

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

53rd Legislative Day

5/19/2005

Speaker Lyons, J.: "Ladies and Gentlemen, the House will come to order. Members should be at their desks. Will ask Members to please silence their laptop computers and will ask members of the gallery to also silence your cell phones, pagers and any electronic equipment that may be of interference. We shall be led in prayer today by Reverend Cleveland Thomas with the New Morning Star Baptist Church in Peoria. Reverend Thomas is the guest of Representative Schock. We'll also be led in a second prayer today by Rabbi Mark Kalish, Midwest Regional Director of the Agudath Israel of America, Chicago. Rabbi Kalish is the guest speaker... is the guest of Speaker Madigan. Reverend Thomas."

Reverend Thomas: "As we remember the values that each of the persons who are being represented by yourselves, each individual have a need they bring with them, a wonderful value of products that come through personality of individuality and yet, they are looking for the management gifts that are given by each person to be a better part of the whole of our society. I'd ask you to bow with me now as we remember those persons and our commitment. God of creation and maker and provider, we're thankful for the privileges of this day and for the resources that are given within our hands. We ask for wisdom, guidance, discretion that we may examine with diligence each of the options that are given for the good of this state and then for the benefits that go through this state into our world. Help us to manage responsibly that we may see the long effect

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that when our labors are put into action that the resource, the benefits and counsel of wise usage and discretion may be the results that we have chosen to accomplish. That each of this constituents, both youth and adult, may recognize the responsibilities that we owe for each other in this life. That these goods will be for the help and for the perseverance, providential care of every citizen of Illinois. It is in the name of our Messiah we ask. Amen."

Speaker Lyons, J.: "Rabbi Kalish."

Rabbi Kalish: "I'd like to share with you a short prayer that every synagogue throughout the United States and the world prays for the government. May He who grants salvation to kings and dominion to rulers, whose kingdom is a kingdom spanning all eternities, bless the President, the Vice President, our Governor and all the constituted officers of government of this land. May He sustain them and protect them from every trouble, woe, and injury. May He rescue them and put into their heart and into the heart of all their counselors, compassion to do good with us and with all mankind. Let us all pray for the safe return of all of our troops defending our right to freedom and democratic government all over the world. Let us add a special request of the Almighty to protect those troops who are in daily danger in Afghanistan and Iraq and make a safe return home. And to that, let us all say, Amen."

Speaker Lyons, J.: "We'll be led in the Pledge of Allegiance today by Representative Eileen Lyons."

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Lyons, E. - 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 Lyons, J.: "Roll Call for Attendance. Representative Currie."

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

Speaker Lyons, J.: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record refle... reflect that Representatives Eddy, Hultgren, and Tenhouse are excused today."

Speaker Lyons, J.: "Thank you, Representative. Take the record. There's 113 Members responding to the Roll Call, we have a quorum. For what reason does the Representative from Williamson County speak, Mr. Bradley, seek recognition?"

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

Speaker Lyons, J.: "Please proceed, Representative."

Bradley, J.: "I have a group from West Frankfort down in my district up here today. From the West Frankfort Emergency Health Search Committee, up here in the gallery. And I'd like you give 'em a warm round of applause. And then I have... I have special recognition here today, as well, the man in the white suit up there many of you may recognize. The chairman of the committee, former Congressman Kenneth J. Gray, twelve-term Congressman from the 21st District,

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senior ranking Member and the Chairman of the Public Building Committee, was responsible for the Interstate Commerce Act and one of the great Congressman in the history of the State of Illinois, Kenny Gray, thank you."

Speaker Lyons, J.: "Welcome to Springfield. Good to see you, Congressman. The Chair recognizes the Gentleman from Champaign, for what reason do you rise?"

Rose: "Point of personal privilege."

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

Rose: "12:01 a.m. Star Wars was awesome. Everybody needs to go see it."

Speaker Lyons, J.: "The Chair recognizes the Lady from Lake, Representative Osmond, for what reason do you seek recognition?"

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

Speaker Lyons, J.: "Please proceed, Representative."

Osmond: "Representative Churchill and myself would like to ask the Members of the House to join in welcoming Millburn School, they are on both sides over here. Millburn stand up."

Speaker Lyons, J.: "Welcome to Springfield. Committee Reports, Mr. Clerk?"

Clerk Mahoney: "Committee Reports. Representative Mendoza, Chairperson from the Committee on International Trade & Commerce, which the following measure/s was/were referred, action taken on May 19, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 4053. Representative

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Currie, Chairperson from the Committee on Fee-For-Service Initiatives, which the following measure/s was/were referred, action taken on May 19, 2005, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 662. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, which the following measure/s was/were referred, action taken on May 19, 2005, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 176; 'recommends be adopted' House Joint Resolution 52. Representative Franks, Chairperson from the Committee on State Government Administration, which the following measure/s was/were referred, action taken on May 19, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 1813. Representative Franks, Chairperson from the Committee on State Government Administration, which the following measure/s was/were referred, action taken on May 19, 2000... 18, 2005, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 3871, Senate Bill 13 and Senate Bill 468; 'recommends be adopted' Floor Amendment #6 to House Bill 1038 and Floor Amendment #1 to Senate Bill 1666. Representative Molaro, Chairperson from the Committee on Judiciary II - Criminal Law, which the following measure/s was/were referred, action taken on May 19, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate'

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Senate Bill 1962; 'recommends be adopted' Floor Amendment #1 to House Bill 1632. Representative Reitz, Chairperson from the Committee on Revenue, which the following measure/s was/were referred, action taken on May 19, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 1731."

Speaker Lyons, J.: "Representative Monique Davis, for what reason do you seek recognition?"

Davis, M.: "Mr. Speaker, I do thank you for this time. We are seeking a date from the Speaker's Chair as to a rematch with the Senate on that baseball game. We wanna rematch date. And I think all of you will agree that we need to have a rematch on that baseball game that the Senate took unofficially. Thank you."

Speaker Lyons, J.: "Thank you, Representative Davis, M., we'll take that under consideration. For sure, there'll be another date next May. Mr. Clerk, what's the status of Senate Bill 61? 61. I believe it's on page 10 of the Calendar, Mr. Clerk."

Clerk Mahoney: "Senate Bill 61's on the Order of Third Reading."

Speaker Lyons, J.: "On request of the Sponsor, move that Bill back to Second Reading. Mr. Clerk, on page 2 of the Calendar is House Bill 1038. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1038 has been read a second time, previously. Amendment #1 was adopted in committee. Floor

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

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Macon, Representative Bob Flider."

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to table this Amendment and all subsequent Amendments until Amendment #6 which I would request be adopted. Withdraw this Amendment."

Speaker Lyons, J.: "Representative Flider, I think the proper terminology here is you wish to withdraw..."

Flider: "Okay, I would... I would..."

Speaker Lyons, J.: "...Amendment #2 and #3?"

Flider: "Yes."

Speaker Lyons, J.: "Number... withdraw Amendment #3. Gentleman moves to withdraw Floor Amendment #3. Clerk, any further Amendments?"

Clerk Mahoney: "Floor Amendment #6, offered by Representative Flider, has been approved for consideration."

Speaker Lyons, J.: "Representative Flider on Amendment 6 to House Bill 1038."

Flider: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment is the product of some discussions that had occurred since the original Bill had been filed. And it... it attempts to resolve some issues that are related to... that inadvertently would've impacted the operations of the Pollution Control Board and also, the advisory boards throughout the state which have nonbinding

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or non... which do not make decisions other than recommendations. And I would appreciate your support."

Speaker Lyons, J.: "Are there any questions regarding Floor Amendment #6? The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

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

Black: "Representative, I'd like to focus on the electronic aspect of the Bill, particularly as it pertains to what I would call telephony, instant message... instant messaging by cell phone or what have you. Let me make sure I understand what you're attempting to do. If I'm the Chairman of the Pollution Control Board and I call one of my members on my way to Springfield or on my way to wherever the meeting's being held and then I hang up and I call another one of the members of the Pollution Control Board, that now becomes a quorum that I've talked to. So, while I'm in my vehicle traveling to the meeting, I've now called and talked to two members of the board including myself, that's three. So, it's a quorum. Now, I don't see any way to make that a public meeting or am I seeing something that really isn't in the Amendment?"

Flider: "Representative, this legislation really does not try and regulate or try and call that kind of a... a meeting an open meeting per se because that's consistent with what the law is today. What we're trying to do here is have a piece of legislation that applies to an open meeting whereby it... it would be a legal meeting if a quorum was physically

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present. However, just as I'm sure mayors or members of the Pollution Control Board or others must... might do, they... I'm sure have individual conversations with one another. And those are things that we're not attempting to address with this legislation."

Black: "Yeah, I... I... I think what gives me pause, Representative, is you make... the Amendment makes specific reference to instant messaging which would be a text message, either over the Internet or... or a wireless communications. Now, if I am carrying on a text messaging, I guess you could call it a meeting, but none of us are in the same place. But with e-mail or text messaging on... on the cell phone, we are communicating. Now, we may be in three different cities, we may be three different states. Does that constitute a meeting? And would those messages, if in fact, they could be retrieved, be used in any subsequent case to say that you'd violated the Open Meetings Act?"

Flider: "Representative, the... if... if for an example... currently today if... if a quorum or a majority of a quorum of a body is in attendance without a public notice, the legally required public notice, and they meet physically, that would be a violation of the Open Meetings Act. Consistently, if a... if an electronic communication is occurring without notice, that too, would be a violation of the Open Meetings Act, if in fact, the majority of quorum is communicating via electronic means."

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Black: "So, for purposes of constructive notice to board members, if you arrange for a conference call on your cell phones even though you may be... you may be city council members, but you maybe traveling all over the state. But if you arrange for a conference call on your cell phones, then you should've given public notice that you may be in fact, having a meeting at 10 a.m.?"

Flider: "That's correct. There... there should be a... well, to... to back up a little bit, Representative. Actually, that kind of a meeting could not occur legally under this law. What we're talking about is when... when a body is scheduled to meet and the... the law is clear here and the Amendment is clear here, what it would require is that, let's say that it's a seven-member board or a five-member board, you have to have a quorum physically present at that meeting in order for there to be a legal meeting. Those who would like to attend through telecommunications or... or through other electronic means may be able to attend if they can meet the specific guidelines that this legislation sets forth. Also, specific guidelines that a body would set forth. So, really, nothing changes with regard to a body meeting. They'd still have to physically be present to meet subject to notice. It's just that those who would attend electronically could now call in and we are providing standardized rules for... for local boards and commissions and state boards and so on to follow."

Black: "Okay, let me ask you a question. Does... does the Open Meetings Act still maintain that if you have a meeting that

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constitutes a quorum of a quorum that that constitutes a meeting?"

Flider: "A majority of a quorum? That..."

Black: "No, you just... I... I think one of the old standards that I recall and I may be wrong, correct if I am. When I was chairman of the county board, our legal adviser told us that a quorum of a quorum would constitute an open meeting. So, if we had a five-member committee, a quorum was three, but if two of us got together before the meeting to discuss an agenda item that that could constitute a quorum of a quorum, two of the three."

Flider: "Yes, and this legislation does not change that. This legislation keeps those requirements the same."

Black: "I see, you're not... you're not changing the definition of the Open Meetings Act, what you're doing is trying to establish the definition of now with new technology, what constitutes a meeting. Right?"

Flider: "That's exactly..."

Black: "Okay."

Flider: "...what we're..."

Black: "All right."

Flider: "...trying to accomplish."

Black: "All right. Representative, did... did the Municipal League or the Counties Association, you know, those people that we work with every day, did they discu... did they bring any concerns about this Amendment to you? That it might be making their job extremely difficult if not impossible because of e-mail?"

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Flider: "Actually, the Municipal League... I... I had had conversations with them. I'd also had a conversation with our local government group here in the General Assembly. And the feedback I received was that this was something that modernized the Open Meetings Act. It standardized the Open Meetings Act and they had no opposition whatsoever."

Black: "All right."

Flider: "They've taken a neutral position."

Black: "Let me... let me ask you one... one additional question. There are boards and commissions in the State of Illinois whose members are appointed literally from Chicago to Cairo. Now, as I read this, without exempting some of them, there's gonna be a... a real problem in how they are able to conduct business when they're not physically present, either in Chicago at the Thompson Center or in Springfield. Specifically, you've exempted those boards who do not make a binding decision. But you haven't exempted the State Board of Elections that, in fact, make binding decisions, but have seven members who are scattered all over the state. I... I... I believe they have asked to be specifically exempt from this Amendment, did they not?"

Flider: "Representative, I had a conversation with the State Board of Elections yesterday about this. And this was the first I personally was aware of any concern that they have. And I have assured that if they had some type of an issue that they needed to resolve, then I would certainly be open to that. However, we had worked on this for a long time and so, what I wanted to do because it was pending in the

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committee yesterday, was to move it out of committee and move it to the floor for consideration. And then that's something that they could entertain in the Senate. But again, we would with the caveat that the groups that were interested in this legislation in the first place, i.e., the..."

Black: "All right."

Flider: "...Illinois Press Association would be amenable to their recommendation."

Black: "Well, I... I'm advised by staff that there was correspondence that emanated from the State Board in March about their concerns about being able to comply because of the way their board is constituted. All I guess, Representative, I'm just gonna ask you to reach out to the State Board of Elections. I do think theirs is an unique case and maybe we could get another Amendment to the Bill, we... we have time. But I... but I appreciate your indulgence. And thank you very much for answering the questions."

Flider: "Thank you, Rep..."

Speaker Lyons, J.: "Any further discussion of Floor Amendment #6 to House Bill 1038? Seeing there's none, the question is 'Should House... Floor Amendment #6 be adopted to House Bill 1038?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the... Floor Amendment #6 is adopted to House Bill 1038. Anything further, Mr. Clerk?"

Clerk Mahoney: "No further Amendments. However, a note has been requested and not yet received."

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Speaker Lyons, J.: "Hold that Bill on Second Reading. Mr. Clerk, on page 2 of the Calendar is House Bill 1632. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1632 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Yarbrough, has been approved for consideration."

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

Yarbrough: "Thank you, Mr. Speaker and Members of the House. House Amendment 1 is a gut and replace Amendment. And it provides that the identification documents of persons committed to the Department of Corrections shall be forwarded by a county sheriff in possession of the documents to the Department of Corrections. This seeks to address the problem of an incarcerated person's documents not following them when they move between facilities. The Department and the Secretary of State, this is one their Bills and I'd be happy answer any questions. Hopefully, this will help when people are leaving Corrections to help them to get identification."

Speaker Lyons, J.: "Is there any discussion on Floor Amendment #1? Seeing none, all those in favor signify by voting 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted to House Bill 1632. Anything else, Mr. Clerk?"

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

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Speaker Lyons, J.: "Third Reading. On page 3 of the Calendar is House Bill 1731. Is Representative Bradley in the chamber? Yes, he is. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1731 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bradley, has been approved for consideration."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Williamson, Representative John Bradley."

Bradley, J.: "Thank you, Mr. Speaker. This is a Bill that would extend the TIF district in the City of Marion, my hometown. I've done this at the request of my Mayor, Mr. Bob Butler, who's, I think, serving his eleventh term. And I would appreciate the support of the Body in allowing us to extend this TIF district in my hometown."

Speaker Lyons, J.: "Any discussion on Floor Amendment #1? The Chair recognizes the Gentleman from Cook, Representative Lou Lang."

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

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

Lang: "Representative, this has nothing to do with riverboats, does it?"

Bradley, J.: "What is 'no'?"

Lang: "Thank you."

Speaker Lyons, J.: "Any other discussion on Floor Amendment #1? Seeing none, the question is, 'Should Floor Amendment #1 be adopted to House Bill 1731?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of

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the Chair, the 'ayes' have it. And Floor Amendment #1 to House Bill 1731 is adopted. Any further Amendments, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 3 of the Calendar is House Bill 1752. Representative Monique Davis on the Amendment. Read the Bill, Mr. Clerk. Okay. Mr. Clerk, take that Bill out of the record. Mr. Clerk, on page 8 of the Calendar is House Bill 4053, 4053. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4053 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Madigan, has been approved for consideration."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Barbara Flynn Currie."

Currie: "Thank you, Speaker and Members of the House. This Amendment was approved in the International Trade & Commerce Committee this morning. It basically makes no fundamental changes in the proposal that was encompassed in House Bill 4053. It does change the name of the entity and redoes the membership to a degree. We will still need a further technical Amendment. So, if this Amendment is adopted, I would like still to hold the Bill on Second while we wait for that technical Amendment. But I'd appreciate your support."

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

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

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

Parke: "Representative, is this the legislation that came... that Eileen Lyons and I came and talked you about, foreign offices?"

Currie: "Yes, it is."

Parke: "Now, the intent of the overall legislation and does this Amendment 1 become the Bill or is this..."

Currie: "Yes."

Parke: "Is it your intent now with this legislation, to simply take it from DCEO and put it into another business-oriented taskforce or...?"

Currie: "That's exactly right. So, that would apply to both DCEO and the Department of Agriculture."

Parke: "Which one would this committee... this Bill relate to?"

Currie: "Both."

Parke: "Both."

Currie: "Currently, there are marketing programs in DCEO and in the Department of Agriculture."

Parke: "Well, Representative Lyons and I have... I... I've had the opportunity to be in our Brussels overseas office and our Taiwan oversea office and we have career employees there. And these men and women, it would be very difficult to replace them and take years to develop the contacts that those men and women have for us. Is it the intent of this organization to do anything with the personnel?"

Currie: "My understanding is that the intent of the people who have pressed this new approach to making Illinois

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economically competitive in a global market, my understanding is that their intent is to use current personnel and to re... retain current foreign offices, freight offices."

Parke: "Well, with that in mind then I won't have a problem, Representative Eileen Lyons and I probably will not have a problem. But if it is the intent to change personnel then I'm going to have a problem with this legislation."

Currie: "Right. No, my understanding is that there's been lots of discussions on this front and there is not an intent to do any wholesale firing, replacement, anything of that sort."

Parke: "And you're gonna hold it on Second..."

Currie: "We... we..."

Parke: "...for another Amendment based on the conversation you had in committee?"

Currie: "There was some inconsistency in two provisions of the Bill that... that related to personnel. We just wanna clarify how that's going to work."

Parke: "Could you have whoever's working with you on this legislation come and talk to Representative Lyons and I, so that..."

Currie: "Here she is. I'll send her right over."

Parke: "Well, she's your staff. I wanna talk about the... the agency people that have come to you with this idea to change it. We would like to talk to them."

Currie: "Okay. I can certainly arrange that."

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Parke: "All right, I appreciate that very much. Thank you, Representative."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Tazewell, Representative Sommer."

Sommer: "Will the Sponsor yield?"

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

Sommer: "Representative, I apologize, I was off the floor and I've had not the chance to look up what we're doing here right now. What are we doing right now?"

Currie: "We're adopting the Amendment that we adopted this morning in committee. I have said to the Chair I would like to hold the Bill on Second Reading, so we can clarify the discrepant provisions you identified at that meeting today."

Sommer: "Thank you very much. Apologize for my absence."

Speaker Lyons, J.: "No further discussion on the Amendment? The question is, 'Should Floor Amendment 1 be adopted to House Bill 4053?' All those in favor signify by saying 'yes'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted to House Bill 4053. Anything else, Mr. Clerk?"

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

Speaker Lyons, J.: "On request of the Sponsor, that Bill will be held on Second Reading. Mr. Clerk, Rules Report?"

Clerk Mahoney: "Rules Committee Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on May 19, 2005,

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reported the same back with the following recommendation/s: 'approved for floor consideration' is House Bill 1098, Amendment #3; 'recommend be adopted' Amendment #1 to House Joint Resolution 41, Amendment #2 to Senate Bill 98, Amendment #1 to Senate Bill 158, Amendment #1 to Senate Bill 557, Amendment #3 to Senate Bill 1910, Amendments 1 and 2 to Senate Bill 1953; 'referred to the Order of Second Reading' is House Bill 2222, House Bill 3760, House Bill 3761 and House Bill 3814."

Speaker Lyons, J.: "Mr. Clerk, on page 2 of the Calendar is House Bill 1098, 1098. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1098 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #2 was adopted by the Body. Floor Amendment #3, offered by Representative... has been approved for consideration."

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

Nekritz: "Thank you, Mr. Speaker. Amendment... this is the... piece of legislation to ban the manufacture and sale of the .50 caliber sniper rifle in the State of Illinois. And this Amendment clarifies the definition of the weapon that we are seeking to ban. I ask for your support."

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

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

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

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Sacia: "Representative Nekritz, would... would you share with us the genesis of this Bill?"

Nekritz: "Well, I had a... not sure I know... it was an interest group that came to me to... to see if I would be willing to work on this. And it is modeled after a piece of legislation that recently passed in California that was signed by Governor Schwarzenegger."

Sacia: "Are... are you aware and maybe you can clarify, I didn't get a chance to read all of the analysis, but many of our black powder weapons and so forth are .50 caliber?"

Nekritz: "Yes... Representative, I believe that the definitions we have in this exclude those black powder fighter ri... black powder fired rifles."

Sacia: "I have many constituents in my district that own the type of weapons that are described in here. Many of them are collectors. They're individuals that appreciate different types of firearms. They certainly are not terrorists or to be confused in any way. I... I guess my concern is, is why is there such an effort to take these weapons away? Has... has there been anyone that has used a .50 caliber weapon that you are aware of anywhere in these United States, in a hostile manner against another human being?"

Nekritz: "And... and Representative, let me clarify. We are not seeking to take these away. This Bill contains a grandfather clause that allows anyone that currently owns such a weapon to keep it. So, and we're not... so we're definitely not trying to criminalize those who have already

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tain... obtained the weapon. But yes, there are... there... and I'd be glad to give you a list of those instan... those instances. One of those involved the Branch Davidian group in... in Waco, as I understand it, that... that the weapons were fired upon law enforcement officers during that incident."

Sacia: "But am I not correct in saying that you can only sell this weapon with your legislation to a federal firearms dealer? Is... is that... am I understanding that correctly?"

Nekritz: "Tha... that is correct. I mean, that's not what the Amendment deals with, but that is... that... the underlying Bill, yes."

Sacia: "I guess, I have a personal concern here. I don't own one, I'd like to own one. I really would. I... I'm a collector of firearms. I... I take great pride in that. I own many weapons that I even hear people call assault weapons that are nothing more than semiautomatic rifles. But would... would you, if... if I could... well, strike that, disregard that. I just have a real concern if in your district you don't want weapons like this to exist, I accept and respect that. But I really struggle when the concept expands itself where we want to prevent anyone in the state from having them. I... I represent a large rural area. And my constituents, for the most part, strongly support the Second Amendment in its pure form without limiting weapons such as we're calling to do here. Would you comment on that? Why does this have to be a statewide effort?"

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Nekritz: "Again, Representative, what we're debating right now is the Amendment to this legislation but..."

Sacia: "I understand."

Nekritz: "Okay. The... the reason for that is that this is a... this is a... a weapon that is of a... of power that really goes beyond, I think, many, many other weapons that are out there. And this one has a range that exceeds that of many other weapons out there. And it can... and in the wrong hands it cou... could be used to shoot railcars with... with toxic chemicals in them. It could be used to bring... you know, I mean, yes, I recognize it can't shoot down an aircraft at 30 thousand feet, but the manufacturers of this particular weapon when they first brought it out, highly touted, that this weapon had the capability of bringing, you know, of shooting down a helicopter or an airplane that was taking off or landing. And..."

Sacia: "Sure."

Nekritz: "...ya know, I think that this is a... this is a homeland security measure. If we were to have said... to me, saying that... that because it's never been used before, why are we gonna go out to do this, is saying, well, ya know, if on September 10, someone had said, well, let's increase airport security because someone might fly an airplane into a building and we all laughed and said, ya know, well, that's never gonna happen, no one's done that before. In hindsight, boy, we sure should've heightened airport security..."

Sacia: "Sure."

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Nekritz: "...so that no one could fly an airplane into a building. And... and I think that's what we're trying to... to take a look at and say, are there ways we can provide greater security."

Sacia: "Recognizing that we're just at the Amendment and on Second Reading, I'll reserve any further comments until we bring it up on the floor. Thank you, Representative."

Nekritz: "Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Champaign, Representative Chapin Rose."

Rose: "Thank you. Would the Lady yield for a question?"

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

Rose: "Representative, this is the most important question I'm gonna ask all day. Where did John Shyer go to school?"

Nekritz: "Oh, Representative, I have some really bad news for you, if you didn't already know. He accepted at Duke."

Rose: "He didn't... he didn't go to Illinois, did he?"

Nekritz: "He did not go to Illinois."

Rose: "And he's your constituent, is that right?"

Nekritz: "I... ya know, I... we haven't checked. He's either my constituent or he's Representative May's."

Rose: "Okay."

Nekritz: "So, you may have to take it out on her."

Rose: "So, I may have to take it up with Representative May. Okay. Well, seriously, Ladies and Gentlemen, I think in general there's an objection by many in this chamber for this type of legislation. And let me just tell you as a former prosecutor, I never saw one gun crime come before my

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county that didn't involve an already previously convicted felon. The law-abiding citizens of this state are not the problem. The people who are committing the gun crimes are already criminals. I fail to understand why it is we feel that we have to patronize and take issue with people who are trying to be law-abiding, honest citizens, collectors, hunters, et cetera. If we really wanna to do something, let's all join together and go after the people who are committing gun crimes and put them behind bars so they're not on the streets to do that. And with that I'll simply ask and urge this Body to be opposed to this Amendment."

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

Osterman: "...Mr. Chairman. Representative Nekritz, your Amendment #3 is an attempt to not include law-abiding hunters, muzzle loaders, people that use black powder for hunting or people that use .50 caliber guns for battle reenactments. So, you've done this Amendment to try to make the Bill a better Bill. Is that correct?"

Nekritz: "That's correct, Representative."

Osterman: "And those concerns were brought to you by sportsmen and you were trying to answer their reasonable request."

Nekritz: "That... yes, Representative, we were. This... this was a concern raised in committee when the... the Bill came through committee and... and this was our... our work to try to address that."

Osterman: "Okay. Not to belabor the point, 'cause this is an Amendment that we're gonna adopt, but the Lady is trying to

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make the Bill a better Bill. We can debate this Bill when it gets to Third Reading. I would simply ask that we move on the Amendment."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Jackson, Representative Michael Bost."

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

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

Bost: "Representative, in... in the actual language, can you please give me a definition of... it says it does not include shotgun. What is your definition of 'shotgun'? Or what is the law's definition of 'shotgun'?"

Nekritz: "Representative, I believe there is no definition in Illinois law of a shotgun, but as we have talked to weapons experts at the City of Chicago and elsewhere, ya know, they seem very clear that a shotgun is a shotgun is a shotgun. And so..."

Bost: "Okay..."

Nekritz: "...this is what we're trying to..."

Bost: "...here... here's a problem..."

Nekritz: "...trying to address."

Bost: "Okay, how about rifle? Do we have a definition of what is a 'rifle'?"

Nekritz: "Under Illinois law?"

Bost: "Yes, I mean, that's what we're doing here. We're gonna... we're... we're saying that... that this only includes .50 caliber rifles, does not include shotguns. Okay. Now, we need to know exactly what is a 'rifle' and what is a 'shotgun', if we're gonna move forward with this, if we're

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going to say that we aren't going to affect sports enthusiasts that... that deer hunt and everything like that. So, do we have a clear definition anywhere in the statutes of what a 'shotgun' is and what a 'rifle' is?"

Nekritz: "Representative, I don't believe that there is under... under existing law."

Bost: "Okay. That... then we have a problem. Because if you are going to try and... and here's the problem. We... once again, we have people that don't understand weapons and don't understand firearms trying to draft legislation when you say this doesn't include shotguns. If the only way you can differ between a shotgun and a rifle is the fact that there is rifling in the barrel. Okay. Rifling in the barrel is... is a standard that's used and it says, okay, that's a rifle. Now, that... that... that is the way the barrel's made and... and the twist that's in the barrel causes grooves so that when a... the projectile flies, it... it spins in a way that'll move through the air. When we hunt deer in the State of Illinois, we are allowed to use shotguns with rifled barrels. Now, all of a sudden, under many definitions, those become rifles. I believe that the way your Amendment is drafted you will be banning those weapons, those firearms that are used in hunting deer in this state because you have a rifle, you have a rifling cut inside the barrel. The projectile is well over .50 caliber. But it is a common practice and it is what we use to hunt deer in the State of Illinois. I think that this Amendment is flawed, Ladies and Gentlemen, whether you are

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antigun, progun, whatever. I believe that the way this is written right now, there is a real problem because we don't have a clear definition of what we're trying to ban here. And we will end up hurting our spu... sports enthusiasts, deer hunters and... and that... those... those groups out there. Representative, I... I wish you'd look very closely at this 'cause I think you have a real problem with the Amendment."

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

Davis, W.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Over my left... over my left shoulder behind me in the gallery are students from Lincoln School in Dolton, Illinois dis... School District 148. Would you please give 'em a round of applause."

Speaker Lyons, J.: "Welcome to Springfield, children. Good to see you. Chair recognizes the Lady from DuPage, Representative Patty Bellock."

Bellock: "Thank you very much, Mr. Speaker. Point of personal privilege."

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

Bellock: "I have a group that I'd like the House to repres... to welcome from Downers Grove, Illinois, from the Lester School from Tech 2005. Thank you."

Speaker Lyons, J.: "Welcome to Springfield. Seeing no further debate, the question is, 'Should Floor Amendment #3 be adopted to House Bill 1098?' All those in favor signify by saying 'yes'; those opposed vote 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #3 is

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adopted to House Bill 1098. The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, I realize that was a voice vote, but just for my own clarification. Do you have a hearing problem in your left ear?"

Speaker Lyons, J.: "I am... believe it or not, Representative Black, I think I'm developing one."

Black: "Mr. Speaker, since you're such an honest man, I have no comeback for that. Thank you."

Speaker Lyons, J.: "Thank you, Representative. Mr. Clerk, hold that Bill on Second Reading. Mr. Clerk, we're gonna proceed with House Bills on Third Reading. The Chair recognizes Representative May, for what purpose do you rise, Representative?"

May: "Yes, personal privilege, please."

Speaker Lyons, J.: "Please proceed, Representative."

May: "Yes, I'd like to recognize in the balcony here the students from Shabonee School in Northbrook. They're down for Tech 2005 and if I could show this wonderful tech... the photo that they've made. They are teaching digital impressionism. This was done by Jonathon and he's joined by Mohammed Cahn and Jonathon Bendalog, Judy Doebler and Samantha Rosman. Please welcome them and thank them for their good work."

Speaker Lyons, J.: "Welcome to Springfield. Mr. Clerk, House Resolution 432, Representative Molaro. Staff, this will be a death Resolution so we're asking all Members to please be

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at their seats and staff retire to the back of the chamber.
Mr. Clerk, read the Resolution."

Clerk Mahoney: "House Resolution 432, offered by Representative Molaro.

WHEREAS, The members of the House of Representatives of the State of Illinois learned with deep sadness of the death of our former colleague, David B. McAfee of Palos Park, on February 19, 2005; and

WHEREAS, He was born on June 24, 1947, in Elmwood Park to William David McAfee and Anna Anderson McAfee; he graduated from Elmwood Park High School in 1965; he went on to receive a B.A. in government in 1969 and an M.P.A. in 1972, both from American University; he earned a J.D. in 1973 from Southern Methodist University; and

WHEREAS, Mr. McAfee served as a Legislative Assistant to Senator Wayne Morse from Oregon, and Congressman Roman Pucinski of Chicago, in their Washington, D.C., offices, as well as Congressman Sidney R. Yates in both his Washington, D.C., and Chicago offices; he was a managing partner of Fredrickson & Company, home builders and general contractors, and was also President of Fredrickson Real Estate Improvement Company; he was a former partner with the Chicago law firm of Clausen, Miller, Gorman, Caffrey, & Witous; and

WHEREAS, He was a public servant for many years; he was a Village Trustee of Indian Head Park from 1983 to 1987 and Village President from 1987 to 1991; during his tenure as Village President, property taxes were reduced by more than

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32 percent; he was Vice President of the West Central Municipal Conference for 1988-1989 and President for the 1989-1990 term; he also served as a Special Planning Coordinator for the National Sheriffs' Association and was a member of the Executive Committee of the Metropolitan Economic Development Alliance; and

WHEREAS, He was a Special Assistant Attorney General and served in the General Assembly as State Representative from 1991 to 1995 for the 47th Representative District; during his term, he served on more committees and passed more bills than any other freshman legislator; he served as Vice Chairperson of the Insurance Committee and served on the Health Care and Human Services, Veterans Affairs, Consumer Protection, Judiciary, Aging, and other committees; and

WHEREAS, While a member of the House of Representatives, David McAfee championed legislation regarding the rights of mobile home tenants and landlords; he led the fight to pass the Whistleblower law to eliminate waste in State government; he sponsored legislation placing a moratorium on construction of new hazardous waste incinerators; and he passed a bill to have senior citizens trained in child care work; and

WHEREAS, Since 1995, he worked as a real estate developer for McAfee Investments LLC; he was a member of the Illinois, Florida, Texas, and American Bar Associations and gave presentations for the University of Wisconsin Professional Development Program; he was an announcer at the annual Pet

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Parade in LaGrange and the recipient of numerous civic and legislative awards; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of David B. McAfee, who will always be remembered for his good nature and the ever-present smile he wore on his face, and we extend our deepest sympathy to his family, friends, and all who knew and loved him; and be it further

RESOLVED, That a suitable copy of this resolution be presented to his loved ones as an expression of our sadness for this loss."

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

Molaro: "Thank you, Mr. Speaker. First of all I wanna apologize to Dave McAfee as he listening down on us, he'd be pretty upset that I was doing this. He's one of these unassuming guys who would never want this done for himself. I wanna first thank Carol Higgason, Heather Southwell and Jim O'Brien for putting this together. So, I wanna also acknowledge their hard work. You know, Dave, as you could tell just by that reading, I mean, this... this man was a man of many colors. And the only thing I'll say about him and I'm not gonna get personal because he wouldn't want me to, so I'll just say this. One thing I wanna mention that he said in the Resolution, he set a record as a freshman for passing Bills and introducing Bills, which leads me to what I am gonna say about him real briefly. Every time I saw

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him and this is when I had dark hair and I started down here, he'd always have a smile. And the reason was, no one loved this job more than Dave McAfee. No one. Whenever I would talk to him, he said, 'You have no idea what an honor you have by being a State Legislator.' He said, 'Remember you're a lawmaker. You're a lawmaker. You're actually down here setting rules for people and how they live.' He was... he was so enthralled with being a... a lawmaker, a Legislator. I don't know what he thought of the process and I... I guess he must have had full love for the process. But it would be everyday, he... ya know, every time you'd see him, say how you doing David, answer would be standard. He would say, 'I'm doing fantastic, never had a bad day in my life.' Said, 'some were better than others, but I never had a bad day in my life.' So, I thought we'd bring this Resolution just for someone who truly, truly loved this job. And thank you, Mr. Speaker, for allowing this to brought to the floor."

Speaker Lyons, J.: "Thank you for your beautiful statement, Mr... Representative Molaro. The Chair recognizes the Gentleman from Cook, Representative Calvin Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I had the privilege of sitting next Representative McAfee when I first came down in '93. And Representative Molaro is correct. He's a... he was a gentleman that did not want a lot of attention focused on himself. But he often stressed to me how important this job was. And that I was privileged and blessed to... to be a lawmaker. We got a

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chance to talk on many occasions about the relationship to being a lawmaker and of course, he was an attorney and how that effect his work. And I got a chance share with him a little bit of my world and... and I was down here trying to solve the education crisis. And so, we... we got a chance to talk quite a bit. He's the type of gentleman, he would not want us to give him this... this trib... tribute this morning, but he's a gentleman that is well deserved. We see that he have many accolades and that he have made a tremendous contribution to this Body. And I would just simply like to thank his family for sharing with him and all of his ideals and thoughts that he've given this Body. And I truly still miss him today. Thank you, Mr. Speaker."

Speaker Lyons, J.: "Thank you, Representative Giles. All those in favor of adoption of the Resolution 432 signify by saying 'aye'; the opposed. The 'ayes' have it. House Resolution 432 is adopted. Ladies and Gentlemen, we'll be going to page 9 and running down the Third Reading-House Bills. And we'll be starting with House Bill 1919, Pat Verschoore. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1919, a Bill for an Act concerning gaming. Third Reading of this House Bill."

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

Verschoore: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What House Bill 1919 does is this legislation is being offered to satisfy a concern of the Attorney General and the Illinois Gaming Board. In both 202(sic-2002) and 203(sic-2003) the Illinois General Assembly

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passed language that allowed the Casino Rock Island and other casinos on the Mississippi River to change their location within their community and within five miles of their current location. The casino still had to be on the water. The language was passed to satisfy a concern of the then Attorney General. In the case of the Casino Rock Island, the Gaming Board had even given the casino permission to purchase land and start recom... reclamation of the property. Since that time an organization rec... requested that a Member of the Body ask for an opinion from the Attorney General if such a move was authorized. Though we continue to believe the Casino Rock Island had that authority to move, the Attorney General disagreed... even though legislative intent was clear. As a result of this informational opinion, working at the Rock Island construction site was shut down and many workers were laid off. To resolve this situation, the Attorney General drafted and the Gaming Board staff approved the language we are considering today. The City of Rock Island and the casino support this technical change. This a technical change to the Riverboat Gaming Act and only seeks to clarify what the Legislature intended in 202(sic-2002) and 203(sic-2003). The legislation makes it clear that the Gaming Board has the authority to authorize the move. I'd be happy answer any questions."

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

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Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of the Gentleman's Bill and I just simply wanted to point out that this is cleanup language. What the Gentleman is trying to do we thought we did some time ago. And due to an opinion of the Attorney General, there's some fogginess or haziness in the law that stopped an important project going on in Representative Verschoore's area. So, all this does is put the law where we thought it was in the first place. And so, I would strongly recommend your 'aye' votes."

Speaker Lyons, J.: "Chair recognizes the Lady from St. Clair, Representative Wyvetter Younge."

Younge: "Will the Gentleman yield?"

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

Younge: "Is... this approves a move within the same city?"

Verschoore: "Yes, it does, Representative, within a five-mile radius and the municipality has to give the okay which they have."

Younge: "All right. Thank you."

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

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

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

Black: "Representative, could you state for the record your intent, should this Bill go to the Senate and come back with a veritable Christmas tree of expansion Amendments,

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would it be your intent that this Bill stay clean or you'll not concur in any Amendments?"

Verschoore: "Ab... absolutely, we're gonna keep it clean."

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

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.: "He indicates he will."

Moffitt: "First of all, I wanna commend Representative Verschoore for making this a single stand-alone Bill of addressing this issue. I do have some points of clarification, I'd like, but I think this is the way we should face an issue and not have it be part of something else. I think the last time and maybe Representative can clear this. I think last time the legislation actually was a part of... is this be... is this because we're talking about gaming that..."

Verschoore: "...gaming..."

Speaker Lyons, J.: "Representative Moffitt, do you wanna proceed? Sorry, for the interruption."

Moffitt: "Is that a gaming issue that they're trying to talk about or represent there?"

Speaker Lyons, J.: "In their minds it is, but you wanna proceed with your questions with, Representative Verschoore?"

Moffitt: "Yes I do, thank you. I wanna just commend the Sponsor for making this a stand-alone issue. I think last time the language was actually tied to Presidential Museum in the final analysis. This is clear cut so we know what

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we're voting for and I commend him for that. Representative, do you... do you... can you tell us, is this an expansion or simply a clarification?"

Verschoore: "This is just a clarification. There's no expansion whatsoever. Like I said in my earlier remarks and... and as Mr. Lang so eloquently said, this was something we thought we had in the original Bill, but the Attorney General didn't see it that way. So, it's just kinda cleaning up the language and making it legal for them to do that meaning the Gaming Board."

Moffitt: "You mentioned jobs, I believe construction jobs, how... how many construction jobs are involved with the project that have been put on hold?"

Verschoore: "Four to five... 4 to 5 hundred construction jobs. And then when the project is completed it's a \$90 million project, it'll be 3 to 4 hundred permanent jobs at the casino."

Moffitt: "You mentioned the Attorney General's opinion and... and there was... a number of individuals when the last legislation passed, some thought that gave the Gaming Board authority and others say it did not, and perhaps the proper sections were not changed."

Verschoore: "Right."

Moffitt: "Has there been more than one Attorney General issue an opinion that current law does not allow the Gaming Board the authority which this would clarify and clear up? Has there been more than one issue an opinion?"

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Verschoore: "No, one... the one issue with... they took the opinion of the former Attorney General, Jim Ryan, James Ryan. But that was before we had this legislation in 20... 202(sic-2002) and 203(sic-2003). So, like I said earlier, we felt we had the legislation we could move anyhow, but the Casino Rock Island decided they'd rather... rather than take it for a... to a law judge and get it... declaratory explanation, they figured this would be simple just to go along with what the Attorney General wanted."

Moffitt: "And did you say in your statements, the Gaming Board has actually given the..."

Verschoore: "Yes, they cooperated with the Attorney General on the language to make sure that they got it the way they wanted, so they could have the power to allow this relocation."

Moffitt: "If we pass this?"

Verschoore: "If we pass it."

Moffitt: "But... but had the Gaming Board... had they given approval?"

Verschoore: "Had they what?"

Moffitt: "Had the Gaming Board given approval before this issue came up?"

Verschoore: "No."

Moffitt: "Because..."

Verschoore: "They... they gave them approval to acquire the land and... and reclaim it, but they didn't give... didn't give 'em the approval to relocate. So, we need this legislation to do that."

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Moffitt: "Thank you, Representative."

Verschoore: "Thank you."

Moffitt: "As you know, I have... I have not supported expanded gambling. You have told us this is not an expansion. I, again, commend you for being upfront and just making this a stand-alone issue. You're calling it a technical clarification. I appreciate that. Because of your approach and that I think that a lot of people were confused in the past. This does clarify it and for that reason, I... I will support this legislation. Thank you."

Verschoore: "Thank you."

Speaker Lyons, J.: "The Chair recognizes the Lady from Lake, Representative Karen May."

May: "Will the Sponsor yield?"

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

May: "Yes, Representative, will this require that the boat still be on the Mississippi River?"

Verschoore: "It'll be on land... it'll be on water, yes. Contiguous to..."

May: "On the Mississippi River not on water..."

Verschoore: "...contiguous to the Mississippi River."

May: "Contiguous. So, it might be a backwater or a slough or a channel?"

Verschoore: "Right. Right."

May: "This is the same Bill that Representative Brunsvold brought to us... brought to us and we voted it down?"

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Verschoore: "No, we voted for it. It was... it was... it was a Bill that I think Representative Hannig had in 203(sic-2003) that... that talked about it."

May: "Okay, but it will not be on the Mississippi River, it will be on a channel?"

Verschoore: "It won't be specifically right on the Mississippi, it'll be contiguous to the Mississippi."

May: "Contiguous on water..."

Verschoore: "On water..."

May: "...a channel that they dig?"

Verschoore: "On water."

May: "A channel that they dig?"

Verschoore: "On a bar... on a... on a barge..."

May: "Has the Army Corps ruled that this would still be the Mississippi River?"

Verschoore: "Yeah, well, strange things happen, don't they?"

May: "Okay. Thank you."

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

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

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

Bailey: "Pat, I understand you said that this is going to create some jobs, new..."

Verschoore: "Yes..."

Bailey: "Do you..."

Verschoore: "About 5 hundred construction and 3 to 4 hundred permanent jobs."

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Bailey: "Okay. Could you tell me, if you know, who the construction pe... who are the builders?"

Verschoore: "The builders... I don't... I don't think they've let the contract for that yet, to build the barge. They... well, all they've done so far, Representative, is they've moved some rock and filled in some areas... to the tune of about \$5 million."

Bailey: "Is it any way possible that you could find out and let us know? The reason I'm asking is because this Governor has given contracts for a lot of state jobs and none of which hire minorities."

Verschoore: "Um hmm."

Bailey: "None of which the construction companies will hire any minorities and will hold swastika signs at the sites to prevent them from being hired. Are you aware of that?"

Verschoore: "I'm not aware of that, but I... I know in our area that I can speak about the construction people. We have... we have several minorities in our building trades councils there. And I'm assuming that whoever gets the job will use local labor."

Bailey: "Never assume, Sir, because we have 'em in Chicago and they don't hire minority construction workers. Thank you."

Verschoore: "Thank you."

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

Verschoore: "I would just ask for an 'aye' vote like we've talked many times about the State of Illinois driving jobs out. Here's... here is a project that would have a

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tremendous amount of construction work plus permanent jobs. And I would ask for an 'aye' vote. Thank you."

Speaker Lyons, J.: "The question is, 'Should House Bill 1919 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 65 Members voting 'yes', 47 Members voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 9 of the Calendar is House Bill 2002, House Bill 2002. Read the Bill, Mr. Clerk. Representative Dugan."

Clerk Mahoney: "House Bill 2002, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons, J.: "On request of the Sponsor, Mr. Clerk, we'll take this Bill out of the record. Mr. Clerk, on page 9 of the Calendar is House Bill 2275. Representative Gordon. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2275, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from Grundy, Representative Gordon."

Gordon: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 2275 is the Amendment that was adopted by this Body yesterday. It amends the State Prompt Payment Act to provide that Central Management Services give an update within 48 hours of any contract that is going through the

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process. It really... it opens up their website to the general public, to small businesses and makes it more transparent for people to get the information that is so desperately needed. I would ask for your 'aye' vote."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

Franks: "Thank you, Mr. Speaker. I rise in support of the Lady's Bill. Representative, I appreciate you bringing this forward. We've been holding hearings in the State Government Administration Committee. And this Bill, I think, is very important. It's a result of the audit findings of the Auditor General. What we found in many of the contracts, what the auditor found rather and we've been investigating, are that many of these contracts work was being done. There was no written contract in some... in some instances there was \$25 million contracts let to nonexistent corporations and then waiting 230 days to turn over the contract or to actually enter into the contract. I think this will certainly tighten up that process significantly. It'll protect the taxpayers. It'll provide real transparency in our government which is desperately needed. And I'd encourage everyone to vote 'aye'."

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

Gordon: "Ladies and Gentlemen, this makes the government actually work for the people who've allow... who've allowed us to have these jobs. I would urge your 'aye' vote."

Speaker Lyons, J.: "The question is, 'Should House Bill 2275 pass?' All those in favor signify by voting 'yes'; those

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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 Younge, would you like to be recorded, Wyvetter? Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Winnebago, Representative Sacia, for what reason do you seek recognition?"

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

Speaker Lyons, J.: "Please proceed, Representative."

Sacia: "Ladies and Gentlemen of the House, up over in the gallery on the Republican side are students from Le-Win High... Le-Win Schools in Lena-Winslow, Illinois and Eastland Schools in Lanark, Illinois, that have a technical display in the rotunda. Would you please make them welcome to Springfield."

Speaker Lyons, J.: "Welcome to Springfield. The Chair recognizes the Lady from Lake, Representative Karen May, for what reason do you seek recognition?"

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

Speaker Lyons, J.: "Please proceed, Representative."

May: "Yes, and I'd like to also welcome Ella and Jenny Pestine over my shoulder from Ravinia School in Highland Park for Tech 2005, they're here. And they made this beautiful stationary for me, personalized and I believe it's a wetland flower on it. I thank you very much."

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Speaker Lyons, J.: "Welcome to Springfield. Mr. Clerk, on page 9 of the Calendar is House Bill 2706. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2706, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Barbara Flynn Currie."

Currie: "Thank you, Speaker and Members of the House. This is a revisory Bill from the Department of Revenue. It says that they don't have to sell contraband cigarettes that they can dispose of them in some other way. It... it requires electronic transfer of taxes from gas stations with tax liability above \$200 thousand a year. That same provision applies to other retailers. It makes a lot of technical changes in the transfer of the Department of Lottery to the Department of Revenue. And it enables the Department of Revenue to do its own enforcement of... of... of warrants. I know of no opposition. I'd be happy to answer your 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.: "She indicates she will."

Parke: "Representative, is this... are you planning on using this for any other purpose other than this?"

Currie: "No, this... as I said, this is a revisory Bill from the Department of Revenue."

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Parke: "Okay. So, it's not your intent to amend it in any way?"

Currie: "No."

Parke: "Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

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

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

Franks: "Representative, I'm reading the... the summary, I just wanna ask a couple of follow-ups. Are there any revenue enhancers in this Bill at all?"

Currie: "No."

Franks: "Okay. There's no tax increase or fees?"

Currie: "No."

Franks: "It's just cleanup language, correct?"

Currie: "Yes."

Franks: "Thank you, you answered my questions."

Speaker Lyons, J.: "The question is, 'Should House Bill 2706 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 Jenisch, would you like to be recorded? Representative Poe, Representative Wyvetter Younge, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there are 103 Members voting 'yes', 11 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On

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page 9 of the Calendar Representative Bellock has House Bill 3031, 3031. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3031, a Bill for an Act concerning health. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from DuPage, Representative Patty Bellock."

Bellock: "Thank you very much, Mr. Speaker. House Bill 3031 is regarding the screening services under the Children's Mental Health Act which was passed a couple of years ago. And what this would do would be to make all those screening services under that Act voluntary and conducted with parental consent in accordance with the Mental Health and Developmental Disabilities Code in Illinois."

Speaker Lyons, J.: "Any questions regarding House Bill 3031? Seeing none, the question is, 'Shall House Bill 3031 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 Younge. Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 9 of the Calendar, Mr. Clerk, Representative Saviano has House Bill 3167. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3167, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

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Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 3167 as amended is a culmination of an agreement made by the Illinois State Fire Marshal's Office, the Pyrotechnic Industry, the Illinois Fire Service. What we did with this Bill is set up a... a process by which these companies would be handling pyrotechnics, fireworks. It addresses storage. It addresses transportation. And it licenses the distributors so we could keep a better control on who's handling these materials for commercial purposes. This is not for consumer use. These are your commercial displays which are done on the Fourth of July and other special events. And I would ask for your approval of House Bill 3167 as amended."

Speaker Lyons, J.: "Is there any discussion on House Bill 3167? Seeing none, the question is, 'Should House Bill 3167 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 Pihos. Representative Chapa LaVia. Mr. Clerk, take the record. On this Bill, there are 103 Members voting 'yes', 11 voting 'no' and 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 9 of the Calendar is House Bill 3687. Representative Smith. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3687, a Bill for an Act concerning safety. Third Reading of this House Bill."

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Speaker Lyons, J.: "The Chair recognizes the Gentleman from Fulton, Representative Mike Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is an initiative of the Fire Service Caucus. It is an attempt to do what we did last year for the hazardous waste teams. This would simply provide that a technical rescue team would be able to be reimbursed for their services by a party who may be liable for the incident that calls them to the scene. We did an Amendment which addressed some of the concerns that have been raised that was technical in nature. I know of no opposition to this legislation. It's here still as a House Bill because we missed the deadline because of the mix-up on the... on the Amendments. We'd like to send it over the Senate and get it passed yet this Session. I'd be happy to answer any questions."

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

Moffitt: "Thank you, Mr. Speaker. To the Bill. Just... I wanna thank Representative Smith for continuing to work on this and having it in a form where there's no opposition. It's a way to help our emergency services, fire service in the State of Illinois. So, I think it's a... a Bill that all of us should consider supporting. It's needed and it's the right thing to do."

Speaker Lyons, J.: "Seeing no further questions, the question is, 'Should House Bill 3687 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

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who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 9 of the Calendar is House Bill 2048, Representative Jack Franks. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2048, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Lyons, J.: "The Gentleman from McHenry, Representative Franks."

Franks: "Thank you, Mr. Speaker. This is the Bill we had up yesterday with the Amendment and this is the one I worked with from a constituent and it's supported by the realtors. And it comes from a complaint by a constituent over practices of his homeowners associa... association because currently there are no protections for homeowners associations in the statute. And what we'll do is include homeowners association in the same statute as the co-op. I'd be glad to answer any questions."

Speaker Lyons, J.: "Is there any discussion on House Bill 2048? Seeing none, the question is, 'Should House Bill 2048 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', and 0 voting 'present'. This Bill, having received the Constitutional

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Majority, is hereby declared passed. Ladies and Gentlemen, we'll be moving some of the Bills on Second Reading, Senate Bills on Second Reading on page... starting on page 14. I'll call out your name before we read the Bill to make sure you're onboard with moving the Bill to Third. On page 14 is Senate Bill 69, Representative Brady. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 69, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. On page 14 of the Calendar is Senate Bill 133, Representative Hannig. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 133, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. On page 15 of the Calendar Representative Saviano has Senate Bill 158. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 158 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

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

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Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 simply deletes the provisions from the legislation which prohibited transfer of funds set aside for podiatric scholarships and residency programs. The changes were made at the request of the Governor's Office and the Illinois Podiatry Medical Association."

Speaker Lyons, J.: "Are you finished, Representative, with the explanation?"

Saviano: "I would ask that it be adopted."

Speaker Lyons, J.: "What... any seek... anybody seeking recognition on Floor Amendment #1? Seeing none, the question is, 'Should Floor Amendment #1 to Senate Bill 158 be adopted?' All those in favor signify by voting 'yes'; those opposed vote 'no'. In the opinion of the Chair, the 'ayes' have it. And... Floor Amendment #1 is adopted to Senate Bill 158. Any further Amendments, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. On page 14 of the Calendar Representative Osterman has Senate Bill 143. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 143, a Bill for an Act concerning government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 15 of the Calendar is Senate Bill 187. Representative Coulson, Senate Bill 187. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 187, a Bill for an Act concerning elections. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 15 of the Calendar. Representative Saviano has Senate Bill 201. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 201, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 14 of the Calendar Representative Mathias has Senate Bill 98. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 98 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Mathias, has been approved for consideration."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Lake, Representative Sid Mathias."

Mathias: "Thank you, Mr. Speaker. All the Amendment... Floor Amendment to Senate Bill 98 does is add for the training portion of the Bill that it's the chief circuit judge or designated presiding judge who would act in this case. Just adds those words to the Bill. I ask for your 'aye' vote."

Speaker Lyons, J.: "Is there any discussion on Floor Amendment #2 to Senate Bill 98? Seeing none, the question is,

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'Should Floor Amendment #2 be adopted to Senate Bill 98?'
All those in favor signify by saying 'yes'; those opposed
'no'. In the opinion of the Chair, the 'ayes' have it.
And Floor Amendment #2 is adopted. Any further
Amendments?"

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

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 15 of
the Calendar Representative McCarthy has Senate Bill 232.
Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 232, a Bill for an Act in relation
to public health. Second Reading of this Senate Bill.
Amendment #1 was adopted in committee. No Floor
Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 16 of
the Calendar Representative Lang has Senate Bill 406. Read
the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 406 has been read a second time,
previously. No Committee Amendments. No Floor Amendments.
No Motions filed."

Speaker Lyons, J.: "Third Reading. On page 16 of the Calendar
Representative Coulson has Senate Bill 417. Read the Bill,
Mr. Clerk."

Clerk Mahoney: "Senate Bill 417, a Bill for an Act concerning
finance. Second Reading of this Senate Bill. No Committee
Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. On page 16 of the Calendar,
Representative Holbrook has Senate Bill 478... 468, Mr.
Clerk, House... Senate Bill 468."

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Clerk Mahoney: "Senate Bill 468, a Bill for an Act concerning business. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Lyons, J.: "Third Reading. On page 16 of the Calendar is Senate Bill 478, Representative Saviano. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 478, a Bill for an Act concerning liquor. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Also on page 16 is Hou... Senate Bill 479. Representative Aaron Schock. Representative Schock, move it to Third Reading? Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 479, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. On page 16 of the Calendar Representative Currie has Senate Bill 511. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 511 has been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been approved for consideration."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Barbara Flynn Currie."

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Currie: "Thank you, Speaker and Members of the House. The... the underlying Bill deals with people who do not have a right to custody of a child who should then not be allowed to participate in legal pleadings. And the Bill establishes some categories of people who cannot assert parental rights. This Amendment specifies that one of that group would have to be over the age of 18 for the bar to apply. It came from the public defender's office. And I know of no opposition."

Speaker Lyons, J.: "Is there any discussion on Floor Amendment #1? Seeing none, the question is, 'Should Floor Amendment 1 be adopted to Senate Bill 511?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Floor Amendment #1 is adopted to Senate Bill 511. Anything further, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. On page 17 of the Calendar is Senate Bill 557. Representative Holbrook. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 557, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Holbrook, has been approved for consideration."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from St. Claire, Representative Tom Holbrook."

Holbrook: "Thank you, Speaker. Senate Bill 557, House Amendment #1 simply accomplishes what was asked in

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committee to add... add a window for the filing of liens on derelict property to 90 days. We added that at the request of the committee. I know of no opposition. I move for its adoption."

Speaker Lyons, J.: "Any discussion on Floor Amendment #1 to Senate Bill 557? Seeing none, the question is, 'Should Floor Amendment #1 to Senate Bill 557 pass?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Any further Amendments, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 16 of the Calendar Representative Hoffman has Senate Bill 343. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 343, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 17 of the Calendar is Senate Bill 574. Representative Giles. Representative Giles on Senate Bill 574? Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 574, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Lyons, J.: "Third Reading. On page 17 of the Calendar Representative Reitz has Senate Bill 599. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 599, a Bill for an Act concerning elections. Second Reading of this Senate Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 18 of the Calendar, Representative Hannig has Senate Bill 1489. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1489, a Bill for an Act concerning aging. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. On page 18 of the Calendar is Senate Bill 1497. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1497, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "On request of the Sponsor, Mr. Clerk, we'll hold that Bill on Second Reading. Mr. Clerk, on page 17 of the Calendar Representative Ryg has Senate Bill 966. Wish to move that to Third, Representative? Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 966 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Ryg, has been approved for consideration."

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Speaker Lyons, J.: "Representative Ryg."

Ryg: "Thank you, Mr. Speaker. Senate Bill 966 is an agreed Bill which addresses the concerns of municipalities who are nonexempt under the Affordable Housing Planning and Appeals Act. This Floor Amendment includes the agreed language of the affordable housing advocates and the councils of government, fine tunes the language agreed to when the Bill passed out of the Senate. Thank you."

Speaker Lyons, J.: "Is there any discussion on Floor Amendment #1 to Senate Bill 966? Seeing none, the question is,, 'Should Floor Amendment #1 be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading."

Speaker Hannig: "On page 18... Representative Hannig is in the Chair. And on page 18 of the Calendar is Senate Bill-Second Reading, Senate Bill 1119, Representative Brauer. Shall we read that Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1119, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Miller, would you like us to read Senate Bill 1251? Okay, out of the record at the request of the Sponsor. Representative... Okay, Representative Lyons, do you wish us to read House

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Bill 1629? Mr. Clerk, read the Bill. I'm sorry. Mr. Clerk, that's Senate Bill 1629."

Clerk Mahoney: "Senate Bill 1629, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Verschoore, you have Senate Bill 1666. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1666 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Winters, has been approved for consideration."

Speaker Hannig: "Representative Winters or Representative Verschoore, who wants to handle the Amendment? Representative Winters."

Winters: "Thank you, Mr. Speaker. This Amendment responds to a local constituent who was not allowed to continue the use of a bronze star license plate after her husband passed away. We are asking that it add not only the purple heart, bronze star, silver star and medal of honor recipients, as those who can continue... their survivors can continue to have their license plate issued by the Secretary of State. Be happy to answer any questions about the Amendment."

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

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

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Speaker Hannig: "Third Reading. On page 19 of the Calendar on the Order of Senate Bills-Second Reading is Senate Bill 1676. Represen... Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1676, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, let's return to page 18 of the Calendar and read Senate Bill 1654."

Clerk Mahoney: "Senate Bill 1654 has been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for... consideration. All notes have been received."

Speaker Hannig: "Okay, Third Reading. And back on page 19 of the Calendar is Senate Bill 1701. Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1701, a Bill for an Act concerning environmental protection. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Flider, you wish us to read Senate Bill 1638? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1638, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Flider, has been approved for consideration."

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Speaker Hannig: "The Gentleman from Macon, Representative Flider."

Flider: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. This legislation came to us from a group in Decatur, the Students Youth Advisory Committee. And when we heard it in committee... Well, what the Bill does is it allows student representatives to serve on school boards. And they would have certainly... they would not have any voting power, but they'd serve in an advisory capacity. And in the committee a couple of questions arose. First was, what about executive sessions and personnel type issues? Should they be involved in those? So, what we've done is we've drafted an Amendment to deal with those situations where the students would not be allowed to participate in... in executive session type of discussions. And then secondly, one of the committee Members suggested that why should we only have non-Chicago schools... school board members? Why not include this in Chicago? So, our Amendment also addresses the inclusion of students from Chicago. So, that's the purpose of the Amendment. I'd request your support."

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

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

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

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Black: "Representative, I don't see the language in the Amendment that puts Chicago back in the Bill."

Flider: "It's my understanding is... that it's there."

Black: "All right. In the... in the underlying Bill, you excluded the City of Chicago. Correct?"

Flider: "That's correct. The way it came over from the Senate, that's correct."

Black: "They're... they're working, Representative. I... I don't see it in the Amendment. I'm going through very quickly. On page 2, I see underlined language. On page 5, there's language about a special charter district, but I don't see any specific language that... that puts Chicago back in the Bill and that's not a major problem with me. I guess the question is,, if it doesn't explicitly put them back in the Bill, are they in fact in the Bill?"

Flider: "On page 7 of the Bill, we add the Chicago School Board Reform... excuse me, Chicago School Reform Board of Trustees. And so, that was the place where we had added at the end of that section that the... the board may appoint a student to the board to serve in an advisory capacity. That'll be on page 9 of the Amendment."

Black: "What... what line is that on, Representative?"

Flider: "Page 9, line 16. It amends Article 34 of the School Code which refers to Chicago."

Black: "All right. So, on page 9, line 16, that subsection (c), 'the board may appoint', that refers back to the necessary section then in the School Code that includes the City of Chicago?"

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Flider: "That's correct."

Black: "All right. So, it's by reference not by specific language, right?"

Flider: "There's an article of the School Code that deals specifically with Chicago."

Black: "Okay."

Flider: "And so, we've amended that article."

Black: "So..."

Flider: "So, the answer is..."

Black: "It refers... it refers back to the article and that takes care of it?"

Flider: "Correct."

Black: "Okay, fine. And... the only other question I have and thank you very much for your patience on that. This is purely a permissive piece of legislation. If a school district wants to do it, fine. We're not mandating that they do it, correct?"

Flider: "That's absolutely correct."

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

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

Poe: "Mr. Speaker, point of personal privilege. Are you..."

Speaker Hannig: "...Go ahead, go ahead."

Poe: "Yeah, Ladies and Gentlemen of the House. I would like to introduce Russ Benning and the Trinity Lutheran School from the 8th grade. And they're up here in the gallery and let's give 'em a good Sangamon County welcome. Thank you."

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

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

Speaker Hannig: "Third Reading. On page 19 in the Calendar is Senate Bill 1740. Representative Hoffman, do you wish us to call this Bill? Shall we read this Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1740, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Flider, shall we read 1750? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1750, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Holbrook, shall we read 1787? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1787, a Bill for an Act concerning safety. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Verschoore, shall we read 1825? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1825, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No

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

Speaker Hannig: "Third Reading. Representative Saviano, shall we read Senate Bill 1857? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1857, a Bill for an Act concerning government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Hamos. She would like us to read Senate Bill 1862."

Clerk Mahoney: "Senate Bill 1862, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Hamos, has been approved for consideration."

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

Hamos: "Thank you, Ladies and Gentlemen. As promised in committee, what House Amendment 2... the Floor Amendment 2 does is to delete the underlying Bill. So, it replaces everything after the enacting clause. So, there is no more fee in this Bill. It's just the approved Amendment as it was passed by the committee. There is... there are no more fees in this Bill with this Amendment."

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

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

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Speaker Hannig: "Third Reading. Representative Giles, shall we read Senate Bill 1853? From Second to Third, would you like us to read this? Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1853, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Hamos on Senate Bill 1863? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1863, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. All notes have been filed."

Speaker Hannig: "I'm sorry. Was there an Amendment that's pending on this, Representative Hamos? I... I think there's an Amendment pending on this. Is that correct?"

Hamos: "There's an Amendment."

Speaker Hannig: "So, it... it's... why don't we take it out of the record and wait for the Amendment catch up? Okay, so we'll take it out of the record. Representative Saviano, would you like us to read 1876? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1876, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Mathias, shall we read 1883, Senate Bill 1883? Okay, Let's read the Bill then, Mr. Clerk, and then hold it."

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Clerk Mahoney: "Senate Bill 1883, a Bill for an Act concerning attorneys. Second Reading of this Senate Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. So, we'll keep that on Second Reading at the request of the Sponsor. Representative Mathias, you have 1892, as well. Excuse me, Representative Colvin has that. I have crooked eyes. Representative Colvin. Representative Colvin, Senate Bill 1892? Representative Colvin, would you like us to read this Senate Bill, 1892? Okay, it's on Second. There's an Amendment, then we can move it to Third. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1892 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Colvin, has been approved for consideration."

Speaker Hannig: "Okay, let's... Representative Colvin, what's your pleasure?"

Colvin: "No..."

Speaker Hannig: "You wanna take it out of the record? Okay, out of the record at the request of the Sponsor. Representative Fritchey. Okay. Representative Froehlich, you have Senate Bill 1897. Representative Froehlich, would you like us to read 1897? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1897, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. Representative Gordon, would you like us to read 1898? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1898, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Holbrook, you have Senate Bill 1910. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1910, a Bill for an Act concerning local government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Holbrook, has been approved for consideration."

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

Holbrook: "I have Amendment #3, is that correct? I'm asking the Clerk, not 2."

Speaker Hannig: "He's indicating that that's pending, as well, Representative."

Holbrook: "Number 3 has been approved?"

Speaker Hannig: "He's indicated that 2 and 3 are before the House at this time, Representative."

Holbrook: "I wish to withdraw #2."

Speaker Hannig: "Okay. So, the Gentleman withdraws #2. Is there any further Amendments?"

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

Speaker Hannig: "Representative Holbrook."

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Holbrook: "Thank you. Amendment #3 becomes the Bill. What this does, it cleans up the Bill. It corrects a drafting error and removes two counties at the request of Senator Watson; Bond, and Clinton. I know of no opposition."

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

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

Speaker Hannig: "Third Reading. Rep... Mr. Clerk... Representative Pihos, you have Senate Bill 1943. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1943, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Collins, would you wish us to read 1953? Representative Collins. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1953, a Bill for an Act concerning a right to counsel. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Collins, has been approved for consideration."

Speaker Hannig: "Representative Collins."

Collins: "Actually, I want Senate Amendment #2. So, we have..."

Speaker Hannig: "Do you wish to withdraw Amendment #1?"

Collins: "Yes."

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Speaker Hannig: "Okay, Mr. Clerk, Amendment #1 is withdrawn.
Are there any further Amendments?"

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

Speaker Hannig: "Representative Collins."

Collins: "Yes, we would just make a technical change in the
language and added Amendment #2. And it just says that
the... they can waive... they don't have to have attorney or
counsel for nonjailable offenses."

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

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

Speaker Hannig: "Third Reading. Representative Moffitt, you
have Senate Bill 2012. Do you wish us to read this Bill?
Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2012, a Bill for an Act concerning
regulation. Second Reading of this Senate Bill. Amendment
#1 was approved in committee. Floor Amendment #2, offered
by Representative Saviano, has been approved for
consideration."

Speaker Hannig: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. Floor Amendment 2 to Senate
Bill 2012 is technical in nature and it's cleanup language.
This is the legislation that we passed last year to grant...
to... to create licensure for genetic counselors. This does
not in any way involve a fee or changing anything on

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licensures, merely a clarification. This is now an agreed Bill with this Amendment. There's no opposition and the Med Society will be onboard. So, I would move for the adoption of Floor Amendment 2."

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

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

Speaker Hannig: "Third Reading. Representative Watson, shall we read 2040? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2040, a Bill for an Act concerning safety. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative McAuliffe, shall we read Senate Bill 2085? Okay, out of the record. Representative Saviano, you have Senate Bill 2087. Representative... Okay, Representative Saviano. Okay, Mr. Clerk, read Senate Bill 2087."

Clerk Mahoney: "Senate Bill 2087, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Phelps, you have Senate Bill 2104. Would you like us to read that? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2104 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill 2085."

Clerk Mahoney: "Senate Bill 2085, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. On page 15 of the Calendar is Senate Bill 193, Representative Graham. Can... Representative Graham, do you wish us to... do you wish us to read Senate Bill 193? No, okay, out of the record. Mr. Clerk, read Senate Bill 274."

Clerk Mahoney: "Senate Bill 274, a Bill for an Act concerning government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Hultgren, shall we read Senate Bill 1776? Out of the record. Mr. Clerk, read Senate Bill 1935."

Clerk Mahoney: "Senate Bill 1935, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Okay, on page 18 is... the Calendar is Senate Bill 1495. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1495, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

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Speaker Hannig: "Do you wish... Okay, Representative Rose asked us to move this to Third Reading. So, Mr. Clerk, Third Reading. Okay, on page 10 of the Calendar, on the Order of Senate Bills-Third Reading, is Senate Bill 25. Representative Froehlich, do you wish us to call this on Third? Yes, Mr. Clerk, would you read the Bill, please."

Clerk Mahoney: "Senate Bill 25, a Bill for an Act concerning vehicles. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Froehlich."

Froehlich: "Thank you, Mr. Speaker. Senate Bill 25 would bring Illinois in line with 31 other states that now permit neighborhood elect... electric vehicles to operate on certain streets. In the Midwest, Iowa, Indiana and Michigan are among the 31 states. These... these are nonpolluting vehicles designed for street use, not for highway use, for short trips. And it's an environmentally friendly transportation alternative. I hope we will allow local government to decide when and where and if these should be permitted. Be happy to answer questions."

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

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

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

Bost: "Representative, when we were in committee and talking about this particular Bill, there was some concerns by many Members of the committee early on that the speed of these vehicles cannot reach a point to where it's safe because

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there's a variance in local speeds. What... what speeds can this vehicle reach?"

Froehlich: "The max... maximum speed is 25 miles an hour."

Bost: "Okay. There... there was another question that was in committee. It said that they must be able to reach that speed in what length of time?"

Froehlich: "The... the federal regulation... the federal wording is within one mile. However, the manufacturer assures me it takes five to six seconds for his vehicles to reach the maximum speed."

Bost: "Okay, but the law... the law is actually saying that as long as you can reach that maximum speed in... in... in a mile?"

Froehlich: "That's right."

Bost: "Which is kinda strange in... in our communities and... and as we try to work on these. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Bost: "The concerns I have with this Bill, Ladies and Gentlemen, you know, we're constantly worrying trying to change the 55 mile an hour speed limit for trucks and the variances therein. But yet, all of sudden now we're gonna pass this Bill which says we're gonna put a vehicle that can't quite get up to the speed of other vehicles and legalize it. And say, okay, yeah it can't drive safely in our communities. How much difference do we think these vehicles are as far as size concern? We're... we're concerned on the highway because the big trucks are... are out there and the size difference between cars and trucks.

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Ya know, these aren't... now even though it's been very clear in committee, that these are not golf carts, but they're pretty well glorified golf carts. And so, we're gonna go ahead and say, well, we're gonna improve these for street travel. I think if we're worried about the safety issue of a... a variance on speed limits on trucks, we should probably be worried about this as well. And... and... I have respect for the Gentleman, but I... I think this Bill is... it's not... it's not time yet."

Speaker Hannig: "Representative Black."

Black: "Thank you very much. Mr. Speaker, first of all, I need the advice of our staff, Derek Persico. And Derek is always over talking to Asha. Where is he now? Is... is he back? All right, there he is. All right. Thank you. It's always good to have Mr. Persico back on our side of the aisle. Will the Sponsor yield?"

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

Black: "Representative, these electric vehicles are... and you may disagree with my... my characterization. But these are a glorified golf cart, are they not? A little bigger, a little fancier, but they're kinda like a golf cart, wouldn't you say?"

Froehlich: "Well, there's similarities, but these are faster than golf carts. They're designed for street use unlike golf carts. And they have at least a dozen safety features required that are not on golf carts."

Black: "One of the things and I talked to you earlier about this that I don't understand. Our staff tells us the

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Secretary of State has concerns about this Bill because you're putting traffic at such divergent speeds on a... on a municipal roadway. And yet, they're neutral on the Bill. Have... have they talked to you about the concerns that they have about this Bill?"

Froehlich: "They have not and they did not express any in two... two hearings in committee."

Black: "All right. Thank you very much, Representative. I know you've worked hard on the Bill. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Black: "I... I brought this up in committee and I respect the work that Representative Froehlich and others have done on this Bill. My father, who just turned 87, lives in Arizona. And you see a lot of these vehicles and they're not cheap. These things can be nine, ten thousand dollars very, very easily and maybe more than that. But they are really just a kind of a bigger golf cart. Now, where I see them in... excuse me, where I see them in Arizona are in an adult communities, Sun City, where... where they have their own governing board. And all of the streets in Sun City West are these retirement communities, these are private streets. And so, that association regulates the use of those streets. My concern with this Bill and I expressed it to the Representative in committee. While the municipality would have to pass an ordinance saying you can use these within a... within a municipality and on municipal streets, they also would have permission to cross a state

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highway. I think Representative Bost said it very well. When we try to regulate the same speed on rural interstate highways with trucks and cars which by the way, Indiana just did about two weeks ago and Iowa did, as well. All we heard from our suburban neighbors was, oh my gosh, that's dangerous. They're all gonna go the same speed. Holy mackerel, you can't do that. Well, now... now you come to us and say even though the street speed might be 35 miles an hour or in some sections 40 miles an hour, we're gonna put an electric vehicle on the same street that takes about a block and a half to get up to 20. So, you're... you're putting vehicles of grossly different weights and grossly different speeds on a municipal street or roadway. I don't think that is a real good idea. If you wanted to limit it to retirement communities where the streets are private and this could be regulated, I... I wouldn't have any problem with that. But I... I know driving on the streets in my hometown, I would not want to come up behind one of these vehicles. We're not use to it. They're going much slower. I just think putting these vehicles and a 2 thousand pound automobile or 28 hundred or 35 hundred pound pickup truck on the same street is not the safest thing to do. It's for that reason, I intend to vote 'no'."

Speaker Hannig: "So, we've now had one speak in favor and two in opposition. Representative Flowers, you're recognized on which side, can you tell us?"

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

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

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Flowers: "Representative, what exactly... tell me again, what is your Bill doing, please?"

Froehlich: "Pardon, I couldn't quite hear you?"

Flowers: "What is your... nature of this legislation? What is it doing?"

Froehlich: "This... this Bill would authorize local units of government to decide if there are any streets posted 35 miles an hours or less where it would not jeopardize public safety to permit these neighborhood electric vehicles."

Flowers: "Okay. My concern, I have part of the western suburbs and my concern, Representative, is... my... my concern is that a lot of my seniors who may not have driver's license, but they use these vehicles to get around."

Froehlich: "You must have a driver's license in the Bill."

Flowers: "But..."

Froehlich: "Only with people with a license may operate this vehicle."

Flowers: "But see... and to me this is not for driving purposes because some of them may be incapacitated. It's almost like riding a motorized bike. And for them to be forced to have a driver's license where is if their... their license may have been taken away from them because of the size of the vehicle and all the things that you have to do for a vehicle. But if they may need to make a quick trip to the store and they're incapacitated and they cannot walk that block and a half, they have these motorized vehicles and there's in certain... certain apartment complexes, they have a little garage for these motorized vehicles because a lot

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of seniors have them now. So, this would be really making them criminals out of something that you and I may think as a luxury, but it really is a necessity for them. So, I just wanna bring that to your attention."

Froehlich: "Thank you."

Flowers: "Thank you."

Speaker Hannig: "So, we've now had three speak in response which is the maximum allowed under the rules of debate. Does anyone wish to speak in favor? Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I stand in strong support of the Gentleman's legislation. In fact, a man in my district had approached me several months ago, in fact, it was January, wondering if I would be willing to introduce such a Bill. Because it is his desire and he has the financial wherewithal to do it to actually start producing them in Illinois. One of the things I find most amazing is the two Gentlemen that spoke before the gentle Lady, both represent large, rural areas where farm tractors that travel 10 and 15 miles an hour on their highways are commonplace. Ladies and Gentlemen, this legislation goes directly to municipalities that have regulated speed limits. The opportunity to generate revenue not only through the manufacture in the State of Illinois of these vehicles, but through taxes in the sale of them, the licensing of these vehicles, the careful regulation of them. And again, as the Gentleman's legislation says and as what's stated in the Senate, these vehicles would only be allowed to travel in communities

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where the speed limits are very, very limited. This is an excellent piece of legislation. We're starting to make a mockery of it by dragging around a trophy that insinuates the Bill's gonna lose by 100 votes. And this is good legislation. It's good for economic development in Illinois. It would be a good generator of revenue. This is certainly, certainly nowhere near as dangerous as farm equipment traveling on a highway, which I strongly support. And this Gentleman's legislation is a very, very good thing for municipalities in the State of Illinois. And I wish you would join Representative Froehlich in strong 'yes' votes. Thank you."

Speaker Hannig: "Okay. So, the... the rules of debate provide that one additional speaker may rise in support. Representative Rose, are you in support?"

Rose: "I have a question."

Speaker Hannig: "Okay, one question?"

Rose: "One question."

Speaker Hannig: "Okay, one question."

Rose: "Okay. Representative, if I... someone who's disabled and maybe cannot get a State of Illinois driver's license to drive a full vehicle, would they be able to use this vehicle to drive, say, to the neighborhood grocery store?"

Froehlich: "Only if they have a Illinois driver's license."

Rose: "Okay, thank you."

Speaker Hannig: "In support, Representative Nekritz? Okay. Representative Nekritz."

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

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

Nekritz: "Representative, how many states... how many other states already have this Bill in place?"

Froehlich: "Thirty-one states now permit neighborhood electric vehicles somewhere on their roadway."

Nekritz: "And... and are... are... there's other... are all those other states... are those... do those states have the same kind of retirement communities that one of the previous Representatives mentioned or are they Midwestern states like ours?"

Froehlich: "Several are Midwestern states, yes."

Nekritz: "Thank you. Ladies and Gentlemen, I... I appreciate the concerns about safety, but this Bill is very limited. It only allow... permits municipalities to allow this on those streets that they think are appropriate. This is an environmentally-friendly type of vehicle. And I think that we ought to be allowing citi... citizens of Illinois to make these transportation choices so that we can become less dependent on foreign oil. I mean, this is... this is an excellent way for us to move forward and give our citizens options they deserve. And I ask for your support for the Gentleman's legislation."

Speaker Hannig: "Okay, we've now had three in support and three in opposition. And... and Representative Froehlich is recognized to close."

Froehlich: "Thank you, Mr. Speaker. Ladies and Gentlemen, we allow mopeds on our roadways. Mopeds can't travel faster than 30 miles an hour. Representative Sacia pointed out,

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tractors are on our downstate roads. And they certainly aren't traveling 30 miles an hour. This is not about truck speeds. This is about offering an option that would not be used in most parts of the state. It would be an environmentally-friendly alternative to regular motor vehicles. I would ask you to support it."

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. Representative Froehlich. Representative Froehlich, would you like to put this on Postponed?"

Froehlich: "No, I don't think so."

Speaker Hannig: "Okay, so on this question, there are 52 voting 'aye'... 'yes' and 58 voting 'no'. And the... and the Bill fails. Representative Phelps, for what reason do you rise?"

Phelps: "Point of personal privilege."

Speaker Hannig: "State your point."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. If you would, on the Republican side in the gallery, like for you help me welcome and congratulate national champions, Southeastern Illinois College Speech and Debate Team, on the Republican side. They are the 2005 National Champions on the Phi Ro Pi, Division I. This is a twelve-member team and they amassed 260 points to defeat 72 other schools. So, if you will, my colleagues. Once again, national champs, Southeastern Illinois College."

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Speaker Hannig: "Representative Bradley, for what reason do you rise."

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

Speaker Hannig: "State your point."

Bradley, J.: "It may be hard for people in here to believe, but I was once a member of that team. Way to go, guys."

Speaker Hannig: "Representative Mathias, do you wish to have us read Senate Bill 46. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 46, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

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

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

Speaker Hannig: "State to point."

Joyce: "To Representative Bradley, I'm glad he was a member of some team because he certainly didn't play softball in high school."

Speaker Hannig: "Representative Mathias."

Mathias: "Thank you, Mr. Speaker. As the House will recall, on October 17, 2003, there was a deadly fire in... in the high rise building at the Cook County Administration Building where several people were... were killed and others injured. Senate Bill 46 basically amends the Public Building Egress Act and it provides for... that stairway enclosures in buildings greater than four stories shall comply with certain requirements of the Act. Basically, they will have an option of either... under this Act meeting one of the following requirements. Either... one... the first one saying,

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no stairwell enclosure door shall be locked at any time in order to provide reentry from the stairwell enclosure to the interior of the building, or they can have a stairway enclosure doors that are locked and equipped with an electronic lock release system. I... I think this is an important legislation which is supported by the Cook County State's Attorney and Chicago Firefighter Association and other organizations. I don't know of any opponents to the Bill and I ask for your 'aye' vote."

Speaker Hannig: "This Bill is on the Order of Short Debate. And speaking in response is 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, why does the City of Chicago get so much more time in your Bill than my hometown would?"

Mathias: "I'm sorry, I didn't hear..."

Black: "Why would the ... why does the City of Chicago get so much more time to comply with this Bill if it becomes law than my hometown would?"

Mathias: "Well, actually, the City of Chicago has filed... or has an ordinance that... that really deals with this problem and because of that there was an Amendment which covers any Home Rule community that introduced an ordinance. I believe it was... I'll have to give you the date on it. But the City of Chicago would meet that requirement. So

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basically, because they now have their own ordinance, they would be exempted from the Bill."

Black: "So there... there's no time limit on the City of Chicago, period. Right?"

Mathias: "Well, the requirement is under their own ordinance which is very similar to this Bill."

Black: "And... and what time... what time limit does their own ordinance say that they would have to comply with this? Sometime in this century?"

Mathias: "I hope so. I... I... just one second, let me see if I can find it. You know, I don't have a copy of the City of Chicago's ordinance, so I don't know... it isn't... the ordinance is in effect but I don't know when the compliance would be in effect."

Black: "I... I'd really be interested in knowing. Let... let me ask you another question. You mentioned something about electric locks. What... what is that... what's the specific requirement regarding electric locks in doors and stairwells?"

Mathias: "It basically states that it has to meet one of the following requirements. And the one dealing with stairwell enclosure doors that are locked, they have to be equipped with electronic lock release systems that shall be activated either upon loss of power, either manually by a switch to the building management or firefighting personnel, and automatically by activating... activation of the building's fire alarm system."

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Black: "I'm just an old country boy, Representative, and you live up there in the big city. How does an electric door lock work if you lose electricity? Is there a battery backup?"

Mathias: "Yes, there's a backup... a backup battery system."

Black: "Oh, and what happens if the batteries are on fire?"

Mathias: "I... I assume if they are doing it correctly which I... you know, I can only assume that they would be encased in a fire proof type of enclosure."

Black: "Well, let... let me ask you this question. I... where I spend most of my working days in the... in the spring of the year and it's always... I can think of no finer place to be than beautiful downtown Springfield in April, May, possibly June, July, August, September, who knows. Does this ordinance... this law that you're proposing include the State Capitol... the Statehouse and its stairwells?"

Mathias: "That was a question that was raised before. I... I don't see... be honest with ya, I don't know the answer to that because I don't know if the Public Building Egress Act applies to this building in... in any form. So, I..."

Black: "So, it's a public building. Is it not?"

Mathias: "Right. I understand, but just like you mentioned before, sometimes we do have exemptions. I... I... if I just had a moment, I could look at the actual legislation."

Black: "Well, my time is running out while you're looking at the actual legislation. I... I think we need to know. Representative, if a fire hits this building tomorrow, I

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wanna know how the Governor's gonna get out. Assuming, he's here. Does it cover the mansion?"

Mathias: "I... I don't believe the mansion is... I... I may be wrong, I'm not sure if it's more than four stories."

Black: "Well, we could ask the Governor but I don't think he knows it's more than four stories either. What about his egress from the Thompson Center in Chicago? Are those stairwells covered? As I recall, they're open stairwells."

Mathias: "Well, obviously, I'm sure that's covered under the City of Chicago's ordinance."

Black: "But you just told me you don't know when the Chicago ordinance takes effect. Is it some time between now and 2050?"

Mathias: "Okay, the... my understanding..."

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

Black: "...Mr. Speaker, my time hasn't expired. I only got a minute to ask questions. I've been waiting for answers for three and a half. But I... I'm not gonna argue with you, Mr. Speaker. But could he just answer the one question?"

Speaker Hannig: "Yes."

Black: "Does the Chicago ordinance take... when... when does that take effect? Sometime in my lifetime which, you know, may not be that long, quite frankly."

Mathias: "According to... and I do have a copy of it, according to this, now it does say, no later than January 1st of 2005."

Black: "That's the Chicago ordinance?"

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Mathias: "Well, I'm... I have a copy of it. I don't have it... it's... what I have is basically a ... 'cause they passed it, previously."

Black: "All right. Well, I... I... I'd like to see what happens on January 2... Mr. Speaker, as always, thank you for indulgence. But I really didn't get the most critical answer to my question. For those of us who work in this Capitol and sometimes take the stairs, all I can say is and I... I mean this in all due respect to the fire marshal and the architects and the people who keep this very beautiful building functioning. God help us if there's ever a fire in this building. All right, my office used to be on the 6th floor and I'd get in that stairwell and every door would be locked or chained until I got down to the first floor and then I'd open that door and an alarm would go off. Maybe we'd ought to take care of our own house first."

Speaker Hannig: "Representative Mathias to close."

Mathias: "I sincerely believe that this is an important piece of legislation. Obviously, the tragedy that happened in Chicago could happen anywhere in this state. And Chicago recognized that and has now passed an ordinance to cure the buildings in its town. And I think, we should apply that statewide so that people are no longer trapped in stairwells as they were in the City of Chicago, anywhere in... in... large buildings in our state. And I ask for your 'aye' vote."

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Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lyons, Eileen Lyons, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Colvin. Representative Moffitt, for what reason do you rise?"

Moffitt: "Rise to a point of personal privilege, Mr. Speaker."

Speaker Hannig: "State your point."

Moffitt: "I just wanna... we voted on that Bill, Representative Mathias, about stairwells and exits of buildings. Just a follow-up with what another Representative said about taking care... and I certainly was in support of that, voted for it. But that we should clean up our own buildings first. And it's troubled me for some time and we've thousands of people in this building, frequently hundreds and on some days, I think, thousands. And the south entrance... exit to the Capitol is locked. And I've gone down there, specifically several times, this spring to check that out on days when you couldn't even move around the rotunda. And if there were... was an emergency and we know that we left one day with an emergency when the alarms off and just checked to see if you can get out the south exit. And you cannot, they're locked. They're not... they should bump bars, push bars, some kind of an emergency exit down

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there. If several... if a large number of people tried to get out the south exit and... and it'd be numbers just keep pushing, I... I'm afraid there could be a tragedy occur. So, I think, Representative Mathias brought up a Bill that's important, but we need to look at our own, the people's building here, too. And I just thought maybe now is a good time to mention that and... and I would like to join with you and others in working with the people responsible for the Capitol that... that we make sure that if an emergency does happen and we have to make a quick evacuation that... that you don't have to know, oh, by the way, don't go down to the south exit 'cause you're not gonna get out. Now, if you'd know to turn right and go through a couple sets of doors and then set up an alarm, you... you can get out if you go west. But I dare to say there wouldn't be many first time visitors to this building that would know to do that. So, I just hope we can take a look at that. And I thank you for this indulgement... indulgence as a point of personal privilege. Thank you."

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

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

Speaker Hannig: "State your point."

Lindner: "Yes, I would like the Representatives to welcome the Bednarcik Junior High School in Oswego. They're in the Speaker's gallery and they're guests of our Leader,

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Representative Tom Cross. Please give them a nice Springfield welcome."

Speaker Hannig: "Representative Colvin, shall we read Senate Bill 49? Representative Colvin, 40... Senate Bill 49 on Third Reading? Shall we read this Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 49, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Colvin."

Colvin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 49 amends the IMRF article of the Illinois Pension Code. Which simply would prohibit a person convicted of a felony relating to or arising out of in connection with his or her service as an employee or who is an employee of more than one employee that participates in the fund from receiving benefits based on any of his or her service as an employee for all employers that participate in a pension fund. I know of any... no opposition. The Bill passed out of the Senate unanimously and out of committee. I'll be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye', excuse me, Representative Black, did you wish to stand in response?"

Black: "I'm sorry, Mr. Speaker, I was a little slow on the switch, no pun intended. Will the Sponsor yield?"

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

Black: "Representative, I'm trying to scroll through this. Are you say... are you saying that any and all felonies then you would forfeit your pension? There... there's no distinguish between a Class IV, a Class I, a Class X?"

Colvin: "No, Sir."

Black: "Any and all felonies committed while you were in any job covered by the IMRF pension system you would forfeit, in other words, you would lose any and all pension benefits. Is... is that your intent?"

Colvin: "That's correct."

Black: "All right. Is... and I... I'm not trying to get you into a... a blind alley here. I'm assuming that there may be a relationship between certain events in Chicago and your desire to strengthen the punishment factor for an Illinois Municipal Retirement Fund pension. Is that..."

Colvin: "That's exactly..."

Black: "...wou... is that a fair statement?"

Colvin: "That's a very fair statement."

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

Speaker Hannig: "Representative Bost."

Bost: "Ya know, the pre... The Sponsor yield?"

Speaker Hannig: "Yes, he indicates he'll yield."

Bost: "If... if it's expanded to all felonies and... and I... I understand why if... if someone is... is charged with a felony, we... we would wanna do that and... and I'm just gonna give you a scenario. A few years ago, it became... if... if you have

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ag battery, somebody gets in a fistfight on public property that is then a felony. Is that correct?"

Colvin: "Well... obviously it would depend on the charges that would be levied against the individual who got into the fistfight. I mean, it would... would be assault, battery, I don't know, but if... if they were charged with a felony, that would indeed would apply in this case."

Bost: "Okay... Because we... we have made it to where... over the years, we've... we've put some situations where it's a Class IV felony... there... there's some things that are... are... can happen in people's lives, as wrong as they may be. But now all of a sudden, this would be they would forfeit their pension. Is that correct? Is that what this does?"

Colvin: "To those individuals that... that's correct. They would be entitled to a refund of their pension proceeds that they contributed to those funds up to the level of any benefits that they'd received from it."

Bost: "Well, what di... what does the law say now? I'm sorry, I didn't roll down through... through it."

Colvin: "With respect to individuals who are charged with felonies?"

Bost: "No, no, with... with respect... do... do the... do the pension... the people that are receiving pension right now, if they... is there a felony that they can commit..."

Colvin: "Oh... I'm not, I'm not certain..."

Bost: "...right now and lose it or is there nothing?"

Colvin: "I'm not certain, if... if... whether or not there are any provisions currently in the law dealing with those

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individuals who commit felonies who are part of these... of this fund. No, I'm not aware of it."

Bost: "I'm... I'm just trying to... ya know, as we... we're voting here on this... this Bill and this is one that I... just kind of... I hadn't noticed and I... I'm sorry I hadn't, but..."

Colvin: "That's all right."

Bost: "I'm... I'm a... I'm a little concerned that these people who have worked for their pension might be in... in a charge and it is a felony, don't get me wrong, but there are some felonies that... that we've passed that are kind of... can happen very quickly and... and if all of a sudden, we're gonna take a person's pensions away based on that. I mean, I... I understand this if it's... if it's murder or if it's use of a... a gun in a crime... all of these type things. But I... I'm not sure that we wanna do this in... in all cases."

Colvin: "Wha... well, I think this is a quest... this speaks to the integrity of these pension funds and the conduct of individuals who work for our State Government. I think individuals who work in State Government or any level of government should be held to a standard that's within, obviously, within the context of the law. We're not talking about people who are jaywalking here. We're talking of people not charged with felonies, but those who are convicted of felony offenses in the State of Illinois."

Bost: "And... and I understand that. And... and I'm still concerned about the fact that we have made certain things felonies through this chamber over the years that as I was saying. If... if a person get..."

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Colvin: "Well, I think we made..."

Bost: "...if a person..."

Colvin: "...I think any Bill..."

Bost: "...gets into a dispute on a city street and they have a very aggressive state's attorney, they could actually be charged with a felony, if... if they got into an argument and actually got into a fistfight on the street for whatever means. And... and I'm not saying that that's the right thing to do, but all of sudden now a person gets to lose their pension because of that?"

Colvin: "Well, Representative, I think we can probably stand here and come up with thousands of 'what ifs' with respect to felony convictions, but the whole point here, I think, is the decorum and conduct of state employees."

Bost: "Okay. Staff is telling me something that... that maybe will... will clear this up for me. This felony does have to be connected to the job?"

Colvin: "Yes."

Bost: "Okay. That... that answers my question. Thank you."

Speaker Hannig: "Okay, this is... this is now on the Order of Standard Debate and two have spoken in response. Representative Molaro is recognized."

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

Speaker Hannig: "Indicates he'll yield."

Molaro: "Okay. So, I'm reading the statute, now I gotta have this explained to me. It says, 'first convicted of such a felony', that means in the... while he was employed, course of employment. 'If the person of such is an employee of

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more than one employer, that participates in the fund.' Is that... is this for IMRF?"

Colvin: "Yes."

Molaro: "And IMRF only?"

Colvin: "Yes."

Molaro: "Okay. So, what is this do... where is there a problem now that if this passes, it corrects? Could you give me an example?"

Colvin: "No, I can't give you a specific example, but I think the Bill kind of speaks for itself in terms of what we're talking about with respect to individual's conduct and... and I guess what we would want our pension..."

Molaro: "Yeah, but wait... wait... wait, I gotta stop you, Marlow, just don't get... with me."

Colvin: "You bet."

Molaro: "Right now, in IMRF if you are... if you get convicted of a felony while employed, you lose your pension rights. Okay? That's the law today. What does this Bill do? What does..."

Colvin: "That... It does the same thing."

Molaro: "What do you mean it does the same thing? Now, I'm not trying to bust ya... well, I'm almost... I'm trying to be... Here, in other words, you already... yeah, I was gonna say, vic... what's the word, Frank? Testicular... I'm not trying to do that. I'm telling you right now. The law in Illinois today is that if you're convicted of a felon... felony arising out of your employment from IMRF, you lose your pension. It's right here, I'll read it to ya. That's the

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law today. This is what this says, 'if a person is convicted of such a felony, is an employee of more than one employer that participates in the fund, then that person may not receive benefits based on any of his or her service as an employee for all employers that participate in a fund.' I have no idea what that means. So, I'm not trying to be wise, but I have to have that explained and I think it's fair to explain it before you ask us to vote on it. You... right now, the law in Illinois for every pension fund in Illinois, if you con... if you're convicted of a felony while in the course of your employment, you lose your pension. That's it. That's the law today. IMRF is asking you to change something for them and I'm asking you what it is that IMRF is asking you to change. And all I'm saying is this, if you can't answer that question then you have to take it out of the record, let them explain it to you so they could explain it to us."

Colvin: "Representative, I... I appreciate what you're saying and... and I guess, I don't have a problem taking the Bill out of the record and we can alternatively call it either tomorrow or next week. But I think, ya know, ultimately, what we're trying to do here is strengthen what you say is already part of the law. When the Bill was presented to me, I personally thought it was a good idea, and wherever we could..."

Molaro: "But... but I gotta ask you. What good idea? In other words, you talk... your Bill..."

Colvin: "I understand what you're asking."

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Molaro: "You're the Senate... you're not the Senator. You picked it up for a Senator, I got that."

Colvin: "Yes."

Molaro: "So, when you say it strengthens it, here... and I know you're gonna get mad at me, but I can't help it. In other words, how does it strengthened it? What is it? Right now, if you're convicted of a felony, you lose your pension. How much more strength could it be? And if it does strengthen it, which I'll be a cosponsor of the Bill, just tell me how it strengthens it? I don't know what this language means. And all I'm saying, Marlow, is that, Representative, all I'm saying is after they explain to you, you might explain it to us and we'll get up and say, never mind and it gets 118 votes, but I gotta have an explanation what it means."

Colvin: "Very good, Representative. Mr. Speaker, we can take the Bill out of the record..."

Speaker Hannig: "Okay."

Colvin: "...until we get explanation for the..."

Speaker Hannig: "Who... who... we'll take this out of the record at the request of the Sponsor. Moving on down the Calendar is Senate Bill 53, Representative Sullivan. Mr... Okay. Out of the record. How about 54, Representative Sullivan? Mr. Clerk, read Senate Bill 54. Representative Will Davis, for what reason do you rise?"

Davis, W.: "A... a point of personal privilege, Mr. Speaker."

Speaker Hannig: "State your point."

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Davis, W.: "Ladies and Gentlemen of the House, I'd like to introduce Curtis Reed and students from Winnie Mandela Alternative High School sitting in the gallery there. Curtis Reed is a very good friend. We went to college together. Young man's doing great things and he'll be moving to Africa, probably, in a year to continue his work over in Africa. So, if you could please welcome him here to the... to Springfield today."

Speaker Hannig: "Mr. Clerk, would you read the Bill, please."

Clerk Bolin: "Senate Bill 54, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Lake, Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 54 allows private companies that perform snow and ice removal for certain municipalities to have oscillating amber-colored lights. Right now, there's no opposition to this Bill. There was some opposition under unintended consequences. We amended it to say that they can only use these amber lights when they are performing government work, specifically, and that was the Illinois State Police initiative and now they are supportive. I'll be happy to answer any questions."

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

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Representative Froehlich, do you wish 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. Mr. Clerk, read Senate Bill 57."

Clerk Bolin: "Senate Bill 57, a Bill for an Act concerning firearms. Third Reading of this Senate Bill."

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

Millner: "Thank you, Mr. Speaker, Members of the House. This Bill is similar to Bill 341 that I called earlier, that included preemption. This is the gun show Bill, but last time it had preemption. And I listened carefully to Members of this chamber who told me that they would like to see preemption removed. It's now removed from the Bill. So, what this would do it would amend... well, all local preemption language is removed. It amends the Firearm Owner Identifications Card Act to define 'gun show' and to require that any person who is not a federally-licensed firearm dealer must call into the State Police to conduct a background check on the prospective recipient of the firearm. And this is same information as last time. I would be happy answer any questions and ask for your support."

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

Osterman: "Thank you, Senator Millner. Law enforcement is still opposed to the Bill. Is that correct?"

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Millner: "Yes, most. Most law enforcement, I think, the Sheriffs' Association's neutral."

Osterman: "Okay. Many Members talked to you about the issue dealing with preemption. Many more have talked you about the issue of destruction of records. And you continue to feel that the issue of destruction of records is important. And if you could tell the Assembly why, I'd appreciate that."

Millner: "Well, the fed... as you know, Congress... the standard is 24 hours. And in fact, there's a... a movement in Congress as of... as we speak right now, to have Illinois fall into the compliance of the 24-hour standard."

Osterman: "How so? You say there's a movement in Congress to... to have Illinois, has a Congressman from Illinois filed the Bill to do that?"

Millner: "There's a movement in Congress, I was told, with one of the appropriations Bills to include this Illinois issue to keep it to the 24-hour standard."

Osterman: "Okay. I had earlier in the Session given you and, I think, last year I gave some information to a colleague of yours from the Justice Department who made the decision to let Illinois. It's been portrayed by some as a bureaucratic issue, but there's a panel in the Justice Department, in the FBI, that deals with the national instant criminal background checks that audits Illinois State Police in the way they retain records. And that committee looked at Illinois, the way they administer the program of retaining records. And they said that Illinois can continue to do

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what they've done in the past. For the record, so that people know, there are five Federal Laws that if a state law enforcement officer misused the background check system, there are federal offenses against them. And in my find... my discussions with those people, it's never been an issue. They compliment State Police on the way they retain their records. This is a valuable law enforcement tool. Larry Trent, from the Illinois State Police, has sent a letter that most of the Members should've gotten. Other law enforcement people have echoed that. To the Bill, though. I think it's quite ironic that it says firearm sales and gun shows. And I have been one of the loudest voices joined by a majority of the people here to close the gun show loophole. That part of this legislation, I think, is important. I think that if this Bill passes, we'll be able to look back in a year and look and see real cases where criminals have been stopped from purchasing guns at gun shows. However, this is a trade-off. And it's something that law enforcement feels that we in Illinois need to retain those records. Those records are used when we sometimes do background checks before a warrant is served. And you, as someone in law enforcement, knows that oftentimes that's important to know what's on the other side of the door. In my conversation with law enforcement that is one of the reasons that they have been against this measure. Ladies and Gentlemen of the House, I'm gonna be voting 'no' on this Bill. Many people know that earlier in Session we passed the Bill; a version of that is floating

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in the Senate. It is my hope that the Senate acts finally on this measure to close the gun show loophole now that the... the NRA has finally acknowledged that this is a problem. But Ladies and Gentlemen of the House, we have to weigh this Bill very carefully. Law enforcement stands unified in opposition to this legislation. That board should say, 'destruction of records'. 'Cause that's what this is intended. The people that are in support of this Bill have historically always been against closing the gun show loophole. So, everyone in this Body has to weigh this on their own. But I'll be support... in opposition to this legislation."

Speaker Hannig: "So, there's a number who wish to speak on this Bill, so we'll move it to the Order of Standard Debate. Representative Rose, you stand in support or opposition? In support. Five minutes."

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

Speaker Hannig: "To the Bill."

Rose: "Ladies and Gentlemen, this provides 90 times the federal standard, 90 times. The Federal Law requires 24 hours. Now, it is true, as been mentioned before, that the Department of Justice has issued a memorandum that they're gonna turn a blind eye to this. Frankly, whether they turn a blind eye or not, I don't think that really matters. Because if there was a suit in federal court the Federal Law is clear, 24 hours. The Department of Justice's memorandum would not stand up, would not stand up in Federal Law. We're going 90 times the federal standard,

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from 24 hours to 90 days. As a former prosecutor, if I can't get my job done, if police can't get their job done, if the State of Illinois can't get its job done in 90 days, then shame on us. That's more than enough time to effectively fight crime. More than enough time. I think, the Sponsor of this Bill has been more than reasonable. He's removed what I thought was probably the objection of many of this chamber. Yet, at the same time, what the Sponsor's being told is objectionable has become a moving target. Many asked him to remove the preemption. He said, 'Okay, if there's a lot of people who don't like that, I'll take that out. Fine. I wanna work with people. I wanna compromise.' Well, as soon as he takes it out, suddenly, well, now we gotta get rid of this other piece. It's a moving target. Ladies and Gentlemen, it's come time to vote on this Bill. Ninety times the federal standard. Ninety days is more than enough time for any of us to do our jobs. Thank you."

Speaker Hannig: "Representative Bradley, do you wish to speak in favor or in opposition?"

Bradley, J.: "Favor."

Speaker Hannig: "Okay, five minutes."

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

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

Bradley, J.: "Representative Millner, are you aware of any cases where the information from the State Police has been used where there was no crime gun or investigation of gun trafficking?"

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Millner: "Yes, I... I have heard of those."

Bradley, J.: "In fact, there are four different situations specifically that are documented where there was no crime gun, no investigation of gun trafficking, and the rights of a person under the Bill of Rights and the Second Amendment of the State of Illinois and the Constitution of the United States was violated. Is that not correct?"

Millner: "Yes, to my knowledge. That's correct."

Bradley, J.: "In fact, it's so bad that the 1st District Appellate Court in the State of Illinois acknowledged same in one of its opinions that was published in the reporters of the State of Illinois. Where the 1st District indicated that that police department force had gone into someone's home where there was no crime gun, in the case of People v. David Centini. There was also a case, of a Lewis, where he had a FOID card, passed a background check, and was scrutinized because he lived in the City of Chicago. There was also a situation of a sheriff's deputy that fell under these circumstances, as well as a Mr. Conrad. When people showed up at his door because some transaction came up in the computer, no indication that he had violated any law of the state or the country, and it was also told that if they had to come back, they'd get a search warrant and take the door out. Are you aware of those situations, Mr. Millner?"

Millner: "Yes, yes. I've heard of those."

Bradley, J.: "Does your Bill address those situations, Mr. Millner?"

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Millner: "Well, it... it may not in that I take it up to 90 days. If the... they can... this still could happen within the 90 days, but beyond the 90 days, in theory, it wouldn't be able to occur anymore, those type of horror stories."

Bradley, J.: "To the Bill. Let's make this very clear. These are situations where people abided by the law. Went through the process of the law. Violated no law and yet, were scrutinized and punished for asserting their Second Amendment rights. It's time that that stopped. I rise in support of the Bill and ask for an 'aye' vote."

Speaker Hannig: "We've now had three, a full compliment speak in favor. Representative Currie, do you rise in opposition? Okay. Yes, in opposition?"

Currie: "Yes."

Speaker Hannig: "Five minutes. Okay."

Currie: "Thank you, Mr. Speaker and Members of the House. First of all, I would say if there are problems with misuse of the database today, nothing in Senate Bill 57 solves that problem. Now, we did pass legislation in this chamber sponsored by my seatmate, that would've established rules and regulations for the State Police use of the database. So, whether it's 90 days or 3 years, the problem that you've identified is not a problem that you've solved. More importantly, the decision to close out the database in 90 days will make it easier for terrorists to buy guns in the State of Illinois unnoticed. And will make it very difficult for law enforcement across the state to find those who are buying guns to sell to people who are not

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eligible to own them. Law enforcement across Illinois is unified in opposition to Senate Bill 57. The director of our Department of State Police tells us, first of all, that destroying the records in 90 days is going to put law enforcement personnel at risk. And second, will undermine our ability to stop terrorists and to stop gunrunners. I strongly urge a 'no' vote on this measure that solves no problem with respect to misuse of records in the database, but makes it impossible for law enforcement, in the long run, to do its job."

Speaker Hannig: "We've now had three speak in support and two in opposition. Does anyone else rise in opposition? Representative Reis, no? Okay. Representative Millner then to close."

Millner: "Thank you, Mr. Speaker and Members of the House. You know, I looked very carefully when I... tried to craft this Bill. I've worked with every group I could work with. I've been in law enforcement, as many of you know, for 31 years. I'm concerned about what fellow law enforcement officers always have been and always will be. This does not play into the hands of terrorists; clearly does not. In fact, by closing that glun... gun show problem, we might be able to prevent people who shouldn't have their hands on guns from getting their hands on guns. That's why I'm doing this. I worked in good faith. I worked in good faith with many people. As you know, I presented that last Bill, 341, and it was an overwhelming amount of people that came up to me and said, 'We can't allow this Home Rule

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preemption issue to be part of this Bill.' I removed it. The issue of the 90 days, we put it in because it is there. Let me explain something to you. If there is a homicide committed and you find a gun, if there's no records kept, if we go back to the system that the... the other states have of 24 hours, you can still track that weapon. I've done it for years. My peers have done it for years. I've called police departments all over the state to ask them if they use this database. Even this morning, I called the chief of police of Springfield and I said, 'Are you... do you use this database at all in any of your homicides or anything?' He said, 'Not to my knowledge.' So, we track it through the serial number of the gun, that can still be done. We can call ATF, that can still be done. They tell us who the manufacturer is. They tell us who it was sold to, which gun dealer it was sold to. We can go to the gun dealer who by law in Illinois has to maintain those records. They'll tell us who they sold it to you. We've been solving homicide cases like that for years and we will continue to do that for years. I would never dare stand up here to do anything that would hurt our police officers. I was told it would hurt officers because if they, currently, they can enter the address and name into a database to see if people have guns and that protects our officers, I'm told. So, does that mean to tell me that if a police officer goes to a house, checks the address, checks the names, runs it in the database and it says, 'Gee, this person's never purchased the gun, we're safe?' Not at all. If a police

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officer would do that, they were gonna... they... they wouldn't understand their role. Criminals, just so ya know, in this chamber, criminals cannot buy a gun in the State of Illinois legally. They cannot do it. Therefore, they're not part of this database. Therefore, if a criminal gets on the... the... buys... purchases a series of guns illegally, police officer goes to that person house, they'd have no clue whether or not they'd have guns. This is my concern. Today we have the support. Today, for the first time in this chamber, we can pass the gun show loophole. We can do it. We can do it today. But if Congress, if it does go through to bring Illinois in compliance with the rest of the states that have the 24 hours, it's over with. We'll not get the support of these other groups to be able to pass this. Thirty years of my life I gave to law enforcement and public service. I would never turn my back on my fellow police officers. This is something that I believe if you weigh the two and that's what we're doing, weighing the 90 days over the gun show loophole, I think we really need to go after that gun show loophole with the 90 days as a compromise, a good faith compromise. And with that, I ask you all to search your heart and please consider voting for this Bill. 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... Representative Scully and Pihos, would you like to be

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recorded? Last chance. Mr. Clerk, take the record. On this question, there are 69 voting 'yes', 42 voting 'no' and 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Berrios, for what reason do you rise?"

Berrios: "Point of personal privilege."

Speaker Hannig: "State your point."

Berrios: "I would like the Members of the House to help me welcome students and the teacher from Barry Elementary School for today's tech demonstrations, Laura Sorce, Anthony Crespo, Chris Maniatis and Wafa Yusuf standing up here. Thank you for coming down."

Speaker Hannig: "Representative Winters, shall we read Senate Bill 59? Mr. Clerk, read the Bill. No. Out of the record. Mr. Clerk, what's the status of Senate Bill 61? Had that been returned to Second?"

Clerk Bolin: "Senate Bill 61 is on the Order of Senate Bills-Second Reading."

Speaker Hannig: "Okay. Let's... let's hold it there. Representative Black, shall we read Senate Bill 66? Representative Black, shall we read Senate Bill 66? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 66, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

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

Black: "Thank... thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill simply provides that

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vehicles that are towed or relocated at the request of... of the owner of the vehicle, in some cases, because they're abandoned or broken down or... or won't move, as well as those vehicles who are towed or relocated because they're abandoned, lost, stolen, unclaimed. In other words, the police call the towing company and want the vehicle removed or the owner of private property wants the vehicle removed. What this Bill allows that towing and relocater to do, if you don't reclaim your motor vehicle, it accrues storage fees. And sometimes, unless your vehicle is a... a relatively new one and you obviously want it back, you're gonna pay the hundred, the hundred and thirty, the hundred and fifty, depending on what it is; to... to pay the towing bill, pay the storage fee, and reclaim your vehicle. Unfortunately, it's been brought to my attention by Senator Link and others that there are a growing number of people who don't want the car back. They say, 'Ah, the heck with it. I... I'm not gonna... I wouldn't pay a hundred dollars for it.' And so, the... the towing operator is unable to recover the cost of storage or towing. And under current law, because of due process and rightfully so, it takes weeks for them to get title to the car so that they can dispose of the car. What this does is to add the ability of that relocater to attach the personal property of the owner and that's the Amendment we added the other day. The personal property of the owner of the car that he or she may have left behind and there's a list of huge exclusions, bank books, checkbooks, cash, licenses of any kind, working

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licenses or permits. None of that can be kept. But if... if you had a... a... one of these high-tech cell phones or one these high-tech radio or, excuse me, music players, that kind of personal property, the relocater could put a lien on that personal property and after due process sell the personal property to defray the cost of the tow and the... and the storage. That's what the Bill does. I'll be glad to answer any questions that you might have."

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

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

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

Franks: "Representative Black, I understand what you're trying to do here and I... I know you're trying to lower the maximum rate that can be charged from 5 thousand to 2 thousand dollars. Is there any mechanism that after a certain amount of time that the people who have the vehicle are able then to dispose of it in some way?"

Black: "Representative, I... rather than fumble and I'm sure staff can get me the answer quick enough. You... you... you have raised a good question and I, quite frankly, don't know the answer. Let... let staff take a look at it and we'll try to get back at you. I can tell you what we're... what we're attempting to do is to recover reasonable fees and towing costs. Yea... staff said, your question is still in the statute. We're not raising that. We're not trying to make it any more difficult for the owner to reclaim. But what is happening..."

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Franks: "I'm not talking about the owner. I'm talking about, let's say, someone drops it off, okay. And they've racked up now a maximum fee of \$2 thousand. And then the owner of the vehicle refuses to pay and basically abandons it. What does the person who has the vehicle in his or her possession, what does that person have to do to get rid of that vehicle to sell it and off... in a way to be able to help recover some of those costs?"

Black: "Yeah. And again, I'm relying on staff and... and my apologies. I... I, generally, would like to say I'm prepared on any Bill. I'm not as prepared on this as I should be and I apologize to you for that. Staff informs me it's... it's a process that has long been in statute following due process through the Secretary of State where they can get the title to the vehicle or duplicate title, then they can either sell it at auction or they can take it to a salvage yard and get whatever the salvage value of the vehicle would be."

Franks: "So, it wouldn't change that process."

Black: "No, wouldn't change that..."

Franks: "But it actually might even speed up the process because if you're only allowing 2 thousand... Here... here's my point."

Black: "Yeah."

Franks: "Let's say someone charges \$30 a day for the fees. And before you can go to a maximum of 5... of 5 thousand, they would probably wait to the maximum before they would go

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forward and try to get title to sell it. Now, this would probably shorten the time frame. Wouldn't you agree?"

Black: "Because you're lowering the amount?"

Franks: "Right."

Black: "Representative, I defer to your legal expertise, one might... might look at that and say, 'yes'. I don't read it that way, but I... I think your point given the... the business world, I suppose that might be a possibility."

Franks: "I... I think it's a good Bill, quite frankly..."

Black: "Yeah."

Franks: "...'cause I've seen some enormous charges for storage. It's just... I... I don't see how they can come to those. I think it's a good Bill, that's why I still wanna make sure that the procedural..."

Black: "Yeah."

Franks: "...safeguards are in place..."

Black: "Yeah."

Franks: "...for both parties."

Black: "I... I don't think in talking with the representatives of the industry, they certainly have indicated that that's not their intent. The intent of this Bill, primarily, is if you left a... a stereo system in the trunk or if you were moving and you left a color television set in the back seat, under current law they cannot put a lien on that personal property. You can come in and they often do..."

Franks: "And take..."

Black: "...accompanied by a police officer and recover any of that kind of personal property, take it out of the car and

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then you're stuck with an... and Members of the House, forgive me, but in my area they call these 'beaters', ya know, cars basically that... that nobody wants anymore. But if you've got \$2 thousand worth of personal property in the car, the sal... or the relocating company say, 'Why should you be able to come in and take a thousand dollars or whatever it is, personal property out of the car and stick the relocater with all of the towing and storage fees?' And so what this Bill is really designed to do, because current statute covers the... the lien on the car, is to say, 'Hey, if you've left a \$500 television set in the back of the car, through due process we're gonna put a lien on the TV set. And... and if you wanna reclaim it, then we're gonna have first... first position to try and get some money out of you what... if you refuse to reclaim your car or pay your debt.'"

Franks: "The other... the other issue I see is your gonna have access to vehicles 24/7 in counties over a million."

Black: "Yeah, and that's... that's current law."

Franks: "Okay. Well, thank you for explaining that."

Black: "Well, thank you."

Franks: "I appreciate it."

Speaker Hannig: "Representative McCarthy."

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

Speaker Hannig: "Indicates he'll yield."

McCarthy: "Representative, I know in committee, Representative Fritchey had asked you questions and it looks like House Amendment 2 clears it up somewhat, as far as, property that

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is owned by someone else other than the vehicle owner. Did... I don't see anything in the Amendment, but maybe it's in the underlying Bill. Does it say anything that who's the burden of proof is to prove that that, I mean, 'cause say I owned a wonderful stereo and my car was taken and I really didn't, you know, want pay the fine. So, I could say that, 'No, that's Representative Joyce's stereo.' So, who's the burden of proof on to say that the material in the car is actually not the owner's of the car?"

Black: "Representative, that's a very good question and it... and it follows closely one of the... the great weaknesses of the Bill as presented that Representative Fritchey pointed out. According to staff and... and the industry, that's already in law, in case law. If it isn't my TV set and I say it's yours, you're gonna have to show a bill of sale or some instrument that would establish ownership. Otherwise, and this is true in... in any lien case, the burden of proof is on the person claiming it's their property."

McCarthy: "Okay. So, and..."

Black: "Yeah."

McCarthy: "...and... and then that's the way you intend..."

Black: "Right."

McCarthy: "...for the... the people..."

Black: "Right."

McCarthy: "...to interpret this legislation."

Black: "Yeah, and... and I think your point is well-taken. The... the obvious... the thing we've all seen in our lifetime is that, ya know, 'Well, that isn't mine.'"

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McCarthy: "Right."

Black: "...that belongs to my good friend.' And obviously, the... and you could even go to court. But the court would say, ya know, I watch Judge Judy, that's the extent of my legal knowledge. And Judge Judy would say, 'Well, give me a bill of sale, give me a receipt, show me a credit card statement that shows that you bought it and then it's yours.'"

McCarthy: "Right."

Black: "If you can't do that, then I question whether you're just trying to help your friend or whether, in fact, you really own it."

McCarthy: "Okay. Well, thank you for adding the Amendment to..."

Black: "Thank you."

McCarthy: "...and listening to the committee."

Black: "Well, I... I thank Representative Fritchey and all Members of the committee because that... that was a glaring... a glaring omission in the Bill. And... and quite frankly, I... I would've been embarrassed had that Bill passed without that protection wi... in it. So, it's a... it's a win/win situation for those of you that discovered it and it's a one that doesn't make me feel very good that I didn't catch it before I presented it."

Speaker Hannig: "Okay, this is on the Order of Standard Debate. And Representative Mulligan is recognized for 5 minutes."

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

Speaker Hannig: "Indicates he'll yield."

Mulligan: "Representative Black, what about infant car seats and things like that. Somebody has their car towed. A

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husband takes it. Wife doesn't know. Car is towed. Infant car seat, some of which are very expensive, are in the backseat. And, ya know, I'm just wondering if Lincoln Park Towing is the group behind this. In our area these guys are not loved. And to be able to take any kind of equipment out of a car, just kind of gives them free reign. I'm just interested if that would be covered?"

Black: "Representative, I... I asked that very question when I agreed to carry this Bill. Senator Link gave some assurance. Their representatives gave some assurance. This is an association of professional towing and recovery operators. I don't know if Lincoln Towing is a member, but I can tell you that name never came up and Senator Link said that this is certainly not designed for them. And I... I can appreciate what you're saying. If a spouse took a car and it was towed and it's a brand new Cadillac or Buick or what have you and there might be some things in the backseat that one would not want the spouse to find, I... I don't think we have a problem. I think that... I think the... the person who parked the car illegally would redeem that car very quickly."

Mulligan: "Well, in my area for awhile, there was a small strip mall that had someone sitting there watching for anyone who even walked out of a restaurant or walked across a street to look in a store, they towed their car like within 2 minutes. And it was a big issue for a number of years in our community at quite a bit of money. And to be able to just go into the car and take whatever they want when some

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of these operators operate kind of an unscrupulous business, I think, is... is just a little bit of a problem to be able to take whatever you want out of the car. And so, I'm trying to see what limits there are set here to protect people. Particularly, in the City of Chicago where cars have been sold before the person can reclaim them. Or how would you ever then reclaim an item if they've already taken it and sold it? How would you prove it? How would you prove what was in the car? That... that's of some concern to me. And why is it necessary to do this?"

Black: "Well, I'll try to answer your question as succinctly as I can. The... the... the problem with storage fees, impoundment fees that run into the hundreds and... and sometimes even the thousands of dollars, obviously, these companies aren't interested and they deny that they follow people around. Now, I don't know if that's true. I... Representative Washington brought that up in committee and... and in his area that may be a perception. I can tell you in my area, the cars that end up towed and impounded and... and accumulate large... substantial amount of money are... are, as Raymond Poe said, cars that are abandoned, cars that don't run, cars that the owner just says, 'That's just something I don't have to worry about. They towed it, I don't want it. I'm not gonna pay for it. You do whatever you want.' And... and under the existing law, even, I mean, if it's a... ya know, if... if it's my... my car which is worth money to me, obviously, I'm going to redeem it as quickly as possible. And that happened to me in 1987 when I was

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relatively new down here. My car got towed from a parking lot in Springfield and I redeemed the car that same night. Wasn't happy about it. But this is aimed at... at people who just say, 'I don't want the car and I'm not paying it.' In that case, and... and they have to give you due process. They can't just take your property. They file a lien on the property. So, if your 1949 Nash is accruing storage charges and they get in the trunk and there's a set of brand new golf clubs in the trunk, they would then have the right to put a lien on that set of golf clubs that might be worth a thousand dollars. And then if you don't choose to redeem that by paying some of the fees, then, yeah, they would then have the right to dispose of the property. But you have to be given notice. You have a chance to redeem that. And I can't imagine in any... any case like that where you wouldn't redeem your property."

Mulligan: "Is there a definition in your Bill between a car that is liberated that was briefly parked in a shopping mall or something and a car that's an abandoned car that is a nuisance?"

Black: "Well, I... I think, I... I don't know in the underlying law. I... I... I could tell you common sense tells me that there would be a difference. But... but even above and beyond that, we're not talking about a relatively new car that has a book value that... that people will not redeem. What... what the industry's trying..."

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

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Mulligan: "I'm... I'm done."

Speaker Hannig: "Okay. Representative..."

Mulligan: "He can respond to that, but I'm not doing this Bill."

Speaker Hannig: "Okay. Representative Black, you're recognized to close."

Black: "Yeah. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I... I appreciate all of the questions and I... I understand the concerns as someone who did have their car towed while as... as a Member of the General Assembly. And one of the things about being a sophomore, people tell ya if you've got legislative plates, nobody in Springfield will tow your car. Well, I believed that and I parked in a lot across the street from the Sangamo (sic-club) and when I came out it wasn't there. And when I called the police to report my car stolen, au contraire, I had to go to some lot where there was a very pleasant attendant, as I recall, and... and my car was being guarded by a very huge dog. So, I quickly came up with the money and got my car out. And I understand the concerns and this industry has not had the best reputation. But I think what this Bill is really aimed at, in... in all seriousness, are people who just park their car on the curb. It doesn't run. They take the battery out or whatever might work. They say, 'I'm not... I'm not gonna pay any money to get rid of that car.' So, the police or somebody comes along, they tow the car. They... they notify the owner, your car's in this lot. Will you please redeem

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it. No, I... I don't want the car. And so, pretty soon, you've got a 6, 7, 8, 9 hundred dollar storage bill and they don't want the car. It's either abandoned or... or what I call in my district a... a 'beater' car that might be worth a hundred bucks. So, you're not gonna spend 5 hundred to get it out. And so, this gives the lo... the relocater an opportunity to put a lien on personal property that you may, in fact, want to take out of that car. Gives them a chance to satisfy the debt. I... I don't see any attempt and... and if I'm wrong I'll apologize to the Body, but I don't think there's any attempt, I don't think Senator Link would sponsor it. I certainly wouldn't pick up the Bill if I thought this was an attempt to just get money out of people by towing their brand new car out of a shopping mall, mart. But I... these are all good questions. It's been a thorough debate. I urge an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hultgren, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 5 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Sullivan, would you like us to read Senate Bill 79? Mr. Clerk..."

Clerk Bolin: "Senate Bill 79, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

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

Jones: "Personal privilege, Mr. Speaker."

Speaker Hannig: "State your point."

Jones: "I would like for the General Assembly to give four youngsters from my district from... Alexander Dumas School and also, Kozminski Community Academy. They're up here, give them a round of applause."

Speaker Hannig: "Representative Sullivan's recognized on Senate Bill 79."

Sullivan: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. Senate Bill 79 provides that a member of the Illinois National Guard or any rever... reservist who is on active duty, shall not be deleem... deemed delinquent in their property taxes if they're on active status when their property taxes were due. It allows them a hundred and eighty days to pay them back upon their return. It also, supply... they have to supply some information to the county clerks in regard to when they were on active duty and when they've returned. I'll be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall 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 Jefferson, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a

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Constitutional Majority, is hereby declared passed. Representative Watson, I'm advised you'll handle Senate Bill 101. So, Mr. Clerk, would you read that Bill, please."

Clerk Bolin: "Senate Bill 101, a Bill for an Act to create the Assistive Technology Protection Act. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Morgan, Representative Watson."

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 101 creates the Assistive Technology Warranty Act, better known as... as Assistive Technology Lemon Law. A lot of the folks that use these ass... different assistive technologies have no place to turn when their equipment breaks down. And this would simply take care of that. I know of no opposition. I'll be happy to answer questions on behalf of Representative Feigenholtz."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative... Okay. Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Saviano, would you like us to read Senate Bill 139? Mr. Clerk, read the Bill."

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Clerk Bolin: "Senate Bill 139, a Bill for an Act concerning professional regulation. Third Reading of this Senate Bill."

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

Saviano: "Thank you, Mr. Speaker, Members of the chamber. Senate Bill 139 is the rewrite of the sunset for Respiratory Care Practice Act. This rewrite is a culmination of various negotiations in updating the trends in delivering respiratory health care to our constituents. It simply makes some minor changes and continues the Act for a period of 10 years through January 1, 2016. And I would ask for your approval. Thank you."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Joe Lyons, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 210."

Clerk Bolin: "Senate Bill 210, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Froehlich."

Froehlich: "Thank you, Mr. Speaker. Senate Bill 210 addresses the topic, again, of the youngest, least experienced

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drivers. This Bill would prohibit them from using cell phones while they're driving except in case of an emergency. This is pretty similar to House Bill 21 which we passed with 102 votes a couple of months ago. I'd ask for an 'aye' vote."

Speaker Hannig: "The Gentleman moves for passage of Senate Bill 210. 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 Washington, would you like to be recor... recorded? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 6 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Chavez, would you like us to call Senate Bill 233? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 233, a Bill for an Act concerning business. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Chavez."

Chavez: "Thank you, Mr. Speaker, Ladies and Gentlemen of the... of this House. Senate Bill 233 establishes that the imgrate... immigration consultant service fees not exceed the fees for similar services describe in the Notary Public Act and it allows the Attorney General to establish maximum fees for services connected with immigration consultation. This is so the consultants do not charge people excessive fees. The fees must be reasonable with consideration to the cost and the skills required to provide the service.

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The Bill has no known opponents and passed unanimously out of the Senate. I ask for the support of this Bill. Thank you."

Speaker Hannig: "The Lady moves for the passage of Senate Bill 233. This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the top of page 11 is Senate Bills-Third Reading and Senate Bill 241. Representative Holbrook, shall we call this Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 241, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

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

Holbrook: "Thank you, Speaker. This Bill is a result of a long negotiation session with both industry and the EPA to allow us right for notification if there's any pollution being done and also to allow the EPA a right to get a cleanup done on it through administrative order. I commend all the parties for working together. I know of no opposition to the Bill. Be glad to take any questions."

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

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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 Mendoza, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Yarbrough. Okay. Representative Burke, you wish us to call... read Senate Bill 288? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 288, a Bill for an Act concerning the Metropolitan Water Reclamation District. Third Reading of this Senate Bill."

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

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is, again, an init... and initiative of the Metropolitan Water Reclamation District of greater Chicago. And it would amend the District Act to add the position of assistant director of personnel, to a select list of positions appointed by the general superintendent which serve on-the-job probation in lieu of a formal civil service exam. And I'd be happy to answer any questions."

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

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Eileen Lyons, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 99 voting 'yes' and 15 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Giles, shall we read 297? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 297, a Bill for an Act relating to education. Third Reading of this Senate Bill."

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

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 297 provides that a school district that allows students to test out of driver's ed after three clock hours of driving practice rather than six. They shall receive only the half amount of the practice driving reimbursement from the State Board of Education. This is a piece of legislation that passed out of our committee on a leave for... on a Roll Call... on a Attendance Roll Call vote. This piece of legislation is supported by the IEA, the IFT, and the (sic-Illinois High School and) College Driver Education Association. I've... the legislation, also, allows school di... school districts may adopt this particular policy to allow schools... to allow students to take the proficiency test after three hours. It does not mandate. And I ask for a favorable vote."

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

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jakobsson, shall we read 327? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 327, a Bill for an Act concerning alcoholic liquor. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. Senate Bill 327 amends the Liquor Control Act. And it allows a restaurant that's operated by a commercial tenant in the north campus parking deck building that's located on West University Avenue in Urbana. And it's owned by the board of trustees of the University of Illinois to serve and take deliveries of alcoholic liquor."

Speaker Hannig: "The Lady moves for the passage of Senate Bill 327. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 65 voting 'yes' and 48 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Acevedo, you have Senate Bill 302 on page 11 of the Calendar. Mr. Clerk, would you read the Bill?"

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Clerk Bolin: "Senate Bill 302, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Hannig: "Okay. Out of the record. How about 309, Representative? 309. Mr. Clerk, read Senate Bill 309."

Clerk Bolin: "Senate Bill 309, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

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

Acevedo: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 309 requires tax buyers to provide additional information on redemption notices to delinquent property taxpayers prior to filing for a tax deed. As amended the Bill requires the address and telephone number of the county clerk on the... on the notice. After del... delinquent property taxes are sold at the annual tax sale, a series of time notices to the owner of record are spelled out in the Property Tax Code to insure that the owner is informed as how to redeem his or her taxes before the title is transferred to the tax buyer. Notices are to be mailed by registered or certified mail and all costs are to be paid by the purchaser filing for the tax deed. By adding the address and telephone number of the county clerk, taxpayers who wish to redeem the... their property will have more direct access to trying to obtain the exact amount of taxes owed by the redemption, as well as any other information that is needed to complete the... the process. I'd be happy to answer any question."

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Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Reis. Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Nekritz, shall we read 341, Senate Bill 341? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 341, a Bill for an Act concerning the Metropolitan Water Reclamation District. Third Reading of this Senate Bill."

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

Nekritz: "Thank you, Mr. Speaker. Ladies and Gentlemen, last year this Body passed some legislation to establish a stormwater management authority in Cook County and we gave that... the ability to govern stormwater to the Metropolitan Water Reclamation District. This is a follow-up to that. This allows them to establish a working cash fund so that that legislation can bl... can be implemented. And so, I ask for your support."

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

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Bassi, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 100 voting 'yes' and 14 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mathias, shall we read 383? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 383, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Mathias: "Thank you, Mr. Speaker. Senate Bill 383 is a Bill that in some form or another I've been working on for the last 4 or 5 years if not longer. It has to do with school construction and... and as we've seen in reading in the newspaper, there have been many incidents throughout our region, throughout our state, in which we have seen faulty construction that have led to numerous problems in various school districts, to the point where a school almost had to be demolished to correct the problem and that's still in litigation. After much discussion with all of the various groups, we have come together and... and we previously added an Amendment to this Bill which as now, to my knowledge, has no opponents but has a whole variety of... of different groups as proponents of the Bill including: ED-RED, the School Management Alliance, the architects, the structural engineers, the counties, the IFT and it goes on and on. Especially, in my opinion, the fire service, the Associated Firefighters along with the fire chiefs, the Council of

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Code Administrators. Basically, what this Bill does it allows for local inspection by local municipalities or local group, local count... the counties to review the plans for new construction of school buildings throughout the state. And it also, sets up a process for construction... for inspections of the construction, but the rules for... for setting up qualified inspectors are gonna be done through a task force that's set up through this Bill. And there's numerous members of the task force. I'm sure they're on your... on your computer and they will determine the final rules in the future for future liti... legislation as to who will be qualified to inspect these buildings during the construction phase. Also, very important in this Bill and the... it's also supported by the state fire marshal, is to allow for annual inspections of schools for fire safety. So again, we have brought all these groups together and hopefully, we will have a Bill that's now in form to pass. And I ask for your 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 89 voting 'yes' and 25 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mautino, shall we read 397? Senate Bill 397. Mr. Clerk, read the Bill."

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Clerk Bolin: "Senate Bill 397, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Speaker, Members of the House. Senate Bill 397 updates the vehicle emissions inspection standards. It does not expand the current testing areas in the state. It does not include any additional fees in the Bill, but it will allow the use of advanced technologies in the performance of the specs during testing of the vehicle emissions in those areas that are currently listed as the nonattainment areas of the state. It's an initiative of the EPA. It is agreed by all parties and I'd ask for 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? Representative Cultra and Representative Dunkin, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hoffman, shall we read 411, Senate Bill 411? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 411, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Hoffman."

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Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a... a cleanup that is man... is being mandated by the Federal Government where recently enacted legislation would require that each state enact a legislation eliminating businesses from avoiding state unemployment taxes through registration transactions. If the state doesn't enact this legislation, it'll lose a hundred million dollars. The legislation requires the State Law to prevent employers from using transactions to avoid state unemployment tax, provides civil and criminal penalties, forknowing violations and requires detection of the... of this dumping procedure. I would ask for a favorable Roll Call."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bassi and Winters, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 2 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 450."

Clerk Bolin: "Senate Bill 450, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

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Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 450 simply is the rewrite of the sunset for the Hearing Instrument Consumer Protection Act. It extends it to the year 2016, January. There's no opposition. It's supported by Department of Public Health and I would ask that Senate Bill 450 be passed."

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? Mr... Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 451."

Clerk Bolin: "Senate Bill 451, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Saviano: "Thank you, Mr. Speaker, Members of House. Senate Bill 451, again, is the... is the... is the Amendment to Illinois Speech-Language Pathology and Audiology Practice Act. We passed the identical House Bill a few months ago. It requires DFPR to give consideration and recommendation to Illinois Academy of Audiology when they make appointments to the board. There's no opposition to this Bill and I would ask for its approval. Thank you."

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Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Patterson. Representative Gordon, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Beiser, would you like us to read 465? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 465, a Bill for an Act concerning townships. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. Senate Bill 465 amends the Township Code. It provides that a township officer of a township from which territory is disconnected shall continue in office of... until the end of his or her term un... or until a successor is elected or appointed and qualified regardless of whether the officer resides in the township or the territory disconnected from that township. I know of no opposition and I ask for your 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill... 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,

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take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 469."

Clerk Bolin: "Senate Bill 469, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Froehlich: "Thank you, Mr. Speaker. Senate Bill 469 addresses death penalty cases. It simply says in a death penalty case if the court-appointed defense account... defense counsel or the public defender requests assistance, the state appellate defender office may send in one of its experts to... assist the appointed counsel in a death penalty case. And given all the mistakes we've seen in death penalty cases, this seems appropriate. I'd ask for an 'aye' vote."

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

Black: "Excuse me, Mr. Speaker, my phone's ringing. I took care of that. Thank you, Mr. Speaker, for your indulgence as always. Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Black: "Yes. Representative, is Senator Cullerton your... your Senator?"

Froehlich: "No."

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Black: "I didn't think so. Have you sponsored any Republican Bills that've come over from the Senate? Or is it just... is it just Democrat Bills that you pick up?"

Froehlich: "I... I... not many Republican Bills have come over from the Senate, I've noticed, Representative."

Black: "Well, I just... I would think you've give the Democrats a chance to pick up Democrat Bills. Who is, Mr... who is Senator Cullerton's Representative?"

Froehlich: "Umm..."

Black: "All right, don't be bashful. I mean, that... that's an honor to be Senator Cullerton's Representative. Who is that?"

Froehlich: "Representative Fritchey's one of 'em, I think."

Black: "Representative Fritchey one of 'em. And... and Representative Feigenholtz?"

Froehlich: "I think so."

Black: "All right. So, what are you doing carrying a death penalty Bill, a death penalty reform Bill? Are... are you an attorney?"

Froehlich: "I am not."

Black: "Well, that explains why you're carrying the Bill. What does it do?"

Froehlich: "All it does it... it just clarifies in the law that a... the state appellate defender's office may enter an appearance in a death penalty case for the limited purpose of assisting the... the public defender."

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Black: "Oh... I thought we had taken care of that in the Capital Litigation Trust Fund so that expert counsel would be available to any defendant charged with a capital offense?"

Froehlich: "The... I believe... what we did that... that law did improve the quality of the... defenders in capital cases. However, there can be some technical issues where the state appellate defender's office has more expertise in a particular area and can be asked in to provide assistance."

Black: "What... what would those technical issues be? Forensics?"

Froehlich: "I think that would be one of 'em. Yes, Sir."

Black: "I'm sorry, your staffer's mouth was moving at the same time. Was that his answer or your answer?"

Froehlich: "That'd be my answer."

Black: "Okay. All right. Well, if he gets any closer, his hand's gonna go up the back of your shirt and we're gonna get into that ventriloquist thing again. So, you're... you're comfortable with what this Bill does?"

Froehlich: "Absolutely."

Black: "All right. And you're... you're confident that it gives the defendant in a capital case a chance for more, I don't wanna say efficient, but certainly to make certain... that's a good phrase, certainly to make certain. In other words, the... the defendant will get the best possible legal defense in a capital case."

Froehlich: "That's correct."

Black: "All right. Have you talked with Leader Cross about this Bill?"

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Froehlich: "No."

Black: "That's odd. Because, ya know, his... his revision of the death penalty Bill was killed yesterday in the Senate. No pun intended. But you... you... this is a good Bill?"

Froehlich: "It is."

Black: "If I vote for this Bill, will you put in a good word for one of my Bills in the House that Senator Cullerton is sitting on?"

Froehlich: "Sure will."

Black: "All right. Well, that's all I wanna know. Thank you. Oh, by the way, Mr. Speaker, I've learned the hard way on Senator Cullerton, as much as I love him. Is there anything in... is there any helmet Bill legislation buried in this Bill?"

Speaker Hannig: "I'm sorry, what was your point?"

Black: "Is there any helmet Bill, ya know, bicycles, motorcycles, tricycles, go-carts, wagons, is there any hel... What was that thing that Representative Burke sponsored a few... oh, the Segway. I... I know Senator Cullerton. He loves helmets. Is there any helmet legislation buried in this Bill anywhere? Not that you know of? All right. Well, if... if nothing else, I accomplished one thing. I got... I got staffer, Persico, to move away from you so I could get a better picture of what was going on. Thank you. And thank you, Representative Persico."

Speaker Hannig: "Representative Gordon."

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

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

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Gordon: "Representative, I know I asked you some of these questions in committee, but I just wanted to be very, very clear for the other Members of the House. Hasn't there already been legislation to require people who are eligible to try death penalty cases that has gone through? You have to meet a certain standard before you're able to try those cases. Is that right?"

Froehlich: "That's correct."

Gordon: "And... and those people can get money appropriated from the Capital Litigation Trust Fund. Is that right?"

Froehlich: "That's right."

Gordon: "So, why are we adding this, another level, when we already have these requirements in place for people who are eligible and knowledgeable enough to try these cases?"

Froehlich: "There are cases... there are... have been cases where the public defender feels they need a little bit of additional expertise and they request a state appellate defender's office to make an appearance."

Gordon: "Which... which cases and where were they?"

Froehlich: "My information simply says it's... it's been a small number of cases, out of 40 active cases, there'd been 10 appearances on trial."

Gordon: "So out... so out of 40 cases that were requested, 10 allegedly required this type of extra help. Is that right?"

Froehlich: "That's what I understand, yes."

Gordon: "Okay. Now, right now the state appellate defender has the authority to provide counsel appointed in capital cases

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with and I quote, 'The assistance of expert witnesses, investigators and miss... and mitigation specialists appropriated... specialists from funds appropriated.' Is that right?"

Froehlich: "Yes."

Gordon: "But specifically, are the staff attorneys left out? Or they're just not included at the moment?"

Froehlich: "Well, as I understand the problem, over the past 2 years, some state's attorneys have filed motions objecting to the appearances of the state appellate defender in such cases. And now, so far, all those motions have been denied, but this... what we're trying to do is simply clarify that the appearance is authorized in such... a death penalty case."

Gordon: "Do you know why the state's attorneys filed the... those motions the basis for their re... for that motion and why they were denied?"

Froehlich: "I do not."

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

Speaker Hannig: "To the Bill."

Gordon: "Ladies and Gentlemen, the death penalty system in Illinois is flawed. There's no question about it. We have significant problems. This adds another layer of bureaucracy enmasse to a very, very flawed system. This allows more lawyers, interestingly enough, to be involved in a process that we've tried to clean up and say the people who are going to try these cases are... are properly trained, are knowledgeable, and have the experience to try

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them. If they don't have the experience to try them, hand them off. Hand them off to the Attorney General's Office. Hand them off to the... to the appellate defender's office, but don't add in another layer, another way to waste money out of the Capital Litigation Trust Fund for more lawyers to get involved. I understand what the Representative is trying to do and I voted for, I think, for all of his Bills that he's had today, but this really does not fix a significant problem that we have with the criminal justice system in this state. I voted 'no' in committee. I'm gonna vote 'no' again. And I would ask the House to join me. Thank you."

Speaker Hannig: "Representative Froehlich to close."

Froehlich: "Ladies and Gentlemen, let's... let's... if we're gonna make a mistake, let's make a mistake on the side of protecting innocent people from being convicted in a capital case. I'd ask you to 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. On this question, there are 83 voting 'yes' and 32 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Miller, for what reason do you rise?"

Miller: "Point of personal priv... privilege."

Speaker Hannig: "State your point."

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Miller: "Ladies and Gentlemen of the General Assembly, today in the balcony we have three students from Memorial Junior High, Jacob Kluth, Tiara Wasek and Paris Wimberly. They were to participated in the Tech 2005 program. Let's give 'em a round of applause right up here."

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

Moffitt: "Rise to a point of personal privilege."

Speaker Hannig: "State your point."

Moffitt: "Thank you, Mr. Speaker. Earlier today, I raised a question about in an emergency situation getting out of the Capitol. We thought it was something we should address. Especially, after Representative Mathias's Bill on stairwells. After making those comments, I'm pleased to report that I got an update from the Secretary of State's Office. And they have let a bid that will put the crush bars or panic bars at the south end and any other... the doors. The people that got the contract, I think, are in the building this week, looking. So, in the very near future, we will have the proper ways to escape at the south end. I'm very pleased that that's been done. I'm pleased that the Secretary of the State has acted on that. So, I think that would be good news for all of us. It'd be a safer building as a result of letting that contract. Thank you."

Speaker Hannig: "Thank you, Representative Moffitt. Representative Sullivan. Okay, Mr. Sullivan asks that we read Senate Bill 485, Mr. Clerk."

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Clerk Bolin: "Senate Bill 485, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 485 provides that an owner of a mobile home is not required to pay the privilege tax under the Act if the owner notifies a locally assessing authority by sworn affidavit that the mobile home is uninhabited and that will no longer be used for ha... human habitation. I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Berrios, would you like... Mr. Clerk, take the record. On this question, there are 61 voting 'yes' and 53 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Holbrook, would you like us to read Senate Bill 556? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 556, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Holbrook."

Holbrook: "Thank you, Speaker. Senate Bill 556 allows for a bid automation fee for the sale of surplus properties within counties. This is an initiative of the county treasurers. There's new technology has come aboard now

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that they can use to eliminate a lot of the problems that they've had in the past over simultaneous, identical bids. I'd ask for an 'aye' vote and take any questions."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I wanna thank Representative Holbrook for finally calling the medical malpractice Bill. It's long overdue. Representative, I admire your courage. It's time to pass this Bill. You've put up with... you've been a patient man but at least, you're now ready to... Oh, wait a minute, I'm sorry, I have the wrong Bill. I'm sorry."

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 who wish? Mr. Clerk, take the record. On this question, there are 35 voting 'yes' and 75 voting 'no'. And this Bill is lost. On page 32 of the Calendar under the Order of Motions... Excuse me, Representative Stephens, for what reason do you rise?"

Stephens: "Inquiry of the Chair."

Speaker Hannig: "Yes, state your inquiry."

Stephens: "If no one req... receives the requisite number of votes to get the trophy, the Century Club trophy, does Representative Dunkin get to keep it?"

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Speaker Hannig: "He gets to keep it."

Stephens: "Outstanding."

Speaker Hannig: "Okay. Page 32 of the Calendar, under the Order of Motions in writing, is a Motion by Representative Currie on Senate Bill 350. Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I move to reconsider the vote by which this measure passed. The reason for doing so is that there were some flaws in the Amendment and language has already been drafted that will solve the problem. So, when we reconsider the vote and send the Bill back to Third it can go back to Second Reading, we can amend it and pass it again."

Speaker Hannig: "Okay. So, Representative Currie moves that having voting... voting on the prevailing side that we reconsider the vote by which Senate Bill 350 passed. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And the Motion is adopted. Mr. Clerk, would you return Senate Bill 350, now, from the Order of Third Reading to the Order of Second Reading, at the request of the Sponsor. Okay. So, we'll hold this Bill on the Order of Second Reading. Mr. Clerk, would you read the Committee Reports."

Clerk Bolin: "Rules Committee Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on May 19, 2005, reported the same back with the following

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recommendation/s: 'direct floor consideration' for a Motion to Table Amendment #1 to Senate Bill 1220; 'direct floor consideration' for Amendment #1 to Senate Bill 6... Senate Bill 61 and Amendment #2 to Senate Bill 501."

Speaker Hannig: "On page 2 of the Calendar, under the Order of House Bills-Second Reading, is House Bill 1038. Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 1038, the Bill's read a second time, previously. Amendments 1 and 6 have been adopted to the Bill. The Bill was previously held on the Order of Second Reading, pending a filing of a note. That note request has been withdrawn."

Speaker Hannig: "So, move the Bill to the Order of Third Reading. Representative Currie, you're recognized for some Motions."

Currie: "Thank you, Speaker, Members of the House. I move to suspend the posting requirements so that House Bill 1812 and Senate Bill 1693 can be heard in Personnel & Pensions, so that House Bill 3602 and Senate Bill 272 can be heard in the Revenue Committee, and Senate Bill 518 in the State Government Administration Committee."

Speaker Hannig: "You heard the Lady's Motion. Is there any discussion? Then all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Motion is adopted. Representative Franks, for what reason do you rise?"

Franks: "For an announcement, if I could."

Speaker Hannig: "Yes, make your announcement."

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Franks: "State Government Administration is to meet tomorrow morning in 122-B. Since we only have one Bill and we're starting at 9:30, with your permission we'd like to start at 9. No, 8... 8:30, then. Okay, sorry. See ya then."

Speaker Hannig: "Mr. Clerk, would you read the Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 456, offered by Representative Bill Mitchell. House Resolutions 459 and 460, offered by Representative Rose. And House Resolution 461, offered by Representative Hannig."

Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'nay'. The 'ayes' have it. An the Agreed Resolutions are adopted. Mr. Clerk, would you read the committee postings for the rest of the day?"

Clerk Bolin: "Six committees will meet immediately following adjournment. The following committees: Personnel & Pensions, Consumer Protection, Judiciary I-Civil Law, Revenue, Human Services and Registration & Regulation will all meet immediately following adjournment. Four committees will meet one... one-half hour after adjournment. The following committees will meet one-half hour after adjournment: Labor, Mass Transit, Elections & Campaign Reform and Judiciary II-Criminal Law."

Speaker Hannig: "Are there any announcements? Then Representative Currie moves, that allowing perfunctory time for the Clerk, that the House stand adjourned until tomorrow, Friday, May 20, at the hour of 9:30, 9:30 a.m."

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All in favor say 'aye'; opposed 'nay'. The 'ayes' have it.
And the House stands adjourned."

Clerk Bolin: "The House Perfunctory Session will come to order.
Introduction of Resolutions. House Resolution 457, offered
by Representative Poe. House Resolution 458, offered by
Representative Flider. House Resolution 462, offered by
Representative Delgado. And House Joint Resolution 59,
offered by Representative Brady. These Resolutions are
referred to the House Rules Committee. Introduction and
First Reading of Senate Bills. Senate Bill 1646, offered
by Representative Fritchey, a Bill for an Act concerning
the Uniform Commercial Code. Senate Bill 926, offered by
Representative Saviano, a Bill for an Act concerning
regulation. Senate Bill 973, offered by Representative
Currie, a Bill for an Act concerning aging. Senate Bill
998, offered by Representative Dugan, a Bill for an Act
concerning health. Senate Bill 12... Senate Bill 1124,
offered by Representative Hassert, a Bill for an Act
concerning transportation. Senate Bill 1125, offered by
Representative Sacia, a Bill for an Act concerning
transportation. First Reading of these Senate Bills.
There being no further business, the House Perfunctory
Session will stand adjourned."