

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

56th Legislative Day

5/24/2005

Speaker Lyons, J.: "Ladies and Gentlemen, the House will come to order. Members should be at their desks. Members are asked and guests are asked to refrain from starting their laptops, to turn off cell phones and pagers and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Father Robert Sherry with the Holy Church.. with the Church of the Holy Apostles in McHenry, Illinois. Father Sherry is the guest of Jack Franks. Father Sherry."

Father Sherry: "Thank you, Speaker Lyons. Let us pray. Oh good and gracious God, we begin this Session today thanking You for creating us and for all that surrounds us. You have made us in Your image and entrusted us to be Your stewards as elected by the people of Illinois to manage the property, the finances and affairs of the citizens of this great state. And our concerns are many: education and environment, crime and corruption, housing and hospitals, prisons and personnel, budget and bureaucracy, the agenda goes on. So, remind us why we first ran for office. Help us to be good stewards of Your dappled grace. Help us to be... remember the value of each citizen, to sense our solidarity with all that is human, to listen to our constituency and accept our own brokenness, too. So let us live and listen, learn and vote as good stewards, so that when we hear that last gavel and come to our final adjournment we may hear You say, 'Well done, good and faithful servant, enter into the joy prepared for you from the foundation of the world.' And p.s., if You could help

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

56th Legislative Day

5/24/2005

the White Sox finally win a series in Oakland, all the better for the Land of Lincoln. Amen."

Speaker Lyons, J.: "Thank you, Father Sherry. Okay, White Sox fans. We'll be led in the Pledge of Allegiance today by Representative Rich Bradley."

Bradley, R. - 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 show that Representatives McKeon and Verschoore are excused today."

Speaker Lyons, J.: "Thank you, Representative Currie. Representative Bost."

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

Speaker Lyons, J.: "Thank you, Representative. Take the record, Mr. Clerk. There are 116 Members present, we have a quorum. We're ready to do the business of the State of Illinois. Repres... Representative Pritchard, for what reason do you rise?"

Pritchard: "A point of personal privilege."

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

Pritchard: "Over the lunch hour the Illinois Soy Bean Association had samples of some of their soy products. And also information about a... a survey they conducted, in four schools across the state, where they were comparing the

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

56th Legislative Day

5/24/2005

nutritional value and taste of soy products in a... a sample's up here in front. I invite you to take some of them and sample them as the young children did. But they're finding that soy products increase the healthy choices that school children have. It addresses the issues of obesity in young people by giving choices of low cholesterol and low fat foods. I encourage you to... to look at this, to read some information from them and also to take one of their pens. As a soy bean producer, there are some soy beans in this pen. It's one way to use up some of the product that we grow in this state. But I encourage you to sample their wares and thank the Illinois Soy Bean Association."

Speaker Lyons, J.: "Thank you, Representative Pritchard. The Chair recognizes Representative Parke. For what reason do you rise?"

Parke: "Thank you, Mr. Speaker. I'm a... I need some information and guidance. Many of our Members have been asked to speak over the Memorial Day Holiday and asked to attend functions as Legislators. And I understand in your caucus yesterday there was discussion on perhaps whether or not you're gonna be going home for Memorial Day. And the Body would like to know if, in fact, there's a final decision on whether or not we're gonna be here so we can make our plans, also. So, if you don't know at this time, so state it. And could you get information today so we can plan our schedules for our constituency and our families?"

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

56th Legislative Day

5/24/2005

Speaker Lyons, J.: "Thank you, Representative Parke. Just to repeat the words of the Speaker in our caucus yesterday, 'Plan to be here through the end of the month.' But as the day... the week goes on, things could change. So, I don't have a definitive answer for you right now, Mr. Parke. But we will certainly pass that on to the one person that can answer that for us and get back to you as soon as we can."

Parke: "Thank you. That's all I can expect."

Speaker Lyons, J.: "Thanks, Representative. The Chair recognizes Majority Leader Barbara Flynn Currie."

Currie: "Thank you, Speaker and Members of the House. The... Illinois Association of Re... Rehabilitation Facilities celebrates its 30th anniversary this year and members of that organization are with us today in the balcony. And I hope you will join with me in recognizing the value of the important community services they provide to our disabled comrades and colleagues. And I hope you will also join me in wishing them a very happy 30th anniversary. So, time for a warm, Springfield welcome."

Speaker Lyons, J.: "Welcome to Springfield and thanks for all your hard work. The Chair recognizes the Gentleman from Bond, Representative Ron Stephens. For what purpose do you rise, Representative?"

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

Speaker Lyons, J.: "Please proceed."

Stephens: "On the Republican side of the chamber in the gallery, we're pleased to have University of Illinois

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

56th Legislative Day

5/24/2005

student trustee, Nick Klitzing. Let's give him a Springfield welcome."

Speaker Lyons, J.: "Welcome U of I. Glad to have you down here. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 24, 2005, reported the same back with the following recommendation/s: 'approved for floor consideration' a Motion to Concur with Senate Amendment #1 to House Bill 55, a Motion to Concur with Senate Amendment #1 to House Bill 60, a Motion to Concur with Senate Amendment #1 to House Bill 62, a Motion to Concur with Senate Amendment #1 to House Bill 188, a Motion to Concur with Senate Amendment #1 to House Bill 295, a Motion to Concur with Senate Amendment #1 to House Bill 515, a Motion to Concur with Senate Amendment #1 to House Bill 760, a Motion to Concur with Senate Amendment #1 to House Bill 1071, a Motion to Concur with Senate Amendment #1 to House Bill 1149, a Motion to Concur with Senate Amendment #1 to House Bill 1511, a Motion to Concur with Senate Amendment #2 to House Bill 2343, a Motion to Concur with Senate Amendment #1 to House Bill 2345, a Motion to Concur with Senate Amendment #1 to House Bill 2380, a Motion to Concur with Senate Amendment #1 to House Bill 2853, a Motion to Concur with Senate Amendment #1 to House Bill 3648 and a Motion to Concur with Senate Amendment #1 to House Bill 4014. Representative Reitz,

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

56th Legislative Day

5/24/2005

Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on May 24, 2005, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 2053; 'do pass Short Debate' Senate Bill 1965. Representative John Bradley, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on May 24, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 712, a Motion to Concur with Senate Amendments 2 and 3 to House Bill 4023 and Floor Amendment #2 to Senate Bill 1883; 'do pass as amended Short Debate' Senate Bill 1446. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on May 24, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to Senate Bill 1354. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on May 24, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 1445. Representative Mendoza, Chairperson from the Committee on International Trade & Commerce, to which the following measure/s was/were referred, action taken on May 24, 2005, reported the same

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

56th Legislative Day

5/24/2005

back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to Senate Bill 1251. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on May 24, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 909, a Motion to Concur with Senate Amendment #1 to House Bill 1517 and Floor Amendment #2 to Senate Bill 847. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on May 24, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 678. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on May 24, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 132. Representative Boland, Chairperson from the Committee on Financial Institutions, to which the following measure/s was/were referred, action taken on May 24, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 and 3 to House Bill 1100. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action

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

56th Legislative Day

5/24/2005

taken on May 24, 2005, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 26 and 'do pass Short Debate' Senate Bill 973."

Speaker Lyons, J.: "The Chair recognizes Representative Rich Brauer for the purpose of an announcement."

Brauer: "Ladies and Gentlemen of the House, behind me in the gallery is Boy Scout Troop 54 of Petersburg, Illinois. They were honored on April 19, 2005, to raise both the American and the State of Illinois Flags at the Abraham Lincoln Presidential Library and the Abraham Lincoln Presidential Museum dedication. Troop 54 is sponsored by the Central Presbyterian Church of Petersburg and the Petersburg Rotary Club. Today the troop will return to the museum, retire the flags and preserve them for the historical significance to both the troop and the community. Please join me in giving 'em a Springfield welcome."

Speaker Lyons, J.: "Welcome to Springfield, scouts, glad to have ya. The Chair recognizes Representative John Bradley. For what reason do you rise, Representative?"

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

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

Bradley, J.: "Up in the east gallery, I have a group of grade school students from my hometown of Marion. Washington Elementary School is here today with a group and we want to welcome them and say welcome to Springfield."

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

56th Legislative Day

5/24/2005

Speaker Lyons, J.: "Welcome to Springfield, students. Glad to have ya. Mr. Clerk, on page 5 of the Calendar, on House Bills Third-Reading, Representative Graham has House Bill 990. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 990, a Bill for an Act in relation to firearms. Third Reading of this House Bill."

Speaker Lyons, J.: "The Lady from Cook, Representative Graham."

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have before you House Bill 990. House Bill 990 requires that gun dealers be licensed with the State Police. This would require gun dealers that are now currently licensed at the federal level to be licensed with the State Police. This would give the added support for this legislation that we... for the... this measure. Currently, there are only 15 federal inspectors monitoring nearly 3 thousand gun dealers in the State of Illinois. There are two locations that have been known to make the national registry for selling handguns that have been used in crimes. Adding the State Police as support would help in monitoring, making sure that gun dealers are making the appropriate sales and doing the appropriate background checks for individuals. Over the last couple years I've been working on this issue, working really hard. I have made some concessions to the NRA, adding to this measure that police... the police cannot just go into the record willy-nilly, just looking into gun sales. But, Mr. Speaker, more importantly, this is a very important issue to the State of Illinois and also to my constituent base at

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

56th Legislative Day

5/24/2005

home where we are riddled with grime... gim... gun crimes in our area. And I would ask, Mr. Speaker, that you would take this Bill out of the record and allow us to have hearings on this matter over the summer."

Speaker Lyons, J.: "Is there any... Thank you, Representative. We'll take that Bill out of the record on the request of the Sponsor. Mr. Clerk, on page 5 of the Calendar Representative Hamos has House Bill 1663. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1663, a Bill for an Act concerning local government. Third Reading of this House Bill."

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

Hamos: "Thank you. Mr. Speaker, Ladies and Gentlemen, this is the Bill that will restructure the paratransit program for the RTA region. Paratransit services are important but very expensive services that are required under the Americans for Disabilities Act. These are the door-to-door or curb-to-curb vans that... that the... both CTA and PACE in the RTA region are required to provide. What we learned as we looked into as our committee became... was formed and Representative Kathy Ryg, who did an excellent job of holding subcommittee hearings, we learned a lot about the paratransit programs that are currently in place. And what we learned is that there are, since 1990 when the ADA came about, there developed two totally separate systems. One run by CTA the other by PACE. They have separate fares, they have different policies on scheduling. They have

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

56th Legislative Day

5/24/2005

different policies on... on dis... deploying these transit providers. They have different policies on pick up. And what we discovered from that is that the system is not as efficient or effective as it could be. Today, that system for both CTA and PACE cost the combined total of \$65 million which was never contemplated at the time that the 1983 funding formula was created. So, Ladies and Gentlemen, this Bill would first of all, beginning immediately, make RTA responsible for funding and fiscal oversight of the paratransit program. Secondly, beginning a year from now, July 1, 2006, PACE would become the operator for the entire RTA region. Thirdly, we would set up a six-month planning period to make sure that this transition was happening smoothly and effectively and that there is no interruption in service. So, the six-month planning period would design all the consistent policies that need to be in place. Fourth... Thank you. Fourthly, it would make RTA responsible for creating a long-term funding plan which is very important to this exponentially growing service. And finally, we hope that we will also be able to have, for the first time since 1990, some state funding to support the paratransit program and also that we will be able to make some of the rides, especially those rides to doctors' offices, eligible for the federal Medicaid match. And to the extent that we can do that, a \$26 ride could receive maybe up to \$13 of reimbursement from the Federal Government. So, what we are doing is creating an effective, efficient regional program for

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

56th Legislative Day

5/24/2005

paratransit services for disabled people. We have worked on this closely with the disabled community and I'm available for 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 strictly a cost shifting or is there some... somebody putting up some money here that isn't there now?"

Hamos: "Well, this Bill is the substantive Bill which creates the structure under which paratransit services can be provided to the extent that we can have new funds that would be negotiated through the budget process."

Parke: "Well, yeah, but there's money involved here. I mean, this... that underpins all of this. I mean, to restructure is wonderful and a great idea, but if there's money involved, then I need to know how that money is gonna be shifted. Is a... is the money coming from the CTA and the... or the RTA to PACE? How is it gonna be funded? How are you gonna pay for this if PACE is handling all of it?"

Hamos: "The way that the funding formula is designed is that some monies that come in from the sales tax go right through a formula for distribution to CTA, PACE, and METRA. Fifteen percent of sales taxes come to the RTA in what's called the Discretionary Fund. In addition, the state matches the sales taxes collected in the RTA region, that goes into the Discretionary Fund. Currently, all of the

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

56th Legislative Day

5/24/2005

dollars spent on paratransit services, especially by CTA, are paid for through the Discretionary Fund. Most of the services by PACE are paid for through the Discretionary Fund. This doesn't change that. If we can't find additional dollars through the State and Federal Governments, the only money that RTA has available to it is the Discretionary Fund."

Parke: "Well, let me ask you this then. If you shift this to... to PACE, will there be enough money to pay for all this?"

Hamos: "You know, Representative Parke, let me say this again. This is a federal mandate under the Americans for Disabilities Act. We are going to pay for it one way or the other. Now, right now, CTA and PACE are paying for it through the RTA through the Discretionary Fund. I'm hoping that we, for the first time in 15 years, will find some state dollars to help to support this. That is long overdue. It is the equivalent of paying for special education. It's the responsibility of the state. If we can find state dollars and hopefully federal dollars, that will offset some of what the Discretionary Fund is paying for. If we can't find state and federal dollars, it's the same funding source that's available currently."

Parke: "Representative Hamos, I would like to point out to you that if we don't have enough money to pay for this with PACE, then PACE has got to get money from somewhere. And I'm concerned about suburban systems. Now, if we don't have enough money to pay for this, it's easy to talk about how great this program is, but I don't want us to have to

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

56th Legislative Day

5/24/2005

shift all this money that might be going for some other purposes for PACE to have to pay for this since it's a mandate. So that's my concern, quite frankly. I wanna make sure that there's money enough to pay for this great idea and we don't end up taking it in the neck because we end up running out of money with still two or three months left to go. And that's the bottom line here. So, if there's enough money, that's fine. But discretionary money is only so much, even though I think a ton of it is going usually to the CTA of a... the great majority, like more than 90 percent. What I'd like to make sure that if we're gonna put this in PACE, that PACE has enough funding to do an adequate job and we don't have to... they don't have to take money that might be going for other PACE services to pay for this federal mandate."

Hamos: "Well, and I wanna reassure you that there's no intent here to reduce any of the services provided by CTA and PACE. And in fact, CTA and PACE are both supporting this. What we're doing is creating a regional paratransit program that we think actually will be more efficient and will provide better service. But I would like to remind you that the Discretionary Fund that is distributed right now to CTA and PACE is more than \$200 million. This combined program for CTA and PACE is \$65 million. So, the money is the same money that everybody has and it comes through the RTA. There's no additional dollars in this Bill. What I'm hoping and I wanna be honest about this, it is time and I believe it's long overdue that the state and hopefully the

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

56th Legislative Day

5/24/2005

Federal Government help pay for what truly is an unfunded mandate, an important but very expensive service for people with disabilities."

Speaker Lyons, J.: "Representative Parke, your 5 minute's up. If you could conclude your remarks, we'd appreciate it."

Parke: "Thank you. I'm just concerned about discretionary money. If we have additional money coming in that we don't bail out the Transit System of Chicago on the back of PACE. I wanna make sure that there's enough money to fund this program in the proper way, the way that we want it. So, I have some concerns about this legislation."

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

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

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

Delgado: "Representative Hamos, will the parariders see an increase in their fare... in their fare costs?"

Hamos: "As... as of right now, the PACE riders are already paying more than the CTA paratransit riders. They're paying \$3. The CTA has already announced that as of July their paratransit riders will be paying double the fare, which they're enti... they're allowed to do under the federal policy. So, paratransit riders will be paying \$3.50 as of July 1, under the CTA plan."

Delgado: "And how much does a fare cost CTA? If it's 3.50 for the person, that means that we will see an increase in our districts in Chicago and comparing that to the price for the ride... Well, how much is that ride?"

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

56th Legislative Day

5/24/2005

Hamos: "I think that's an important point, Representative Delgado. We have something in the transit formula that's called the cost recovery ratio. That means that approximately 50 percent of... with the fares only pay 50 percent, the cost of the ride. So, for example, when we take fixed route service and we pay \$1.75, that ride in CTA costs about \$3.50. In the case of paratransit, the ride costs \$26.00. So..."

Delgado: "Per ride?"

Hamos: "Per ride, one way. So, that's why both PACE and CTA have felt the need to slightly raise the... the paratransit fare, but even so, it's only going to pay for 10... 10 percent of the cost of their ride."

Delgado: "So even if we see a small increase in some of our areas, would you agree that the... now with the opening up of the system with PACE and RTA, I understand now the pararider will be able to cross regions without having to incur additional costs. Is that correct?"

Hamos: "That is correct. In fact, I think there might be some distance-based fare policy to be developed..."

Delgado: "And that..."

Hamos: "...as part of this planning so some costs could be reduced, some fares. And some longer fares would be priced differently than shorter... than shorter trips."

Delgado: "So, if a person that in the old way, in the old day, if this becomes law, pay 26.50 to go one way and they crossed into the PACE area, they would've had to pay

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

56th Legislative Day

5/24/2005

another cost at that time, possibly the same amount or more?"

Hamos: "Well, I... I'm not sure about that because I think that for both PACE and CTA they have had responsibility to transport the disabled rider to whatever destination that rider wished. But here is what makes this program very ineffective and inefficient. If, for example, a PACE rider boarded in the suburbs and came downtown, which they're allowed to do on paratransit, that paratransit could not pick up anybody for the return ride. They had to go back empty."

Delgado: "So, they would go back empty and once that seat is gone you don't sell it again, is that correct?"

Hamos: "And... Oh, and that just makes it a very inefficient and expensive service. So, we hope that this kind of approach, making it a regional system, will lend to more efficiencies in the provision of rides."

Delgado: "Thank you, Representative. To the Bill, Mr. Speaker."

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

Delgado: "I have quite a few parariders in my district. And saluting Mr. Gorman and Mrs. Gorman who also participate in the Chicago Lighthouse for the Blind. Being a former CTA bus driver and running down the streets on Sheridian Road, Lincoln Avenue, out in Evanston, to Skokie Swift, you name it I've driven it, from the south side to the north side. Understanding that that was another day and age, understanding how it works today, the most vulnerable of

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

56th Legislative Day

5/24/2005

our citizens need public transportation. Our moms and dads use public transportation. For heaven sakes, many of us use it. So when we talk about protecting people and making sure that if at the bottom... at the end of the day, if my youngest child or my most needy child needs to make sure that we protect someone, I wanna make sure that we're protecting the parariders, making sure that we're not balancing the bailout, if you will, on the parariders' back. And it sounds to me that we truly are not. On the contrary, we really are helping each other within our regions. Now this is democracy. This is bringing Illinois together. Because I understand, if you read your analysis, PACE will be working strongly behind the scenes and implementing programs. The RTA will be doing the same thing. And we'll be able to cross each others res... regions. At the end of the day the beneficiary will be our constituent, that person who cannot wait too long for that transportation, who may need that door-to-door service. And for that, I would ask for a strong recognition and an 'aye' vote. And please read your analysis because at the end of the day transportation's important. It's more important for those who may need that wheelchair, may need that extra crutch to get around. Thank you, Mr. Speaker."

Speaker Lyons, J.: "Chair recognizes the Gentleman from Lake, Representative Ed Sullivan."

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

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

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

56th Legislative Day

5/24/2005

Sullivan: "Representative, I wanna go back to the... the funding issue. I... I think most of us in this chamber would agree that the idea that you're putting forth is probably very sound. And I don't wanna discuss that, but we do have a concern about the funding. Can you explain what is gonna happen now with the funding? We're... I'm to understand that the RTA is gonna take this over and if the state doesn't bring any money in, they're gonna have to use discretionary spending, is that... is that the case?"

Hamos: "That is correct. That's the only money they would have available."

Sullivan: "Okay. So at this point, what is it about a \$52 million allotment that would go over to PACE in discretionary funding?"

Hamos: "Well, Representative Sullivan, in the first year we are not moving the services over to PACE, although maybe by the last quarter that... there could be some transitioning. In the first year, this next fiscal year, RTA is going to assume responsibility and we're going to create a comprehensive plan that spells all this out and lays out all the policies. During this year, I hope there will be some state funding to help support paratransit services both provided at CTA and PACE. This supple... whatever is the shortfall would be paid by the Discretionary Fund."

Sullivan: "Okay. So let's say that the \$52 million goes in at some point. And magically there's \$30 million in the budget that is gonna be directed towards paratransit. What would happen then to the discretionary funding?"

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

56th Legislative Day

5/24/2005

Hamos: "What... I... I don't know what you mean."

Sullivan: "Well, in relationship to what Paula Thibeault, the executive director of RTA, had stated, that if more money comes into paratransit they're gonna be less reliant on the discretionary funds. And what happens with the discretionary funds if they're less reliant on there? Where would those funds go?"

Hamos: "You know, I don't... I don't think I know the answer to that. I mean... RTA is charged with developing a budget and doing fiscal oversight in the RTA region. I can tell you that, we, as a state and the funding formula itself, has never paid adequately for this one service. So ya know, the Discretionary Fund has been used to supplement it, but nobody's really paid for it, to tell ya the truth. So, I... Ya know, I don't know."

Sullivan: "Would it be safe to say that presently upwards of 95 percent of discretionary spending goes to CTA?"

Hamos: "I'm not sure it's that high. But it's certainly more than 90 percent. Yes."

Sullivan: "Ninety or above? Okay. Thank you. Mr. Speaker, to the Bill."

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

Sullivan: "Ladies and Gentlemen, you have a Bill before you that asks you to fund paratransit. And who in this chamber does not wanna fund paratransit? But there are unintended consequences of this Bill. And for those of you outside of the City of Chicago, downstate specifically, you should've paid attention to what I had to say because this is a

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

56th Legislative Day

5/24/2005

bailout of the CTA. And let me explain to you how. Right now, RTA is gonna take control of the spending or the funding of this program. They're gonna take discretionary spending and put it towards paratransit. As more money comes into paratransit, we've heard this before in the lottery, as money comes into paratransit they're gonna take that same money and discretionary spending and back door it back to CTA. So here you have a wonderful Bill used for purposes that are somewhat ominous, in my opinion, to bail out the CTA, because who in their right mind is gonna vote against paratransit funding. So Ladies and Gentlemen, until we can fix this unintended consequences, I think we should vote 'present' or 'no' and let's go back to the drawing board and control discretionary spending and try and make sure it goes to where it should go to and not CTA. 'Cause CTA is gonna get their money, they're just not gonna have to produce the services anymore. Thank you very much."

Speaker Lyons, J.: "Ladies and Gentlemen, this Bill is on Short Debate. We have put it on Standard Debate. We've had two people speak in favor of the Bill and two people speak in response. So, the next person, Representative Tryon, are you in favor or in response to this Bill?"

Tryon: "Mr. Speaker, I'm in favor of this Bill. Wish to speak to the Bill."

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

Tryon: "Okay. As I understand, Mrs... Representative Hamos, the cost of this program to have PACE provide all of the

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

56th Legislative Day

5/24/2005

paratransit services is \$65 million for the entire region. And by taking over the CTA's paratransit service it's gonna cost \$46 million and that \$46 million is gonna come from RTA. Correct?"

Hamos: "Representative Tryon, I... I'm not sure that's exactly the right number. Let me just tell you why. When I said 65 million, that incl... that combined both CTA and PACE. CTA by itself is 52 million. It receives 6 million in fares, so the cost is 46."

Tryon: "Okay."

Hamos: "So, I believe that the 46 number relates only to CTA. There would be a similar kind of fare offset for PACE. PACE's paratransit program costs 13 million."

Tryon: "Okay. I... I'm gonna support the Bill because I think having a seamless service for paratransit, a transportation between the city and the suburbs, is a good thing. But I tell you what... what my concern is, it isn't this Bill it's what maybe come to follow. We've been debating and hearing in Mass Transit Committee that the CTA has \$55 million deficit. It would be safe to say that part of that deficit was created by having to convert operation capital that once went for regular services to paratransit services. Is that correct?"

Hamos: "Yes."

Tryon: "And the same is true of PACE. PACE had to convert operation dollars to paratransit dollars in the tune of 15 million. So my concern is, if we put anymore money into RTA to help pay for paratransit services or we put anymore

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

56th Legislative Day

5/24/2005

money into RTA to help pay the deficit of the CTA that we fairly and equitably take that new dollars that goes in to the RTA system and spread it between CTA and PACE, not just CTA."

Hamos: "I agree with that."

Tryon: "And I would... that's what I am asking for, your agreement. Because if CTA's gonna get part of the \$55 million that it had to convert in operating capital to paratransit dollars, I think it would be only fair that PACE gets the same pres... percentage of the \$15 million of operating capital they had to convert. Correct?"

Hamos: "I agree with that. Ya know, PACE is also struggling right now with their budget. They just haven't been as loud and noisy."

Tryon: "Okay. With your agreement on that, I'm prepared to support your Bill."

Hamos: "But I don't set the RTA budget, just so ya know. I'm not gonna be the next chairman."

Tryon: "Okay. Thank you."

Speaker Lyons, J.: "Thank you, Representative Tryon. We've had three people talk in favor of the Bill, two in response. Representative Ryg are you in favor of the Bill or in response? When I asked you what we need... we've had three speakers already. Representative Carolyn Krause are you speaking in favor of the Bill or in response?"

Krause: "Response."

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

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

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

56th Legislative Day

5/24/2005

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

Krause: "Representative, the statement by a previous speaker, Representative Sullivan, I think were well-taken on the funding issue. Putting that aside, I continue to have also concerns about PACE. Let me just ask you this. In this current budget there is a provision, an appropriation for a pilot program for Elk Grove Township, Palatine Township, Schaumburg Township, Wheeling Township, Maine, Hanover and Northfield Township. And what our goal was, was to do paratransit within those... within that area that they tied together, that they could go across township lines, serve hospitals and a number of issues. Coming close to the end of this year that has not moved forward. Putting aside how... I feel that PACE could've operated and PACE's statement to me, my question to you is, your Bill provides that July 1, 05, starts the funding and January 1 starts a plan. Would it be your intent that existing pilot programs would continue separate, that they would not be folded in to any subsequent plan that this calls for and that the funding which does not expire at the end of this budget year would continue specifically for that pilot program?"

Hamos: "Representative Krause, I'm actually very excited about your pilot program. I think it's going to be a real model and I can tell you that Representative Ryg in... in her subcommittee has begun to explore still another facet of paratransit which is the small... and... the small programs that are being run by municipalities and townships. Right now they don't do enough to coordinate their services and

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

56th Legislative Day

5/24/2005

cross boundaries. It'd be... PACE has two kinds of paratransit programs currently in place. One is what we're addressing in this Bill and it's called ADA paratransit, it's required under the Americans for Disabilities Act. They have another program in place which also costs \$13 million which is... they call the Dial-A-Ride program, that pilot is under that other Dial-A-Ride program. So, these are two separate programs that will continue as separate programs."

Krause: "Okay. What I want... I do have my concerns. I will be absolutely honest with you, putting aside the funding issue that was raised that is of a great concern. I want... because if it's going to PACE, I have not received back in the past year what I had expected to have. I do not want this to so be overtaken by the CTA that this sort of thing is lost, that the funding is wiped out, Representative Hamos. I want this to stand on its own and to have the chance to go forward for these townships. And I'm merely asking you as the Sponsor, do you believe and is it your intent that those existing ones can continue to be worked on without folding them in or the funding folded in?"

Hamos: "Yes, definitely."

Krause: "All right. Thank you."

Speaker Lyons, J.: "Representative Julie Hamos to close."

Hamos: "May I ask Representative Ryg, who has been an excellent subcommittee chair, to close?"

Speaker Lyons, J.: "The Chair recognizes Representative Kathy Ryg to close."

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

56th Legislative Day

5/24/2005

Ryg: "Thank you, Mr. Speaker and Representative Hamos. Ladies and Gentlemen, this proposal was developed in response to long overdue neglect of how paratransit services are delivered and paid for. The consumers have been vocal in their concerns regarding uncoordinated and inefficient services. The entire northeastern Illinois region and rural areas of the state are struggling with how to provide these vital services for the growing numbers of people who depend on them. We have an opportunity to bring paratransit services and the RTA region under one service provider. PACE has already demonstrated its commitment to central dispatch and the use of technology to better coordinate trips. They are endorsed by their riders and are partnering with private providers, local governments, and human service providers to streamline and coordinate their services. PACE has taken steps to explore federal matching dollars for eligible trips for eligible riders bringing in new sources of revenue for paratransit. This legislation is an important first step toward improving paratransit and mass transit options for the RTA region with implications for service delivery throughout the state, taking advantage of best practices and models that are being used throughout the nation. I ask for your full support of this initiative, not only on behalf of the seniors and disabled community, but with an eye on the future when any one of us could unexpectedly be dependent on these services. Thank you."

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

56th Legislative Day

5/24/2005

Speaker Lyons, J.: "We've heard the full debate. The question now is, 'Should House Bill 1663 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 Leitch, David Leitch. Mr. Clerk, take the record. On this Bill, there are 92 Members voting 'yes', 22 Members voting 'no', 1 person voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Will with an important announcement. Representative Joe Dunn."

Dunn: "Thank you, Mr. Speaker. I rise for the purpose of an announcement. I received some sad news from our former colleague, Representative Cowlshaw. Representative Cowlshaw and her family suffered the great loss of their 43-year-old son over the weekend. He died suddenly of a heart attack. I think that a moment of silence is gonna be appropriate. I also have at ho... in my office if anyone wishes to send a card or flowers. I have the contact information, feel free to call me in my office. But if we might observe a moment of silence for Representative Cowlshaw, her son and their family. Thank you."

Speaker Lyons, J.: "Mr. Clerk, on page 5 of the Calendar, House Bills-Third Reading, Representative John Fritchey has House Bill 3464. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3464, a Bill for an Act concerning title insurance. Third Reading of this House Bill."

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

56th Legislative Day

5/24/2005

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

Fritchey: "Thank you, Speaker, Members of the Body. 3464 is an agreed piece of legislation. It was several years in the working. We know of no objection to the Bill and ask for an 'aye' vote. Thank you."

Speaker Lyons, J.: "Is there any discussion on House Bill 3464? Seeing none, the question is, 'Should House Bill 3464 pass?' All those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dunn. Mr. Clerk, take the record. On this Bill, there are 112 Members voting 'yes', 0 voting 'no', 3 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 5 of the Calendar is House Bill 3760. On the request of the Sponsor, move that Bill from Third Reading back to Second Reading. Mr. Clerk, on page 7 of the Calendar is Senate Bill 1853. At a request of the Sponsor, move that Bill from Third Reading back to Second Reading. Senate Bill 1853 to Second Reading. I'm gonna proceed with some Bills on Second Reading, House Bills on Second Reading, starting on page 3. Mr. Clerk, status of House Bill 1871. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1871, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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

56th Legislative Day

5/24/2005

Speaker Lyons, J.: "Representative Delgado. Third Reading. On page 3 of the Calendar, Representative Mendoza has House Bill 2065."

Clerk Bolin: "House Bill 2065, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. No further Floor Amendments have been approved for consideration. No Motions filed."

Speaker Lyons, J.: "Mr. Clerk, at... request by the Sponsor, hold that Bill on Second Reading. On page 3 of the Calendar is House Bill 2414, Representative Acevedo. Representative Acevedo, House Bill 2414. Care to move that Bill to Third Reading? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2414, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendments 1 and 2 have been adopted to the Bill. Floor Amendment #5, offered by Representative Acevedo, has been approved for consideration."

Speaker Lyons, J.: "At the request of the Sponsor, hold that Bill on Second Reading. Mr. Clerk, on page 4 of the Calendar, under Second Reading, Representative Julie Hamos has House Bill 4024. Representative Hamos, wish to move that Bill to Third Reading? Hold that Bill on Second Reading on request of the Sponsor. Mr. Clerk, on page 4 of the Calendar, Representative Art Turner has House Bill 3871. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3871, the Bill's been read a second time, previously. Amendment #1 was adopted in committee."

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

56th Legislative Day

5/24/2005

No Floor Amendments have been approved for consideration.
No Motions filed."

Speaker Lyons, J.: "Third Reading. Continuing with moving Bills from Second to Third Reading. Mr. Clerk, on page 9 of the Calendar, Senate Bills to be moved from Second to Third Reading. Page 9 is Senate Bill 13. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 13, the Bill's... Senate Bill 13, a Bill for an Act concerning finance. Second Reading of this Senate Bill. Amendments 1 and 2 have been adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading on that Bill. Mr. Clerk, on page 9 is Senate Bill 61. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 61, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Fritchey, has been approved for consideration."

Speaker Lyons, J.: "Representative Fritchey on Senate Bill 61. Representative John Fritchey. Floor Amendment #1, Representative."

Fritchey: "Amendment 1 simply clarifies some technical language at the request of LRB to facilitate the brain tumor checkoff. We know obviously of no objections to this."

Speaker Lyons, J.: "Is there any discussion on Floor Amendment #1 on Senate Bill 61? Seeing none, 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. Anything else, Mr. Clerk?"

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

56th Legislative Day

5/24/2005

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

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 10 of the Calendar Representative Joyce has Senate Bill 92. Read the Bill, Mr. Clerk. Out of the record, Mr. Clerk, at the request of the Sponsor. On page 10 of the Calendar, Representative Moffitt has Senate Bill 189. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 189, a Bill for an Act concerning law enforcement. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. A Motion to Table Committee Amendment #1 has been approved for consideration."

Speaker Lyons, J.: "Representative Don Moffitt."

Moffitt: "Thank you, Mr. Speaker. The Motion is to then table the Committee Amendment, so it would go back to its original Bill as it came over here from the Senate and that's the Motion that I have. I also wanna make sure, I made a commitment to the chairman of the committee, Representative Harry Osterman, to... to be working with him. And I... I don't know if yesterday or today was the deadline, but I... I'm ready if we table... table that Motion and that passes, I'm ready to move it to Third. Other than keeping my commitment with the chairman and so I also want to make that clarification. So, in terms of tabling the Committee Amendment I'd like to do that. And if in terms of explanation, that Committee Amendment was just a word that made it... removed the requirements of... of gun safety training for active officers. We initially put that in at

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

56th Legislative Day

5/24/2005

the request of the Municipal League, but they agree that we would be in conflict with federal standards. And I have a letter from them that we should remove that. We cannot make retired officers' training more stringent than what active duty officers are. And that's why I want to table the Committee Amendment. So I do wanna do that and then whether we move it to Third, I wanna also keep my commitment to the committee chair."

Speaker Lyons, J.: "Thank you, Representative Moffitt. Representative Osterman, do you have a question on the table... Motion or do you have a question on the Bill after we table the Motion? Representative Osterman."

Osterman: "Just a comment about the legislation. I wanna commend the Sponsor and I appreciate his willingness to consider House Amendment #2. That Amendment is stuck in Rules and probably will never leave. But I appreciate your living up to your word on allowing that Amendment to move forward. And I have no reservations about moving this legislation forward. So, thank you."

Speaker Lyons, J.: "The Motion to Table Amendment #1, all those in favor signify by saying 'yes'; those opposed 'no'. In the opinion of the Chair is the 'ayes' have it. And table 1... Amendment #1 is tabled. Anything further, Mr. Clerk?"

Clerk Bolin: "No further Amendments. No further Motions."

Speaker Lyons, J.: "Third Reading. Okay. Mr. Clerk, on page 10 of the Calendar, Senate Bill 193. Representative Graham, do you wish to move that Bill, Debbie? That Bill, on the request of the Sponsor, will stay on Second Reading.

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

56th Legislative Day

5/24/2005

On page 10 of the Calendar Representative Graham has Senate Bill 229. Second Reading. Page 10 of the Calendar is Senate Bill 244, Representative Delgado. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 244, a Bill for an Act concerning liquor. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. On page 11 of the Calendar Representative Eileen Lyons has House Bill 272. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 272, 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. Page 11 of the Calendar Representative Winters has Senate Bill 250. Representative Winters. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 250, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. And no Motions filed."

Speaker Lyons, J.: "Third Reading. On page 11 of the Calendar Representative Rita has House... Senate Bill 501. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 501, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Rita, has been approved for consideration."

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

56th Legislative Day

5/24/2005

Speaker Lyons, J.: "Representative Rita. Out of the record, Mr. Clerk. On page 12 of the Calendar Representative Saviano has Senate Bill 518. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 518, a Bill for an Act concerning procurement. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Page 12 of the Calendar Representative Delgado has Senate Bill 519. Representative Delgado. Senate Bill 519. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 519, a Bill for an Act concerning public aid. Second Reading of this Senate Bill. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. Representative Delgado has filed a Motion to Table Floor Amendment #1."

Speaker Lyons, J.: "Representative Delgado."

Delgado: "Yes, thank you, Mr. Speaker and Members of the House. When I presented the Bill last week there was an Amendment that inadvertently got on and I've asked for the table of Amendment #1 so that the underlying Bill will remain intact. And I would ask for your approval."

Speaker Lyons, J.: "Motion to Table Amendment #1. Any discussion? All in favor signify by saying 'yes'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Table... Tabled is Amendment #1 to Senate Bill 519. Anything further, Mr. Clerk?"

Clerk Bolin: "No further Amendments. No further Motions."

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

56th Legislative Day

5/24/2005

Speaker Lyons, J.: "Third Reading. On page 12 of the Calendar Representative Mautino has Senate Bill 538. Read the... read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 538, a Bill for an Act in relation to fraud. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Mautino, has been approved for consideration."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Bureau, Representative Frank Mautino."

Mautino: "Thank you. Floor Amendment 1 is an agreement by all parties and the intent is to reduce health insurance and health care fraud... Excuse me. To reduce health care fraud in Illinois. It amends the number of regulatory Acts and require Department of Financial & Professional Regulations shall suspend the license of any professional licensed under these Amendatory Act if it's been certified by the court that they have not paid restitution. So what this Bill does, in effect, is saying when there has been some fraud, and insurance fraud, which has been determined by the court, they've gone through all their due process, they have decided that they are not gonna make restitution, then they may go back in... the courts may come back in and allow for their licenses to be removed. Simply ask for its adoption. That also..."

Speaker Lyons, J.: "Are there any questions on Floor Amendment #1 to Senate Bill 538? Seeing none, all those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor

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

56th Legislative Day

5/24/2005

Amendment #1 to Senate Bill 538 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. On page 12 of the Calendar Representative Currie has Senate Bill 662. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 662, a Bill for an Act concerning finance. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Lyons, J.: "Third Reading. On page 13 of the Calendar Representative Kathy Ryg has House... Senate Bill 847. Is Representative Ryg on the floor? Take that Bill out of the record. Representative Miller has Senate Bill 1251. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1251, a Bill for an Act concerning business. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Miller, has been approved for consideration."

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

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 1 just basically clarifies the language and removes the opposition for the Bill. I ask for adoption."

Speaker Lyons, J.: "Is there any discussion on Floor Amendment #1? Seeing none, the question is, 'Should Floor Amendment

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

56th Legislative Day

5/24/2005

#1 pass?' All those in favor signify by saying 'yes'; all 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 Bolin: "No further Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Page 13 of the Calendar Representative Stephens has... Representative Stephens on the floor? Out of the record. Mr. Clerk, on page 13 of the Calendar Representative Hultgren has Senate Bill 1776. Representative Hultgren, 1776. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1776, a Bill for an Act in relation to the military. 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 Delgado has Senate Bill 1851. Representative Delgado on 1851... Senate Bill 1851. Out of the record. On page 14 of the Calendar is Senate Bill 1883. Representative Mathias. Senate Bill 1883. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1883, the Bill's been read a second time, previously. Amendment #1 was adopted 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. Floor Amendment #2 changes the Bill... becomes the Bill and changes it basically to

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

56th Legislative Day

5/24/2005

state that the law today is that a person can't receive compensation unless they're... for legal services unless they're an attorney. This just adds to that, saying that nor may an unlicensed person advertise or hold themselves out to provide legal services. I have some other legislative intent, but I will hold that until Third Reading. I ask for your 'aye' vote."

Speaker Lyons, J.: "Is there any discussion on Floor Amendment #2? Question is, 'If Floor Amendment #2 to Senate Bill 1883 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 #2 to Senate Bill 1883 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. On page 14 of the Calendar Representative John Fritchey has Senate Bill 1893. Representative Fritchey on 1893. You wish to move this to Third, Representative? Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1893, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. On page 14 of the Calendar, Representative Dan Reitz. Is Representative Reitz in the chamber? Out of the record. On the top of page 15 of the Calendar Representative McCarthy has Senate Bill 2054. Read the Bill, Mr. Clerk."

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

56th Legislative Day

5/24/2005

Clerk Bolin: "Senate Bill 2054, 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 the bottom of page 13 Representative Soto has Senate Bill 1842. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1842, a Bill for an Act concerning nursing. 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 9 of the Calendar, Senate Bills-Second Reading, Representative Feigenholtz has Senate Bill 1. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1, 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. Mr. Clerk, on top of page 13 of the Calendar Representative Ryg has Senate Bill 847. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 847, 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 Ryg, has been approved for consideration."

Speaker Lyons, J.: "The Chair recognizes the Lady from Lake, Representative Kathy Ryg."

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

56th Legislative Day

5/24/2005

Ryg: "Thank you, Mr. Speaker. Senate Bill 847 addresses library issues and provides that a municipality can petition or by ordinance disconnect from an existing library district and establish a new library but only with the consent of the library boards."

Speaker Lyons, J.: "Is there any discussion on Floor Amendment #2? Seeing none, the question is, 'Shall Floor Amendment #2 be adopted to Senate Bill 847?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And Floor Amendment #2 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. Page 13 of the Calendar, Mr. Clerk, Representative Ron Stephens has Senate Bill 1354. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1354, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Stephens, has been approved for consideration."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Bond, Representative Ron Stephens."

Stephens: "Thank you, Mr. Speaker. Floor Amendment 2 to Senate Bill 1354 corrects a mistake we made in an earlier Amendment and restores Lieutenant Governor Pat Quinn to the commission on base closure. I move its adoption."

Speaker Lyons, J.: "Any discussion on Floor Amendment #2? Seeing none, the question is, 'Should Floor Amendment #2 to Senate Bill 1354 be adopted?' All those in favor signify

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

56th Legislative Day

5/24/2005

by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on the Supplemental Calendar Representative Suzie Bassi has Senate Bill 26. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 26, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Supplemental Calendar, the second Bill is Senate Bill 973, Representative Currie. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 973, 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. Supplemental Calendar, the third Bill is Senate Bill 1446, Representative Julie Hamos. Do you wish to move this Bill to Third Reading? On request of the Sponsor, hold that Bill on Second Reading. Supplemental Calendar, Senate Bill 1965, Representative Ken Dunkin. Representative Dunkin in the chamber? Representative Dunkin, Senate Bill 1965. Do you wish to move that Bill to Third Reading? Read the Bill, Mr. Clerk."

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

56th Legislative Day

5/24/2005

Clerk Bolin: "Senate Bill 1965, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Representative Giles on the floor? Mr. Clerk, Representative Giles has Senate Bill 2053 on the Supplemental Calendar, 2053. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2053, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "At request of the Sponsor, you wanna leave that Bill on Second Reading? Representative Giles? Leave it on Second Reading, Mr. Clerk. Out of the record. Mr. Clerk, on page 3 of the Calendar, under House Bills-Second Reading, Representative Acevedo has House Bill 2414. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2414, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendments 1 and 2 have been adopted to the Bill. Floor Amendment #5, offered by Representative Acevedo, has been approved for consideration."

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

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #5 prohibits the manufacture, delivery, and possession of a semiautomatic assault weapons, assault weapons attachments, .50 caliber rifles

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

56th Legislative Day

5/24/2005

and large capacity ammunition feeding devices. Furthermore, it makes an offense to cause to be manufactured, delivered, sold, purchased, or possessed by any of these weapons. House Amendment also grandfathers semiautomatic assault weapons, assault weapons attachment, .50 caliber rifles and large capacity feeding devices that are in a person's possession before the Amendment's effective date. After the effective date, they may only be transferred to an heir, an individual residing in another state maintaining their weapon in another state, or federally-licensed firearms dealer. House Amendment #5 does not apply or affect peace officers, retired peace officers that are allowed to receive a firearm and that have a prohibited firearm or a large capacity feeding device that was transferred to them by their law enforcement agency at retirement. Wardens, superintendents and house... and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense. Members of the armed services or reserved forces of the United States or Illinois National Guard while in the performance of their duties or while traveling to or from their place of duty. It also eliminates the... pro... does not apply to the manufacture, transportation or sale of weapons or attachments to the above listed individuals if they are broken down in a nonfunctioning state or not immediately accessible and the possession of a semiautic(sic-semiautomatic) assault weapon, an assault weapon attachment, a .50 caliber rifle

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

56th Legislative Day

5/24/2005

or large capacity ammunition feeding device at events taking place at the World Shooting and Recreational Complex of Sparta, only while engaged in a legal use of the firearm or while traveling to and from this location. I'll be happy to answer any questions."

Speaker Lyons, J.: "You heard the explanation on Floor Amendment #5. Any questions? The Chair recognizes the Gentleman from Jackson, Representative Mike Bost."

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

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

Bost: "Do you have a definition of exactly what a rifle... I asked this the other day when an Amendment similar to this was... tried to pass. Do you have a definition of exactly what a 'rifle' is?"

Acevedo: "Representative, this Amendment does not specifically state what a rifle is."

Bost: "All right. Then let me ask you this. Do you know what would happen in a court of law without a definition? What definition would be used?"

Acevedo: "Rep... Representative, there are certain types of rifle or semiautograph(sic-semiautomatic) ones, I should say, that are mentioned in the... in the House Amendment #5."

Bost: "Yeah. I'm sorry. Repeat that again. I'm sorry."

Acevedo: "There are specific types of semiautomatic rifles that are mentioned in House Amendment #5."

Bost: "That's right. And one of them is a .50 cal. Now, I want to know then that this is... the point that I'm coming to. Because you do not have a clear definition of what a

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

56th Legislative Day

5/24/2005

.50 caliber rifle is because in here it says that shotguns aren't included. I am... I'm arguing today and every time this Bill comes up, folks, listen. What they will do is, they will use, I believe, in a court of law, what the Federal Government says is a rifle. And under the Federal Govern... Government's description a shotgun, set for deer hunting with a rifle barrel, will be thrown out and not be able to use because it's an over... over a .50 caliber slug. It is a rifle barrel. It uses a rifle sight and because of that, we would be... by passing this legislation we are aggressively going after the deer hunters of this state."

Acevedo: "Rep... Rep... Representative, the reality is, that you know as well as I do, that's exactly what I'm not trying to do, Representative, is go after the deer hunters of..."

Bost: "And... I'm... but I'm..."

Acevedo: "...the State of Illinois."

Bost: "Representative, I'm trying to explain to you that if we don't have a clear definition... let me... let me give you the definition out of... out of the Federal Law. 'The term 'rifle' means a weapon designed or redesigned, made or remade and intended to fire... be fired from the shoulder, designed and redesigned or made or remade to use the energy of an explosive to fire one single projectile through a rifle bore for each single pull of a trigger.' That is a deer slug, clearly described. That is what we use when we hunt deer in the State of Illinois. I know, I have one. And under this proposed legislation, in a court of law, mine will... that... that will be banned and I cannot use it.

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

56th Legislative Day

5/24/2005

There's a problem in the language that we keep coming forward with."

Acevedo: "Representative, how many rounds does a deer hunting rifle hold?"

Bost: "How many rounds does a deer rifle hold?"

Acevedo: "Yes."

Bost: "Deer rifle or a shotgun?"

Acevedo: "Either one."

Bost: "A shotgun can hold three rounds. It can hold five rounds if you take the plug out."

Acevedo: "And... and I believe we exempt... and let me read to you, on page 3 line 13... 'any semiautic(sic-semiautomatic) shotgun that cannot hold more than five rounds of ammunition in a fixed or detachable magazine is exempt'. Representative Bost..."

Bost: "But that... that's still not in your definition. Your... you're saying that that's... that would be the law."

Acevedo: "Representative, even in the Amendment it states it's exempting any... any semiautic(sic-semiautomatic) rifle that cannot accept a detachable magazine that holds more than five rounds of amun... or ammunition."

Bost: "So that..."

Acevedo: "Any semi..."

Bost: "...so that a .50 caliber rifle, as long as it only holds three rounds, is legal. Is that what you're saying?"

Acevedo: "No. That's a separate definition, Representative. A .50 caliber rifle means a centerfire rifle, capable of firing a .50 caliber cartridge."

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

56th Legislative Day

5/24/2005

Bost: "But a shotgun is capable of firing a .50 caliber cartridge when being used for deer hunting. It's larger..."

Acevedo: "Representative..."

Bost: "...than a .50 cal."

Acevedo: "I... we are also exempting ammunition of fif... of the .50... Representative, if you're gonna use a .50 caliber cartridge for... in a shotgun, that's also exempt in... in the Amendment. Rep... Repre..."

Bost: "My original question was you've not defined 'rifle', though. You've defined... you've defined 'shotgun', but you've not defined 'rifle'. See..."

Acevedo: "Representative, I don't think I defined 'shotgun' either. I know there's according to some of the experts that at the firing arm at the Chicago Police Academy there is a distinct difference between a rifle and a shotgun."

Bost: "There's a big difference between a rifle and a shotgun until you put a deer rifle barrel on a shotgun. Then a deer rifle barrel on a shotgun creates a larger than .50 caliber rifled barrel."

Acevedo: "The definition, Representative, if you look at the Amendment, a shotgun with a caliber measurement that is equal or greater than a .50 caliber or a muzzleloader used for black powder hunting or battle reenactments are exclu... are exempt from this legislation."

Speaker Lyons, J.: "Representative Bost, your 5 minutes are up and we've extended it momentarily for you. If you could bring your..."

Bost: "Can I go to the Bill, please?"

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

56th Legislative Day

5/24/2005

Speaker Lyons, J.: "...questions to a closure, we'd appreciate it."

Bost: "I still don't think you've got the proper definition in there. I don't think you do. And I think what we need to be real clear on is, as it... not only is this dealing with the shotguns, but it's dealing with the .50 caliber which is one foot in the door to taking away these... these weapons. These weapons... when was the last time one... and I know I might run out of time here. But I'm... I'm curious exactly what crimes they've been used by... in the State of Illinois to commit? That... that being said, Mr. Speaker, folks, this is just clearly an attack on... on those people who have legal guns. Legal for everything from target practice and we still have not and as far as I'm concerned we still haven't answered the true question of what the courts are going to do with the rifling shotgun barrel that meets the descriptions that... and is not covered under this. But I'll be glad to go to others that wanna ask questions."

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

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

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

Black: "Representative are you aware of any crime that has been committed by a .50 caliber rifle?"

Acevedo: "Representative, to be truthful, in... in recent history, no, I haven't. But..."

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

56th Legislative Day

5/24/2005

Black: "All right. Would you... would you consider a .50 caliber rifle to be a concealable weapon?"

Acevedo: "It depends on where you're concealing the weapon at, Representative and..."

Black: "Oh, hide..."

Acevedo: "...I mean..."

Black: "...hide it under your suit coat."

Acevedo: "I wouldn't think so, Representative."

Black: "All right. I wouldn't think so, either. What do they cost?"

Acevedo: "I believe, Representative, they used to cost 7 thousand but I believe they lowered the price down to maybe 4 thousand and some, 2 thousand."

Black: "Yeah. I... I... I know in my district people are just lined up to spend \$4 thousand for a .50 caliber rifle and I'm being facetious, they're not. There's a very limited market for people who would buy a .50 caliber rifle. And to think that a .50 caliber rifle is going to be used in somebody in a street crime, that... that's a real stretch. These aren't street crime weapons. They aren't weapons of choice for somebody that wants to hold up a convenience store and I think we both know that. I... I won't belabor the point. Let me ask you a question about the shotgun section under the... under the assault weapon ban. If I own a semiautomatic shotgun that has a five chamber a... five-shot capacity but... but for hunting purposes I can only use three. But one of the newest shotguns on the market, because it helps you with stability as... as you get older,

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

56th Legislative Day

5/24/2005

has a pistol grip. So that when you hold the shotgun, particularly a turkey, if you're out hunting wild turkey. It... it has a pistol grip that does come down and meet the definition. Now, to me, I think that's going to be a very popular shotgun because it helps you stabilize the shotgun when you're my age and out hunting. And... and for me to go out hunting is truly a sport because with my eyesight I haven't hit anything in 4 years. Well, that's not true, I... I did hit a tree trunk once. But if I understand this... this Bill, even in your Amendment, the newest shotguns that have the pistol grip that would help me hold the shotgun that I'm using legally, would be outlawed. I don't... I don't think that's the purpose, but it's a definitional issue under assault weapon/shotgun."

Acevedo: "That's correct, Representative."

Black: "Yeah, I..."

Acevedo: "On a semiauto... a semiautomatic shotgun, Representative."

Black: "Yeah. And see I... I respe... I... I respect what you're trying to do. I know where you live and I know the problems that you're having. But I think the law of unintended consequences so often kicks in. These are going to be very popular shotguns used by... hunters who know what they're doing. They've paid good money for the shotgun. They have all the necessary licenses and the only thing that they want and the marketplace is responding, is that pistol grip that helps you... steady the gun if you're... if you're hunting wild turkey or something of that sort. And..."

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

56th Legislative Day

5/24/2005

and that gun would now be made illegal. And I... I don't think... ya know, if... if you were just talking about a sawed-off stock with a pistol grip, that, to me, might make some sense. But... Well, and I'm not gonna belabor the point, it's just an Amendment. And I think this is what Representative Bost was trying to get into. When we... when we get into issues like this the law of unintended consequences affect so many law-abiding people who have never, ever misused a firearm in the course of competitive shooting or hunting or shooting sports, whether you shoot clay pigeons or you go out to a sporting clays range. They've never ever misused a firearm. And because of the difficulty in... in reaching a consensus on the definition many of the firearms that these people have purchased and used legally for years would be rendered illegal, even though you're grandfathering in those who have... who have already purchased them. I.. I stand in opposition of the Amendment. I appreciate your indulgence."

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

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

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

Osterman: "Representative Acevedo, are you aware of anyone that's ever been killed with a semiautomatic weapon?"

Acevedo: "Yes, Representative."

Osterman: "Okay. Those weapons have been used throughout the country and throughout Illinois and throughout the cities

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

56th Legislative Day

5/24/2005

to kill individuals. The issue was brought up about the .50 caliber and the fact that a crime or a death has not been committed in Illinois with that weapon. And my question to the Body is, do we wanna wait until someone is killed or assassinated with a .50 caliber rifle? And then will everybody join in and say we should ban this weapon that is used by terrorists and used by... used by the military? To the issue of defining what a 'shotgun' and what a 'rifle' is, for 5 years everybody in this Body there has been Bill's sponsored by Members, supported by the NRA and they have never wanted to define what is a 'rifle' and what is a 'shotgun'. So, I would suggest to those people, Representative Bost, is if you wanna define what a 'shotgun' is, and you wanna define what a 'rifle' is, let's do that. We've got the time between now and the 31st. Let's sit down, bring the brightest minds and the staffs together, bring the NRA, bring law enforcement together let's define what is a 'rifle' and what is a 'shotgun' so that we can get past that issue, and then go after banning semiautomatic weapons that are used by gangbangers in the streets of Chicago, in Elgin, in Aurora, around the State of Illinois. Let's get that issue off the table. But I would guess if I had a chance to guess that the NRA does not wanna define what is a 'rifle' and is a 'shotgun' because they are against the intent of this legislation. And there'll be another argument after that. And if we solve that problem, another argument. Come clean and just say you're against it. Come clean saying you want

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

56th Legislative Day

5/24/2005

semiautomatic weapons all over the place. Come clean and say that those are used to hunt, but don't be disingenuous on this floor and say let's define a 'rifle' and a 'shotgun'. I challenge anybody. You wanna sit down and let's define a 'rifle' and a 'shotgun'. Let's do it. We have the time before we're done with Session. Let's get to the issue that's gonna protect law enforcement, people in the State of Illinois. Let's ban these semiautomatic weapons."

Speaker Lyons, J.: "Ladies and Gentlemen, this Bill... this is on obviously, on Second Reading. And we've had two people speak in favor of the Bill and two people speak in response. Representative Bost, I realize your name was used in debate. In trying to take the order of people who've... who've used their ti... their button in a timely matter, the next person to speak will be Representative Phelps. Are you in favor of the legislation, Representative, or are you speaking in response?"

Phelps: "Speak in response, Mr. Speaker."

Speaker Lyons, J.: "Representative Phelps, would you hold for just... a point of order for a moment. Representative Stephens."

Stephens: "An inquiry of the Chair."

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

Stephens: "The normal rules of the decorum in House debate do not allow for a Legislator to question whether someone is disingenuous in their remarks. Debate the issue, that's not... that's not appropriate, Mr. Speaker."

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

56th Legislative Day

5/24/2005

Speaker Lyons, J.: "Representative, I don't know if I would necessarily characterize that as you are characterizing it. I think it was a passionate debate on his side of the issue as people on your side of the issue would also explain it passionately."

Stephens: "Okay. Well, I'd like to display some passion if you'll call on me later."

Speaker Lyons, J.: "Representative, I have Representative Phelps has the floor now on the point of order here on the Amendment and then there'll be one more speaker. The Chair recognizes the Gentlemen from White, Representative Phelps."

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

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

Phelps: "Representative... Representative Bost and Representative Black make great, great comments and remarks on this Bill, but in the Bill, because there's not a definition as Representative Osterman said, 'cause there's not a definition, but in the Bill that you have it says .50 caliber rifle means a centerfire rifle capable of firing a .50 caliber cartridge. That is a deer slug. That is the only thing that we can use legally in the State of Illinois, besides black powder and the handgun. That would get rid of every single shotgun in this state. Ten gauge, twelve gauge, sixteen gauge, every single one of 'em. So my question to you, in all due respect, what do you tell the hunter? What do you tell the sportsman? What are we

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

56th Legislative Day

5/24/2005

gonna shoot deer with that brings in millions and millions of dollars to this state's economy?"

Acevedo: "Representative... Representative, you asked a question, I will answer it. You didn't finish the statement where you answered about a .50 caliber rifle means, 'a centerfire rifle capable of firing a .50 caliber cartridge'. This exempts a shotgun with a caliber measurement that is equal or greater to any .50 caliber or a muzzleloader used for black powder hunting or battle reenactment. Representative, what I'm trying to do and you of all people, Representative, know that I've been working with you very quite often on this issue. This excludes exactly what you are trying to say."

Phelps: "But just like Representative Bost said, the determination will be with the court or that judge. That judge could say, 'yes you're right, that is a shotgun, that is banned. You cannot hunt with that anymore in the State of Illinois.'"

Acevedo: "Representative, if you lead the... if you read the legislation on page 3 line 23. A .50 caliber rifle means a centerfire rifle capable of firing a .50 caliber cartridge. And I'll repeat, as far as the shotgun goes, Representative, this has been excluded. You know my main purpose of this legislation, Representative, is not to hurt the hunters of the State of Illinois. You alone I respected of the district you represent and there's no way in any way I would try to harm your constituents."

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

56th Legislative Day

5/24/2005

Phelps: "But in all due respect, Representative, that is the determination of a judge, so what judge... who knows what the determination the judge is gonna make. But to the Bill, Mr. Speaker."

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

Phelps: "Here we go again. Everybody says they're for the hunter, they're for the sportsman, but here is a Bill that is gonna hurt every single one. One of the biggest industries in this state is our hunting economy. Especially in my district, millions of dollars. If it weren't for my district, some of your... constituents haven't... wouldn't have a place to hunt. And we want you to come down, matter of fact, bring all of ya down, we've got plenty of room for ya. But this makes some other... here are some other deals what's going on with this Bill. And everybody should know this. Not only will this ban shotguns, this would ban Olympic shooting handguns, Olympic rifles and I believe there was a woman from Downers Grove that just won an Olympic medal because of the Olymp... Olympic shooting. This would ban all that. Not only that, this would drive out many, many employees of this state, many businesses of this state. Over in Representative Beiser's district there's Owen, 700 employees, 200 subcontract... 2,000 (sic-200) subcontractors would go, because of this Bill. This Bill would also do what Representative Black said the new turkey guns, the Benelli MI and the Remington 870, gone. Would totally be banned. And it is for our senior citizens to hold the gun more

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

56th Legislative Day

5/24/2005

steady, so they can deer hunt and so they can turkey hunt better and easier. Folks, this is a bad Bill for the Illinois economy, for Illinois business and for our hunters and sportsmen and I would please would ask for a Roll Call vote on Amendment 5 and please oppose this."

Speaker Lyons, J.: "We've had three Members speak in response to the Bill, two speak in favor of the Bill. Mr. Bost, your name was used in debate."

Bost: "Thank you, Mr. Speaker. An inquiry of the Chair, first off."

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

Bost: "My name was used in debate three times, three times that I..."

Speaker Lyons, J.: "We'll give you 3 minutes then, Representative Bost."

Bost: "Oh, okay. I just wanted to check and see how many minutes I got. Um... Look, this Bill, it has... Mr. Speaker, I would hope that everybody in this chamber would pay attention to what I have to say now. I am a member of the NRA. But awhile ago... but awhile ago... someone said that all we want as NRA members is to go ahead and let the gangbangers have rights to weapons. Folks, we have laws in place right now that the gangbangers are not supposed to have weapons. Enforce the laws that exist in this state. Now, let's get clear what we wanna do. There are many people on this floor that do not understand rifles, shotguns, the hunters, all they understand is they wanna carry a Bill so they can go back to their district and say,

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

56th Legislative Day

5/24/2005

'See, I'm opposed to guns.' You're not opposed to the criminal, you're opposed to the gun... with you against the criminal over and over and over again and ya know that and I do not support gangbangers or anybody who disobeys the law of this land. Anybody who attacks somebody with a weapon we need to lock 'em up. I even support the death penalty for those who do... do it viciously. But to stand on this floor and to say I support 'em, you're dead wrong. I do ask for a verification. Ladies and Gentlemen, this is a Bill with a lot of problems. I ask you to vote 'no'."

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

Sacia: "Thank you, Mr. Speaker. Representative Acevedo, you were asked a few moments ago if a you knew of anyone ever killed by a semiautomatic weapon. I have a great deal of respect for you, I know you're a City of Chicago police officer. I know where you're going with this Bill and I deeply respect that. But I have to ask the question, Sir. Are you aware of anyone that's ever been killed by an automobile?"

Acevedo: "Well, Representative, if you ask me personally..."

Sacia: "I... I'm asking if you're aware?"

Acevedo: "Not that I know, but I'm sure the general public. You're asking me if I... I'm aware of somebody, yes... yes... yes, I do."

Sacia: "Killed by an automobile? Could I ask the question, what is the weapon of choice of a terrorist today?"

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

56th Legislative Day

5/24/2005

Acevedo: "Well, Representative, I'm not a terrorist so I probably wouldn't be able to answer that question. I..."

Sacia: "You... you know where I'm going, Representative Acevedo. The weapon of choice of a terrorist today is an automobile. The point is, we are going after .50 caliber weapons in your legislation. That's one of the weapons that you're going after is .50 calibers. Might I ask you, Sir, if we eliminate the legal possession of a fil... .50 caliber weapon, will that stop crime with a .50 caliber weapon?"

Acevedo: "I'm sorry, Representative, can you... can you repeat that?"

Sacia: "Yes, Sir. If we pass legislation that prohibits the legal possession of a .50 caliber firearm, will that prevent the bad guy from having a .50 caliber weapon?"

Acevedo: "Well, Representative, not necessarily due to the fact as were grandfathering some people who own it now into the legis... according to this legislation."

Sacia: "Representative Acevedo, but my children and my grandchildren will not be allowed to have my .50 caliber. Am I correct?"

Acevedo: "Representative, yes, they can, according to this Amendment."

Sacia: "They can."

Acevedo: "Yes."

Sacia: "Okay. The objective of your Bill, would I be fair to make the assumption that it has something to do that the City of Chicago and/or Cook County really doesn't want these weapons. Is that... is that a fair statement?"

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

56th Legislative Day

5/24/2005

Acevedo: "Representative, most of these are already banned from the city through the municipal ordinance. But I'll go beyond that, I'm sure there's... I've heard from people all over the state that called me in support of the legislation and I'm... what we're trying to do here as far as ban all assault weapons, Representative."

Sacia: "Representative Acevedo, I haven't... I haven't met many downstaters that support this legislation. Both sides of the aisle, be Democrat or Republican, we support our right to keep and bear arms. Very strongly. I guess what I represent as much as anything, Representative Acevedo, I hunt deer with a AR15. I hunt deer with an MI. Both, in your definition, are assault weapons. I really don't wanna be made a criminal by your legislation because I do think I'm a law-abiding citizen and I wanna protect our law-abiding citizens. It's been my experience that the bad guys are still gonna have guns even if we outlaw guns. Is that a fair statement, Sir?"

Acevedo: "Representative, it doesn't necessarily mean it's a .50 caliber weapon those criminals are gonna have. They're gonna be able to carry handguns as well."

Sacia: "Representative Acevedo, could I ask you the question? Are you aware of what happened in Australia once they did aware... did away with weapons? I'm under the impression that the long-term objective here is to do away with anybody possessing weapons."

Acevedo: "That's not what this legislation's about, Representative. I... I don't agree with that."

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

56th Legislative Day

5/24/2005

Sacia: "All right. Representative Acevedo, I'm running out of time and there'll be an opportunity to debate this when it becomes a Bill or when it hits the floor. I... I just wish, Sir, that you would remember, Cook County. Hey, if you folks don't want guns, do whatever you got to do in Cook County. But gee, I wish you'd leave the rest of this state alone. Because we really do support the Second Amendment and really want the right to keep and bear arms. I'll debate it further with you when we get on... on to Third Reading, Representative Acevedo. And thank you for your indulgence, Sir."

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

Bradley, J.: "Thank you, Mr. Speaker. To the Bill."

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

Bradley, J.: "I don't rise against my colleague, I rise against this piece of legislation. When I became a State Representative I came to Springfield and I promised the people of my district that I was gonna fight for them. That I was gonna fight for all of their rights and their Second Amendment rights. And this Bill, make no mistake about it, takes away Second Amendment liberties. It takes away Second Amendment rights. It takes away constitutional rights under our Constitution of the State of Illinois and our Constitution of the United States. Last year, a supermajority of colleagues here in this chamber on both sides of the aisle joined with me to pass a commonsense piece of gun legislation. The Wilmette Bill. We stood

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

56th Legislative Day

5/24/2005

together to support the rights of people in the State of Illinois to defend their home and family. Let's not take a step backwards this year. Let's not go in the opposite direction. Let's defend our Second Amendment rights. Let's defend our liberties. Let's defend our Constitution. And let's continue to have the right and ability to defend our loved ones, our homes, and ourselves. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Bond, Representative Ron Stephens."

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

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

Stephens: "What... what is the purpose of your Bill?"

Acevedo: "Representative, we're debating the Amendment, House Amendment #5."

Stephens: "What is the purpose of House Amendment #5?"

Acevedo: "If you'd like me to go over it again, Representative, I'll read it completely over again."

Stephens: "Well, I see what it does. I... but I'm just trying to get it... what are you after here? What are you trying to solve?"

Acevedo: "Basically, in a few words, to ban assault weapons."

Stephens: "Is there a problem that you're trying to solve? Or..."

Acevedo: "Is..."

Stephens: "What can you tell me about that?"

Acevedo: "Is there a problem I'm trying to solve?"

Stephens: "Yes."

Acevedo: "Is that the question?"

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

56th Legislative Day

5/24/2005

Stephens: "Yes."

Acevedo: "Representative, I believe so. I believe that these weapons are made for mass destruction and war. They are not made for hunting. The weapons that we are trying to ban are weapons that are not made to kill animals. You don't need a 50..."

Stephens: "You..."

Acevedo: "What... You gonna let me finish, Representative?"

Stephens: "You're trying to ban weapons that are used for mass destruction and war, did you say. Was that... Mass destruction and war or no mass destruction and killing. Is that what you said?"

Acevedo: "Yes, Representative."

Stephens: "So, that's the purpose here? What we're trying to do is to stop mass destruction and killing. All right. Well, thank you for sharing that with us. Mass destruction, I... I concur, Mr. Speaker, any Bill that will do away with mass destruction in America, I'm for. Any Bill that does away with killing, I'm for. Unless it's animals. Now, I don't know anyone... I don't know anyone who supports a terrorist attack with a .50 caliber machine gun to cause mass destruction, I don't... I don't really get that. The... Let me ask you another question, Representative. Under your legislation, a few years ago my son graduated from one of the military academies and I presented him a Henry rifle. It wasn't an antique, it's a replica. It's .50 caliber. Would I be able to... if I'm

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

56th Legislative Day

5/24/2005

fortunate enough that his son would graduate, would I be able to buy that same weapon?"

Acevedo: "You'd be able to turn it over to him, Representative, if he's..."

Stephens: "No, no, no, no, no."

Acevedo: "...grandfathered in the clause."

Stephens: "I need to know if I can buy my grandson one?"

Acevedo: "No."

Stephens: "Why is that? You're... you're... you're afraid that my grandson is going to use it for mass destruction and killing? Is that the issue?"

Acevedo: "Repre..."

Stephens: "You're afraid that law-abiding citizens of the State of Illinois are going to take these .50 caliber weapons and use them for mass destruction and killing. That's what you think. You've revealed what you think. And that's the bad part of what you're doing. You don't trust people, law-abiding people who have a heritage of gun ownership, care for the land, care for people, care for the law. People who have come to this chamber and... and... enacted legislation to go after the real mass destruction sources and the real killers in Illinois, the criminals of Illinois. It's not the weapons you need to ban, it's the criminals that need to be taken off the streets, put behind bars. Tough on crime issues are real. You don't trust the people of the State of Illinois. You don't trust my grandson. My son can keep his rifle and he can pass it on. That's not an American tradition. That's not trusting in the American

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

56th Legislative Day

5/24/2005

citizen. That's not trusting your colleagues here in the chamber. It's not trusting anyone. There are laws banning ar... aren't these guns already banned in Chicago?"

Acevedo: "Yes, they are in the city."

Stephens: "Yes, they are. Is killing... is killing down in Chicago this year? Is it..."

Acevedo: "Yes, it is."

Stephens: "It is? Probably because we got tough on crime. There is every opportunity to put the bad guys in jail, the mass destructors, the killers that you refer to, every opportunity in the law. But no, that's not enough for you. You want... you want to tell the people of Illinois, 'I don't trust you.' I don't trust my grandson with that .50 caliber machine... or .50 caliber rifle and so I'm going to ban your ability to own it. That's wrong, Representative. It's bad for Illinois. It's bad for our heritage as Americans. And it's bad that you don't trust the people of this state. And it's bad that you don't want to join us and go after the real problem which is getting the criminals off of your streets..."

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

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

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

Delgado: "Representative, it... it saddens me to sit here and hear my colleagues catag... put you in a category that is sort of stigmatizing that... My question, do you support taking legal guns away from citizens that are law-abiding?"

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

56th Legislative Day

5/24/2005

Acevedo: "No, I don't, Representative."

Delgado: "You, as a Chicago police officer, do you not already enforce the laws on the books to take criminals off the street?"

Acevedo: "Yes, I do, Representative."

Delgado: "And do you... and obviously, you're a sworn officer, so you support that. Is that correct?"

Acevedo: "Yes, Representative."

Delgado: "I know I can't stand here and convince my colleagues, because this is split along lines. But again, this state has a strong, strong gun lobby and I respect the colleagues who... who lobby in the gun lobby area. We have quite a... great conversations around the Capitol. But... previous speakers have mentioned how if you just want to help Cook County why don't they just leave the rest of the state alone? But as I chair Human Services and folks come to me to help out with the meth problem and we have a chairmanship for the meth coalition that comes to us and say join us in our battle against meth. Should we arrest every druggist who sells out a Sudafed by mistake? Should we arrest... should we do that? But no. We over here and I vote to help make sure because when I talk to my constituent and I say I want to help you fight for every right. I think about my friends down in other parts of the state and ask myself would they agree with me? Is this an issue I could take to the General Assembly? Because when I vote, I vote for every state and for every one of your constituents as you're doing for us. But when you ask for

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

56th Legislative Day

5/24/2005

our prisons to stay open and as I fought for those prisons like Vandalia and others as I chaired Criminal Law and I vice-chaired Criminal Law and as a former parole agent I fought to keep AFSCME live and strong in your communities, even though I don't agree that we should be warehousing our criminals. But I kept your people employed. I asked you, but I'm from Chicago. I'm from Cook County. We cannot continue to have this justice by geography. When we continue to say that our constituents want us to do x, y, and z, well, let me help you understand. You say it doesn't play in your area. But Abraham Lincoln said it best. There are those differences between politicians and statesmen and politicians will only strive for their next campaign, where a good statesman strives for the next generation. So stand up and lead and help your understanding in your communities. Help your districts understand how this is having an impact. That when your son travels up to those urban areas of Elgin or Chicago or Aurora, that they too are susceptible to the same bullet that kills many of these young men and women on these streets. I do not... wanna continue to foster this adolescent behavior between the NRA and the State of Illinois Legislature because there is some smoke and mirrors and we cannot continue. And if we wanna take it to particular populations, yes, this is affecting us and we need your help. So when was it, the last time that you're able to say that you were actually leading in your district when your people may not have the knowledge of what is

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

56th Legislative Day

5/24/2005

happening around you in the rest of the state, when you drive into Chicago and you may carry conceal when no one else knows you are, but I know some of ya and I know exactly what we're doin'. But Representative Acevedo is a noble Legislator and this noble Legislator is a law enforcement and peace officer. And I challenge the rest of my peace officer colleagues to stand up and lead on this matter because this Gentleman does not have any malicious intent. We must comply... I would like us to comply with federal legislation and knowing that we join hands here and stop bickering among family, because we cannot cut off a finger in spite of a hand. So we must start taking a stand. And I do say to my friends in the NRA, I know you want us... you continue to tell me you wanna bring responsible legislation. I challenge you because the demographics in the face of the state is changing. We have a lot of Latinos, a lot of African Americans, a lot of poor whites, people who's have and have nots. And that's what this is about. It's not about the NRA. It is not about your hunting rights, that's a red herring. And you know that. Let's get past this adolescent behavior and let's do something responsible. For my Members who have been law enforcement agents, to those who are now legislating, you didn't think this way when you were out there in the field when your hides were on the line because you didn't knew... you knew that that was gonna get through your little body armor you might have been carrying. God bless those of you who were able to put on body armor. But now you're here

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

56th Legislative Day

5/24/2005

pushing buttons. Push it for the whole state and don't degrade my chairman."

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

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

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

Rose: "Representative, you're law enforcement background, aren't you?"

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

Rose: "You have come from a law enforcement background, don't ya?"

Acevedo: "Yes, I do."

Rose: "Where were you?"

Acevedo: "I'm... I'm a Chicago police officer and I'm also a sergeant of Cook County Sheriff's Department for our Chicago police."

Rose: "As a Chicago police officer, you're familiar with the legal statutes, the criminal statutes, as they already exist in this state, correct?"

Acevedo: "Yes, Representative."

Rose: "Is it not already a felony for a previously convicted felon to have in his possession a weapon of... a gun or ammunition?"

Acevedo: "Yes, Representative."

Rose: "That's a felony crime already on the books. Is it not in the City of Chicago already banned to have a handgun in the City of Chicago?"

Acevedo: "Yes, Representative."

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

56th Legislative Day

5/24/2005

Rose: "How many times in your experience as a police officer have you witnessed handguns within the City of Chicago limits?"

Acevedo: "Quite a few times, I can... I can't even imagine."

Rose: "Quite a few times. Yet it's already banned by the City of Chicago."

Acevedo: "Yes, Representative."

Rose: "Ladies and Gentlemen, here lies the point and to the Bill, Mr. Speaker."

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

Rose: "It's already banned in the City of Chicago. It hasn't done any good. My colleague just testified in his professional experience as a Chicago Police Department officer, quite a few times he's seen handguns in the city limits. They're already banned. They're already banned, yet quite a few times he's seen them in the city limits. Let's talk about what we can do. You're a Chicago Police Department officer, I'm a former prosecutor. I will join with anyone in this room to target the criminals. Let's go talk about targeting criminals. Let's talk about MEG units to go after 'em. In fact, that's part of the reason why crime is down in the City of Chicago is because the CPD has started establishing and targeting specific police department officers into specific areas of the city to target the bad guys. Let's go after the bad guys. I will join any single person on that side of the aisle from upstate, downstate, the suburbs, I don't care. But let's go after the bad guys. Let's not go after the good guys.

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

56th Legislative Day

5/24/2005

And might I just say something else about methamphetamine. The Bill that was just mentioned to outlaw Sudafed, which would actually help my constituents, is still stuck in committee."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative John Fritchey. Motions he does not want to be recognized. The Chair recognizes the Gentleman from Cook, Representative Osterman. Your name was used in debate. Your... declines. Ladies and Gentlemen, there's been a request for Floor Amendment #5 to be a Roll Call vote with verification. Therefore, I would ask each Member to please vote their own switch. And the question is, 'Should Floor Amendment #5 be adopted to House... to House Bill 2414?' Prior to that, Representative Acevedo to close."

Acevedo: "Representative, I know... or Speaker, I know we're gonna be debating this Bill on Third Reading, but I wanna point out a few issues that were stated by some of my colleagues. I... I've been here going on 10 years and I respect every one of my colleagues and I feel I have a great relationship with each and every one of you. I'm not gonna scream. I'm not gonna shout because I'm gonna put that all aside. But I'm upset. I'm upset because one of my colleagues questioned my integrity and my intent of passing legislation because I wanted my news in the newspa... my name in a newspaper. I don't get up and scream for the cameras because most people just want to be on TV or... or they want to be on the Internet screaming and gettin' their

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

56th Legislative Day

5/24/2005

attention. I don't do that. Someone accused me of not respecting their... their relatives. I don't even know your relatives. I have respect for you. I respect your relatives, I respect your friends, as long as you respect me in return. Someone... someone stated that we're trying to take down a manufacturers and put 'em out of business. Well, I got one question. What happened to the manufacturers when the federal ban was in effect? They didn't go out of business. More importantly, they hired more people. So, don't tell me that a thousand people are gonna lose their jobs and some... some other corporations are gonna be leaving the State of Illinois because they're gonna close down these manufacturers. They're not... in all actuality they're not gonna close down the manufacturers. They survived then and they're gonna survive now. I don't need to stand here and scream. I don't need to stand here and holler to get my name in the paper. I don't need to pass legislation because I want my name in the paper. But when you question my integrity, every Bill I stand up here and pass, I do it because it's right not only for the constituents of the Second Legislative District, it's good for the citizens of the State of Illinois. I ask for an 'aye' vote."

Speaker Lyons, J.: "The question is, 'Should Floor Amendment #5 be adopted to House Bill 2414?' All those in favor of adopting Amendment #5 to House Bill 2414 vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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

56th Legislative Day

5/24/2005

Representative Jones in the chamber? Lou? Mr. Clerk, take the record. On this Bill, there are 57 Members voting 'yes', 58 Members voting 'no', 1 voting... Member voting 'present'. This Bill having failed... this Amend... this Bill having failed to receive the 6... the Amendment... Floor Amendment #5 fails. Anything further, Mr. Clerk?"

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

Speaker Lyons, J.: "Hold this Bill on Second Reading. Mr. Clerk, on page 14 of the Calendar is Senate Bill 1857. Representative Delgado, you choose to move that Bill from Second to Third Reading? Read the Bill, Mr. Clerk. 1851, Mr. Clerk. Excuse me."

Clerk Bolin: "Senate Bill 1851, a Bill for an Act concerning schools. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. On page 14 of the Calendar Representative Dan Reitz has Senate Bill 1909. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1909, a Bill for an Act concerning safety. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Ladies and Gentlemen, we're gonna start on Senate Bills-Third Reading on page 5 of the Calendar. Representative Marlow Colvin. Is Mr. Colvin in the chamber? Mr. Colvin, we'll read that Bill... Out of the record on Senate Bill 49. On Senate Bill 59, Representative Winters. Read the Bill, Mr. Clerk. Out of

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

56th Legislative Day

5/24/2005

the record, Mr. Clerk, on request of the Sponsor. Page 5, we have Senate Bill 133. Representative Hannig, not in the chamber. Out of the record. Page 5 of the Calendar, Senate Bill 254, Representative Yarbrough? Representative Karen Yarbrough on Senate Bill 254. Out of the record. Page 6 of the Calendar. Representative Holbrook. Representative Holbrook has Senate Bill 557. Out of the record. Representative Rita, page 5... 6 on the Calendar has Senate Bill 1220. Out of the record. Senate Bill 1489... Representative Hannig is not in the chamber. Out of the records. Representative Pihos, on page 6 of the Calendar you have Senate Bill 1676. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1676, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lyons, J.: "Representative Pihos."

Pihos: "Thank you, Mr. Speaker and Members of the House. This Bill allows individuals who have received national board certification for school counselors to receive a state master certificate. This brings them in alignment with the same recognition that our classroom teachers can receive. And when we talk about highly qualified teachers, this certification assures us that they have exceeded those standards. I would be happy to ask for... answer any questions."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 1676? Seeing none, the question is, 'Should Sen... Senate Bill 1676 pass?' All those in favor signify by saying 'yes'; those opposed vote 'no'. The voting is open. Have

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

56th Legislative Day

5/24/2005

all voted who wish? Have all voted who wish? Have all voted who wish? Representative Black. Representative Winters. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 6 of the Calendar Representative Schmitz has Senate Bill 1669. Read the Bill, Mr. Clerk. Mr. Clerk, take that Bill out of the record. Mr. Clerk, on page 6 of the Calendar is Senate Bill 1701, Representative Holbrook. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1701, a Bill for an Act concerning environmental protection. Third Reading of this Senate Bill."

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

Holbrook: "Thank you, Speaker. Senate Bill 1701 is a cleanup Bill for the Illinois EPA. It defines 'major source' and brings it into compliance with the USEPA. It eliminates an audit privilege with the USEPA has said can... we should not be doing. And it ties our reports into the same timeline as the USEPA reports. Came out of the Senate 56-0. I know of no opposition. I'd as... glad to take any questions."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 1701? The Chair recognizes the Gentleman from Bond, Representative Ron Stephens."

Stephens: "Will the Gentleman yield?"

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

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

56th Legislative Day

5/24/2005

Stephens: "Representative, looking at the title of your Bill. It's a... CAAPP Bill. Is that... is this the medical mal practice reform Bill that we've been waiting for?"

Holbrook: "Not yet."

Stephens: "It says CAAPP, so I thought maybe you had called that Bill today."

Holbrook: "This is over the Clean Air Permit Program. That's what that CAAPP stands for."

Stephens: "Oh, okay. Well... well, I'm for both kind of caps. I'm gonna support this legislation, but I wondered if you wanted to shed some light on whether we're going to go to Third Reading and not look at anymore of those silly Amendments on your fine piece of legislation with CAAPPs."

Holbrook: "I would sure hope s... hope so immed... as soon as possible."

Stephens: "Thank you."

Speaker Lyons, J.: "Seeing no further discussion... Representative... The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

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

Black: "Representative, what's the language in here on injection wells?"

Holbrook: "That..."

Black: "The reason I ask, I have one of those in my district and I wanna make sure that we're not without a grandfather

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

56th Legislative Day

5/24/2005

clause, substantially increasing the monitoring requirements on the deep-well injection."

Holbrook: "You'll be glad to know House Amendment 1 eliminated that provision from the Senate Bill."

Black: "Okay. So..."

Holbrook: "That's what... We eliminated that 'cause there were some issues."

Black: "So there is no legislation then on the... the deep-well injection and the one that I am thinking of, the plant has closed. And I... I would assume if they took that out then IEPA evidently thinks they have enough statutory authority to monitor those injection wells."

Holbrook: "I would sure hope so."

Black: "All right. I..."

Holbrook: "They were taken completely out of the Bill and they're not addressed in this Bill."

Black: "All right. And... and the rest of the Bill deal... deals with clean air, basically?"

Holbrook: "Clean air and reports."

Black: "Putting us in... in synch with the federal rule, correct?"

Holbrook: "Correct. Correct."

Black: "All right. Thank you. Mr. Speaker, to the Bill."

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

Black: "I intend to vote for the Bill, but I can't resist this opportunity, Mr. Speaker. If you could pay attention while Mr. Lang is up there with a Tootsie Roll Pop in his mouth. If we really wanna have clean air in this chamber, Mr.

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

56th Legislative Day

5/24/2005

Speaker, I would challenge you to let various Sponsors know why their Bills can't be called. You go up to the Speaker's podium and half the Bills left on the Calendar have a big red stamp called 'hold' written on their Bill. How foolish of me to think that this was a democracy. You would think after 20 years I'd know better. But if you really want to bring clean air into the process, give Sponsors of legislation the ability to call their Bills. I hope it happens in my lifetime."

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

Molaro: "Thank you, Mr. President... Mr. Speaker. So, Representative Stephens had talked about silly Amendments and I... well, I do have one of those silly Amend... We have a long-standing tradition here in the House and in the Senate about filing silly Amendments. And I wanna make sure my colleagues join with me to protect our rights to file a silly Amendment anytime we want and I think it was out of order. It's a long-standing tradition of filing silly Amendments and I think we should we... we... ya know, keep that right. Thank you."

Speaker Lyons, J.: "Thank you, Representative. Representative Holbrook to close."

Holbrook: "I'd ask for an 'aye' vote."

Speaker Lyons, J.: "The question is, 'Should House... Senate Bill 1701 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

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

56th Legislative Day

5/24/2005

who wish? Delgado. Representative Soto, wish to be recorded? Representative Kelly. Representative Acevedo, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there are 116 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 6 of the Calendar there is Senate Bill 1669. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1669, a Bill for an Act concerning peace officers. Third Reading of this Senate Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Kane, Representative Tim Schmitz."

Schmitz: "Thank you, Speaker. 1669 is an agreed Bill right now and it came out of the Senate 58-0 which will allow the police officer is being investigated right now by internal affairs. That officer is allowed to receive in writing the people that will be interrogating him. And in return if the... they... the questioned officer's also bring in an attorney, et cetera. He has to provide to the other side of the aisle his... his counsel, their name, et cetera. Be happy to answer any questions."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 1669? Seeing none, the question is, 'Should Senate Bill 1669 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 Cultra, wish to be recorded? Mr. Bi... Mr. Clerk, take the record. On this Bill, there's 116

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

56th Legislative Day

5/24/2005

Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 7 of the Calendar Representative Flider has Senate Bill 1750. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1750, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

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

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1750 is very similar to House Bill 2596 which passed out of the House unanimously earlier this year. This legislation would amend the State Salary and Annuity Withholding Act by authorizing the withholding of labor union fringe benefits under specified conditions, such as when the state acts as a contractor as it does in such instances as preparing the State Fair for... the grounds for the annual State Fair. I know of no opposition. This legislation passed out of the Senate unanimously. I ask for your support."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 1750? Seeing none, the question is, 'Should Senate Bill 1750 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. Mr. Clerk, take the record. There's 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the

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

56th Legislative Day

5/24/2005

Constitutional Majority, is hereby declared passed. On page 7 of the Calendar, Mr. Clerk, Representative D'Amico has Senate Bill 1770. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1770, a Bill for an Act concerning unemployment insurance. Third Reading of this Senate Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative John D'Amico."

D'Amico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1770 eliminates the Employment Security Administrative Fund. The fund was established in 1990 from a one-time revenue source and used for initiatives designed to decrease and prevent unemployment. At one point the fund held over \$11 million but now has virtually been exhausted and there are no prospects of replenishing it. The remaining balance is around \$33 hundred and would be transferred to the Unemployment Trust Fund. I'll be happy to answer any questions."

Speaker Lyons, J.: "Any discussion on Senate Bill 1770? Seeing none, the question is, 'Should Senate Bill 1770 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? Shane Cultra. Mr. Clerk, take the record. On this Bill is 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 7 of the Calendar Representative D'Amico has Senate Bill 1771. Read the Bill, Mr. Clerk."

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

56th Legislative Day

5/24/2005

Clerk Bolin: "Senate Bill 1771, a Bill for an Act concerning unemployment insurance. Third Reading of this Senate Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative John D'Amico."

D'Amico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1771 will streamline the process the state uses to reimburse the Unemployment Trust Fund for unemployment benefits paid to former state employees. The reimbursement comes from appropriations to the Department of Employment Security. Rather than depositing the reimbursements directly into the trust fund, the department currently has to deposit them into an intermediary fund, known as the State Employees Unemployment Benefit Fund. It then transfers the money from the intermediary fund to a trust fund. The intermar... intermediary fund no longer serves an apparent purpose other than to add an unnecessary step in the process. I'll be happy to answer any questions."

Speaker Lyons, J.: "Any discussion on Senate Bill 1771? The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan."

Mulligan: "Thank you, Mr. Speaker. I was hoping someone from the committee that this Bill went through would get up and speak to it. I'm not quite sure exactly what it does. Is there any chance that the Governor can sweep this fund now?"

D'Amico: "Not that I'm aware of, no."

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

56th Legislative Day

5/24/2005

Mulligan: "Are you sure of that or are you just hoping that that's the case?"

D'Amico: "There's currently less than \$30 thousand left in the fund and it's gonna be transferred to the trust fund."

Mulligan: "Why is there only that much money left?"

D'Amico: "They're... they're just... they're doing away with it, just like the last Bill that I just passed... it's the same thing. It's just an unnecessary step in the process."

Mulligan: "So what was this fund used for, previously?"

D'Amico: "It was... it was for the unemployment benefits."

Mulligan: "And so how do they cover unemployment benefits now?"

D'Amico: "Everything is gonna be transferred into this... intermediary fund. It's just an unnecessary step in the process they wanna do away with."

Mulligan: "Thank you."

Speaker Lyons, J.: "Seeing no further discussion, the question is, 'Should Senate Bill 1771 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 Winters. Representative Acevedo. Repres... Representative Dunkin. Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 7 of the Calendar is Senate Bill 1787. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1787, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

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

56th Legislative Day

5/24/2005

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

Holbrook: "Thank you, Speaker. Senate Bill 1787 is a piece of legislation that expands the definition of 'ownership' for underground storage tanks. It allows a... a new person to pick up one that has already had a cleanup in progress and to continue with that cleanup. It's voluntary. I know of no opposition. Passed out of the Senate 57-0."

Speaker Lyons, J.: "Any discussion on Senate Bill 1787? Seeing none, the question is, 'Should 1787 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 Hannig. Mr. Clerk, take the record. On this Bill, is 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Page 7 of the Calendar is Senate Bill 1857. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1857, a Bill for an Act concerning government. Third Reading of this Senate Bill."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1857 is a... is a cleanup for the... under the... freedom... Open Meetings Act for DuPage County Forest Preserve District. We've worked this out. The Illinois Press Association is neutral on the Bill and there are no opponents. It's a result of some litigation that occurred

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

56th Legislative Day

5/24/2005

out there and this codifies the decision that the courts made. Everybody is in agreement. And I would appreciate your approval. Thank you."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 1857? Seeing none, the question is, 'Should Senate Bill 1857 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 Patterson. Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 7 of the Calendar Representative Saviano has Senate Bill 1876. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1876, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. This Bill amends the Architecture Practice Act of 1989. This is an agreed Bill which was put together by the AIA which is the architect... the Illinois Society of Professional Engineers, Southern Illinois University and the Structural Engineers Society of Illinois. It's regarding some of their training requirements to put everything in realignment. I would ask that it be approved. There are no known opponents to the Bill."

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

56th Legislative Day

5/24/2005

Speaker Lyons, J.: "Any discussion on Senate Bill 1876? Seeing none, the question is, 'Should Senate Bill 1876 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 8 of the Calendar Representative Feigenholtz has Senate Bill 1878. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1878, a Bill for an Act concerning health. Third Reading of this Senate Bill."

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

Feigenholtz: "Thank you very much, Mr. Speaker. Senate Bill 1878 amends the Sexual Assault Survivors Emergency Treatment Act. It adds language that requires hospitals to provide HIV prophylaxis to victims of sexual assault. I'd be glad to answer any questions."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 1878? Seeing none, the question is, 'Should Senate Bill 1878 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 Eileen Lyons. Eileen. Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared

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

56th Legislative Day

5/24/2005

passed. On page 8 of the Calendar Representative Froehlich has House... Senate Bill 1897. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1897, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Froehlich: "Thank you, Mr. Chairman. Senate Bill 1897 provides that someone charged with Class A misdemeanor sexual exploitation of a child may not receive court supervision. This Bill passed unanimously in the Senate. I would ask for an 'aye' vote."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 1897? The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

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

Black: "Representative, first of all, I want to congratulate you for carrying a Bill that was passed in the Senate by a Republican Sponsor. Let me ask you one question. You said this passed the Senate unanimously. Correct?"

Froehlich: "Right."

Black: "Have we discussed any Bill today or yesterday on Third Reading that the Senate did not pass unanimously?"

Froehlich: "I'm not sure."

Black: "Oh, all right. Thank you. An honest answer."

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

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

56th Legislative Day

5/24/2005

Molaro: "Thank you, Mr... Mr. Speaker. We've talked about this in committee long and hard. And I just have a philosophical problem when we have misdemeanors of taking away supervision. When the General pas... Assembly passed supervision, just so everybody knows what it is, what you do is, you have to either be found guilty or you have to plead guilty. So now you're found guilty or plead guilty and then you go to sentencing. When the judge gives you supervision, what he does is, he doesn't enter an order on either the plea or the finding. So, no judgment is entered. When your supervision is done 2 years from now and you have violated nothing in the supervision order, then you're found not guilty and then that would allow you to expunge your record. So, it's like giving someone an opportunity to turn their life around and not have a conviction on their record. By saying that in this Bill, you don't have supervision, basically, what you're saying is that if you plea to found guilty, this stays on your record forever. Now... and it takes away the discretion from the judge. Now, maybe this is the type of crime that you wanna take that discretion away. So, I just don't feel that we should have any misdemeanors where we take that discretion away. If there ever was a time that we should take that discretion away, it probably should be for this crime. I just feel that this is not one of 'em. There may be a few that we've done it for in the past, this may be the third or fourth one that we're doing it for, but I just

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

56th Legislative Day

5/24/2005

have a philosophical problem in doing that. So thank you, Representative."

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

Froehlich: "I'd ask for an 'aye' vote."

Speaker Lyons, J.: "The question is, 'Should Senate Bill 1897 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 Dugan. Representative Hassert. Mr. Clerk, take the record. On this Bill, there are 112 Members voting 'yes', 0 voting 'no', 4 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared... On page 7 of the Calendar Representative Hamos has Senate Bill 1862. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1862, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

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

Hamos: "Thank you, Ladies and Gentlemen. This is a cleanup Bill for the Hospital Report Card Act. If you remember, we passed that I believe a couple years ago. And this is a cleanup that was worked out between the Department of Public Health and the Illinois Hospital Association. It's technical in nature and I seek your support."

Speaker Lyons, J.: "Are there any questions on Senate Bill 1862? Seeing none, the question is, 'Should Senate Bill

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

56th Legislative Day

5/24/2005

1862 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 Bost. Representative Black. Mr. Clerk, take the record. On this Bill, there are 72 Member.. 73 Members voting 'yes', 42 Members voting 'no' and 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 8 of the Calendar is Senate Bill 1898. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1898, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, Senate Bill 1898 enhances the penalty for an offender who commits the crime of sexual exploitation of a child and the victim is under the age of 13. This Bill makes the Criminal Code uniform in that other areas of the Criminal Code where victims are under the age of 13 also have tougher penalties. Also, the Senate Bill would provide that out-of-state convictions for similar offenses are counted as if they were convictions in Illinois for the same offenses. It goes hand-in-hand with the legislation we just passed for Representative Froehlich and I would ask for your 'aye' vote."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 1898? Seeing none, the question is, 'Should this Bill

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

56th Legislative Day

5/24/2005

pass?' Those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Annazette. Representative Soto, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 8 of the Calendar Representative Holbrook has Senate Bill 1910. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1910, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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

Holbrook: "Thank you, Speaker. Senate Bill 1910 is a Bill that allows counties to do a front door referendum if they wanna create stormwater management programs. There are nine counties involved covered by this, that had asked to be participants: Madison, St. Clair, Monroe, Kankakee, Grundy, LaSalle, DeKalb, Kendall and Boone. It's all front door referendums. Be glad to take any questions."

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

Rose: "I'll be voting 'present' because of a possible conflict of interest. Thank you."

Speaker Lyons, J.: "Thank you, Representative. The Chair recognizes the Gentleman from Bond, Representative Ron Stephens."

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

56th Legislative Day

5/24/2005

Stephens: "Will the Gentleman yield?"

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

Stephens: "Representative, did you say this affects Madison and St. Clair County?"

Holbrook: "Correct. That has..."

Stephens: "And it's an important issue there, right?"

Holbrook: "Yes. It's..."

Stephens: "Like..."

Holbrook: "...very important and they asked to be in it."

Stephens: "...like medical malpractice reform, where we've lost almost a hundred and sixty doctors. And I again implore you to call your Bill, move it to Third Reading, keep the silly Amendments off and let's keep the caps where they are and move the legislation."

Holbrook: "That's what I'd like to do."

Speaker Lyons, J.: "Any further discussion? Representative Holbrook to close."

Holbrook: "Ask for an 'aye' vote."

Speaker Lyons, J.: "The question is, 'Should Senate Bill 1910 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? Renee Kosel. Mr. Clerk, take the record. On this Bill, there are 67 Members voting 'yes', 47 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 8 of the Calendar Representative Sara Feigenholtz has Senate Bill 1915. Read the Bill, Mr. Clerk."

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

56th Legislative Day

5/24/2005

Clerk Bolin: "Senate Bill 1915, a Bill for an Act concerning condominiums. Third Reading of this Senate Bill."

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

Feigenholtz: "Thank you, Mr. Speaker. Senate Bill 1915 amends the Condominium Property Act, allowing condominium bylaws to provide for late fees for delinquent payment of condominium assessments. Under this Act these fees may not exceed \$25 or 10 percent of the amount due, whichever is greater and may only be charged one time for a late payment. I'd be glad to answer any questions."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 1915? Seeing none... the Chair recognizes the Gentleman from Vermilion, Representative Bill Black. Representative Black."

Black: "I'm sorry, Mr. Speaker, it's hard to hear in here. Will the Sponsor yield?"

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

Black: "Representative, on the... on our analysis it simply says that this is a ini... an initiative of the Chicago Bar Association. And the only proponent listed is the City of Chicago. Now, does that mean this condominium property late fee only applies to the City of Chicago?"

Feigenholtz: "My analysis doesn't have the City of Chicago on it as a proponent, Representative Black. I believe that the Condominium Property Act is a State Act not a..."

Black: "So, it'd be a statewide implication."

Feigenholtz: "Correct. Correct."

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

56th Legislative Day

5/24/2005

Black: "Well, Representative, I... I've been here longer than you and the definitive..."

Feigenholtz: "I know that, Representative Black."

Black: "...the definitive Legislator on these things is no longer here. Can you tell me, have you talked to Ellis Levin?"

Feigenholtz: "Representative Black, I am so glad you asked me that. The last..."

Black: "I thought you would be."

Feigenholtz: "...time I saw Ellis Levin was when the Cubs were in the playoffs. I hadn't seen him in 10 or 11 years and it was... I turned around and he was sitting in the row behind me and being the big Cub fan that you are, you will remember the night of the famous 'Bartman ball', correct?"

Black: "Only too well."

Feigenholtz: "And... and of course, that was the same night that... the first night in 10 years that I saw Representative Levin. You think... when... when... the 'Bartman ball' might have had something to do with Representative Levin?"

Black: "All right. So, you actually saw former Representative Levin?"

Feigenholtz: "I did. That was my first sighting of him in... in 10 years."

Black: "Did you... did you happen to ask him about this condominium Bill?"

Feigenholtz: "I did not."

Black: "Could you tell me, was he still wearing..."

Feigenholtz: "Somebody was throwing a beer on him."

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

56th Legislative Day

5/24/2005

Black: "...the same sport coat? Was he... was he still wearing the same sport coat..."

Feigenholtz: "Yes, he was."

Black: "...that he did when he was here?"

Feigenholtz: "He was."

Black: "All right. Mr. Speaker. Mr. Speaker."

Speaker Lyons, J.: "Yes, Representative Black."

Black: "To the Bill."

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

Black: "I'd like would like the record to reflect that my practice, even though I'm not an attorney, deals primarily with the issue of condominium law. And I might therefore be in conflict of interest. However, I will vote my conscience."

Speaker Lyons, J.: "Thank you, Representative Black. 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 Feigenholtz, right now, are condominiums able to pro... to charge for late fees for the delinquent payment..."

Feigenholtz: "Yes, they are."

Franks: "...of condominium assessments?"

Feigenholtz: "Yes. And apparently, Representative Franks, what's been happening is they've been charging and accruing late fees and this prohibits them from doing that. This is actually a fee decrease."

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

56th Legislative Day

5/24/2005

Franks: "That's what I was trying to get to."

Feigenholtz: "This is a fee decrease."

Franks: "Are you sure it's a fee decrease, Sara?"

Feigenholtz: "That's what it looks like to me, Jack."

Franks: "All right. Thank you. Good Bill."

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

Feigenholtz: "Thank you, Ladies and Gentlemen. I love doing condominium Bills. I love doing condominium Bills. Please vote 'aye'."

Speaker Lyons, J.: "The question is, 'Should Senate Bill 1915 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. Representative Kosel. Wyvetter Younge, you wish to be recorded? Mr. Clerk, take the record. On this Bill, there are 111 Members voting 'yes', 3 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Page 8 of the Calendar Representative Hultgren has Senate Bill 1935. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1935, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from DuPage, Representative Randy Hultgren."

Hultgren: "Thank you, Mr. Speaker. This is a Bill that is very simple. It is a disclosure of... by the Department of Revenue, a reporting by them of fees that we collect as a

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

56th Legislative Day

5/24/2005

state. As of right now, there's no collection or a publication of all the fees that are collected by the state. And so, I don't believe there's any opponents to this and would ask for any... your support on this. Thank you."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 1935? Seeing none, the question is, 'Should Senate Bill 1935 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 Biggins, like to be recorded? Mr. Clerk, take the record. On this Bill, there's 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 8 of the Calendar Representative Pihos has Senate Bill 1943. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1943, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from DuPage, Representative Sandy Pihos."

Pihos: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill amends the Criminal Code to provide that is... it is an official misconduct for a public officer or employee to commit an act of sexual penetration with the victim who was 18 years of age or older who was enrolled in high school when the act was committed and the public officer or employee was 17 years of age or older and held a position of trust, authority, or supervision in relation to

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

56th Legislative Day

5/24/2005

the victim at the same high school. I would be happy to answer any questions."

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

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

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

Gordon: "Thank you. I know this came up in committee and I've talked to your staff and... and you were going to find out why that private school teachers are exempted from this. Do we know why?"

Pihos: "Yes."

Gordon: "Can I know?"

Pihos: "Yes, I'd be happy to respond to that."

Gordon: "Thank you."

Pihos: "Because of where this legislation was placed, misconduct can only apply to public officials or employees. However, I did check with the Senate Sponsor. It was never her intent to obstruct protection to private school students. And I would be very happy to follow this with a trailer Bill during Veto Session or a newly proposed piece of legislation that would further extend this protection to private school students. I fully agree that all students deserve the protection."

Gordon: "Oh, I appreciate that, Representative, and forgive me for maybe misunderstanding. But the Bill, as written, could be un... unconstitutional because of the equal protection problems. But because of the... the statutes that

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

56th Legislative Day

5/24/2005

you're changing and where it's being written, that's why private schools are exempted?"

Pihos: "Correct."

Gordon: "Okay."

Pihos: "This particular place in the statute, it can only apply to public employees."

Gordon: "So you would prefer to pass it as is and then fix it later, knowing that there's something wrong with it, I guess?"

Pihos: "No. I would prefer to pass it to extend that protection and then continue to extend, now that it's been brought to our attention, extend that protection in the most relevant section applicable to protect private school students as well."

Gordon: "Do you know when they initially chose this section to put it under?"

Pihos: "No, I don't."

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

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

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

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

Black: "Representative, you added Committee Amendment #1 and... and I don't understand that Amendment. You changed some language and now it appears to me that you could be over the age of 19 and still be covered under this Act."

Pihos: "That... that is correct. We are only talking about students who are in high school and this act is committed

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

56th Legislative Day

5/24/2005

with a public official in that same high school. And the reason is, originally the way the law was written, it only protected students that were 17 years or younger and we still have students enrolled in high school that are oftentimes between the ages of 18 and 21 and so we wanted to provide them with the same protection."

Black: "That seems to be a... an extreme expansion of the age of consent."

Pihos: "It's..."

Black: "What... what about a... what about an adult GED class that meets at night under the auspices of a community college or... or even some private corporations offer adult GED classes. And a 21-year-old student might go out with that teacher and consensual sex may result. You're telling me that that act may result in that teacher being charged with a felony?"

Pihos: "I don't think so. We are talking strictly about a high school student enrolled in that high school and the sexual act is committed with a high school employee in that same high school."

Black: "What if the GED class is... is in a high school but the teacher is employed by a community college?"

Pihos: "It's not at a high school, it's a student enrolled in a high school. So, a student enrolled in high school wouldn't be taking a GED class. And the reason we have students that are oftentimes enrolled up to the age of 21 is because of our special education protection and

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

56th Legislative Day

5/24/2005

extension. So, we're trying to protect those students as well."

Black: "I'm going to assume that you have... that you have talked with legal counsel about this Bill. You're making a... an ex... what I consider to be an extreme exception to the age of consent. Now, what an... and... following up on Representative Gordon's comments, I don't understand how this is gonna stand up in a court of law. I mean, the age of consent is either the age of consent or it's not. So how... how does this stand up in a court of law unless you want to change the age of consent?"

Pihos: "Well, that wasn't the original intent as we... we just don't want a student to feel the pressure of authority in seemingly consenting to sex if they are a student enrolled in a high school. We had this happen in DuPage County where we had a student of 18 who had consensual sex with a coach. The way the law is currently written the school could not remove that person from the classroom. There was no protection afforded to the student in the school. The school could not remove the teacher from the classroom. And so we're just trying to give them the authority to be able to do that."

Black: "Is this... I assume that all provisions of due process still exist?"

Pihos: "Yes."

Black: "All right. So, the defense may be what if... what if the defense attorney is able to prove that the 18-,

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

56th Legislative Day

5/24/2005

19-, 20-year-old student was in fact the aggressor and the instigator?"

Pihos: "Well, I would think that doesn't matter because this rule would apply. The teacher should know better in that instant."

Black: "Even if the alleged sexual contact does not take place at the high school, you have a 20-year-old student that, in a court of law, can be adjudicated as to be the initiator, the aggressor and was purely consensual at one or the other's residence, the individual is still going to be found guilty? Or is..."

Pihos: "More than likely."

Black: "...or is it adjudged to be guilty?"

Pihos: "Well, more than likely, if you had a 20-year-old student still enrolled in high school it would be a special education student."

Black: "But... but the law doesn't make that... this Bill doesn't make that distinction. There's nowhere in this Bill where it says if you're 20 years old it only applies to a special education student."

Pihos: "No, it doesn't make that distinction, you're correct. But we..."

Black: "So..."

Pihos: "...feel that students who are enrolled in high school should be protected by law from persons in positions of trust, authority, or super..."

Speaker Lyons, J.: "Mr. Black, your time had expired. If you could bring your remarks to a close, we'd appreciate it."

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

56th Legislative Day

5/24/2005

Black: "Well, I'll... I'll certainly try. Thank you, Mr. Speaker. Is there specific language in the Bill that says this relationship must involve a high school student?"

Pihos: "Yes."

Black: "All right. So there's... there's... there's nothing in the Bill that would... would construe a college student to be protected under the same provisions of this Bill?"

Pihos: "Well, actually there's nothing in the Bill that would prevent that high school student of consensual age having sex with a teacher in another building. Not only do they have to be a high school student, we are talking about an employee in the same building only."

Black: "Well, that... that isn't what I asked you."

Pihos: "I... I know. It would..."

Black: "Does... does..."

Pihos: "...not apply to a college student. No."

Black: "All right. So if... if an alleged... consent..."

Speaker Lyons, J.: "Go ahead, Mr. Black, you got another minute."

Black: "Well, I... I... Mr. Speaker, I don't... I don't understand Bills like this. There is a recognized fact of law. And then there's a case that evidently didn't go somebody's way. Now if... if ya wanna change the age of consent or you wanna change the underlying law, then do so. But this Bill says a 20-year-old who dropped out of school and came back, had a consensual sexual liaison with a teacher or I... I assume an employee of the school. You have no defense. All right. Ya know, you talk about the law of unintended

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

56th Legislative Day

5/24/2005

consequences. I'll tell you one thing, if I was a school teacher today, I'd just plain quit."

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

Davis, M.: "Thank you, Mr. Speaker. Ya know, at first we couldn't get this up on our analysis, so I wasn't quite sure of what the Lady's intent was. Representative, could you tell us what exactly the intent of this legislation is?"

Pihos: "The intent of the legislation was not to allow students enrolled in high school to feel threatened or to be coerced into a sexual relationship with a person of authority in that same high school."

Davis, M.: "It prevents a student who is 18 or older or 18 or younger?"

Pihos: "Eighteen or older... A high school student 18 or older enrolled in a high school having sex with a person of authority in the same high school."

Davis, M.: "If that occurs then which person is punished, the kid or the adult?"

Pihos: "The person of authority that's 17 years or older in that high school."

Davis, M.: "So, if you have a 21-year-old computer technology technician and you have a 19-year-old student, that student would be charged with what?"

Pihos: "If that 21-year-old computer tech..."

Davis, M.: "Or the adult? I'm sorry. The 21-year-old would be charged with what?"

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

56th Legislative Day

5/24/2005

Pihos: "A Class II felony."

Davis, M.: "With a what?"

Pihos: "Class II felony. The violation is a Class II felony."

Davis, M.: "Even though these two were in love?"

Pihos: "The rule applies to any employee of that high school.
Yes."

Davis, M.: "Even though this 19-year-old was in love with a
21-year-old? Because the 21-year-old is in authority?"

Pihos: "Yes."

Davis, M.: "That... then this person, how long would they go to
jail for?"

Pihos: "It's..."

Davis, M. "Seven years?"

Pihos: "Three to seven years."

Davis, M.: "Then that 21-year-old could be incarcerated for 3
to 7 years, even though they were in love. What if they
get married? You have a 19-year-old who is still in public
school. You have a 21-year-old professional who is already
into his or her career and they become like Romeo and
Juliet. They fall in love and they marry and the birds and
the bees do take effect. Are we willing to put these kids
in jail for 7 years? Did you wanna do that?"

Pihos: "Representative, I would like to have some more answers
to your questions. So for today, I'm going ask that it be
pulled from the record."

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

Speaker Lyons, J.: "Mr. Clerk, on request of the Sponsor, take
this Bill out of the record. On page 8 of the Calendar

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

56th Legislative Day

5/24/2005

Representative Don Moffitt has Senate Bill 2012. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2012, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2012 is cleanup language to the legislation that we passed last year regulating genetic counselors. That was House Bill 4200 became Public Act 93-1041. This is agreed language and with this language there are no opponents. It spells out that to use the services of genetic counselors that the individual would have to be referred by a doctor for the services of genetic counselor. It also provides that in clinical settings genetic counselors who serve as a liaison between the family and family members of the patient and the genetic research project can talk directly to the participants without a referral. You probably remember that we passed the original Genetic Privacy Act in '97 and then the counselors, the genetic counselors in the State of Illinois, came to us and requested that they would like to become a profession that was licensed by the State of Illinois and that's why we passed that legislation last year. This is a follow-up and a cleanup. Be happy to entertain any questions."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 2012? Seeing none, the question is, 'Should Senate Bill

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

56th Legislative Day

5/24/2005

2012 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Biggins, like to be recorded? Representative Hannig. Wyvetter. Ron Stephens. Wyvetter Younge. Mr. Clerk, take the record. On this Bill, there are 77 Members voting 'yes', 39 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 8 of the Calendar Representative Watson has Senate Bill 2040. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2040, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Morgan, Representative Jim Watson."

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2040 is a Bill that passed unanimously in the Senate and in the E & E Committee. It has to do with the Leak... Leaking Underground Storage Tank Fund and... which is monitored by the IEPA and it simply says that a piece of property adjacent to a piece of property that has been in... found to have a leak, if the... if no further remediation letter is given for one piece of property it automatically applies to the other. And I'd be more than happy to answer any questions."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 2040? The Chair... Representative... the Gentleman from Vermilion, Representative Bill Black."

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

56th Legislative Day

5/24/2005

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

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

Black: "I... I'm in... obso... absolute support of this Bill, obviously. I had my light on during the previous Bill for consid... One might argue that it was late. I would argue that I had ample time. I would admonish the Chair and the Members of the House. The previous Bill, it's passed, it's on its way to the Governor, allowed a department to set a fee by rule. Now, that's absolutely abrogates our responsibility. We are to set fees. We are to appropriate the money. Now, I don't... I don't care if this is the happy hour or you wanna run through the chamber, but when my light is on, on a Bill that many people would not have voted for if they had looked at their laptops or read the Bill. I resent the fact that we don't have an opportunity to express our opposition to Bills. That last Bill, while the Sponsor is a good friend and is a well-meaning individual, that Bill gave the power to an agency of State Government to set any damn fee they want and that's wrong."

Speaker Lyons, J.: "Thank you, Mr. Black. My apologies. The Chair recognizes the Gentleman from Cook, on Senate Bill 2040, Representative John Fritchey."

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

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

Fritchey: "Representative, a question for you. Having done a little bit of environmental work in the past, what this basically says if you have a site that was the site of the contamination and they get a 'no further action' letter,

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

56th Legislative Day

5/24/2005

that any site appurtenant to that is then basically in the clear as well. Correct?"

Watson: "Correct. Provided that... that the owner of the adjacent property cooperated with the cleanup process."

Fritchey: "Does that take into account a situation where you may have had leaching of the contaminants to such a point where the leaching is no longer present in the subject soil but may be on adjoining land?"

Watson: "I... I would believe the assumption would be that there would not be NFR letter given until those properties were cleaned."

Fritchey: "So, is it your understanding that the EPA would take into account not just the location of the contaminants but where the potential contaminant trail may have been prior to issuing that letter."

Watson: "That is my understanding."

Fritchey: "All right. If that's the case, I'm with ya. Okay. Thank you."

Speaker Lyons, J.: "Any further discussion on Senate Bill 2040? Representative Watson to close."

Watson: "I just ask for a favorable vote."

Speaker Lyons, J.: "The question is, 'Should Senate Bill 2040 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? Karen Yarbrough, wish to be recorded? Mr. Clerk, take the record. There's 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is

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

56th Legislative Day

5/24/2005

hereby declared passed. Page 8 of the Calendar, Mr. Clerk, Representative Mendoza has Senate Bill 2064. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2064, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Bill. Senate Bill 20... of the House, I'm sorry. Senate Bill 2064 removes the Commission on Graduates of Foreign Nursing Schools Examination as a licensure requirement for internationally educated nurses applying for initial licensure, as well as licensure by endorsement. It maintains the credentials review, the English Proficiency Exam, and the National Council Licensure Exam known as NCLEX as a requirements for licensure. The CGFNS exam predicts whether a nurse will pass the NCLEX. And the exam is gradually becoming obsolete. It doesn't contribute to public safety and it... basically it serves as an artificial regulatory barrier to licensure in Illinois. So elimination of this exam will expedite the licensing of nurses educated outside of the United States without reducing standards or compromising safety. I want to make that point very, very clear. This would not reduce standards or compromise safety of patients in Illinois. Illinois is the only state that currently requires this exam for endorsement. And by removing the CGFNS exam requirement we'll be putting Illinois in line with what

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

56th Legislative Day

5/24/2005

every other state is doing. I'd be happy to answer any questions and would ask for a favorable vote."

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

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

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

Parke: "One question. Are the Illinois Nurses Association onboard?"

Mendoza: "Yes, they are."

Parke: "Is there any opposition that you're aware of?"

Mendoza: "None that I know of."

Parke: "Thank you."

Mendoza: "Thank you."

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

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

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

Black: "Representative, do we allow a doctor educated in a foreign country who has his medical degree and training in a foreign country to automatically practice in the State of Illinois?"

Mendoza: "I don't know the answer to that."

Black: "I don't think we do."

Mendoza: "I assume no. I'd assume no."

Black: "I don't think we do. Would we allow an architect who received his or her education in another country to be a

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

56th Legislative Day

5/24/2005

licensed architect in Illinois without any testing or background check or whatever you wanna say in the State of Illinois?"

Mendoza: "No."

Black: "I don't think so. I realize there's a nursing shortage. But are you sure that you want to allow someone who was born in a foreign country, received all of their nursing education in a foreign country, they come to the United States and if... two weeks, thirty days, whatever it is after they come here, they're able to practice nursing in a hospital?"

Mendoza: "That's certainly not what this Bill does, Representative. I'm glad you're asking these questions 'cause I think it's important to clarify that this Bill would by no means compromise any kind of safety or do anything different that we're not currently doing, other than eliminating a predictor exam. They still have to comply by all the... the current requirements under the law. We wanna insure that nurses that come into the United States and cer... and certainly to Illinois from other countries have to meet the same standards that our nurses that are trained here in Illinois would have to do. The difference that what this Bill does is there's two exams. There's the national exam known as the NCLEX. I mean, the... yeah, the NCLEX and then there's the CGFNS exam. The CGFNS exam is an old exam and it's basically used as a predictor to see whether or not a person will, in fact, be able to pass the NCLEX, which is the test that we go off of in

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

56th Legislative Day

5/24/2005

order to certify our nurses. So what we're trying to do here is eliminate a predictor exam. The NCLEX exam in the past was not easily accessible to nurses. Today, a nurse could take a NCLEX exam any given day of the year, any given day of the week. The CGFNS exam is only offered four times in the year. So basically, it makes no sense to have to have a nurse wait to see if she'll be able to take a predictor exam if she could take the actual exam and pass it on day one. So, all we're trying to do here is get rid of a predictor exam. We're keeping all of the certification requirements and all of the educational components, language... they need to be able to speak the language. All of those things stay the same in order to insure that we have safety and security and that we're not compromising patients in any way."

Black: "Representative, who... who will make... who is the responsible party to make sure that this nursing applicant who has not lived in this country, and did not receive his or her training in this country, is number one, con... able to understand technology that they may not have seen in the country of their training?"

Mendoza: "Well, the Department of Professional Regulations is in charge of a going over all of these and determining which applicant is able to be accredited or not. So we are not changing anything other than..."

Black: "Okay."

Mendoza: "...eliminating a predictor exam. If the nurse can pass the real exam, why have to make her take a predictor exam."

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

56th Legislative Day

5/24/2005

Black: "All right. All right. Is... is there still... and I even hate to bring this up because I can see the direct mail or I can see nasty letters. But I'm gonna ask you the question because I've... I've spent enough time in the hospital to understand why I'm gonna ask this question."

Mendoza: "Sure."

Black: "What about language competency?"

Mendoza: "They have to pass the language examination known as TOEFL, I believe it is. Let me give you the exact... it's... TOEFL but I wanna give you what it..."

Black: "All right. So... so, in other words..."

Mendoza: "It's the Test of English as a Foreign Language..."

Black: "Okay."

Mendoza: "...and that still has to be passed in order for them to practice here."

Black: "So, none of that changes. You are just eliminating..."

Mendoza: "Predictory exam."

Black: "...one particular test that staff..."

Mendoza: "It's obsolete."

Black: "...and others have been telling me may not have been a very good predictor of success in the nursing profession anyway."

Mendoza: "Well, and what we're doing and just to be clear with that. In certain countries, the NCLEX exam, which is the actual exam itself, may not be available. If that's the case, then the nurse can take the predictor exam and then if she applies and is approved by the U.S. to come in at a later..."

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

56th Legislative Day

5/24/2005

Speaker Lyons, J.: "Go ahead, Representative."

Mendoza: "...at a later date could take the... the NCLEX. So, we are leaving it open as an option to the nurse to decide whether she wants to take the predictor exam or the... or can directly take the actual exam. But we're not mandating that both exams be taken anymore."

Black: "All right. So, I wanna make sure my perception is not incorrect. This is not allowing somebody to just fly in and 30 days later able to practice nursing. There are still standards and quality standards that they would have to demonstrate before they would be allowed to have a license and practice in the State of Illinois."

Mendoza: "That's why you're..."

Black: "All right. Thank you."

Mendoza: "...Representative Black, your brilliance is just... what can I say."

Black: "Thank you very much."

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

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

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

Davis, M.: "Representative, I heard you state that the purpose of this legislation is to ease a nursing shortage in Illinois. Is that correct?"

Mendoza: "That's one of the things that we're hoping it will do. Yes."

Davis, M.: "That's one of the things you hope..."

Mendoza: "To reduce the barriers or..."

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

56th Legislative Day

5/24/2005

Davis, M.: "...you hope it will do?"

Mendoza: "Yes, we believe it will do that. It will... 'cause it's a lot of bureaucracy that is unnecessary."

Davis, M.: "How long will these people from wherever they come from... Does your Bill state what countries they will come from?"

Mendoza: "It doesn't specifically say what countries. It depends on what countries have that test available versus those that don't. The NCLEX, I'm referring to, the national exam."

Davis, M.: "Representative, do you know how many universities in the State of Illinois are provide dollars to have nursing programs?"

Mendoza: "No. Not exact numbers."

Davis, M.: "You didn't inquire?"

Mendoza: "What was your question again, Representative?"

Davis, M.: "Do you know how many universities in the State of Illinois receive dollars from this Body to train nurses for this state or any place else in this country?"

Mendoza: "I don't know the exact number, would you know that?"

Davis, M.: "I know it's a large amount."

Mendoza: "I'd be interested in hearing it."

Davis, M.: "It's a large number."

Mendoza: "And... and just so you know, the nursing industry is in strong support of this because they understand that even if we provide more dollars today to the universities to educate nurses, we still have a nursing shortage in this state and across the nation. So anything that we can do to

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

56th Legislative Day

5/24/2005

eliminate those barriers for nurses to be able to provide service to patients..."

Davis, M.: "Let me ask this question."

Mendoza: "...is what we strive for."

Davis, M.: "What will be... what will be done to assure their an ability to read and understand English?"

Mendoza: "That's a good question and they do have to pass the TOEFLs exam in order to be approved to practice here in the United States. So..."

Davis, M.: "And exactly what is the TOEFL exam?"

Mendoza: "The Teaching Of English as a sec... Second Language."

Davis, M.: "So is it a lower-limited English standard?"

Mendoza: "It's the same standard that they currently operate under a..."

Davis, M.: "To the Bill."

Mendoza: "...currently operate under today."

Davis, M.: "To the Bill, Mr. Speaker."

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

Davis, M.: "I recognize the so-called or nurses shortage that exists in this country. I also know that this program being proposed will cost a number of United States's or Illinois's dollars. Why can't we take those same dollars and train the... the certified nurses assistants? Now, we are already exporting jobs, outsourcing jobs and now we've resorted or want to resort to we're gonna import the professionals that we need. Can we import a Governor from another country or another state? Can we... can we... no... I'm... no, I'm serious. Well, if we can then we should pass this

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

56th Legislative Day

5/24/2005

Bill but... but if we can't... but if we cannot... if we cannot we should start to train the people who are in the unemployment lines in the State of Illinois. How many people are getting unemployment because their jobs have ended? Then you got a university who's not fulfilling its role and mission to educate nurses. So we resort to importing them from another country. I think it's a... a giving up of our responsibility. I don't know about you, but I wanna see the people in Illinois get training to be nurses and get those jobs. I don't wanna be in the hospital where I don't understand what you're saying to me and you don't understand what I'm saying to you. I may wanna say to you, 'I already had that medicine, please don't give me anymore of that. I had it already.' But if you don't understand, you are going to give it to me again. We must protect the citizens in the State of Illinois. We must give the jobs to the people in Illinois. We must stop this movement of putting everything overseas. Stop it. Vote 'no'."

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

Mendoza: "Thank you, Mr. Speaker. I appreciate those Representatives who may have read this legislation and properly understand it. And those who asked me questions that I think go to the Bill. I do resent certain racist undertones, I think, in the previous comments, previous Representative's comments. And I would again articulate... I would articulate that English has to be spoken in order to practice here. So I would ask for an 'aye' vote."

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

56th Legislative Day

5/24/2005

Speaker Lyons, J.: "The question is, 'Should Senate Bill 2064 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 95 Members voting 'yes', 14 Members voting 'no', 3 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Sacia. For what purpose do you rise, Representative?"

Sacia: "I meant to vote 'yes' on that Bill."

Speaker Lyons, J.: "The Journal will so reflect. The Chair recognizes the Lady from Cook, Representative Monique Davis. For what purpose do you rise?"

Davis, M.: "Mr. Speaker, I think in maintaining a decorum of professionalism and respect for each other it is quite disrespectful to characterize my remarks as racist, when one knows my feeling against any kind of discrimination. My point had nothing to do with racism or race. It had to do with the importing and the exporting of jobs in the State of Illinois. The record must be clear."

Speaker Lyons, J.: "Thank you, Representative Davis. The Chair recognizes Majority Leader Barbara Flynn Currie for a Motion."

Currie: "Thank you, Speaker, Members of the House. I move to suspend the posting requirements so that Senate Bill 122

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

56th Legislative Day

5/24/2005

can be heard in the Committee on the Executive and Senate Bill 27 in Personnel & Pensions."

Speaker Lyons, J.: "The Lady moves for the dispense with the posting requirements. All those in favor signify by saying 'yes'; those opposed... The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

Black: "Mr. Speaker, you've been in the Chair a long time, you may need... you may need some help. Why... why should we suspend the posting notice on a land transfer Bill when several Republican Members have land transfer Bills that they can't move? Now, for crying out loud, it appears we're gonna be here until Memorial Day at least. Can't we at least be treated as second class citizens? If you're gonna suspend posting notices for your land transfer Bills, why can't we get our land transfer Bills help? All we want is some simple respect. Is that too much to ask?"

Speaker Lyons, J.: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I would just like to point out that the Minority Spokesman on these Committees, Executive and Personnel & Pensions were consulted about my Motion and approved it."

Black: "I don't care what they were consulted about..."

Currie: "Secondly... secondly, I would just like... I would like..."

Speaker Lyons, J.: "Mr. Black..."

Black: "...they don't know how many Bills we have outstanding."

Currie: "I would like to..."

Black: "That is a crock."

Speaker Lyons, J.: "Mr... Mr. Black..."

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

56th Legislative Day

5/24/2005

Black: "What?"

Speaker Lyons, J.: "If Representative Currie could finish and then you could respond."

Currie: "And I would just like..."

Black: "I've heard this before, but I'll let her finish."

Currie: "I would like to say for the record that we, our staff, is reviewing as quickly as possible the paperwork that comes to us. We are not trying to be obstructionists, we are doing things as quickly as we can. And when paperwork comes in at 2:00, it's not likely that we'll be ready with an answer at 3. So, I would request to adopt the Motion."

Speaker Lyons, J.: "Representative Black."

Black: "Mr. Speaker, I stand in absolute opposition of the posting... the suspension of the posting process. I've heard that same speech for almost 20 years. It's awfully funny to me how fast you can process your paperwork and how slowly you process our paperwork. This is a crock and if nobody else is tired of it, I'm damn tired of it."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Bond, Representative Stephens."

Stephens: "Inquiry of the Chair."

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

Stephens: "Well... well, first of all, did we get a new Governor?"

Speaker Lyons, J.: "Pardon me, Representative?"

Stephens: "Did we get a new Governor?"

Speaker Lyons, J.: "No. We have the same Governor."

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

56th Legislative Day

5/24/2005

Stephens: "The... my serious question is about the committee schedule. There seems to be very little thought in... involved in the committee Members who I'm aware of are scheduled to be in three committee rooms at the same time to vote on three important Senate Amendments to various House and Senate Bills. And I wonder what the Speaker's instructions are as to where do we go? And are we given an excused absence if we are in a committee that's meeting while two other committee..."

Speaker Lyons, J.: "Representative, the usual process if you're scheduled at two committees at once is to get a substitute or if they're close proximity let one committee staffer know where you're at and if they have to call ya from one to the other, you can kinda do double duty on occasion."

Stephens: "Well, Mr. Speaker that's... that's an interesting suggestion, but committees meeting at the same time that we've known conflict is opposed to our rule."

Speaker Lyons, J.: "Representative, again, I would recommend if you're supposed to be two places at once, if you can get a substitute for the committee you're supposed to sit on if you have to present a Bill someplace else."

Stephens: "Mr. Speaker, I've been here for 20 years. Of course I can be many places at one time, but I'm worried about some of our younger Members."

Speaker Lyons, J.: "I'm sorry this... this conversation's unclear, could you repeat your last statement?"

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

56th Legislative Day

5/24/2005

Stephens: "Mr. Speaker, I told you that I've been here for 20 years. Of course, I know how to be in many places at one time, but I'm worried about some of our younger Members."

Speaker Lyons, J.: "I'm sure you'll be happy to mentor some of our younger Members and show... show 'em how it works. We have full confidence in you, Representative Stephens."

Stephens: "We'll... we'll do our very best."

Speaker Lyons, J.: "Thank you. The Chair recognizes the Lady from Cook, Representative Connie Howard."

Howard: "Thank you, Mr. Speaker. Purposes of an announcement, please?"

Speaker Lyons, J.: "Please proceed."

Howard: "Would those persons who are Members of the COWL Scholarship Committee please remember to meet with me immediately after adjournment for about 2 minutes. Thank you. At my desk."

Speaker Lyons, J.: "The Chair recognizes Representative Currie. Representative Currie."

Currie: "Well, thank you, Speaker and Members of the House. The Sponsors of these Bills would like to go forward with the Motion. They did check with the Minority Spokespersons on each of these committees and I certainly hope we will have their support as they promised to the Sponsors of these Bills that they would support the Motion to waive the posting requirements. So again, I renew my Motion."

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

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

56th Legislative Day

5/24/2005

Black: "Mr. Speaker, out of respect for the process, although we seldom get that respect and out of the respect for the Majority Leader and I still I hope I get respect from her before I leave this chamber or at least in my lifetime and on occasion I do. But this is a classic example of treating us as second class citizens. But in respect for the Members of my side of the aisle who may or may not have had full knowledge of what's going on here, I withdraw my objection. But I'm gonna tell ya something, this is no way to run this chamber."

Speaker Lyons, J.: "Representative Currie makes the Motion to waive the posting requirements. All those in favor signify by saying 'yes'; those opposed 'no'. Opinion of the Chair, the 'ayes' have it. And the Motion is carried. The Chair recognizes the Lady from Cook, Representative Karen Yarbrough. For what reason do you rise?"

Yarbrough: "Purpose of an announcement."

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

Yarbrough: "Housing & Urban Development Committee that's scheduled for 11:30 a.m. tomorrow is canceled."

Speaker Lyons, J.: "The Chair recognizes Representative Monique Davis. What purpose do you rise, Representative?"

Davis, M.: "Rep... I'm sorry, Mr. Speaker. The Appropriations-General Services will meet at noon, rather than 9:00 a.m. tomorrow. Thank you."

Speaker Lyons, J.: "Thank you, Representative. The Chair recognizes Representative Black."

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

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

56th Legislative Day

5/24/2005

Speaker Lyons, J.: "Please state your inquiry."

Black: "Awhile ago I heard somebody say that... is there a Bill to import a new Governor? Is that what we just suspended the posting requirement on? I clearly heard that. We were going to import a new Governor. What... what committee is that Bill being heard in?"

Speaker Lyons, J.: "I think we'll defer that to the Rules Committee, Representative Black."

Black: "Well, I hope the Rules Committee meets early and often. I'm intrigued by the idea. And now, whoever it is doesn't even have to take a test. I... be still my beating heart."

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

Molaro: "Thank you, Mr. Speaker. For an announcement."

Speaker Lyons, J.: "Proceed."

Molaro: "Immediately after Session Jud II-Criminal Law will meet in D-1 and Representative Stephens, I will wait 'til hell freezes over for you, Sir. I don't care how many committees you have to go to, that committee needs you, Sir and we will wait for you. Thank you."

Speaker Lyons, J.: "Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 478, offered by Representative Cross. House Resolution 480, offered by Representative Brauer. House Resolution 481, offered by Representative Phelps. House Resolution 482, offered by Representative Froehlich. House Resolution 483, offered by Representative William Davis. House Resolution

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

56th Legislative Day

5/24/2005

484, offered by Representative Mautino. House Resolution 485, offered by Representative Joyce and House Resolution 486, offered by Representative Black."

Speaker Lyons, J.: "You've heard the Agreed Resolutions. All in favor signify by saying 'yes'; those opposed 'no'. In the opinion of the Chair is the 'ayes' have it and the Resolutions are adopted. Seeing no further business to come before the Illinois House of Representatives this afternoon, Barbara Flynn Currie moves that the House stands adjourned 'til the hour of 2 p.m. tomorrow, Wednesday, May 25, and allowing perfunctory time for the Clerk, the House stands adjourned. All those in favor signify by saying 'aye'; 'noes'. The 'ayes' have it. The House stands adjourned."

Clerk Bolin: "The House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 479, offered by Representative Fritchey. This Resolution is referred to the House Rules Committee. Introduction and First Reading of House Bills. House Bill 4081, offered by Representative Bill Mitchell, a Bill for an Act concerning criminal law. First Reading of this House Bill. There being no further business, the House Perfunctory Session will stand adjourned."