislative Day

4/15/2005

the school district would not have to pay for this program because they would get all their needs met in through the KidCare Program rather than putting it through the school district."

Acevedo: "Is that a question or a statement?"

Bellock: "It's a question. I'm asking you because how are you going to handle that? Because why would we have the school districts pay for another health care program in the schools if those children could get into the KidCare Program, which is very available through the Chicago Public School systems? We have over 265 thousand children now in the KidCare Program, I think."

Acevedo: "Rep... Representative, every child in the Chicago Public School system is not... does not... is not enrolled in KidCare. You... you can give 'em the information, but you can't force 'em to sign up. This just covers those students that are not enrolled in KidCare, as you... as you just stated..."

Bellock: "But shouldn't... my only point is, shouldn't we enroll them in KidCare if they're eligible to be in it rather than putting them on the system of the school district paying for those children? I'm not trying to deny them this, if they need it, but the whole point of KidCare is for children in the schools that do... cannot afford insurance to go on KidCare. So, it sounds to me like the children you're trying to reach out to would be eligible to enroll in the KidCare Program. And if they did enroll in that program, we... your local school districts, the Chicago Public School system, would not have to pay for that."

Acevedo: "Representative, as I said before, we... you mentioned 'we'. We can't force a family or a child to enroll in KidCare. Now, if CPS chooses to..."

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

41st Legislative Day

4/15/2005

Bellock: "Well, excuse me for a second. I guess my point would be is if you were ready to enroll them in this program... in the Chi... for the Chicago Public School system to pay for, wouldn't you first ask the question in the enrollment procedure as to can you enroll in KidCare?"

Acevedo: "CPS can set that up as part... as part of their standards, if they choose to."

Bellock: "They will set that up in the system of enrolling these children? I just don't see the point. It's not that I'm opposed to what you're saying; I just don't see the point of the school system paying for children that can already be paid for in a readily available program of KidCare. Plus we get sixty-five cents on the dollar back for all those kids that are enrolled in that program."

Acevedo: "Representative, it seems to me... I mean, you keep saying that the... put the burden on the school districts, but CPS is in support of this legislation. We're not putting the burden on them because they do support the legislation. Actually, they were the ones who... who got together with me to bring this legislation moving forward. I don't see what... what... they're not opposed to the legislation. They're willing to take the burden on. And if you're talking about signed up as far as KidCare goes, that's based on what CPS... the standards they... that they have for the students who is gonna be eligible for the program."

Bellock: "Well, how many children do you think this is going to affect in the Chicago Public School system in this program specifically?"

Acevedo: "Representative, it depends on the eligibility standards set up by CPS. I believe one previous speaker had mentioned in the past it had helped out 16 thousand students."

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

41st Legislative Day

4/15/2005

Bellock: "So, you're saying that there are 16 thousand students that go up... are going to enroll in this program and they are not eligible for the KidCare Program. Is that correct?"

Speaker Hannig: "Representative, your... your time has expired. Representative Acevedo, would you answer the Lady's question."

Acevedo: "Representative, I didn't say there were 16 thousand students. I said in the past the Gentleman... the previous speaker had mentioned 16 students were helped through this program... I mean, 16 thousand. I'm sorry, I apologize."

Speaker Hannig: "Okay. We've now had five speak in response. Representative Mitchell, do you rise in support or response?"

Mitchell, J.: "In response, Speaker."

Speaker Hannig: "Okay. You'll be the last to speak in response."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen, I am a strong supporter of kids in this state, the entire state. Now, a previous speaker gave a very strong speech in support of education funding reform. And I believe that that... it's time for that as well. However, I've been here long enough to know that the only thing that the previous speaker's gonna get if he keeps that kind of rhetoric up without a plan is a seat maybe on this side of the aisle. The problem we have, again, is a good program for kids and I support that good program for kids. But again, there's so much money in this state... and it's not enough now for all of the kids of the state because we don't fund education the way we should. However, we have mandated categoricals that go in relationship to helping kids, especially special education children. And districts are burdened with a cost now that they can't afford. Chicago is unbelievable in its

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

41st Legislative Day

4/15/2005

ability to come back to the Governor and come back to the state to get more money out of the pie. And I applaud them for that. When they need it, they have the ability to get... unfortunately, it comes out of that same pie that is going to give the suburban schools their categoricals for special ed transportation, for extraordinary, for the \$8 thousand for special education children, and for regular transportation all over this state. We do something great for some children and we take away benefits from other children. That's the way it's worked for 10 years that I've been down here. It's frustrating, but that's the way it is. Ladies and Gentlemen, if you vote for this program and the funding goes to one part of the state, it has to come from somewhere. There's a finite amount of money. How you divide it depends upon how much money is there for everyone else. Now, I don't wanna... to... ya know, I wish... I wish we could give every single child the amount of money they need and the districts need, but we can't, especially not now. This program is a great program that's being brought forward at the absolute worst time in the financial history of the State of Illinois and it will affect overall education in this state. Keep that in mind when you vote. You're not voting against kids with a 'no' vote in this case. You may be voting against your own kids in your own area simply because the system is flawed and we don't have any other choice. Tough choices, yes. And this is a tough one. But in this case, I have to vote 'no' with a bit of sadness. Thank you, Mr. Speaker."

Speaker Hannig: "We've now had five speak in response. Does anyone else seek to stand in support? Representative Acevedo to close."

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

41st Legislative Day

4/15/2005

Acevedo: "Ya know, Ladies and Gentlemen, the previous speakers have spoken as far as let's wait, this is the worst time. You pick up the Sun-Times and you look at the trouble the Chicago Public School system is in and the dire need they're in for more funding. Well then, let's wait and let that child who can't read the board, let him sit there about 3 or 5 years when he graduates eighth grade at 17 years old so we can dump more money into Chicago Public School systems. Let the child who... who can barely... barely see the board who gets the failing grades is gonna spend 3 years in the same classroom sitting there because we want to stick our head in the sand and wait. Let the problem go away by itself. Most people said that... the way they spoke that CPS disagrees with this idea. That's absolutely untrue. CPS agrees with this idea 100 percent. This is about happy... helping students. Representative Franks spoke about priorities. I thought we're down here for one reason, for our future. Our future is our children and that's to be our #1 priority here. We're not asking for millions and millions and millions of dollars. Someone mentioned this is an appropriations Bill. This is not an appropriations Bill. This is a program that was put in by CPS years ago that was taken out last year and all we're doing to seek is bring it back to help the kids. You have no idea how many principals from our areas have called and said children are suffering because this program was taken out of the system. I'm asking for a little help for not only the Chicago Public School system, but more importantly, that child who can barely see the board. I ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all

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

41st Legislative Day

4/15/2005

voted who wish? Have all voted who wish? Mr. Clerk, take... take the record. On this question, there are 67 voting 'yes', 37 voting 'no', and 12 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2712."

Clerk Mahoney: "House Bill 2712, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Speaker Hannig: "Representative Beaubien."

Beaubien: "Thank you, Mr. Speaker. This is an initiative of the Department of Revenue. It allows the department to make deposits and withdrawals of up to \$50 thousand in accounts used for paying revenue investigators as well as related expense to obtain evidence for those investigations. The money that comes into this fund comes in from back taxes, fines, penalties that are assessed against taxpayers who are found to be in violation of Illinois law. As such, it has no fiscal impact on the state. It's only using the money that's already in the account. And I urge an 'aye' vote."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hoffman. Mr. Clerk, take the record. On this question, there are 96 voting 'yes', 18 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 20 of the Calendar is House Bill 2572. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2572, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Hannig: "Representative Nekritz."

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

41st Legislative Day

4/15/2005

Nekritz: "Thank you, Mr. Speaker. This is the bicycle Bill that we had the... the quality debate on yesterday. The only thing I would add is that we've had good support from a couple of newspaper editorials today in the... in the Rockford area and in the Bloomington area. But I urge your 'aye' support. As I indicated yesterday, this is... this is a critical piece of being able to move forward on bicycle facilities and bicycle safety, which really promotes a healthy lifestyle for the State of Illinois."

Speaker Hannig: "Excuse me. Mis... I think... I think you gave us the wrong Bill."

Nekritz: "I did."

Speaker Hannig: "Mr. Clerk, take this out of the record. The Lady wished us to read House Bill 2390. This has been... Okay. This is on the Order of Postponed Consideration. Representative Nekritz."

Nekritz: "Same thing I just said."

Speaker Hannig: "Okay. Now, I think we've clarified that. And now in response, Representative Parke."

Parke: "Thank you, Ladies and Gentlemen. Yesterday we defeated this legislation. It still creates a cause of action. I might want to reference today, if you look at the Sun-Times, it shows that a bicyclist was out riding on a bicycle path and was injured, sued the municipal government for \$2.5 million. \$2.5 million that that municipal government had to pay for that woman riding on a bike path. Now, we're gonna put people on roads that cars can ride on, so therefore bicyclists can ride on. And I will just say that we're putting in a burden on our municipal governments, our township governments, anybody that has any kind of responsibility for providing this kind of coverage. The insurance premiums of these governments are gonna go up

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

41st Legislative Day

4/15/2005

significantly. They're gonna have to pay for higher insurance premiums because insurance companies are not gonna take on this risk in this State of Illinois, so it's gonna cost the taxpayers more money if this passes. I respectfully rise in opposition and I will ask that we have a Roll Call vote and that I would like a verification of the Roll Call if this gets the required number of votes. It says here, 'Good intentions don't always result in good law.' Nobody is doubting that the Sponsor has good intentions, but this is not a good law. Thank you."

Speaker Hannig: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. First, let me apologize to the Sponsor. I try very hard and have for 20 years... I try very hard never to take anything personally on the floor. And a remark that she made yesterday kind of rubbed me the wrong way and I made a remark that indicated I would take it personally. And I apologize for that. I try never ever to take anything personally or to get personal about any item on the floor. And I... and I apologize for the remark. But Ladies and Gentlemen of the House, we have debated this Bill time and time and time again. And... and look... look what we're not doing. We're not... this is Third Reading deadline. No school funding Bill, no major appropriation Bill has even been discussed, and here we are headed for a train wreck. We're gonna be here in June and July. And you know what? Last year the House Republicans rode that train and tried to help the Speaker and tried to work collectively. Let me off that train this year. You are the Leadership of this Body. You hold every powerful office in State Government. But to this... to this Bill. The Sponsor said yesterday, I think, the most telling thing about this Bill. She pointed out an

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

41st Legislative Day

4/15/2005

error that I had made about bike paths, that not all bike paths are separate little pathways like I see in Chicago. And she said, and I quote as I remember... forgive me, Representative, if I misquote. You correct me and I know you will. 'That on many, many streets in Chicago that are busily traveled that are wide streets and they have a very nice shoulder and they have maybe a white line and that becomes a bicycle path.' Now, that... that's... she's right. She's right. But, Ladies and Gentlemen, all I'm asking you to consider is that this state is very diverse. I have roads... many roads in my district that are 20 feet wide edge to edge, not curb to curb. Many of my roads don't have curbs. They don't have shoulders; they have gravel. Why do you insist on making this a bicycle an aiding of a right to use a roadway? We all know what roadways were used. If the Sponsor would take as much time, energy, and effort as she's put into this Bill and just work with municipalities around the state, I'll work with her. I don't have anything against bicycle paths. We can develop them from one end of this state to the other. But let me tell ya, if you vote for this because it somehow becomes a cause celebre, you are putting young children at risk. They will get on a highway built for cars, buses, and trucks and they are to... have a mandated right to be on that highway. And many bicyclists are not as in tune with that instrument as the Sponsor of this Bill. And in my district, they don't have any room for error. A sudden swerve of 5 to 6 inches will put that bicyclist in harm's way and they will get hit by an automobile or a truck. And I can tell you who wins that collision, every time the motor vehicle wins that collision. Last but not least, and you can verify this with the Danville Police Department... Records Department. Ladies and

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

41st Legislative Day

4/15/2005

Gentlemen of the House, I hit a young bicyclist with my automobile some years ago in the City of Danville. It was at night on a road without street lights, which is the norm in my district, on a road without any shoulders. And, in fact, it went over our lake and the road had steel guardrails on... on both sides of the road so you don't go off the road and drive your car into a lake. I didn't see that bicyclist. And what he was doing, he was switching lanes. If a car was coming behind him, he'd move into the oncoming traffic lane. And if a car was coming at him, he'd move over into the other lane. Well, a car was coming from the other direction. He tried to switch back into my curbside lane. I never saw him until he was right in front of my car. And I hit him. If you've never done that, let me tell ya what a sick feeling that is. I got out of the car; we didn't have cell phones then. I asked the other car to go to the house on the... on the curve and call the police and call an ambulance. I got out of the car, I threw up. I threw up. I was so sick I couldn't stand up. I was in tears. And thank God, when I got to the young boy, who was 13 years old..."

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

Black: "The young boy was moving. The ambulance got there, he went to the hospital. I followed to the hospital, I talked to his mother and father. To make a long story short, he fully recovered. No lasting injuries, thank God. I will carry the image of that young boy coming up over the hood of my car and bouncing off the windshield 'til the day I die. You can verify all this with the Danville Police Department; it's on the accident report. Ladies and Gentlemen, roadways are built for motor vehicles. I have a bicycle. There are

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

41st Legislative Day

4/15/2005

roads in my town I wouldn't dream of riding my bicycle on. There are roads in my district I would not allow my grandchildren to ride a bicycle on. And yet, this Bill, that comes back time and time again, says that that bicycle has as much right to that roadway as my car. I've been there; I've hit one. I can tell ya, if you wanna work with municipalities to create bike paths, I'll... I'll bust my rear end to work with you on that. But please don't mandate that bicycles and automobiles are gonna mix on roads that are not built and never were intended for that kind of mixed use. Please vote 'no'."

Speaker Hannig: "Representative Fritchey."

Fritchey: "Speaker, I simply move the previous question."

Speaker Hannig: "The Gentleman's moved the previous question. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the previous question is put. Representative Nekritz to close."

Nekritz: "Thank you, Mr. Speaker. I would just like to reiterate, based on the last speaker's comments, that this legislation has nothing to do with the relationship between automobiles and bicycles. It's a dangerous place out there on our roadways. Motorcyclists get hurt, automobiles are in accidents and people are killed all the time. It's a dangerous place. But without this legislation, we are never gonna be in a position in the State of Illinois to move forward and encourage healthy lifestyles and to encourage roadways where... where automobiles and motor vehicles and other modes of transportation can peacefully coexist. I urge your support."

Speaker Hannig: "There's been a request for a verification so please vote your own switch only. The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'."

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

41st Legislative Day

4/15/2005

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. Okay. On this question, there are 60 voting 'aye', 55 voting 'no'. But Representative Parke has asked for a verification. So, would the staff please clear the aisles. Would the Members please be in their seats. Mr. Clerk, would you read those voting in the affirmative."

Clerk Mahoney: "Voting in the affirmative: Representatives Acevedo; Bailey; Bellock; Berrios; John Bradley; Brady; Brosnahan; Burke; Chapa LaVia; Chavez; Collins; Colvin; Coulson; Currie; Daniels; Monique Davis; Delgado; Dunn; Feigenholtz; Flowers; Franks; Fritchey; Froehlich..."

Speaker Hannig: "Excuse me, Mr. Clerk. Representative Washington is asking to be verified, Mr. Parke. Could you grant him that? Okay, Representative Washington is... has been verified and Representative Acevedo is in the middle aisle. Mr. Parke, would you grant him that? Okay. Mr. Clerk, please proceed."

Clerk Mahoney: "Representatives Giles; Graham; Hamos; Hoffman; Howard; Hultgren; Jakobsson; Jefferson; Jenisch; Lou Jones; Joyce; Kelly; Krause; Lang; Lyons; Joe Lyons; May; McAuliffe; McCarthy; McGuire; Mendoza; Miller; Molaro; Mulligan; Nekritz; Osterman; Pihos; Rita; Ryg; Saviano; Scully; Soto; Turner; Washington; Winters; Younge; and Mr. Speaker."

Speaker Hannig: "Mr. Parke, do you have any questions of those voting in the affirmative?"

Parke: "Representative... Hi, Joe."

Speaker Hannig: "He's next."

Parke: "Well, it looks like we have an awful lot of people in attendance today. Hi, Lou. Okay."

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

41st Legislative Day

4/15/2005

Speaker Hannig: "Representative Parke, do you have anything further?"

Parke: "Safe."

Speaker Hannig: "On this question, there are 60 voting 'yes', 55 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lyons in the Chair."

Speaker Lyons, J.: "Representative Joe Lyons in the Chair. Recognize the Gentleman from McHenry, Representative Tryon, for what reason do you rise?"

Tryon: "Thank you, Mr. Speaker. I need to rerecord a vote that I made earlier on House Bill 2004. Inadvertently pressed the wrong the button and would like my vote recorded as a 'no'."

Speaker Lyons, J.: "The Journal will so reflect. The Gentleman from Jackson, Representative Bost, for what reason do you seek recognition?"

Bost: "Mr. Speaker, I just would like to say, ya know, we're here on the last day of deadline. We're... we're trying to... to work to get things done. There's a lot of people that have Bills that want to be called. We're gonna be probably going late. But yet we bring up a Bill that had already voted, we debated it for long periods of time. It was on Postponed Consideration. There's a lot of Bills that have not been heard. But yet we keep going back to those like that. Maybe we should stay on focus and work on the Bills that need to be called and try to get out of here at a decent time."

Speaker Lyons, J.: "Thank you, Representative. I do have a list that I'm working on. I hope we can move these as quickly as possible. Is there anything on here that you need to be called, it should be on the list by now. Thank you,

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

41st Legislative Day

4/15/2005

Representative Bost. Mr. Clerk, on page 21 of the Calendar Representative Beiser has House Bill 3770. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3770, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons, J.: "The Gentleman from Madison, Representative Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. House Bill 3770 is an initiative of the Transportation for Illinois Coalition. It's a nonpartisan group of nearly 3 dozen businesses, labor and government leaders. The cochairs of the Coalition are the Illinois State Chamber of Commerce and the Illinois AFL-CIO. 3770 deals with money saved through efficiency initiatives of the Department of Transportation. And to divert all the funds that IDOT saves by implementing these efficiencies away from the EIRF and instead deposit those funds into the Construction Fund, which is what they were meant for. That's the... I ask for your favorable vote and I would be happy to answer any questions."

Speaker Lyons, J.: "Is there any discussion on House Bill 3770? Seeing none, the question is, 'Should House Bill 3770 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Black. Mr. Clerk, take the record. On this Bill, there 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 17 of the Calendar Representative Mathias has House Bill 44. Read the Bill, Mr. Clerk."

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

41st Legislative Day

4/15/2005

Clerk Mahoney: "House Bill 44, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Lyons, J.: "Representative Mathias, House Bill 44."

Mathias: "Thank you, Mr. Speaker. Actually, yesterday I explained the contents of House Bill 44 when we put the Amendment on. Basically what this does, it adds home nursing services and in-home support services to the Home Health Agency Licensing Act. As I explained previously, when we have health care workers in our homes to take care of our elderly parents or our disabled parents, right now there is no requirement in the law that there are any background checks if these workers come from employment agencies. There are no, basically, rules or regulations monitoring or regulating any of these workers in any phase as to who's responsible for paying them, whether it's the agency, the individual. House Bill 44 basically sets out a licensure procedure for the agencies and also sets forth who's going to... that the... all these questions have to be agreed upon by the parties, and especially that there has to be a background check on the workers. So I ask for an 'aye' vote."

Speaker Lyons, J.: "For the presentation of House Bill 44, is there any discussion from the floor? Seeing none, the question is, 'Should House Bill 44 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 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Molaro, for what reason do you wish to be recognized?"

Molaro: "A quick point of personal privilege."

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

41st Legislative Day

4/15/2005

Speaker Lyons, J.: "Proceed, Representative."

Molaro: "This is to Raymond Poe. That's the best chicken... Representative Poe. Representative Poe. Raymond. Representative Poe, I have to thank you. That's the best chicken I've ever had. We don't get it much up north. And I gotta thank ya... I gotta tell ya, right now. I... We've talked about this. I've voted with my head and sometimes my heart, but if you run for Lieutenant Governor, and Pat Quinn's a friend of mine, I'm gonna vote my stomach, Sir. And if I get this kind of stuff, I'm with you. I gotta let you know, right now."

Speaker Lyons, J.: "Life is pretty good here in the House, Representative Molaro, wouldn't you agree? Mr. Clerk, on page 20 of the Calendar Representative Monique Davis has House Bill 1870. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1870, a Bill for an Act concerning civil law. Third Reading of this House Bill."

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

Davis, M.: "Thank you, Mr. Speaker. Under the Adoption Act, the State of Illinois can seek determination of parental rights because a parent has failed over a 9-month period to make reasonable progress. At this point, they need not tell the parent which 9-month period they plan to use for the adjudication process. House Bill 1870 merely ask that which 9-month period the state will be using for prosecution that the defense attorney be given that information. We know that it's a mistake to terminate parental rights when the parent has turned his or her life around and is seeking to become a responsible individual again. I'll answer any questions."

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

41st Legislative Day

4/15/2005

Speaker Lyons, J.: "Is there any discussion on House Bill 1870? Seeing none, the question is, 'Shall House Bill 1870 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? Jerry Mitchell, would you like to be recorded, Jerry? Dave Winters, Representative Winters. Dave. Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 21 of the Calendar Representative Mike McAuliffe has House Bill 3825. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill..."

Speaker Lyons, J.: "Out of the record. Out of the record, Mr. Clerk. Representative, House Bill 866, Representative McAuliffe. Michael, House Bill 866, are you ready to go with that? Mr. Clerk, on page 18 of the Calendar is House Bill 866. Read the Bill."

Clerk Mahoney: "House Bill 866, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 866 is the rewrite for the barbers, cosmetologists, esthetics, and nail technicians. Cur... their sunset is to be... or their rewrites would be sunsetted to January 1 of 2006. And this put some changes in there and also some education requirements that everybody agreed to. And I'd be happy to answer any questions and hope that I could have passage of House Bill 866."

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

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

41st Legislative Day

4/15/2005

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

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

Parke: "Many of these rewrites are done with agreement that all parties and we bring 'em all together and they finally work something out. I have on here that the cosmetology schools' associations have... are still up in the air. What is... Have you found their position on it?"

McAuliffe: "Yes. They're gonna put their language on when the Bill goes over to the Senate."

Parke: "That will... have... make them neutral?"

McAuliffe: "Yes, yes."

Parke: "All right. Fine. I have no problem."

Speaker Lyons, J.: "Any further questions? Seeing none, the question is, 'Should House Bill 866 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 Boland. Meyer. Representative... Mr. Clerk, take the record. On this Bill, there are 59 voting 'yes', 55 voting 'no'. Representative McAuliffe."

McAuliffe: "I'd like to put this Bill on Postponed Consideration."

Speaker Lyons, J.: "Mr. Clerk, we'll put this Bill on Postponed Consideration on request of the Sponsor. The Chair recognizes the Gentleman from Champaign, Representative Rose, for what reason do you rise?"

Rose: "Mr. Speaker, on page 29 I've... I filed Motions to Table. And I'd like to table House Bill 368 and House Bill 599."

Speaker Lyons, J.: "On request of the Sponsor, House Bill 368 is requested to be tabled. All those in favor signify by saying 'yes'; those opposed 'no'. The Motion... In the opinion of the Chair, the 'ayes' have it. And House Bill

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

41st Legislative Day

4/15/2005

368 is tabled. Representative Rose also wishes to table House Bill 599. All those in favor of the Motion to Table vote... say 'yes'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Bill 599 is tabled. Anything else, Representative Rose? Thank you. Mr. Clerk, on page 3 of the Calendar, Representative John Bradley. Mr. Bradley in the chamber? No, he's not. Out of the record. On page 20 of the Calendar Representative Colvin has House Bill 2001. The Gentleman from Cook... Mr. Clerk, read the... read the Bill."

Clerk Mahoney: "House Bill 2001, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons, J.: "The Gentleman from Cook, Representative Colvin."

Colvin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2001 as amended creates the Financial Literacy Fund. The goal... the goal is to teach important life lessons to high school students who may get credit cards, apply for mortgage loans and other financial instruments that are commonly used in our society today. The overall goal is to get them to understand the importance and the use and proper use of credit and all of those benefits that it affords you. It is a permissive program in that schools... it'll be up to individual school districts to implement this as they see fit. I know of no opposition. I'd be happy to answer any questions."

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

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

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

Parke: "Representative, you stated that you are unaware of opposition. I show that LEND, SCOPE and the School

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

41st Legislative Day

4/15/2005

Management Associate... Alliance are all in opposition to your legislation. Is that something you were unaware of or mistaken or have they removed their opposition?"

Colvin: "Well, I'm... I've just recently received this Bill from one of our Members who is not here. I do see them as being in opposition."

Parke: "They are."

Colvin: "When this Bill was presented in committee, I believe they also voiced their opposition. But one of the things I'd like to point out is they were both concerned about the cost and our rebuttal to that is that this is totally permissive. It can be implemented in a... an accounting class as well as a separate curriculum set up to deal with those basic and fundamental tools of... of dealing with how to manage your credit and your personal finances. I think it's important in the... in the... in the sense that as credit has becomes so important in terms of living and achieving and living the American dream that we teach our students at younger ages how to manage their finances more appropriate and more efficiently."

Parke: "Thank you. To the Bill. Ladies and Gentlemen, the School Management Alliance, LEND, SCOPE are all opposed, not only because they see it as an unfunded mandate, but they are concerned about mandating what is gonna be taught in our curriculum. Every time we turn around... and these are all pro... all of 'em are good ideas. I mean, the Representative... this is a good idea. Our young people oughta have some background on finances. That's something that's not unreasonable. But you put that in there and you put all the other mandates that we're putting on our curriculums, it becomes very difficult for our... our school administrators and our teachers who are in those meetings that try to

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

41st Legislative Day

4/15/2005

structure curriculum to fit in all of the things that we think these schools oughta be teaching. I... I continue to be amazed that... that we keep telling people to do this and do that. And... so it comes to a point in time as who... who's... who's gonna decide the curriculum. One of the Representatives earlier today said that this is a very diverse state. And right now what maybe works and be taught in one particular area may not be the best thing to do in another. These are all well intended, but ya know what? A Resolution can do this, the same job, to recommend to the school districts that they oughta be teaching finance in the schools and I... I concur with that. I agree. But one time I was talking to some teachers in a teachers group and I said, 'What's... what's the one thing that we can do in the General Assembly?' And they said, 'Let us teach. Quit telling us what to teach. Just let us teach. We have a curriculum. We have a committee that meets in the schools to decide curriculum. Let us decide what's good for our children based on our local school boards.' I'm gonna vote 'present' on the Gentleman's Bill because I'm... I just don't think we should continue to tell schools more and more and more and more and more and more and more and more what oughta be taught in our curriculum. So, I rise in opposition to the Gentleman's Bill."

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

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

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

Eddy: "Representative, you're aware, I'm sure, that the state School Code requires consumer education for all students grades 9 through 12, at this point. And basically this

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

41st Legislative Day

4/15/2005

further details those items that are already required by school districts to teach in a more detailed manner?"

Colvin: "That's correct, Representative. What this will do in very specific ways allow the Illinois State Board of Education to develop curriculum which school districts can choose to implement. Can choose to. This is not a mandate. But... but will in more definitive ways open... how to open a... a savings account, balancing a checkbook, credit scoring and how to check your credit, saving and investing. These are some of the more specific ways and..."

Eddy: "And I... I think right now most curriculums do that and there is a consumer education proficiency test. So that if a student is proficient in those areas, they can demonstrate that, not have to take the course. So I really don't see this as a major change in the curriculum. It does add some requirements to the Learner Standards. I don't think very many because the Learner Standards are written broadly enough that that probably most of this curriculum can be... can be addressed in the existing standards. Here's my concern with the Bill. It creates something called the Financial Literacy Fund. Now, the Financial Literacy Fund has a good goal. The money is... is supposed to be gathered, whether it be private or public money, and put into a fund to award grants to school districts to defray costs of this financial literacy training and some other worthwhile causes. I brought this up in committee. This fund in this legislation is not protected; it is not protected from a fund sweep. My recommendation would be in the Senate that... by the way, some of the money that's gonna be put into this fund has come... coming from voluntary sources. Now, I don't know very many people who are gonna put money into a voluntary fund to teach financial literacy to children if

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

41st Legislative Day

4/15/2005

they're gonna be concerned that that fund is open to a sweep. As you know, right now, one of the proposals made by the Governor regarding education is that an education and dominate fund be created. To create that fund, we're sweeping funds from education funds. So, what would stop... what would stop a fund sweep with the Financial Literacy Fund if this is the way the Governor's gonna propose? Is there any protection or would you consider protection added to protect that?"

Colvin: "I wouldn't be opposed to it. But at the same time, I don't think we can act... we can conduct the state's business in a vacuum of fear that a fund that we would create would be swept. I think if we get into that practice, I... we're only crippling and stifling ourselves, not just with this Bill, but I think with any piece of legislation that would require a fund to be set up. I share your concerns there, Representative, but I won't allow that fear to stifle me from bringing what I think is good public policy with respect to public education."

Eddy: "Appreciate that. To the Bill. I... I don't have a problem with the basic underlying desire of the Bill, Mr. Speaker. My concern is that those funds are used for the intended purpose of why the funds are gathered. We have a... an oil well capping fund in this state where private producers voluntarily checkoff and put money in that fund to cap old wells, but that fund has been swept. I'm not sure how long they're gonna voluntarily provide money to a fund that's gonna be swept. Financial literacy's important. You're creating a fund here that should be dedicated for that purpose if it's established. And I would urge you, that as this legislation moves along, that you put proper safeguards in the legislation so that the fund would be... would be safe

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

41st Legislative Day

4/15/2005

from those kind of sweeps because if you're trying to do the right thing here, and I think you are, you're gonna have to protect that money or it, too, can be swept. Thank you."

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

Davis, W.: "Thank you, Mr. Speaker. To the Bill."

Speaker Lyons, J.: "To the Bill."

Davis, W.: "I wanna rise in support of the legislation. Yesterday, in the midst of debate, I indicated that I had worked as a college admissions' counselor. And in my time, during that period, I had an opportunity to interact with students who are already in college and... and one of the things that I cautioned them against was creating or getting too deep into debt with the use of credit cards 'cause, as many of you know, once you're a college student you get bombarded with credit card applications, and they basically give them to you. And even though I... I... I do look rather youthful, I have been out of college about 15 years. But I remember back when I was there, I remember when I was there how I got bombarded with credit card applications, and I took advantage of some of those offers. But it was kinda difficult to kinda climb under that hole once we got there. So, simply, this legislation is just simply trying to make it so that even at a younger age in high school that we... that we teaching students how to manage and how to... how to build credit appropriately and not just get off into debt using credit cards and buying things that they don't need. So, I rise in support of this legislation. I hope that Members can... can take it for the spirit in which it was intended, that we're trying to educate our young people. And... and oddly enough if... if... as... as... as... as we deal with so many different issues here, who knows, we may be trying to

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

41st Legislative Day

4/15/2005

deal with a Bill that helps to pull some of these individuals who got so deep into debt out of debt and then somebody's gonna have a problem with that. So, here's an opportunity to stem it or to nip it in the bud and prevent it before it even happens. So, I hope Members can understand the intent of the legislation and will support the legislation, as well. Thank you very much."

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

Bassi: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Public schools in America today are expected to teach good nutrition habits, train students about pulmonary/coronary resuscitation, give specialized instruction, and about 75 other things. In deference to the Body because it's Friday, Third Reading, I will not read the list of 132 things that schools in America are expected to do today. And with great respect for the Sponsor of the Bill and... and with the... with... with recommendation for the great intent that is behind this, I stand in opposition simply because it is another mandate requiring schools to do something additional to what they're already doing, particularly since this is already in the body of instruction that is there. So, with all due respect to the Sponsor, I will be voting 'no'. But I will..."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Lee, Representative Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Representative Colvin, we had this Bill in Education Committee at one time. And I don't believe that... that Bill got out of committee, did it? Are you aware of that committee vote?"

Colvin: "Repeat that again, I didn't hear ya."

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

41st Legislative Day

4/15/2005

Mitchell, J.: "I said, I don't believe this Bill got out of Education Committee."

Colvin: "I didn't present the Bill in committee. It was presented by my colleague, Karen Yarbrough."

Mitchell, J.: "Right."

Colvin: "I'm not aware of the vote that was in committee."

Mitchell, J.: "Yes, it was in Education Committee. Representative Yarbrough... Yarbrough had this Bill in committee."

Colvin: "That's correct."

Mitchell, J.: "And... and I asked the question of her and I'll ask them again of you. This Bill seems to be a mandate on the State Board of Education, not particularly a mando... a mandate on individual school districts. Is that correct?"

Colvin: "Well, I... I think what the Bill does, and calling it a mandate to the State Board of Education, I mean... I think is a little bit of semantics in that it's... it's proper and fitting for the role of the Illinois State Board of Education to develop curriculum that can be passed on to school districts. I don't know if calling it do... asking them to do their job is considered really a mandate."

Mitchell, J.: "But that... that curriculum was then given to the districts to use as they see fit, but..."

Colvin: "As they see fit... as they see permissible."

Mitchell, J.: "But there is no mandate to districts saying you even have to use this curriculum material if they, in fact, have material that they feel is doing the job adequately at the present time. So this basically is curriculum that will strengthen the local district's curriculum if it's needed."

Colvin: "That's correct."

Mitchell, J.: "Okay. So... so basically you're... you're telling the state board you need to prepare this, you need to make

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

41st Legislative Day

4/15/2005

it available, you need to get it to the local school districts so that if they need assistance in teaching the finances of this great state and this nation, then here's some very valuable curriculum material for you to use. Is that how..."

Colvin: "That's correct."

Mitchell, J.: "...how this is suppose to go? Okay."

Colvin: "Representative, correct."

Mitchell, J.: "Have you talked to the state board at all? Are they... are they opposed to this legislation?"

Colvin: "They have not indicated to... at least the original Sponsor had not indicated to me that they were in opposition to the Bill."

Mitchell, J.: "Okay. So..."

Colvin: "I have not personally spoken with the State Board of Education."

Mitchell, J.: "So, as far as you know, they're not in opposition. They may just be neutral on the whole issue."

Colvin: "I didn't hear your question. There was..."

Mitchell, J.: "I said they may just be neutral..."

Colvin: "...a loose cannon on the floor I think."

Mitchell, J.: "...on this whole matter."

Colvin: "Could you repeat that; I didn't hear it?"

Mitchell, J.: "I said they may be just neutral on this whole matter?"

Colvin: "Yes."

Mitchell, J.: "Okay. 'Cause... Well, Ladies and Gentlemen, I don't see this as a curriculum mandate, particularly the individual schools. I see as a mandate to our State Board of Education, which, quite frankly, that's their job is to help with the preparation of curriculum materials. I also see it as a very important need in all of our schools. I

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

41st Legislative Day

4/15/2005

once did an evaluation of a special education teacher that was working on a... on the whole issue in finances and she was actually teaching her special education children how to fill out a check and then how to balance the ledger on the opposite side of the check, how to enter it, subtract it from the total balance, and keep a running balance of the amount of money in that account. I never in all my years saw that in the public... in the regular classroom. So, maybe teachers would welcome curriculum that would help them out in this situation. Since it doesn't say you have to use it, it just says we were told to do this and here it is, it's the best that we can offer. I think it's a pretty good idea. So, I rise in support of this legislation as long as we don't mandate this so that it gets added to Representative Bassi's list, which has gotten too long for her to read at this point and probably will get longer. Thank you, Mr. Speaker."

Colvin: "Thank you."

Speaker Lyons, J.: "Clerk recognizes the Gentleman from Cook, Representative Calvin Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of this piece of legislation. To answer some of the questions that was asked in committee, this Bill was deemed not to be a mandate. It was simply to ask the State Board of Election... I mean, State Board of Education to... to craft a program and if the local districts were to look at that material and deem that that material would fit into their curriculums to educate our children about financial issues, then they will accept that and implement that in their... in their curriculum. Ya know, we just got through going over 2 or 3 years of legislation, various meetings, dealing with the payday loan issue. If we

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

41st Legislative Day

4/15/2005

would have had strong programs such as this in place on con... on a consecutive basis, I'm sure many of the individuals that we've tried to help in the state with the payday loan legislation would have... would have been a little bit more educated about financial issues, would have the proper credit or financial status to deal with any situation, to have a viable and successful lifestyles today. Once again, this legislation is about choice. It's about simply a choice of and a priority that we have in this state, how we're gonna educate our children. Are we gonna give them the educational tools to deal with life, real-life situation. This is one of these pieces of legislation that deals with real-life situation. It's not a mandate. It's optional. And I hope that every school district within... within the state see the merits of this piece of legislation and add factors into their curriculum that will educate our children about financial issues and so that they can live a productable, successful and... and viable lifestyle in this state. Thank you. And I urge for..."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Vermilion, Representative Bill Black. Does not seek recognition. The Chair recognizes the Gentleman from Champaign, Representative Rose."

Rose: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

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

Rose: "This is subject to appropriation, correct?"

Colvin: "It is, Sir."

Rose: "Okay. To the Bill. Ladies and Gentlemen, I rise in strong support of the Gentleman's Bill, here. Frankly, this doesn't go far enough. Every kid in our state oughta have a basic understanding of Econ 101 and 102. They oughta

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

41st Legislative Day

4/15/2005

understand micro and macro. They oughta understand what an annuity is. They want... ought to understand how retirement works. They oughta understand how to balance a checkbook. We don't do enough of this in our schools. This is an extremely, extremely important piece of legislation for the future of our state. If we don't have financially educated students, we're gonna have real problems in Illinois. I would urge a strong, strong 'aye' vote. Thank you, Mr. Speaker."

Speaker Lyons, J.: "Representative Colvin to close."

Colvin: "Thank you, Mr. Speaker. I certainly appreciate the comments that all of my colleagues have made, even those who stood in opposition. I understand your concerns and your issues. To Representative Eddy, I understand and I appreciate the perspective that he... and the light that he brought to this Bill. I also appreciate what Representative Giles had to say. Ya know, on Tuesday we passed here in the Illinois House, House Bill 1100 dealing with payday loans and trying to regulate that business. Ya know, when I graduated at high school in 1982, the bo... and what we learned in high school was how to balance a checkbook, how to open up a savings account. But the fact of the matter is, we live in a much more financially sophisticated society. With payday loans and the problems we've seen in automobile financing, predatory lending in the housing markets. All of these issues didn't exist just 20 years ago. I think, as a result of all of the ways that an individual could find themselves in deep financial trouble, it has become more prevalent today to do something with respect to financial literacy, understanding how to save. The ways to save for the future are far more sophisticated than just having a savings account as it was just 20 years

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

41st Legislative Day

4/15/2005

ago. In light of all of these situations and our markets, I would strongly urge all of us to vote for these... to vote for this Bill, House Bill 2001, and in... and in your school districts strongly urge them to incorporate all the new ways that many of our citizens have found themselves in trouble. I thank you. And I urge you to vote 'yes' on House Bill 2001."

Speaker Lyons, J.: "The question is, 'Should House Bill 2001 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 99 members voting 'yes', 13 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Sangamon, Representative Raymond Poe, for an announcement. Representative Poe."

Poe: "Yeah, Mr. Speaker and Ladies and Gentlemen of the House. If I could have your attention for just a couple of minutes. Representative Brauer and I are very honored to represent Mr. Lincoln's district and he's joined us here for these announcements that we want to tell ya what's gonna happen this weekend in Springfield. We're celebrating the 16th President, the greatest President in history. And I think what we want to stop and remember, this is one of the biggest events that's happened in Illinois in history to open up this Lincoln Library. Just a few things that's gonna happen this weekend. There's gonna be a Lincoln block party. It's gonna start at 10 a.m. and run until 9 p.m. at night. We're gonna have some 20 culinary... court, we're gonna have 20 restaurants from around Springfield featuring the best food. No Poe fried chicken though. Then the

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

41st Legislative Day

4/15/2005

Museum's gonna be open from 9 a.m. to 5 p.m. There's gonna be an arts council for the kids' area. Military band concert, and that's over in front of the Lincoln Home, and there's gonna be a 32 man from the military, and that concert, and for that orchestra, it'll be great entertainment. Children's art exhibit. And then on Sunday the block party continues from 10 a.m. to 9 p.m. and the arts council, the kids' area still there. Children's art exhibit. Taylorville folk art exhibit and in the back we'll still have the... be featuring the food at the food court. Then there'll be a interfaith service of Thanksgiving for Life of Abraham Lincoln. Scholarly Conference Lincoln in the twenty-first century will take place at the... for the 2-day conference. And at this time, Representative Brauer will tell you what's gonna happen then on Monday and Tuesday."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Sangamon, Representative Brauer."

Brauer: "Thank you, Mr. Speaker. I just want to say standing between us we have living proof that Poe's sheet cake was not present here in Central Illinois in the 1860s. On Monday we're gonna have breakfast sponsored by the Abraham Lincoln Association. Unfortunately, it's sold out. We're also gonna have a conference on Lincoln in the twenty-first century; it is also sold out. We're gonna have a re-created Lincoln White House state dinner for a mere \$500 a plate. It is also sold out. But on Tuesday we're gonna have the public dedication. It's gonna start at 10:00 on Union Square Park. So, please join our Governor and other prominent figures at this memorial program signaling the official opening of our Presidential Museum. The 11:00 ceremony will be preceded by a 1-hour concert featuring

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

41st Legislative Day

4/15/2005

music by the 312 Army Band. General admission tickets, I think that if you're interested in getting a ticket, you'll want to contact Senator Bomke's office. They're kind of hard to come by so it... it... it will be a problem. I think there are a lot of those tickets are starting to become scarce. Also, just a note, dedication day security prohibited items will be backpacks, duffel bags, alcohol, glass, glass bottles, coolers. Also weapons of any kind, so leave your Houser, handguns and fingernail clippers at home. Fifty calibers is also prohibited. Umbrellas, mopeds, bicycles, scooters, rollerblades and skateboards are also prohibited. We have great weather forecasted. This is the biggest event in Illinois for over 200 years. We hope to see ya there."

Speaker Lyons, J.: "Thank you, Representative Poe. Thank you, Representative Brauer. Enjoy your wonderful weekend honoring our great President. Congratulations on this Museum becoming a reality. For what reason is State Rep... is Representative Monique Davis seek to be recognized?"

Davis, M.: "A point of personal privilege."

Speaker Lyons, J.: "State your point."

Davis, M.: "Thank you, Mr. Speaker. I just wanted to remind those, especially those who are not from Chicago, that today we celebrate the wonderful birthday of former Mayor Harold Washington of Chicago. Mayor Washington was a Representative in this Body, in the House, before he went to the Senate and then to the Congress and later as the mayor of Chicago. And I know that those who are not from Chicago would welcome the celebration of the birthday of Mayor Harold Washington. Thank you, Sir."

Speaker Lyons, J.: "Thank you, Representative Davis. Mr. Clerk, on page 21 of the Calendar Representative Munson has House

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

41st Legislative Day

4/15/2005

Bill 3273. Representative Munson. Read the Clerk, Mr. Bill. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3273, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Lyons, J.: "Out of the record. On page 21 of the Calendar Representative Sacia has House Bill 3022. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3022, a Bill for an Act concerning liquor. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Winnebago, Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I introduced this as an Amendment to a Bill yesterday. House Bill 3022 is specific for the community of Apple River, Illinois, which is a small community in Jo Daviess County consisting of 371 citizens. The cause of the legislation is 3 years ago Representative Lawfer and Senator Sieben obtained \$125 thousand Illinois FIRST grant for that community to build a fire station. However, the grant was never funded. Accordingly, the community had no choice but to build the fire station due to a dilapidated structure. In so doing, they added a community building to the side of it with the hopes of renting it out for weddings, training purposes for law enforcement and firefighters, and they have incurred a \$12 thousand debt service per year. In their effort to be proactive and not wanting to go to the community and ask for a tax increase with a referendum, they asked if we could get legislation to allow a fire protection district to have an event more than six times a year wherein liquor could be served. Six times a year is the current Illinois liquor regulation. In committee, the Liquor Department (sic-Liquor Control Commission) has no objection

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

41st Legislative Day

4/15/2005

whatsoever to this Bill. They are neutral on it. And I ask for a favorable response. And I would be happy to answer any questions."

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

Parke: "Just a quick a question. Is this a dry county? I mean are we... are we going..."

Sacia: "No."

Parke: "...into some blue law..."

Sacia: "No."

Parke: "...that somebody has?"

Sacia: "Absolutely not, Mr. Parke."

Parke: "So, it doesn't interfere with any other dry ordinances, the city and county?"

Sacia: "None, whatsoever, Sir."

Parke: "Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Knox, Representative Don Moffitt."

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

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

Moffitt: "Representative, did any other groups sign in in opposition or... you said that the Liquor Control Commission was neutral? But no one else signed in, I don't believe, did they?"

Sacia: "Representative Moffitt, as you recall, last night at your recommendation, I called a lady from the... Do you know what is the organization? Maybe you can help me."

Moffitt: "ILCAAAP."

Sacia: "Illinois Church Action. I spoke with a lady this morning. Apparently, their lobbyist, who normally would have talked with me about this, has been ill, and in speaking with this lady, she registered no strong

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

41st Legislative Day

4/15/2005

opposition. She just asked me the question if this would open the door for other fire protection districts to do the same thing. I shared with her that this is a very unique situation in as much as this fire protection district had money promised it by the state, could not get that money due to the state's financial crisis, and that was pretty much where the conversation ended. She did not seem to continue to have any strong opposition to it."

Moffitt: "I appreciate that response, Representative. And it sounds like if the state had lived up to its obligation, lived up to its commitment, what had already been promised them, we wouldn't even be talking about this Bill."

Sacia: "You're absolutely correct, Representative."

Moffitt: "Thank you."

Speaker Lyons, J.: "Seeing no further questions, the question is, 'Should House Bill 3022 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 69 Members voting 'yes', 44 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar Representative Robin Kelly has House Bill 2593. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2593, a Bill for an Act concerning transportation, which may be referred to as the Dorian Riley Law. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognized the Lady from Cook, Representative Kelly."

Kelly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2593 amends the Illinois Vehicle Code and the State Finance Act. This Bill is also known as Dorian

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

41st Legislative Day

4/15/2005

Riley's Law. This Bill seeks to require that ambulances are equipped with traffic control signal preemption devices. It stipulates that in Cook County ambulances owned or operated by municipalities of less than 500 thousand must be equipped with a preemption device if they travel on roadways where the lights are equipped with the necessary technology to respond to the device. In counties under 2 million, ambulances owned or operated by municipalities greater than 50 thousand must be equipped with a preemption device if they travel on roadways where the lights are equipped with the necessary technology to respond to the device. The Bill also establishes a new state fund that can be used to administer the grants to municipalities so they can meet the provisions of this Act. This Bill is subject to appropriation. The language allows a fund to receive private gifts and donations. And I have been working closely with the Department of Public Health to help me identify possible funding sources as well as the father of the young man who the Bill is named after who lost his life. We think it'll cost about \$100 thousand to equip the ambulances that need the equipment. I can answer any questions."

Speaker Lyons, J.: "Is there any discussion from the floor? The Chair recognizes the Lady from Cook, Representative Mulligan."

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

Speaker Lyons, J.: "She indicates she will."

Mulligan: "If... if the vehicle is equipped with the emergency device signal, doesn't the traffic light also have to be? And they're fairly expensive. Our communities have asked, in years gone by, when we had community project money and other things for... to have the devices and they would only do

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

41st Legislative Day

4/15/2005

limited intersections because it cost so much per intersection and they were fairly expensive. So, even if it's in the vehicle, doesn't it also have to be on the intersection?"

Kelly: "No, Representative. This is for vehicles that travel through... on the roadways that already have the signal, the opticom signal. And that... what happened to the young man, he was traveling on a roadway or the ambulance was traveling on a roadway that already has the lights. They just didn't have the technology in their vehicles. So, I'm not asking for those who don't already have the signal to put them up because I know it's expensive. This is just a beginning of... at least ambulances who travel on roads that already have the light that they have the technology."

Mulligan: "All right. So, it would be in the vehicle and it would only... it would not require that each community have the octagon (sic-opticom) signal? And you're..."

Kelly: "No. I know it's very expensive."

Mulligan: "...you're assuming that it would just work in the areas where there already was those devices on the traffic lights too."

Kelly: "Correct. Because this ambulance didn't have it already, it ran into the young man, who was turning green, and the ambulance was trying to take someone to the hospital. And they didn't have it because they didn't have the money."

Mulligan: "Okay. Thank..."

Kelly: "To have the technology in the ambulance."

Mulligan: "All right. Thanks."

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

Kelly: "First of all, I wanted to thank staff and Representative Hoffman for helping me so much with this Bill. I really

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

41st Legislative Day

4/15/2005

appreciate it. We lost a great young man in my district that Representative Scully and myself knew and other Representatives here know his father and family. And anything that I could do or we could do to help prevent this tragedy from happening again, I'd like to see done. So I ask for an 'aye' vote. Thank you."

Speaker Lyons, J.: "The question is, 'Should House Bill 2593 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 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar Representative Flowers has House Bill 2451. Representative. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2451, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Mary Flowers."

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Soon as I find the Bill. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2451 is the result of discussions between the Attorney General's Office and the Illinois Retail Merchant Association. After working with the Attorney General on this Amendment, the Retail Association has removed any opposition that they had to this Bill. This bipartisan Amendment amends the Pharmaceutical Practice Act of 1987 to ensure consumers the right to compare shopping for the best price for their prescription. The Amendment provides that upon request, or either made in person or by telephone, a pharmacist must disclose the

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

41st Legislative Day

4/15/2005

current retail price of any brand or either generic prescription drug or any type of medical device that the pharmacist may offer for sale. And I'll be more than happy to answer any questions you may have on House Bill 2451."

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

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

Speaker Lyons, J.: "She indicates she will."

Parke: "With the Amendment 1, are the Illinois Pharmacists Association neutral now? Or are they in opposition?"

Flowers: "I haven't heard anything since the Amendment has been put on from the pharmacists at all. So, I cannot answer that one way or the other."

Parke: "Well, it says that they may be neutral as amended. And I'm just curious if..."

Flowers: "Well, maybe that's what they are. But again..."

Parke: "But you don't know?"

Flowers: "...I have not posed any opposition, nor otherwise."

Parke: "Thank you, Representative."

Speaker Lyons, J.: "Any further discussion? Seeing none, the question is, 'Should House Bill 2451 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 113 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 19 of the Calendar Representative Saviano has House Bill 1031. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1031, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

41st Legislative Day

4/15/2005

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

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 1031 as amended is a Bill which will create a Division VI in the Pharmacy Act to allow for off-site review of prescriptions. It's a growing trend in this... in this state and as well as across the country. The Illinois Pharmacy Association show that they're opposed, but we're... we're gonna work with them in the Senate to add their Division VI if we can get all the parties to come together. We've been working on this matter for the last year. And I think it's a great piece of legislation. And I would ask for your favorable vote."

Speaker Lyons, J.: "Is there any discussion on the floor from House Bill 1031? Seeing none, the question is, 'Should House Bill 1031 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 109 Members voting 'yes', 4 people voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 10 of the Calendar Representative Flider has House Bill 2388. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2388, 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. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2388, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes Representative Flider."

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

41st Legislative Day

4/15/2005

Flider: "Mr. Speaker, I believe I have House Amendment #1 that needs to be adopted."

Speaker Lyons, J.: "Representative, that... Amendment #1 was adopted in committee."

Flider: "Okay. So, it's been on... added on to the Bill?"

Speaker Lyons, J.: "It's good to go."

Flider: "Okay. Thank you. Ladies and Gentlemen of the House, House Bill 2388 is a Bill which is designed to increase the use of ethanol and now, with the Amendment, biodiesel fuel. The Amendment as adopted would reflect the interagency working groups environmentally preferable purchasing program, which calls for an increased use of ethanol, which the state is already meeting. But in addition to that, adds the requirement that state fleets, which use diesel, would... that 2 percent of the fleets would use diesel. So, this is a piece of legislation that is good for our farmers. It's good for agriculture, and it's good for our environment, and it helps reduce our reliance on foreign oil. And I'd... I would ask for your support."

Speaker Lyons, J.: "Is there any discussion on House Bill 2388? The Chair recognizes the Gentleman from Macon, Representative Mitchell."

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

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

Mitchell, B.: "Representative Flider, you and I both represent Macon County and agriculture is certainly is important as is ethanol production. There's thousands of jobs in our area that rely on ethanol. Could you kind of explain to the Body exactly what is E85."

Flider: "E85 is a fuel in which 15 percent of the fuel actually comes from ethanol."

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

41st Legislative Day

4/15/2005

Mitchell, B.: "Thank you. One of the things that... I used to work for the Edgar administration and at the time, E85 vehicles, I drove one. We had an E85 pump here in Springfield at the motor pool. Do we still have those at CMS motor pools?"

Flider: "Well, I can't tell ya specifically what or where we have E85 pumps. But what I know is that we are currently meeting the requirement that 10 percent of our vehicles are using E85 fuel."

Mitchell, B.: "I... I just... just for my knowledge would like to know if like... I know, I think, they closed the motor pool here at Sangamon County. And I was wondering if they took out the E85 because at the mo... CMS motor pools, that's where you used to get 'em is get 'em here in Springfield and Champaign. And I was wondering if they still have them there?"

Flider: "Well, I... I don't know the answer to that question. And what I know is that this legislation is designed to ensure, like many other pieces of legislation that have passed out of this chamber this year, designed to promote the use of E85 fuel. And where those pumps are located, I am not specifically aware of. I do... I did read in the newspaper, however, either yesterday or today that..."

Mitchell, B.: "It's in today's paper."

Flider: "...there is a new... Pardon me?"

Mitchell, B.: "It was in today's paper."

Flider: "Today's paper, that there is a station in Lincoln, Illinois, which will have E85."

Mitchell, B.: "In Lincoln, that Representative Brauer and I represent. That's correct. Well, I appreciate that."

Flider: "Yes."

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

41st Legislative Day

4/15/2005

Mitchell, B.: "I was gonna... I was gonna give that plug, but, Bob, you beat me to it."

Flider: "Oh, I'm sorry. I didn't mean to do that."

Mitchell, B.: "That's all right. Representative, it's a good Bill. I urge the House to support it."

Flider: "Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Knox, Representative Don Moffitt."

Moffitt: "Thank you, Mr. Speaker. Just to the Bill. Certainly, I think this is a Bill that's gonna receive lots of support. I commend the Sponsor for the work he's done on this. This is certainly the direction we need to be going. Agriculture is our number one industry. I noticed the station in Springfield this week that has E85 and it was \$1.69.9, \$1.69.9 at a Springfield station for E85. This is what we need more of. Congratulations. I commend you for what you're doing here and proud to join with ya. It's a great Bill."

Speaker Lyons, J.: "Gentleman from Crawford, Representative Eddy."

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

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

Eddy: "Thank you very much. One quick question that was asked of me and I'm not... I'm still searching for the ans... answer for Representative Mitchell. How many... how many bushels of corn does it take to... to create a gallon of ethanol fuel? And I only ask because I wasn't able to answer it and I was hoping you would be able to enlighten us. Representative Stephens is gesturing with hand signals to try and give you clues. But... but actually, if we can just all look for that answer and at some point or another, someone bring the

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

41st Legislative Day

4/15/2005

correct... correct answer back to the Body, I'd be appreciative, Representative."

Flider: "Thank you, Representative. Ya know, I do recall reading that... I do recall reading that information somewhere and particularly, it came to us from the Illinois Farm Bureau. However, off the top of my head, I just can't remember those statistics. But that's something we should be better versed on and we should know that off the top of our heads as people who represent the agricultural industry. So, kudos to you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Bond, Representative Ron Stephens."

Stephens: "According to my gesture, it must be just one row."

Speaker Lyons, J.: "Representative Flider to close."

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As my colleague, my righteous said, this is a good Bill. I'd appreciate your vote."

Speaker Lyons, J.: "The question is, 'Should House Bill 2388 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Flowers, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 18 of the Calendar Representative Giles has House Bill 666. Representative Giles. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 666, a Bill for an Act concerning revenue. Third Reading of this House Bill."

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

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

41st Legislative Day

4/15/2005

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 666, please do not mistaken the number for the material that's in the legislation. It's a good piece of legislation. What it actually does is regulate private buying and selling of the scavenger sales tax certificate. And we went over some of... in the Amendment, adopting the Amendment, we went over some of the benefactors. But the main benefactor that I have for the legislation is to make sure that the scavenger sales is... is... is more effective in... in impoverish and blighted neighborhoods. This legislation will also allow for the transfer of the scavenger sales certificate. We will stop fraud in this actual process. And we will balance the need to keep the neighborhoods free of blighted in economically depressed communities. I ask for this passes of the legislation and willing to ask... answer any question. Once again, we resolved some of the conflict we had with the Chicago Bar Association. So, now we have the support of the Chicago Bar Association, the Cook County Treasurer, the Cook County Clerk, the Cook County State's Attorneys Office, as well."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from DuPage, Representative Bob Biggins."

Biggins: "Thank you, Mr. Speaker. I just rise in support of the Gentleman's Bill. It's one we've worked on together and as he mentioned in listing his supporters and sponsors, it's a very good Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from Will, Representative Renee Kosel."

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

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

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

41st Legislative Day

4/15/2005

Kosel: "As I look through this particular piece of legislation, it only deals with the City of Chicago, is that correct?"

Giles: "That's correct."

Kosel: "And we're giving you authority to tax within the City of Chicago, correct?"

Giles: "That's correct."

Kosel: "Recently, I remember, since I've been down here when we gave the City of Chicago the authority to tax for the Bear statement... Stadium and I was absolutely shocked when I went into Chicago and had a hotel bill and saw that the hotel bill, the tax, which was sizable that Chicago asked for, was listed as a State of Illinois tax. Will this be listed as a State of Illinois tax if we give authority or will it be listed as a Chicago tax?"

Giles: "Representative... Representative, this will be listed as a Cook County tax. It's dealing with the scavenger sale. I think we're talking about, in essence, we're talking about apples and oranges here. This is a program that has... that we've administered in the City of Chicago, so it will just simply be a scavenger sale ta... dealing with the scavenger sale tax certificate."

Kosel: "Well, I guess I took particular offense at the fact that the city asked us to do something and then blamed us for it."

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

Giles: "Thank you, Mr. Speaker. I'd simply urge for the..."

Speaker Lyons, J.: "The question is, 'Should House Bill 666 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?"

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

41st Legislative Day

4/15/2005

Have all voted who wish? Representative... Mr. Clerk, take the record. Representative Colvin. Representative Giles."

Giles: "Thank you, Mr. Speaker. I was hoping that people didn't look at the number of the Bill and simply... there was an agreement made. At this time, I ask for Postponed Consideration."

Speaker Lyons, J.: "On the request of the Sponsor, we will put it on Postponed Consideration. Mr. Clerk, on page 21 of the Calendar... The Chair recognizes Repre... Representative Sacia, for what reason do you rise?"

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

Speaker Lyons, J.: "Proceed, Representative."

Sacia: "If I could direct this to Representative Eddy and others that asked the question earlier. I just got off the phone with Mr. Phil Lampert, the director of the National Ethanol Vehicle Coalition. Every bushel of Illinois corn makes 2.8 gallons of ethanol."

Speaker Lyons, J.: "Thank you for that information. Appreciate that, Representative Sacia. Mr. Clerk, on page 21 of the Calendar Representative Biggins has House Bill 3066. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3066, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from DuPage, Representative Bob Biggins."

Biggins: "Yes, I... just be with ya one second, if I may, Mr. Speaker. Thank you, Mr. Speaker. Yeah... This Bill is regarding a TIF district that's been... regarding the... Township of Liden in Cook County. And my consultant on the Bill will be assisting me in a second."

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

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

41st Legislative Day

4/15/2005

Saviano: "Yes, Mr. Speaker. The House will remember yesterday I put the Amendment on. This allows the township with the approval of the county board to set up a TIF district within the unincorporated area for the purpose of spurring economic growth. It only affects the county... the townships in Cook. And I would ask for a favorable vote."

Speaker Lyons, J.: "Any discussion on House Bill 3066? Seeing none, the question is, 'Should House Bill 3066 pass?' 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 111 Members voting 'yes', 1 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Verschoore, for what reason do you rise?"

Verschoore: "Mr. Speaker, on the previous vote, I hit the wrong button. I wanna re... be recorded as a 'yes' vote."

Speaker Lyons, J.: "The Journal will so reflect. Mr. Clerk, on page 3 of the Calendar Representative John Bradley has House Bill 730. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 730, the Bill has 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 17 of the Calendar Representative Mary Flowers has House Bill 250. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 250, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Mary Flowers for House Bill 250."

Flowers: "Thank you, Mr. Chairm... Mr. Speaker and Ladies and Gentlemen of the House. House Bill 250 merely talk about

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

41st Legislative Day

4/15/2005

the publication of the lunch menu. States that all school boards are strongly encouraged to publish the school lunch menu and the nutritional contents, including the calories of each meal. And I'll be more than happy to answer any questions you have in regards to House Bill 250."

Speaker Lyons, J.: "Is there any discussion on House Bill 250? Seeing none, the question is, 'Should House Bill 250 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Schmitz, you care to be recorded? Mr. Clerk, take the record. On this Bill, there are 108 Members voting 'yes', 2 members voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 18 of the Calendar Representative Saviano has House Bill 873. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 873, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 873 as amended is a culmination of about six months' worth of negotiation to get a handle on Internet sales... resales of concert entertainment tickets and spor... also for sporting events. I commend everybody that was involved in this. I think we've put in the consumer protection measures that were needed. There's registration requirements for eBay, for Ticketmaster, for StubHub, all under the same guise of the Illinois Scalping Act, which requires a refund policy outside of the credit card companies. All of the same consumer protection provisions that we have in the

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

41st Legislative Day

4/15/2005

Illinois Scalping Act, which we passed 10 years ago. And with that, I would ask for your approval."

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

Parke: "Thank you, Mr. Speaker. We have some legislative intent that we would like to read into the record. Representative Saviano, the Bill contains a provision that essentially states that if a ticket seller sells a ticket to a Chicago event on eBay, eBay will automatically publish a prompt on its website that informs the ticket seller of their obligation to pay the City of Chicago amusement tax. What I would like to know, Representative, is what eBay will do if the person selling tickets on eBay's website habitually fails to remit and collect the city's tax or sets up false user names to try and avoid its obligation to the city?"

Saviano: "Go ahead."

Parke: "Has eBay and other web operators, like sub hub (sic-StubHub) and Ticketmaster, committed to suspend or terminate a ticket seller's privilege if they have been informed that the ticket seller habitually fails to remit and collect the city tax or sets up false user names to try and avoid its obligation to the city? Please provide me with an answer to this question for legislative intent purposes."

Saviano: Thank you, Representative Parke. As you correctly pointed out, the Bill states that if a ticket seller, for example, sells Chicago event tickets on eBay, eBay will automatically inform the ticket seller of their obligation to collect and remit to the City of Chicago's amusement tax. If the City of Chicago becomes aware of an eBay user or specific group of eBay users who are habitually failing to remit and collect the city's tax or avoiding their obligations through false user names, then the Bill gives

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

41st Legislative Day

4/15/2005

the city the right to obtain from eBay that user's real name, address and transaction history upon submitting a specific request to eBay. From this information, the city may pursue whatever legal action it deems necessary to collect any back taxes or prosecute the user or users for fraud. In addition, if the city has confirmed and informed eBay in writing that a user or a group of specific users have been habitually skirting their obligations, then eBay, StubHub and Ticketmaster have committed, throughout the process of negotiating this Bill, to suspend or terminate that user or users' privileges."

Parke: "Representative Saviano, thank you for answering that question. As you correctly point out, the Bill states that if a ticket seller, for example, sells Chicago tickets on eBay, eBay will automatically inform the ticket seller of their obligation to collect and remit the City of Chicago's amusement tax. If the City of Chicago becomes aware of an eBay user or specific group of eBay users who are habitually failing to remit and collect the city's tax or avoid their obligation through false user names... Oh. Thank you. And that's what's good about it. Now, Representative Saviano, one of the Bill's final provisions is the severability clause. Is it the intent of the General Assembly to make House Bill 873 a severable Act of the General Assembly if any provisions, for example, Section 1(b) is found unconstitutional under State or Federal Law or preempt... preempted under Federal Law?"

Saviano: "Yes, Representative Parke. After conferring with the future Chief Senate Sponsor of House Bill 873, Senator Harmon, and the Bill's corresponding House sponders... Sponsors, it is clear that this General Assembly intends for House Bill 873 to be a severable Act should a court

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

41st Legislative Day

4/15/2005

determine that any Section or subdivision of any Section violates State or Federal Law or is preempted under Federal Law. In other words, if a court decides that Section 1(b) of the Bill is violative of the State or Federal Constitution or is preempted by Federal Law, then all remaining Bill Sections and subdivisions of any Section of House Bill 873 will remain in full effect. As guidance, any court that may visit the issue of severability for this Act, we, the General Assembly, believe and it is our intent that the court would sever the unconstitutional provision in accordance with the general severability provision provided in Section 1.31 of the Illinois Statute on Statutes 5 ILCS 70/1.31. In addition, let me clarify that no Section or subdivision of any Section of this Bill is intended to be mutually connected with, independent upon, each other as to warrant the belief that the Legislature intended such Sections or its subdivisions under this Act to do only... to only exist as a whole. Therefore, we want to make it clear that the General Assembly would've passed this Act even if the latter invalidated provision or provisions were absent from House Bill 873. Thank you, Representative Parke."

Speaker Lyons, J.: "Seeing no further questions, the question is, 'Should House Bill 873 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 105 Members voting 'yes', 5 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 19 of the Calendar Representative Art Turner has House Bill 1662. Read the Bill, Mr. Clerk."

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

41st Legislative Day

4/15/2005

Clerk Mahoney: "House Bill 1662, a Bill for an Act concerning local government. Third Reading of this House Bill."

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

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. House Bill 1662 merely tells the satellite dish companies that as... that they have a responsibility to remove disks either from... from the locations that they put 'em when people discontinue services. Right now, there's a clause where if you don't take a part off of a disk as it sits up on your roof, you are indeed charged by the satellite company. And this says that they are the ones that have the obligation to remove not only that part but the disk and any other equipment from your property once you discontinued service there. And I move for the adoption of House Bill 1662."

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

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

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

Fritchey: "Representative, just a practical question here. If I or somebody else buys one of these dishes and has it installed up on the building, then when I leave... really, what right does the satellite company have to come in and take it... we're requiring them to do it, but they don't necessarily have a right to go on that property. What happens in cases of liability, things along those lines? You want me to repeat that?"

Turner: "Yeah. You said if you bought the disk?"

Fritchey: "If... if I bought it, it's mine."

Turner: "Right."

Fritchey: "And I put it on a building where I am living."

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

41st Legislative Day

4/15/2005

Turner: "Right."

Fritchey: "I move out."

Turner: "Right."

Fritchey: "We're requiring the company to come in and remove the dish."

Turner: "No. Because you own the dish. You bought it."

Fritchey: "Correct."

Turner: "And that's a different situation. I'm talking about in a situation where I had a constituent who has a lease agreement with the dis... with the disk company. They decided to go from disk to cable. The disk actually belongs to the provider and not to the owner, the individual."

Fritchey: "Okay. I'm looking at our summary and it says here and applies to dishes that were purchased or leased."

Turner: "The... the intent is to deal with the lease dish."

Fritchey: "Solely."

Turner: "That... because... solely with the lease dish."

Fritchey: "Oh. Okay. That... that makes sense. Thank you."

Turner: "Right. Okay."

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

Turner: "Thank you, Mr. Speaker. And I just move for the adoption of the Bill."

Speaker Lyons, J.: "The question is, 'Should House Bill 1662 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 108... 107 Members voting 'yes', 0 voting 'no', 3 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 18

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

41st Legislative Day

4/15/2005

of the Calendar Representative Flowers has House Bill 644.
Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 644, a Bill for an Act concerning
imprisonment. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook,
Representative Mary Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House. House Bill 644 grant compensation to anyone that is
released from prison in this state because their convictions
were based on erroneous evidence or because new evidence is
found and proved that they were innocent. And I would ask
for an 'aye' vote in regards to House Bill 644."

Speaker Lyons, J.: "Is there any discussion on House Bill 644?
Seeing none, the question is, 'Should House Bill 644 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 67 Members
voting 'yes', 41 Members voting 'no', 1 Member voting
'present'. This Bill, having received the Constitutional
Majority, is hereby declared passed. For what reason does
Representative Turner seek recogni... recognition?"

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
Assembly. I know that we'll be leaving today and Members
will be taking a break within the next week. I just wanted
to remind this Body that on May the 11th, the annual House-
Senate softball game will be played and Representative
Osterman has reminded me to tell the Members that when they
come back next week, they should bring their practice
clothes so that we can avoid hamstring injuries and all
those other things. So, we wanna start early, guys. It's
less than a month away. And if we start out ahead of time,

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

41st Legislative Day

4/15/2005

so bring your gym shoes and bring your practice equipment so that we can start up next week when we're back in Session. Thank you."

Speaker Lyons, J.: "Mr. Clerk, on page 21 of the Calendar Representative Joyce has House Bill 3045. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3045, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

Joyce: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3045 is a... the end product of negotiation between the Plumbers Local 130, the nurserymen, the irrigators, the Plumbing Contractors of Illinois, the Plumbing Council of Illinois and the pipe fitters. I know of no opposition. I'd be happy to answer any questions."

Speaker Lyons, J.: "Is there any discussion from the floor on House Bill 3045? Seeing none, the question is, 'Should House Bill 3045 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... Representative Biggins. Take... take the record. On this, there's 108 Members voting 'yes', 2 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Joyce also has House Bill 483 on page 18 of the Calendar. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 483, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lyons, J.: "The Gentleman from Cook, Representative Joyce."

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

41st Legislative Day

4/15/2005

Joyce: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 483 we amended yesterday to clear up some points on personal information that may or may not have been exempted in the original Bill. What's happened is this regard... this is in regards to settlement agreements that usually end up in the courts and are always released by a judge. House Bill 483 would end this needless litigation for people to file Freedom of Information Act request to gain all the information regarding settlement agreements. And again, I state that any personal information, Social Security information, has... will be redacted from these FOIA requests. 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, we discussed this Bill before as an Amendment and we were concerned about the personal information. Somebody wants that information, what do they have to give? All they have to do is, what? Give there name now?"

Joyce: "That's correct. The name and the amounts of what the..."

Parke: "And the amounts of the contract."

Joyce: "The settlement, yes. The contract settlement agreement."

Parke: "Okay. To the Bill. Ladies and Gentlemen, there... we... you have a dilemma here. The dilemma is that if you vote for this Bill you are therefore telling the municipal government or any of the public entities that if they've settled a lawsuit, upon request, they have to disol... divulge what the lawsuit was about, how much money was paid by that entity to settle the suit. Now, on the other hand, the

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

41st Legislative Day

4/15/2005

press says that this is a... a matter of freedom of press. And that this information is something that is public information because after all you're using public dollars to pay for it. Therefore, that's the dilemma. Because sometimes municipal governments might very well settle something because they just don't wanna have to take it to court because of the litigation costs and everything. My concern is that it develops a threshold. Now, all of a sudden, it's a basis of other suits. So, if a municipal government settles for 50 thousand, that becomes the base for any other suits that are solved. And the attorney on a new lawsuit might very well say, 'Well, we're gonna start at 50 because that's what they paid last time.' It's a dilemma. I understand what the Sponsor's trying to do. It is a freedom of information. The press feels very strongly that they... this is... this is taxpayer dollars that they should have that information. Ladies and Gentlemen, I shall leave it up to you."

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

Joyce: "Thank you, Mr. Speaker. And thank you to the previous speaker. As he said, these are public dollars. The public does have a right to know what those dollars are being spent on. And I think this simply clarifies that settlement agreements are public documents accessible to the public because they are paid for with taxpayer dollars. And this would eliminate needless litigation, needless additional tax dollars to go to the courts in order to gain the access to these documents and... and... and in every case before, the courts have always ruled to release these documents anyways. I'd appreciate an 'aye' vote."

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

41st Legislative Day

4/15/2005

Speaker Lyons, J.: "The question is, 'Shall House Bill 483 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Collins. Mr. Clerk, take the record. On this Bill, there are 108 Members voting 'yes', 2 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 15 Representative Pat Lindner has House Bill 3462. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3462 has been read a second time, previously. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3462, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Lyons, J.: "Representative Lindner."

Lindner: "Yes, thank you, Mr. Speaker. This Bill amends the Water Well and Pump Installation Contractor's License Act and the Illinois Water Well Construction Code. It is an agreement between the Department of Public Health and the Illinois Groundwater Professionals, and it changes some definitions to comply with new drilling of wells in subdivisions and a new process and defines that process."

Speaker Lyons, J.: "Representative Lindner, are you done and finished? Any questions on House Bill 3462? Seeing none, the question is, 'Should House Bill 3462 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 36 Members voting 'yes', 73 Members voting 'no', 1

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

41st Legislative Day

4/15/2005

Member voting 'present'. This Bill, having failed to receive the Constitutional Majority, is hereby declared lost. Representative Lindner."

Lindner: "...Postponed Consideration."

Speaker Lyons, J.: "Representative, you need 47 votes for Postponed Consideration."

Lindner: "Sorry. Okay."

Speaker Lyons, J.: "Sorry, that request is denied. Mr. Clerk, on page 21 of the Calendar Representative Connie Howard has House Bill 3650. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3650, a Bill for an Act concerning telecommunications. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Connie Howard."

Howard: "Thank you, Mr. Speaker. Colleagues, this is my digital divide elimination Bill for this term. The fact is that we're still trying to catch up; we're still trying to make certain that all of the people in our state have access to computer technology and the Internet. So, this Bill, which is a... which is... was helped... which I got... crafted with the help of the Department of Economic Opportunities... Commerce and Economic Opportunities just calls for the appointment of two additional members to the Digital Divide Advisory Committee and also creates the Digital Divide Elimination Working Group. These two groups are gonna continue to work to try to make certain that we are covered across the state. They're gonna look to see where we are lacking and make certain that we fill those holes. I ask for your support."

Speaker Lyons, J.: "Are there questions on House Bill 3650? Seeing none, the question is, 'Should House Bill 3650 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish?"

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

41st Legislative Day

4/15/2005

Have all voted who wish? Have all voted who wish?
Representative Jenisch, would you like to be recorded? Mr.
Clerk, take the record. On this Bill, there's 110 Members
voting 'yes', 0 voting 'no'. This Bill, having received the
Constitutional Majority, is hereby declared passed. Mr.
Clerk, on page 17 of the Calendar Representative Joyce has
House Bill 481. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 481, a Bill for an Act concerning
criminal law. Third Reading of this House Bill."

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

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. House Bill 481 will forbid the implanting of eye
jewelry into the eyeballs of any individual throughout the
State of Illinois. And I simply request an 'aye' vote and
happy to answer any questions."

Speaker Lyons, J.: "Is there any discussion from the floor?
Seeing none, the question is, 'Should House Bill 481 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... Mr. Black. Representative Lindner. Representative
Leitch. Representative Bost. Mr. Clerk, take the record.
On this Bill, there are 110 Members voting 'yes', 0 voting
'no'. This Bill, having received the Constitutional
Majority, is hereby declared passed. Mr. Clerk, on page 24
of the Calendar Representative Eddy has House Bill 402.
Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 402 is on the Order of Consideration
Postponed."

Speaker Lyons, J.: "The Gentleman from Crawford, Representative
Roger Eddy."

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

41st Legislative Day

4/15/2005

Eddy: "Thank you very much, Mr. Speaker. This Bill is not, wanna repeat, not a fee increase. This Bill... this Bill is a waiver process change. It allows schools districts... it allows school districts to charge a fee for driver's education of up to \$250. The... the current... the current fee, which has never been denied by this chamber in the past, allows for... allows for school boards to request a waiver from the State Board of Education. This Body approved a \$400 fee last year for driver's education in the waiver process. All this does is eliminates a layer of bureaucracy and allows local boards of education to make a decision that they should make and that we as a Body should allow them to make. Thank you. I... I would appreciate an 'aye' vote and be ready to answer any questions."

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

Fritchey: "Thank you, Ladies and Gentlemen. Speaker, I rise in support of the Gentleman's Bill. It's easy to have a knee-jerk reaction if you don't really pay attention to what a Bill like this does. He's right; it's not a fee increase. As a matter of fact, it places a cap on the amount that can be charged for driver's ed. When the schools have come to us, as they do every year on this, we have done it without fail, we've approved these waivers. This places a cap on how much they can seek from us. It will actually save us work down the road; it will save paperwork and bureaucracy down the road. Please look beyond the knee-jerk reaction. This actually is a good piece of legislation. Thank you."

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

Parke: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Bill. Originally... originally, I thought it was

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

41st Legislative Day

4/15/2005

a fee increase. And actually what it is is that it... it's doing... it's no more than what they have allowed the school districts to do in the past. Now, he is trying to streamline it, and I think that it's a good piece of legislation."

Speaker Lyons, J.: "The Gentleman from McHenry, Representative Jack Franks."

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

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

Franks: "I'm just... when's the last time the Republican side had the trophy? Do you know?"

Eddy: "Today."

Franks: "Today."

Eddy: "It passed through."

Franks: "I see. I see. Well, I heard what previous speakers had said and they say it's not a fee. But currently, the school places a cap at \$50 on the driver's education fee, correct?"

Eddy: "That is the limit in... by law. However... however, all school..."

Franks: "Unless there's a waiver."

Eddy: "...all school districts can request a waiver of that fee. This General Assembly and the State Board of Education has never denied that waiver, ever, including a waiver last year of up to \$400. And everybody in this Body, technically, voted to allow when we did not deny those waivers. So, what this does is actually it takes out of play a whole bureaucratic paperwork procedure that really shouldn't be necessary. What we tried to do was pick an amount that was reflective of what most fee increases have been requested and try to make it fair. And it is indeed a cap for school districts more than it is an increase."

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

41st Legislative Day

4/15/2005

Franks: "No, I... I understand you're very serious about this. But... but as I read it, the cap now is 50 unless we do something extraordinary and provide a waiver. What you're trying to do now is to move the cap from \$50 to \$250. Would that be correct?"

Eddy: "That's accurate. That's accurate."

Franks: "Okay. Well, I appreciate your forthrightness on this and I know you're very serious. But I just think it's an extraordinary measure to raise the fee by 500 percent. And... and that..."

Eddy: "Representative, we're not raising the fee by 500 percent."

Franks: "No, to allow... to allow the schools to charge..."

Eddy: "Local decision."

Franks: "Right. But I just think it's... it's too rich for my blood. So, for that reason, I'll be... be voting 'no'."

Eddy: "I would re... I would recommend that in your district that you make that known to the local board of education that would set that fee."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Lee, Representative Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. My esteemed colleague, the superintendent, has... really has a pretty good plan. Unbeknownst to many of you, including the former speaker, he has already voted for a fee increase even higher than \$250. In fact, there was one school district that requested \$400, and that passed unanimously in this chamber. This simply lowers the cap from that \$400 fee to 250. It also creates a sit... a situation where school districts will not spend as much money going through the waiver process, spending our time trying to decide whether to approve or disapprove those waivers, and takes it off the waiver list that the state

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

41st Legislative Day

4/15/2005

board sends to us. Ladies and Gentlemen, this is not a fee increase. This is a fee stabilization. Now, you can vote against it if you want, but you're not voting against an increase. You're voting against a decrease. I urge an 'aye' vote. Thank you."

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

Giles: "Thank you, Mr. Speaker. The Sponsor of the Bill is correct; this is not a fee increase. This is a very serious piece of legislation. We have debated this Bill extensively in the Elementary & Secondary Education Committee and what we're trying to do... I'd look at this measure as a proaction measure in which we're trying to make sure that the various individuals that provide driver's education do not extend the amount of fee that we have placed on here. And so, we... we're trying to proact. We're trying to make sure that this program is not eliminated because if this program is eliminated, each and every school district's gonna... is going to call their Legislators and say this is a very important program and now we will be trying to find dollars and appropriate dollars in trying to find dollars from the general revenue budget in order to make up this program. So, as we continue to talk about a fee, this is a very important piece of legislation that we must pass."

Speaker Lyons, J.: "Representative Roger Eddy to close."

Eddy: "Mr. Speaker, I was wondering if it's possible to take the word 'fee' off the board. I think it's... it's too much of a visual reminder and... In all seriousness, Representatives of this Body, a similar Bill passed the Senate 59-0. This is an important issue that does exactly what we should be here to do and that's eliminate the bureaucracy that we face at times, to place local control for these types of decisions

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

41st Legislative Day

4/15/2005

where it should rest, and that's with the local boards of education. And I would certainly appreciate an 'aye' vote on this and... and hope that all of you will realize what this Bill actually does. Thank you."

Speaker Lyons, J.: "After thorough discussion, the question is, 'Should House Bill 402 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? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 44 Members voting 'yes', 64 Members voting 'no'. This Bill, having failed to get the Constitutional Majority, is hereby declared failed. Mr. Clerk, on page 19 of the Calendar Representative Mendoza has House Bill 1197. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1197, a Bill for an Act concerning health. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Susana Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1197 is an important Bill. What it does is that today in Illinois it is legal to use electric shock in community programs for individuals with developmental disabilities. What House Bill 1197 looks to do is to look at better options for our disabled. In Illinois today, the use of aversive techniques, such as, as I mentioned, electric shock and other aversive techniques are legal. House Bill 1197 would prohibit the use of electric shock and create a committee that would write rules regarding the use of aversive techniques in community programs that serve individuals with developmental disabilities. House Bill 1197 applies to people with developmental disabilities in

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

41st Legislative Day

4/15/2005

community-based residential programs who exhibit behaviors such as being self injurious, who may assault others, or who may damage property. And oftentimes, as we know, people who exhibit these behaviors significantly limit their ability to live in community... in communities and participate in community services. So, this legislation would basically require an individualized behavioral support plan that's based upon a functio... functionalized, I'm sorry, behavioral assessment for individuals who exhibit these type of behaviors, but it would only permit the use of nonaversive behavioral support, except as allowed by the Mental Health and Developmental Disabilities Code. This is an agreed upon Bill. The Department of Human Services and many others are behind it. And today I would ask for your support as well."

Speaker Lyons, J.: "You've heard explanation of House Bill 1197. Is there any discussion? Seeing none, the question is, 'Should House Bill 1197 pass?' All 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? Delgado. Representative Kelly. Robin, you want to be recorded? Mr. Clerk, take the record. On this Bill, there are 109 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar Representative Mautino has House Bill 2613. Read the Bill, Mr. Clerk. Representative Mautino in the chamber? 2612. On page 20 of the Calendar is House Bill 2612. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2612, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Bureau, Representative Frank Mautino."

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

41st Legislative Day

4/15/2005

Mautino: "Thank you. The... House Bill 2612, the Amendment becomes the Bill, reflects an agreement. It allows the Attorney General to reimburse the Department of Corrections and probation departments for the cost of treating and evaluating sex offenders. This Bill passed Judiciary II on 16-0. There's no opposition."

Speaker Lyons, J.: "You've heard the explanation of House Bill 2612. Is there any discussion? Seeing none, the question is, 'Should House Bill 2612 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... Mr. Clerk... Representative Black, do you want to be recorded? Representative Kelly. Mr. Clerk, take the record. On this Bill, there's 109 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 3 of the Calendar... on page 20 of the Calendar Representative Joyce has House Bill 2047. Out of the record. On page 17 of the Calendar Representative Miller has House Bill #9. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 9, a Bill for an Act concerning health. Third Reading of this House Bill."

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

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 9 simply encourages the Department of Health to... to obtain statistics on fatal and nonfatal overdose. I ask for a favorable vote."

Speaker Lyons, J.: "Is there any discussion on House Bill 9? Seeing none, the question is, 'Should House Bill 9 pass?' All those in favor signify by voting 'yes'; those opposed

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

41st Legislative Day

4/15/2005

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 108 Members voting 'yes', 0 voting 'no', 1 per... 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar Representative Nekritz has House Bill 2572. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2572, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Elaine Nekritz."

Nekritz: "Thank you, Mr. Speaker. House Bill 2572, I think I got the right number this time, is a Bill to ban polybrominated diphenyl ether, PBDEs. These are toxic flame retardants that are everywhere in our environment. They are used in con... primarily in consumer products and upholstery and... and carpeting. They are... there are three types of them. They're a... they're a... and they're a molecule that does not bind to the product so they become free floating. And I am sorry to say that probably in... everybody on this floor in their home has PBDEs in their environment. They in... in laboratory tests on mice, they do cause develop... developmental delays. They are endocrine interrupters so they do interfere with thyroid activity as well and they are reaching dangerous levels in our environment. In Europe, where they've been previously banned, those levels are already declining and... and the bioaccumulation in humans is... is on the decline. So, we're a few years behind here in the U.S. In... in this particular Bill, we are only banning two types of PBDEs, penta and octa. And we are asking the Illinois EPA and followed... to do a report on decaBDE

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

41st Legislative Day

4/15/2005

followed by a review of that report by the Department of Public Health and then... and that is due by the end of February next year. And then we will see what we... see whether that's a substance that we would... we would wanna consider banning as well. Thank you."

Speaker Lyons, J.: "Is there any discussion on House Bill 2572? The Chair recognizes the Gentleman from Knox, Representative Don Moffitt."

Moffitt: "...Mr. Speaker. Will the Sponsor yield?"

Speaker Lyons, J.: "She indicates she will."

Moffitt: "Just a couple quick questions, Representative. Are there other alternatives that are considered more acceptable as... in place of these as retardants?"

Nekritz: "Yes, there are. And... and... and industry is voluntarily already phasing out these... the two types of toxics that we're banning here. And... so there are plenty of alternatives available. There are also plenty of manufacturers that do... that make PBDE-free products. And in addition, Representative, I know you'll find this of interest, the Illinois Fire Safety Alliance and the Illinois Association of Firefighters have endorsed this proposal."

Moffitt: "Right. Are those alternatives competitive in price? And obviously, this is more than just price; this is a safety issue."

Nekritz: "Yes. It is my understanding that they are. With regard to the third type of... that we're gonna be looking at, that is one of the questions we're asking the EPA and the Department of Public Health."

Moffitt: "One final question. Initially, I heard that there's only one other state that has banned these. Is that correct or are there... is there more than one?"

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

41st Legislative Day

4/15/2005

Nekritz: "No, there are... there are, at this point, I believe five states that have banned both the penta and octa form of brominated fire retardant. That there are many other states this spring that are looking at it."

Moffitt: "All right, thank you. I certainly I think it's a reasonable effort, good for the environment, lot of the fire services onboard. I appreciate your efforts."

Nekritz: "Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from DuPage, Representative Jim Meyer."

Meyer: "Thank you, Mr... I would like to talk to the Bill. This Bill has had a couple of hearings... a number of hearings, actually, in the Environmental Health Committee and for the most part I don't have a problem with the Bill as it's written, but there are some difficulties with it. And I wanna point 'em out to the Body because I believe what we ought to do is to keep this legislation in the House and work on a Bill that meets what the Sponsor is trying to do, but meets it in the right way. And the problem that I see with this Bill is the study on deca. Deca is not banned in any states. At the current time, it's in usage and it probably should remain in usage until a substitute is found for it. But the problem with the legislation is that the Sponsor is asking the IEPA to do this report for us. They're not going to generate any original information for us; they're going to depend on other bodies to gather that information. But the IEPA has already come out opposed to deca, and therein lies the problem. The very agency that we have in this state that's already made the determination is going to write the report. Now, the Sponsor reacted to criticism of that and I give her credit for that. But wa... the way that it was reacted to was to involve the Department

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

41st Legislative Day

4/15/2005

of Public Health. And the reason why the Department of Public Health wasn't asked to do the original report is, the Sponsor admitted in the committee, that the Department of Public Health does not have the expertise for it. Herein lies the problem. We have a department that's admittedly does not have the expertise that's going to grade a report that's generated by a... that's supposed to be an open report, an unbiased report, that's being generated by an agency that's already said they're against that chemical. What we need to do is to ask the Sponsor to have a non... noninterested group, such as the University of Illinois, other universities that we have in this state, to do original work on this, to gather that information together and to publish that report so that we might see it, not something that is already biased and tainted because you're gonna be asked to ultimately vote as to whether we should do... whether we should ban deca... the use of deca in products in this state. And I don't think that we should be doing that on what I would consider to be tainted information, a tainted report, one that's already assumed will come out a certain... a certain way. And all I'm asking is for you to consider that we get a good report because none of us want to see these types of environmental issues. There isn't a Member in this House that I would believe that would turn an eye as to something that made sense. But when you have something that's tainted, I don't see how we can be... make that decision. And I just ask that you help to make sure that we make the right decision at the right time. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Lady from Lake, Representative May."

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

41st Legislative Day

4/15/2005

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

Speaker Lyons, J.: "She indicates she will."

May: "Yes, Representative, isn't it true that many companies
have voluntarily banned some of these already just because
they are good citizens?"

Nekritz: "The two types that we are looking to ban, yes, those
are being voluntarily withdrawn by industry. And the rea...
but the reason we're moving ahead with the Bill at this
time, with... even though it is being voluntarily withdrawn,
is that we don't want to become a dumping ground for those
products."

May: "Thank you. And you have reached a consensus with the
original opponent of the Bill. Is that correct?"

Nekritz: "Yes, we have, Representative. The Chemical Industry
Council was originally strongly opposed to the legislation
and they have removed their opposition, even though the EPA
is proceeding with the study followed by the Department of
Public Health."

May: "And the EPA and the Department of Public Health will work
together?"

Nekritz: "Yes, they will."

May: "Okay. Thank you very much. To the Bill. I stand in
strong support of this Bill. Many other states are doing
the same thing. The Sponsor has done the responsible thing
to amend it, to work with all opposition, just to call for a
study. I take issue to the point that the EPA and DPH
cannot work together. Our Environmental Protection Agency
and Department of Public Health work together many times.
Because of the legislation we passed earlier, we also have a
Children's Environmental Health officer. This point person
perhaps could bring in federal dollars to work on this also.

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

41st Legislative Day

4/15/2005

I think the Sponsor has done an excellent job. I do not think we should hold this up any further. We need to deal with the deca. We're going to study it and I think it's... that it's wrong to say that our state agencies can't come to an independent conclusion on this matter. Deca amounts to 83 percent of the PBDEs used worldwide, and it's even more toxic than the penta and octa that are already banned. It is very toxic to firefighters. I know it's in products to keep people safe, but we're finding alternatives. And I urge you to vote for this Bill and keep it moving so we can get to a resolution on the deca, which is extremely, extremely problematic. It causes brain damage. And we should not hold this up because she's worked with the opponents and we have a strong Bill. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Menard, Representative Rich Brauer."

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

Speaker Lyons, J.: "She indicates she will."

Brauer: "I... I want to commend the Sponsor on this Bill. This is a good Bill. The one weakness is what was stated by Representative Me... Myers (sic-Meyer) before. We heard testimony in committee. EPA has already showed they're biased towards deca and the neuro head of the study. Will you consider, as this thing moves along, to have additional people comment on... on this study with deca?"

Nekritz: "Representative, I'm not sure what you mean by additional people."

Brauer: "Well, I think Representative Meyer said that we have some excellent universities in this state. Let's get them involved, let's use their expertise, let's see if they're unbiased and get their input on this along with EPA."

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

41st Legislative Day

4/15/2005

Nekritz: "Well, certainly, Representative, we have... we have... in the legislation, we have directed the agencies to consult all available scientific evidence, and I would think that they would be reaching out to the academic community for that. I would just like to say one thing, that... to the... the Representative from DuPage indicated that I had said in committee that they... that the E... that the Department of Public Health was unqualified. I don't believe I said that. I think what I said was that they were unfamiliar with these particular products and were having a little hard time getting up to speed in time in order to co... in order to comment on the legislation at this time."

Brauer: "To the Bill. This is a good Bill. We should support it, but at the same time we should look at other alternatives to get their input on the reports on deca. I urge an 'aye' vote."

Speaker Lyons, J.: "Representative Elaine Nekritz to close."

Nekritz: "Thank you, Ladies and Gentlemen of the House. This is an important piece of environmental legislation. Polybrominated diphenyl ethers are also mentioned in the same breath with lead and mercury in terms of their toxicity and their prevalence on our environment and we need to take action now. Thank you."

Speaker Lyons, J.: "The question is, 'Should the House Bill 2572 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 106 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 18

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

41st Legislative Day

4/15/2005

of the Calendar Representative Phelps has House Bill 931.
Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 931, a Bill for an Act concerning
alternative fuels. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from
White, Representative Phelps."

Phelps: "Thank you, Mr. Chairman and Members of the House.
House Bill 931 amends the Alternate Fuels Act to redefine
'biodiesel fuel' to allow the use of 20 percent or higher,
which is now 80 percent in use, blends of biodiesel fuel to
be eligible for rebates under the EPA rebate program and
DCEO's Alternate Fuels Grant Program. This Bill's supported
by the Farm Bureau, Soybean Association. Particularly good
for Illinois for cleaner air and for the economic benefits
for our agricultural community. And I urge an 'aye' vote."

Speaker Lyons, J.: "You've heard the explanation on House Bill
931. Is there any discussion? Seeing none, the question
is, 'Should House Bill 931 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 106 Members voting 'yes', 0
voting 'no'. This Bill, having received the Constitutional
Majority, is hereby declared passed. On page 18 of the
record (sic-Calendar) Representative Phelps has House Bill
934. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 934, a Bill for an Act concerning
transportation. Third Reading of this House Bill."

Speaker Lyons, J.: "Representative Phelps."

Phelps: "Thank you again, Mr. Chairman, Members of the House.
House Bill 934 is an initiative of ABATE. All this Bill
says is that no municipality can seize or impound a vehicle

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

41st Legislative Day

4/15/2005

or motorcycle for an equipment violation, such as muffler trouble. I urge an 'aye' vote."

Speaker Lyons, J.: "Any discussion on House Bill 934? Seeing none, the question is, 'Should House Bill 934 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 101 Members voting 'yes', 5 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 7 of the Calendar Representative Colvin has House Bill 1428. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1428 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments #3 and 4 were adopted by the House. All notes have been withdrawn or filed."

Speaker Lyons, J.: "Third Reading. Mr. Bill... Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1428, a Bill for an Act concerning property. Third Reading of this House Bill."

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

Colvin: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I present for your consideration House Bill 1428 which... which simply provides that when a mortgage bro... when a mortgage lender pays the taxes charged on any property, the mortgage lender, within seven business days of payment, must notify the date the taxes were paid and the amount of... the date the taxes were paid and the amount of the taxes paid. That written notice goes to the owner of the

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

41st Legislative Day

4/15/2005

property. I'll be happy to answer any questions with respect to the Bill."

Speaker Lyons, J.: "You've heard explanations on House Bill 18... 1428. Are there any questions? Seeing none, the question is, 'Should House Bill 1428 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 90... 88 Members voting 'yes', 12 Members voting 'no', 5 Members voting 'present'. This... this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 19 of the Calendar Representative Washington has House Bill 1604. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1604, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Washington: "Thank you, Mr. Speaker. Mr. Speaker, this Bill requires the Department of Public Health to conduct public information campaigns to disseminate information contained in summaries of advanced directive law in Illinois and to further educate the public about available advanced directive options. The campaign includes information about living wills, do-not-resuscitate orders, power of attorney for health care, and guardianship procedures. The Department of Health shall adopt, by rule, and publish Spanish language versions of the following: the statutory Living Will Declaration form, the Illinois Statutory Short Form Power of Attorney for Health Care, and the statutory Declaration of Mental Health Treatment Form, as well as the summary of advance directive laws in Illinois. I do ask for

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

41st Legislative Day

4/15/2005

a favorable support for House Bill 1604 and I'm open for any questions. Thank you."

Speaker Lyons, J.: "Is there any discussion on House Bill 1604? Seeing none, the question is, 'Should House Bill 1604 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... Representative Rose. Stephens. Mr. Clerk, take the record. On this Bill, 106 Members are voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar Representative Flowers has House Bill 2543. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2543, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Mary Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2543 is supported by the Department of Children and Family Services and also the Office of the... Cook County Public Guardian's Office. It amends the court... the juvenile court to add provisions addressing parents' visitation during the time immediately following the removal of a child from his or her parents. And I'll be more than happy to answer any questions you have in regards to this Bill."

Speaker Lyons, J.: "Is there any discussion on House Bill 2543? Seeing none, the question is, 'Should House Bill 2543 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's 107 Members

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

41st Legislative Day

4/15/2005

voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 9 of the Calendar Representative Froehlich has House Bill 2196. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2196 has been read a second time, previously. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Lyons, J.: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2196, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lyons, J.: "Mr. Clerk, take that Bill out of the record. Mr. Clerk, Representative Colvin, on page 16 of the Calendar has House Bill 3823. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3823 has been read a second time, previously. No Committee Amendments. No Floor Amendments. All notes have been either withdrawn or filed."

Speaker Lyons, J.: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3823, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Colvin: "Thank you, Mr. Speaker. House Bill 3823 amends the State Prompt Payment Act which would require state officials or agencies that are late in payment on a bill for goods or services to pay interest on those... on those vouchers. The Bill provides that in computing the interest, the amount of the bill or invoice means the aggregate amount of the voucher submitted by a vendor on a given day, not the items take individually."

Speaker Lyons, J.: "You heard the explanation on House Bill 28... 3823. Are there any questions from the Members? Seeing none, the question is, 'Should House Bill 3823 pass?' All

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

41st Legislative Day

4/15/2005

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, 107 Members are voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar Representative Nekritz has House Bill 2572. I just did that. Out of the record, Mr. Clerk. The Bill has passed. Mr. Clerk, on page 29 of the Calendar a Motion appears on House Bill 242. Representative Winters on House Bill 242."

Winters: "Yes. The Motion is to reconsider this so we can continue to work on it."

Speaker Lyons, J.: "The question is, 'Should House Bill 242 be reconsidered?' All those in favor will signify by voting 'yes'; all those opposed will vote 'no'. The voting is open. This is a Roll Call vote. The voting's open. Have all voted who wish? Have all voted who wish? It's a Motion to reconsider. Have all voted who wish? Mr. Clerk, take the record. On this Bill, 104 Members are voting 'yes', 2 Members have voted 'no'. This Motion has passed. Mr. Clerk, on page 2 of the Calendar Representative Flowers has House Bill 248. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 248 has been called... read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #3, offered by Representative Flowers, has been approved for consideration."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Mary Flowers."

Flowers: "Thank you, Mr. Speaker. Amendment #... move for Amen... adoption of Amendment #3 and it gives permission for DCFS to have the physical health done for child in the case of

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

41st Legislative Day

4/15/2005

emergency, not unless it's otherwise noted by the court, the parent will still retain the right. I move for the passage... or the adoption."

Speaker Lyons, J.: "Representative Flowers moves for the adoption of Floor Amendment #3 to House Bill 248. The Chair recognize... Representative Pat Lindner, the Lady from Kane."

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

Speaker Lyons, J.: "She indicates she will."

Lindner: "Yes. Are there still opponents to this Bill, Representative?"

Flowers: "There is no opposition to this Bill. This is the DCFS's language."

Lindner: "Okay. I'm sorry. Okay. There was opposition with Amendment #1, but there's not opposition now with #3?"

Flowers: "Right."

Lindner: "And you've worked with DCFS?"

Flowers: "Yes."

Lindner: "And the State Police are for this, too?"

Flowers: "There's... there's... Amendment #3."

Lindner: "Oh, this is the Amendment. Okay. Thank you."

Speaker Lyons, J.: "Anyone else seeking recognition on Floor Amendment #3? The question is, 'Should Floor Amendment #3 be adopted?' All those in favor signify by vo... saying 'yes'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #3 is adopted. Mr. Clerk, any further Amendments?"

Clerk Mahoney: "Floor Amendment #4, offered by Representative Flowers, has been approved for consideration."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Mary Flowers on Amendment #4."

Flowers: "Thank you, Mr. Speaker. In the proceedings dealing with the rights of parents being terminated, there must be

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

41st Legislative Day

4/15/2005

some type of admissible evidence brought in to qualify that the author of that information that's given is authentic. And I'll be more than happy to answer any questions you have in regards to Amendment #4."

Speaker Lyons, J.: "Is there any discussion on Floor Amendment #4? Seeing none, the question is, 'Should Floor Amendment #4... The Chair recognizes the Lady from DuPage, Representative..."

Bellock: "Thank you, Mr. Speaker."

Speaker Lyons, J.: "...Bellock. Thank you."

Bellock: "Will the Sponsor yield?"

Speaker Lyons, J.: "She indicates she will."

Bellock: "So, I'm sorry, Representative, did you say the opponents have come off the Bill?"

Flowers: "There is no opposition to..."

Bellock: "Oh, fine. Thank you very much."

Flowers: "Thank you."

Speaker Lyons, J.: "Seeing no further questions, the question is, 'Should Floor Amendment #4 to House Bill 248 be adopted?' All those in favor signify by saying 'aye'; those opposed vote 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #4 is adopted to House Bill 248. Mr. Clerk, any further Amendments?"

Clerk Mahoney: "No further Amendments. However, a fiscal note has been requested on House Amendment #3 and yet... not yet filed."

Speaker Lyons, J.: "Mr. Clerk, move the Bill... hold that Bill on Second Reading. Representative Flowers."

Flowers: "Mr. Speaker, number... Amendment #4 overrode Amendment #3."

Speaker Lyons, J.: "Representative, we do have... a note has been attached to the Bill, so we'll be holding it on Third

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

41st Legislative Day

4/15/2005

Reading... on Second Reading. The Chair recognizes the Gentleman from Lee... Lee, Representative Jerry Mitchell on House Resolution 201. Mr. Clerk, on page 28 is House Resolution 201. Read the Resolution."

Clerk Mahoney: "House Resolution 201 requires the House Appropriations-Elementary & Secondary Education Committee to hold subject matter hearing with regard to the regional delivery of educational services."

Speaker Lyons, J.: "Representative Mitchell on House Resolution 201."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Resolution 201 is one where... I believe, where many, many, many of you have already signed on to the Resolution. This terminates a 2-year discussion from the first presentation we heard from the Governor. In that speech, he earmarked the Regional Office of Education as one that he was going to cut in half. There's been a couple of years delay in that whole process. In the meantime, there was some discussion between the Office of Budget and Management and some of the ROEs setting up an agreement where they would draw the map and they would make the decision. Well, unfortunately, or fortunately, that is the responsibility of the General Assembly. If that, in fact, happens, it's up to us. The decision of many of the people that are on this... this particular Resolution decided if this, in fact, is needed, we need to hear from all the people involved in the education sector. So what this Resolution does is it sets up hearings that will be done by the Elementary & Secondary Education Appropriations Committee with Representative Smith as... as the chairman of that committee, Representative Bassi as the Minority spokesman for that committee. Over the summer we will take

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

41st Legislative Day

4/15/2005

testimony from the entire education community before we make a decision on how to draw the map, if we need to draw a map, how many ROEs there will be, if we need more or less. But we hope that that will be determined by the needs of students, parents, and school districts, not on finances and not on anybody's whim. It's an important decision to be made. It's time to address it. The Governor's Office and his staff signed on in support of this Resolution in committee. I think it has the support of everybody in the chamber. And I would recommend that we all join forces and try to solve this problem once and for all. Thank you, Mr. Speaker."

Speaker Lyons, J.: "Discussion on House Resolution 201? The Chair recognizes the Lady from Will, Representative Renee Kosel."

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

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

Kosel: "I stand up in strong support of this. This is a Resolution that was done very thoughtfully and involves the whole state in doing something that will be good for kids and strongly ask for your approval."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Fulton, Representative Mike Smith."

Smith: "Thank you, Mr. Speaker. To the Resolution. I rise in strong support and pleased to join with Representative Mitchell and others in cosponsoring this Resolution. This is an issue that's been around for a couple of years. Many of us were dismayed when an agreement was supposedly reached between the regional superintendents and the Bureau of the Budget, or Office of Management and Budget, which seemed to simply disregard the fact that those of us in the

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

41st Legislative Day

4/15/2005

Legislature would make the decision how many regional superintendents there are in the state and not the Bureau of the Budget. We intend to have thorough hearings on this in my committee, the Appropriations Committee for Elementary & Secondary Education. In fact, we'll be having a hearing, I think, in 2 weeks when we come back and begin the process to examine this issue, to remove it from the politics of the budget, and to find out what is best for the delivery of education in our state. And I'd ask all my colleagues to support this Resolution."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Lake, Representative Sullivan. The Chair... Representative Stephens no longer wishes to be... The question is, 'On House Resolution... should it be adopted?' All those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. House Resolution 201 is adopted. Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen, if... if you are interested in having a hearing over the summer in your particular part of the state, it would be fine if you would let either staff know or let Representative Bassi, Representative Smith, myself know and we'll try to arrange that and accommodate it for you. I know that there will be interest all over the state. What we want to do is make sure that there's some core things that regional offices of education do that should be done everywhere for kids and for school districts. Thank you, Mr. Speaker."

Speaker Lyons, J.: "The Chair recognizes Representative Watson. For what reason do you wish to be recognized? Representative Watson, your light is on. Ladies and Gentlemen, on the Resolution... House Resolution 201, it does

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

41st Legislative Day

4/15/2005

require a Roll Call vote. Therefore, we will... we'll take a vote on House Resolution 201. 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, 107 Members are voting 'yes', 0 voting 'no'. House Resolution 201 is adopted. Mr. Clerk, on page 29 of the Calendar Representative Frank Mautino has House Resolution 260. Read the Resolution, Mr. Clerk."

Clerk Mahoney: "House Resolution 260 extends the date that the Private Sewage Disposal Review Committee, created by the House Resolution 1033 of the 93rd General Assembly, must file its report with the Clerk of the House to January 30, 2006."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This does extend the date of the Private Sewage Disposal Commission by... created by House Resolution 1033 and allows for its report to be filed on January 30, 2006. Appreciate an 'aye' vote."

Speaker Lyons, J.: "Is there any questions... any discussion on House Resolution 260? The question is, 'Should House Resolution 260 be adopted?' 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? House Res... Mr. Clerk, take the record. On this Bill, there are 107 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill is... this Resolution is adopted. The Chair recognizes the Gentleman from DuPage, Representative Millner. Representative, do you wish to be

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

41st Legislative Day

4/15/2005

recognized? Your light is on. Okay. Mr. Clerk, what's the status on House Bill 866?"

Clerk Mahoney: "House Bill 866 is on the Order of Consideration Postponed."

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

McAuliffe: "We debated this Bill before, Mr. Speaker, Ladies and Gentlemen of the House. I just ask for a favorable Roll Call on House Bill 866."

Speaker Lyons, J.: "Is there any discussion on House Bill 866? Seeing none, the question is, 'Should House Bill... the Chair recognizes the Gentleman from Jackson, Representative Bost.'"

Bost: "Due to conflict of interest, I'll be voting 'present'."

Speaker Lyons, J.: "Seeing no further discussion, the question is, 'Should House Bill 866 pass?' Representative Turner, do you wish to be recognized on House Bill 866?"

Turner: "Yes, Representative (sic-Mr. Speaker). Will the Sponsor yield for one quick question?"

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

Turner: "You know, last year we were dealing with this issue of braiders in terms of African hair braids and there was something that we were trying to do to see if we could bring them in or exclude them from the barber's license. Does this in any way affect their ability to perform their services now? Or will it change their ability to... to do braiding?"

McAuliffe: "I'd like to yield to Representative Saviano to answer that question."

Turner: "Okay."

Saviano: "Rep... Representative Turner, to answer your question, this... this Bill simply extends the sunset. We know that we

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

41st Legislative Day

4/15/2005

have to work on it in the Senate. So, as it sits right now, it's a Bill in working."

Turner: "Okay."

Saviano: "And if we want we could address the hair braiding issue in the Senate, like we tried to do last year in our committee."

Turner: "Okay."

Saviano: "It's gonna end up coming back here, so we'll have another chance to take a look at it."

Turner: "All right. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from McHenry, Representative Franks."

Franks: "...Mr. Speaker. Will the Sponsor yield?"

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

Franks: "I'm reading the analysis here, and is there any fees involved?"

McAuliffe: "The... there are increased costs due to some of the education and it's gonna be a little further."

Franks: "Okay. What are those increased costs that you don't want to say are fees?"

McAuliffe: "They're not licensing fees. They are... for continuing education classes, some of 'em go up... some of the prices go up."

Franks: "I'm sorry. How much will they go up?"

McAuliffe: "One goes up \$250... I think they all go up \$250 for 2 years."

Franks: "Okay. 'Cause that wasn't in our analysis. I wasn't trying to be cute. I didn't see it."

McAuliffe: "Okay."

Franks: "Okay. Will it cost more now for a license or just for the... Is there a requirement for continuing education for barbers?"

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

41st Legislative Day

4/15/2005

McAuliffe: "This would... it would cost \$250 more for the 2 years of the continuing education classes."

Franks: "And is that mandatory?"

McAuliffe: "Yes. Under the law, yes."

Franks: "Okay. Okay. Thank you very much."

McAuliffe: "Thank you."

Speaker Lyons, J.: "Representative Saviano, did you wish to elaborate on that? The Chair recognizes the Gentleman from Winnebago, Representative Sacia. Does not seek recognition. Seeing no further discussion, the question is, 'Shall House Bill 866 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? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 63 Members voting 'yes', 43 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of House Bill 637, page 29 on the Calendar?"

Clerk Mahoney: "On House Bill 637 a Motion to reconsider has been filed."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Flowers on the Motion."

Flowers: "Mr. Speaker, I move to table... I move to reconsider House Bill 637 and I would like to table the Motion."

Speaker Lyons, J.: "The Chair recognizes Representative Bill Mitchell on the Motion."

Mitchell, B.: "Thank... thank you, Mr. Speaker. I move to reconsider the vote on House Bill 637."

Speaker Lyons, J.: "The question is, 'Should the... should the Motion be reconsidered by which House Bill 637 passed?' And

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

41st Legislative Day

4/15/2005

on that Motion, we recog... recognize Representative Ron Stephens."

Stephens: "Whose Motion is this actually? I thought the Lady made the Motion. What was she talking about?"

Speaker Lyons, J.: "Representative Mitchell made the Motion on Representative Flowers' Bill."

Stephens: "Has the... has the Chair ruled that the Motion's in order?"

Speaker Lyons, J.: "Yes, Representative, we have."

Stephens: "Well, then we shall proceed."

Speaker Lyons, J.: "Thank you, Representative, with your questions. Any further questions? Other Members do want to be recognized. Representative Stephens, if you have another question, I'll be happy to entertain it; otherwise, we'll move on. The Chair recognizes the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. I would like to verify the 'no' votes if this is defeated."

Speaker Lyons, J.: "Your Motion has been recognized and will be... will be honored. Representative Flowers on the Motion. The question is that there's a Motion to reconsider the vote on which House Bill 637 passed. Sixty votes would be required for adoption. The question is, 'Shall the Roll Call be reconsidered?' Mr. Clerk, open the Roll. The question is, 'Should this... should the Roll Call be reconsidered on House Bill 637?' Those in favor vote 'yes'; those opposed vote 'no'. The voting is open. Mr. Clerk, take the record. On this Bill, there are 52 Members... On this Motion, there are 52 Members voting 'yes', 54 Members voting 'no'. This Motion has failed. Mr. Clerk, take the Bill out of the record. The Chair recognizes the Gentleman from DuPage, Representative Millner."

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

41st Legislative Day

4/15/2005

Millner: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Lyons, J.: "Proceed, Representative."

Millner: "I would like the group there from Wayne, Illinois, Wayne School, to stand up and be recognized. And welcome to Springfield."

Speaker Lyons, J.: "Welcome to Springfield, kids. Glad to have you here. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions. House Resolution 325, offered by Representative Schmitz. House Resolution 328, offered by Representative Bost. House Resolution 329, offered by Representative Gordon. House Resolution 330, offered by Representative Dugan. House Resolution 331, offered by Representative Mautino. House Resolution 332, offered by Representative Monique Davis. House Resolution 335, offered by Representative Brady. House Resolution 336, offered by Representative Joyce. House Resolution 337, offered by Representative Parke. And House Joint Resolution 49, offered by Representative Monique Davis."

Speaker Lyons, J.: "Representative Currie moves for the adoption of the Agreed Resolutions. All those in favor signify by voting... saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolutions are adopted. Mr. Clerk, on page 5 of the Calendar is House Bill 1044."

Clerk Mahoney: "House Bill 1044 has been read a second time, previously. No Committee Amendments. Floor Amendment #2 was approved by the House. All notes have been filed."

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

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

41st Legislative Day

4/15/2005

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1044 would require the Department of Public Aid to report the information for each employer who has more than 100 employees receiving public si... public subsidized health care. And I'll be more than happy to answer any questions that you have in regards to this Bill."

Speaker Lyons, J.: "Mr. Clerk, what is the status of House Bill 1044?"

Clerk Mahoney: "House Bill 1044 is on the Order of Second Reading."

Speaker Lyons, J.: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1044, a Bill for an Act concerning health. Third Reading of the... this House Bill."

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

Parke: "Thank you, Mr. Speaker. In the sense of brevity, I'm going to simply say that almost all major business groups, including the Department of Human Services, the Department of Public Aid stand in strong opposition to the Lady's Motion. And if this gets the required number of votes, I would ask for a verification of the Roll Call."

Speaker Lyons, J.: "Your Motion has been recognized and will be honored. The Chair recognizes the Gentleman from Winnebago, Representative Sacia."

Sacia: "Ladies and Gentlemen, I'll start with an apology to this Body because last evening when the Amendment was added, I spoke against this Bill. The hour was late, it wasn't the appropriate time, and it seems rather odd that we would call the Bill again at a very late hour when everybody's tired and wants to go home. This... Ladies and Gentlemen, the reason I rose yesterday was the gentle Lady referred to how wonderful this Bill worked in the State of Massachusetts."

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

41st Legislative Day

4/15/2005

It was a hopeless failure in Massachusetts. Another thing that really needs to be said is the state has spent millions of dollars asking employers to encourage their employees to enroll in FamilyCare and enroll their children in KidCare, and the state is now going to punish these same employers for assisting the state. Ladies and Gentlemen, please take a close look at this analysis to this particular Bill. It is very, very bad legislation and I strongly encourage a 'no' vote. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from McHenry, Representative Franks."

Franks: "Thank you, Mr. Speaker. To the Bill. I very much respect the previous speaker, but I think his analysis of this Bill is incorrect. I think that the Lady who's brought this Bill brings a very important Bill because it sheds light on things that some people don't want to have light shed upon. When I talked to the Speaker... the Sponsor about this Bill, we looked at some of the different companies that are... whose employees are receiving the most public aid. And what's interesting is that one particular company, which is one of the largest companies in the world, we... they have about 40 percent of their employees who are eligible for public aid. So, as a result, one of the most profitable companies in the world is having its health care for its employees subsidized by all the taxpayers of the State of Illinois. I think that's important information that people ought to know, and I think it's a question of what's fair and what's right in how employees are treated. All she's asking for is that this be made public. I think it's good public policy. We always talk about sunshine being the best disinfectant and that's exactly what this Bill does and I ask for your support."

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

41st Legislative Day

4/15/2005

Speaker Lyons, J.: "The Chair recognizes Representative Flowers to close."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. And I want to clarify that the Amendment to this Bill came from the Department of Public Aid, so they are in support of this legislation. And I would urge for an 'aye' vote. Thank you."

Speaker Lyons, J.: "The question is, 'Should House Bill 1044 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 41 Members voting 'yes', 4... 62 Members voting 'no', 1 Member voting 'present'. This Bill, having failed to reach the Constitutional Majority, is hereby declared lost. Mr. Clerk, read the Adjournment Resolution."

Clerk Mahoney: "House Joint Resolution 50."

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Friday, April 15, 2005, the House of Representatives stands adjourned until Tuesday, April 26, 2005 at 12:00 noon; and the Senate stands adjourned until Tuesday, April 19, 2005 at 12:00 noon."

Speaker Lyons, J.: "Seeing no further business for the House of Represent... Motion to adopt the Adjournment Resolution. All those in favor signify by saying 'aye'; those opposed vote 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion is adopted. Any announcement? Representative Barbara Flynn Currie moves that the House stand adjourned until the hour of 12 noon on Tuesday, April 26. Allowing

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

41st Legislative Day

4/15/2005

perfunctory time for the Clerk, the House does stand adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of Senate Bills-First Reading. Senate Bill 1701, offered by Representative Holbrook, a Bill for an Act concerning environmental protection. Senate Bill 1712, offered by Representative Froehlich, a Bill for an Act concerning civil law. Senate Bill 1726, offered by Representative Reitz, a Bill for an Act concerning wildlife. Senate Bill 1727, offered by Representative Acevedo, a Bill for an Act concerning residential inspections. House Bill (sic-Senate Bill) 1739, offered by Representative Washington, a Bill for an Act concerning regulation. Senate Bill 7, offered by Representative Reitz, a Bill for an Act concerning revenue. Senate Bill 30, offered by Representative Lindner, a Bill for an Act concerning courts. Senate Bill 59, offered by Representative Winters, a Bill for an Act concerning transportation. Senate Bill 72, offered by Representative Lindner, a Bill for an Act concerning criminal law. Senate Bill 95, offered by Representative Lindner, a Bill for an Act concerning family law. Senate Bill 139, offered by Representative Saviano, a Bill for an Act concerning professional regulation. Senate Bill 158, offered by Representative Saviano, a Bill for an Act concerning regulation. Senate Bill 184, offered by Representative Saviano, a Bill for an Act concerning education. Senate Bill 204, offered by Representative Kelly, a Bill for an Act concerning elections. Senate Bill 205, offered by Representative Saviano, a Bill for an Act concerning regulation. Senate Bill 210, offered by Representative Froehlich, a Bill for an Act concerning transportation. Senate Bill 214, offered by Representative

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

41st Legislative Day

4/15/2005

Reitz, a Bill for an Act concerning warehouses. Senate Bill 232, offered by Representative McCarthy, a Bill for an Act in relation to public health. Senate Bill 273, offered by Representative Saviano, a Bill for an Act concerning criminal law. Senate Bill 283, offered by Representative Collins, a Bill for an Act concerning criminal law. Senate Bill 287, offered by Representative Lang, a Bill for an Act concerning criminal law. Senate Bill 331, offered by Representative Saviano, a Bill for an Act concerning regulation. Senate Bill 334, offered by Representative Osterman, a Bill for an Act concerning access to governmental services. Senate Bill 451, offered by Representative Saviano, a Bill for an Act concerning regulation. Senate Bill 452, offered by Representative Lindner, a Bill for an Act concerning civil law. Senate Bill 504, offered by Representative Joyce, a Bill for an Act concerning business. Senate Bill 538, offered by Representative Mautino, a Bill for an Act in relation to fraud. Senate Bill 1649, offered by Representative McCarthy, a Bill for an Act concerning transportation. Senate Bill 2038, offered by Representative Schmitz, a Bill for an Act concerning property. Senate Bill 2049, offered by Representative Osterman, a Bill for an Act concerning local government. Senate Bill 2084, offered by Representative Granberg, a Bill for an Act concerning finance. Senate Bill 2085, offered by Representative McAuliffe, a Bill for an Act concerning local government. Senate Bill 2088, offered by Representative Madigan, a Bill for an Act concerning agriculture. Senate Bill 2095, offered by Representative Saviano, a Bill for an Act concerning regulation. Senate Bill 2103, offered by Representative Sacia, a Bill for an Act in relation to

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

41st Legislative Day

4/15/2005

immunity. Senate Bill 556, offered by Representative Holbrook, a Bill for an Act concerning revenue. Senate Bill 558, offered by Representative Holbrook, a Bill for an Act concerning revenue. Senate Bill 568, offered by Representative May, a Bill for an Act concerning health. Senate Bill 581, offered by Representative Acevedo, a Bill for an Act concerning transportation. Senate Bill 600, offered by Representative Cross, a Bill for an Act concerning elections. Senate Bill 8... Senate Bill 834, offered by Representative Moffitt, a Bill for an Act concerning local government. Senate Bill 6... 840, offered by Representative Holbrook, a Bill for an Act concerning local government. Senate Bill 530, offered by Representative Colvin, a Bill for an Act concerning civil procedure. Senate Bill 554, offered by Representative Gordon, a Bill for an Act concerning criminal law. Senate Bill 565, offered by Representative Mautino, a Bill for an Act concerning regulation. Senate Bill 661, offered by Representative Hannig, a Bill for an Act concerning firearms. Senate Bill 76, considering fi... Senate Bill 661, offered by Representative Hannig, a Bill for an Act concerning finance. Senate Bill 767, offered by Representative Froehlich, a Bill for an Act concerning education. Senate Bill 768, offered by Representative Howard, a Bill for an Act concerning education. Senate Bill 850, offered by Representative Coulson, a Bill for an Act concerning parental rights. Senate Bill 1210, offered by Representative Saviano, a Bill for an Act concerning civil law. Senate Bill 1787, offered by Representative Holbrook, a Bill for an Act concerning safety. Senate Bill 1825, offered by Representative Verschoore, a Bill for an Act concerning transportation. Senate Bill 1843, offered by

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

41st Legislative Day

4/15/2005

Representative Turner, a Bill for an Act concerning State Government. Senate Bill 1638, offered by Representative Flider, a Bill for an Act concerning education. Senate Bill 1654, offered by Representative Eileen Lyons, a Bill for an Act concerning finance. Senate Bill 1661, offered by Representative Bill Mitchell, a Bill for an Act concerning State Government. Senate Bill 1669, offered by Representative McKeon, a Bill for an Act concerning peace officers. Senate Bill 1670, offered by Representative McKeon, a Bill for an Act concerning peace officers. Senate Bill 1682, offered by Representative Tryon, a Bill for an Act concerning taxes. Senate Bill 1683, offered by Representative Hamos, a Bill for an Act concerning elections. Senate Bill 1684, offered by Representative Hoffman, a Bill for an Act concerning law enforcement. Senate Bill 1693, offered by Representative Granberg, a Bill for an Act in relation to public employee benefits. Senate Bill 1465, offered by Representative Kelly, a Bill for an Act concerning education. Senate Bill 1495, offered by Representative Rose, a Bill for an Act concerning transportation. Senate Bill 1503, offered by Representative Joe Lyons, a Bill for an Act concerning local government. Senate Bill 1505, offered by Representative Fritchey, a Bill for an Act concerning local government. Senate Bill 1509, offered by Representative Colvin, a Bill for an Act concerning criminal law. Senate Bill... Senate Bill 429, offered by Representative Washington, a Bill for an Act concerning safety. Senate Bill 557, offered by Representative Holbrook, a Bill for an Act concerning revenue. Senate Bill 569, offered by Representative Dunn, a Bill for an Act in relation to health facilities. Senate Bill 574, offered by Representative Giles, a Bill for an Act

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

41st Legislative Day

4/15/2005

concerning education. Senate Bill 575, offered by Representative Giles, a Bill for an Act concerning education. Senate Bill 610, offered by Representative Acevedo, a Bill for an Act concerning liquor. Senate Bill 615, offered by Representative Molaro, a Bill for an Act concerning local government. Senate Bill 658, offered by Representative Currie, a Bill for an Act concerning safe.. estates. Senate Bill 760, offered by Representative Jones, a Bill for an Act concerning employee benefits. Senate Bill 764, offered by Representative Fritchey, a Bill for an Act concerning property. Senate Bill 780, offered by Representative Burke, a Bill for an Act concerning State Government. Senate Bill 966, offered by Representative Yarborough, a Bill for an Act concerning housing. Senate Bill 1233, offered by Representative Reitz, a Bill for an Act concerning revenue. Senate Bill 1234, offered by Representative Meyer, a Bill for an Act concerning sex offenders. Senate Bill 1235, offered by Representative Bellock, a Bill for an Act concerning transportation. Senate Bill 272, offered by Representative Eileen Lyons, a Bill for an Act concerning local government. Senate Bill 1449, offered by Representative Phelps, a Bill for an Act concerning government. Senate Bill 1910, offered by Representative Holbrook, a Bill for an Act concerning local government. Senate Bill 1911, offered by Representative Hoffman, a Bill for an Act concerning civil law. Senate Bill 1931, offered by Representative Miller, a Bill for an Act concerning education. Senate Bill 1943, offered by Representative Pihos, a Bill for an Act concerning criminal law. Senate Bill 1964, offered by Representative Nekritz, a Bill for an Act in relation to transportation. Senate Bill 1972, a Bill for an Act concerning education. Senate Bill

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

41st Legislative Day

4/15/2005

1983, offered by Representative Eddy, a Bill for an Act concerning health. Senate Bill 1986, offered by Representative Leitch, a Bill for an Act concerning public aid. Referred to the House Committee on Rules: House Resolution 324, offered by Representative Tenhouse. House Resolution 326, offered by Representative Flowers. House Resolution 327, offered by Representative Flowers. House Resolution 333, offered by Representative Delgado. House Resolution 334, offered by Representative Pihos. House Joint Resolution 45, offered by Representative Sullivan. House Joint Resolution 46, offered by Representative Verschoore. And House Joint Resolution 47, offered by Representative Joyce. There being no further business, the House Perfunctory Session will stand adjourned."