

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

59th Legislative Day

5/27/2005

Speaker Lyons, J.: "The House will come to order. Members are asked to please be at their desks. Members and guests are asked to please refrain from starting their laptops and to turn off all cell phones and pagers, and rise for the invocation and the Pledge of Allegiance. We'll be led in the prayer today by Lee Crawford, the Assistant Pastor of the Victory Temple Church in Springfield."

Pastor Crawford: "Let us pray. Most gracious and most precious Lord. Father, we come before you realizing that we can do nothing without You. For it is in You, Oh Lord, that we live, we move and we have all of our beings. It is this day Lord that we lean not toward our own understanding but rather in all of our ways we acknowledge You. And we ask that You would direct our paths. So, Father, we ask that You would grant us wisdom to say that which needs to be said. That You would grant to us courage to do that which needs to be done, according to Your divine will. We ask that You would grant to us a spirit of honor. Grant us a spirit of grace. And grant to us a spirit of excellence. A spirit that would bring You this day honor, that would bring You this day glory, that would bring You this day praise. We ask this in Your son's name. Amen."

Speaker Lyons, J.: "We'll be led in Pledge of Allegiance this morn... this afternoon by Representative Jim Watson."

Watson - 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."

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

59th Legislative Day

5/27/2005

Speaker Lyons, J.: "Roll Call for Attendance. The Chair recognizes Representative Barbara Flynn Currie."

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

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

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

Speaker Lyons, J.: "Mr. Clerk, take the record. 116 Members being present, the House has a quorum. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 215, a Motion to Concur with Senate Amendment #1 to House Bill 350, a Motion to Concur with Senate Amendment #1 and 2 to House Bill 3874. Representative Soto, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 1267. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'recommends be

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

59th Legislative Day

5/27/2005

adopted' a Motion to Concur with Senate Amendment #1 to House Bill 128 and Floor Amendment #3 to House Bill 1921. Representative Lang, Chairperson from the Committee on Gaming, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to Senate Bill 198. Representative Richard Bradley, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to Senate Bill 1693. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 615 and a Motion to Concur with Senate Amendments 3, 4, 5 and 6 to House Bill 2531. Representative Soto, Chairperson from the Committee on Child Support Enforcement, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #2 to House Bill 783. Senate Bills-First Reading. Senate Bill 930, offered by Representative Schock, a Bill for an Act concerning regulation and Senate Bill 1209,

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

59th Legislative Day

5/27/2005

offered by Representative Turner, a Bill for an Act concerning civil law."

Speaker Lyons, J.: "Mr. Clerk, what's the status of Senate Bill 27?"

Clerk Mahoney: "Senate Bill 27 is on the Order of Third Reading."

Speaker Lyons, J.: "By request of the Sponsor, move that Bill back to Second Reading. Mr. Clerk, what's the status of Senate Bill 13?"

Clerk Mahoney: "Senate Bill 13 is on the Order of Third Reading."

Speaker Lyons, J.: "On the request of Representative Turner, move that Bill back to Second Reading. Ladies and Gentlemen, we're gonna start on the Calendar, page 7, moving some Senate Bills from Second Reading. Mr. Clerk, on page 7 of the Calendar is Senate Bill 92. Representative Joyce, do you wish to move Senate Bill 92 to Third Reading? Second to Third? Out of the record. On page 7 of the Calendar, Representative Graham. Debbie, do you wish to move Senate Bill 193 from Second to Third? Out of the record. On page 8 of the Calendar, Representative Rita, we have Senate Bill 501. It's on Second Reading. Do you wish to move that Bill to Third? Mr. Clerk, read the Bill, Senate Bill 501."

Clerk Mahoney: "Senate Bill 501 has been read a second time, previously. 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

59th Legislative Day

5/27/2005

Speaker Lyons, J.: "Representative Rita."

Rita: "...draw Amendment #2."

Speaker Lyons, J.: "Representative Rita chooses to withdraw  
Amendment #2. Withdraw... Representative Rita."

Rita: "...right now."

Speaker Lyons, J.: "Pardon me, Sir?"

Rita: "Can we take this out of the record, 'cause we were  
waiting for another Amendment."

Speaker Lyons, J.: "Take the Bill out of the record.  
Representative Parke, on page 8 we have Senate Bill 502.  
Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 502 has been read a second time,  
previously. No Committee Amendments. No Floor Amendments.  
No Motions filed."

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

Clerk Mahoney: "Senate Bill 502, a Bill for an Act concerning  
local government. Third Reading of this Senate Bill."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. I rise and ask for your support on a Bill that  
simply annexes for your... four parcels of property for... into  
the Village of Streamwood... from the Village of Streamwood  
into the Metropolitan Water Reclamation District. It's...  
both the village manager of Streamwood wants it and the  
MWRD has accepted it. We would ask for your support of  
this legislation."

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

59th Legislative Day

5/27/2005

Speaker Lyons, J.: "Is there any discussion on Senate Bill 502? Seeing none, the question is, 'Should Senate Bill 502 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 Granberg. Wyvetter Younge. Mr. Clerk, take the record. On this Bill, there are 73 Members voting 'yes', 43 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 9 of the Calendar is Senate Bill 575. Mr. Giles. Representative Giles, do you care to move Senate Bill 575 from Second to Third? Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 575 has been read a second time, previously. Amendment #1 lost in committee. No Floor Amendments. All notes have been filed."

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 9 of the Calendar is Senate Bill 1124. Representative Sacia on Senate Bill 1124. Wish to move that from Second to Third? Read the Bill, Mr. Clerk. Hold that Bill on Second Reading. Ladies and Gentlemen, we'll be moving to page 5 of the Calendar, Senate Bills on Third Reading. We're running down the page. Representative Black, we have Senate Bill 22. Can you take that Bill out of the record for the moment. Representative Black on Senate Bill 22. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 22, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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

59th Legislative Day

5/27/2005

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

Black: "Thank... thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill enlarges the Metropolitan Water Reclamation District in the Village of Barrington Hills by approximately 3.26 acres. It's to enable that parcel to be developed. The Village of Barrington Hills is in agreement. MWRD is in agreement. I know of no opposition."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 22? Seeing none, the question is, 'Should Senate Bill 22 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 Sacia. Representative Wyvetter Younge. Wyvetter. Mr. Clerk, take the record. On this Bill, there are 86 Members voting 'yes' 30 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 5 of the Calendar, Representative Colvin, you have Senate Bill 49. Marlow Colvin, Senate Bill 49. Out of the record. On page 5 of the Calendar, Representative Winters has Senate Bill 59. Out of the record. Page 5 of the Calendar, Senate Bill 254, Representative Karen Yarbrough. Representative Karen Yarbrough, Senate Bill 259. Out of the record. The Chair recognizes the Gentleman from Kane, Representative Schmitz, for what purpose do you rise?"

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

59th Legislative Day

5/27/2005

Schmitz: "Thank you, Mr. Speaker. I have a point of personal privilege."

Speaker Lyons, J.: "Please proceed."

Schmitz: "Ladies and Gentlemen of the House, if I could have your attention just for a second, please. Tomorrow is a... is is big day for a Member on our side of the aisle. Aaron Schock is gonna be 24 years old tomorrow. As you can see, right now he's working with a constituent. He probably doesn't know he's getting roasted at the moment, but down here up in front is some popcorn for Aaron's birthday. So, please join me in saying happy birthday to Aaron Schock. Thank you."

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

Black: "Thank you very much, Mr. Speaker. I would like to simply join in wishing Aaron Schock a happy birthday. And I think he's buying lunch for all of us today. Happy meals for everybody, but... but he would like... he would like for you to bring all of the toys over to his desk. Thank you."

Speaker Lyons, J.: "Well, we'll make sure that's arranged, Representative Black. Thank you. Mr. Clerk, on page 5 of the Calendar, Representative Hamos has Senate Bill 431. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 431, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

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



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

59th Legislative Day

5/27/2005

Hamos: "Thank you, Speaker, Ladies and Gentlemen. This is... this is the Governor's... what's called the IRID Bill. Illinois Removes Illegal Dumps. I'd like to take this out of the record."

Speaker Lyons, J.: "Mr. Clerk, for the moment, we'll take that Bill out of the record. Mr. Clerk, on page 5 of the Calendar, Representative Tom Holbrook has House Bill... Senate Bill 557. Representative Holbrook. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 557, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

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

Holbrook: "Thank you, Speaker. Speaker, I filed the paperwork to table this Bill. Th... it's in the back to take it out, completely off the agenda. I filed the paperwork earlier today to have this Bill tabled. Table the Bill."

Speaker Lyons, J.: "Representative Holbrook makes a Motion to Table Bill 557. Any discussion? Seeing none, the question is, should... Representative Parke, do you wish to speak to Senate Bill 557? Motion to Table."

Parke: "Not if it's to table."

Speaker Lyons, J.: "The Gentleman moves to table Senate Bill 557. All those in favor signify by saying 'yes'; those opposed 'no'. Seeing no objection, Senate Bill 55... 557 is tabled. Mr. Clerk, on page 5 of the Calendar is Senate Bill 1623. Representative Burke. Representative Dan Burke

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

59th Legislative Day

5/27/2005

on Senate Bill 1623. Senate Bills-Third Readings. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1623, a Bill for an Act concerning identification. Third Reading of this Senate Bill."

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

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1623 is the consular ID card that was introduced in committee yesterday. It came out on the Attendance Roll. Simply stated, this is a matter that would identify individuals that exist in our society giving very, very specific information with respect to who they are, where they're from. There is a very, very specific identification that's encrypted in this identification card. This is not anything having to do with driver's... driver's licenses. This is not an entitlement. It is simply for law enforcement to be able to identify individuals and giving people who are in our country without citizenship the opportunity to have a specific identification. I'd be happy to answer any card... any questions."

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

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

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

Parke: "Representative, where do they get the information to put on the card?"

Burke: "From the consulate of their country."

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

59th Legislative Day

5/27/2005

Parke: "Do they get... Is it from the maticula (sic-matricula)?"

Burke: "The consular, si, yes."

Parke: "Okay. And is this something that... Are... are any of the  
law enforcement groups opposed to this?"

Burke: "Yes, Sir."

Parke: "Which ones?"

Burke: "The list is very, very long."

Parke: "No, I asked if they were opposed."

Burke: "Pardon me?"

Parke: "They are... are they opposed?"

Burke: "No, Sir."

Parke: "They're in support?"

Burke: "They are."

Parke: "Law enforcement?"

Burke: "Yes, Sir."

Parke: "Tell me one group, one law enforcement group."

Burke: "I have the list in front of me, if you care..."

Parke: "Just read one."

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

Parke: "Sheriffs?"

Burke: "Pardon me?"

Parke: "State Police?"

Burke: "Yes, Sir, in support."

Parke: "State Police is in support of it?"

Burke: "Yes, Sir."

Parke: "Well, the Senate... 13 Senate Members voted against this  
Bill. And I think that... yeah, I think people need to pay  
attention to this Bill. Because though it does give

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

59th Legislative Day

5/27/2005

information that can be used for some kind of a documentation, I think it still begs the issue of people coming into this country with forged documents that are... could be illegal immigrants. And there are strong feelings on this and it's something that I think Members need to think about... read about this Bill and not just to vote because it sounds good. I think this is someone... this Bill is somethin' that could be questioned later on. So, I have a concern. Just one moment, please."

Burke: "Representative Parke, permit me to respond to your suggestion that there were 13 Members of the Senate voting 'no'. That question was asked in committee..."

Parke: "Okay."

Burke: "...yesterday..."

Parke: "Yes."

Burke: "...and my response was that there may be some confusion with respect to this issue. There is no entitlement. There is no licensure. There is nothing given to these individuals other than specifically identifying them in very, very technical fashion. There's a hologram that's incorporated into this ID card. There are fingerprints incorporated into this ID card. There are encrypted codes that would immediately identify this individual and separate them from the general population. That is the reason that law enforcement is so encouraged by this identification card. You will be able to separate this individual as that person, rather than being one who has no identity. Do you understand the number of man hours that

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

59th Legislative Day

5/27/2005

are involved when there is an arrest made to identify one in this society? This card will give law enforcement the opportunity to specifically identify that character."

Parke: "Well, I think for... for people that are in our country that are legal here that they have documentation will have a green card or work permit and... It says here in our notes that the FBI did not like the Mexican Maticula(sic-matricula), CID of... as of 2003. The Department of Homeland Security does not have a position on the CID at this time. But it has been used by financial institutions in some municipalities to accept this as an identification. So, I think that there is question on it and I think Members..."

Burke: "Let me respond to that, Representative, because the U.S. Treasury, under the Patriot Act Section 326, considers the consular ID card a valid form of identification for financial transactions. So, please, be careful. The Federal Government is acknowledging this identification card."

Parke: "Well, all I can tell ya is that I'm sure that this is not uniformly accepted and there are questions on it. So, at this time, I'm planning on voting 'present'. I think Members need to take a good, hard look at this legislation."

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

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

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

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

59th Legislative Day

5/27/2005

Froehlich: "Representative, are you aware the Secretary of State's Office does not accept matriculas as a form of ID in their facilities?"

Burke: "If you are talking about the issue of driver's license, certainly I would understand that they would not I... recognize it. We are asking, through this legislation, that our government, whether it be federal or local, in this instance certainly the State of Illinois government to acknowledge this as a proper form of identification."

Froehlich: "Well, would this affect the Secretary of State's Office... would your Bill affect what they must accept?"

Burke: "Can you be specific, in what respect?"

Froehlich: "Well, would... would your Bill require the Secretary of State when they're issuing, say, an ID or a driver's license, to accept the matricula consular as a valid form of ID, something they do not do right now?"

Burke: "Yes, Sir. The whole point of the... the Bill is to acknowledge these individuals and identify them with this card, this matricular con... But it is not going to be used for driver's license."

Froehlich: "I understand. It's separate from the driver's license issue. When... when..."

Burke: "And it does not establish residency."

Froehlich: "Right. When that... By the way, when that driver's license Bill for undocumented aliens came up, which I supported a couple of years ago, I... I do recall that Bill did not provide for the use of matriculas."

Burke: "That is correct."

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

59th Legislative Day

5/27/2005

Froehlich: "Okay. Can Illinois law enforcement, if they encounter somebody who shows 'em one of these IDs, are they gonna be able to verify the validity of the ID with the embassy that issued it?"

Burke: "Yes, Sir."

Froehlich: "They will be able to go back to that embassy?"

Burke: "Yes, and there are ingredients in this legislation that use the Mexican government's identification card, the matricula consular, that is our ultimate identification form. They're very, very sophisticated and very technical encryptions in their particular identification card, much more so than any other of the foreign governments that would issue the matricula consular."

Froehlich: "But... but being able to verify it with the agency that... that purportedly issued a card, really, because counterfeiters are pretty sophisticated now days often, too. And Illinois driver's licenses are counterfeited, as well. But... but the fact is, police can verify with the Secretary of State almost instantly whether a given card is valid and I'm just wondering if that would be available on the consular."

Burke: "Yes, Sir. There will be a database in all of the foreign governments where law enforcement can communicate and specifically identify these individuals."

Froehlich: "Thank you."

Speaker Lyons, J.: "Is there any further discussion on Senate Bill 1623? Seeing none, the question is, 'Should Senate Bill 1623 pass?' All those in favor signify by voting

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

59th Legislative Day

5/27/2005

'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Black. Representative Boland. Representative Boland, like to be recorded? Mr. Clerk, take the record. On this Bill, there are 95 Members voting 'yes', 10 Members voting 'no', 11 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Champaign, Representative Rose, for what reason do you rise? Does not seek recognition. Good morning. Good afternoon, Representative. Mr. Clerk, on page 5 of the Calendar, Representative Reitz has Senate Bill 7... 1233. Representative Danny Reitz. Senate Bill 1233. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1233, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Macon... Madden... from Macon, Representative... from Randolph, Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Senate Bill 1233 it... essentially takes it... it gives a tax credit, a fuel tax credit, for undyed diesel fuel for people that use that. This is an initiative more of the UPS. We worked with the Department of Revenue, with the Governor's Office. We've had a number of people involved in this process. People through the work of people like Bob Herbert that worked at UPS has been instrumental in trying to move this language forward. I'd really like to thank Bob for all his work and



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

59th Legislative Day

5/27/2005

in making sure that we were able to get the information to people to make sure they understood this. But this is a... a reasonable tax credit. It allows for a credit on fuel that's used within their properties. It's not used on any roads whatsoever and I'd appreciate an 'aye' vote."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 1233? Seeing none, the question is, 'Should Senate Bill 1233 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 Osterman. Harry. Would you like to recorded? 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 5 of the Calendar, Representative Osmond has Senate Bill 1738. Out of the record. Mr. Clerk, on page 6 of the Calendar, Representative Hultgren has Senate Bill 1776. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1776, a Bill for an Act in relation to military. 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 was passed over from the Senate unanimously. There's some concerns with it. What it is, is it's a recognition that a Governor can bestow on individuals who have provided extraordinary service within the State of Illinois. And

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

59th Legislative Day

5/27/2005

similar to what Kentucky has done to recognize individuals who have provided special service. I've talked quite a bit with Representative Chapa LaVia who's been working with our veterans' groups. There's some concerns that they have. We're gonna follow this up with a trailer Bill to clean that up. Maybe to get it out of the military affairs into another... just chan... tighten up the language a little bit. But I would ask for your support to move this along at this time. Be happy to answer any questions."

Speaker Lyons, J.: "Any discussion on Senate Bill 1776? Seeing none, the question is, 'Should Senate Bill 1776 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 Parke. Mr. Clerk, take the record. On this Bill, there are 98 Members voting 'yes', 18 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Menard, Representative Brauer, for what reason do you seek recognition?"

Brauer: "Thank you, Mr. Speaker. I rise in a point of personal privilege."

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

Brauer: "Ladies and Gentlemen of the House, if you will look up on the Democratic side of the gallery, we have some members of AARP from Springfield. Please give 'em a Springfield welcome."

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

59th Legislative Day

5/27/2005

Speaker Lyons, J.: "Welcome to Springfield. On page 6 of the Calendar, Representative Graham has Senate Bill 1832. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1832, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1832 requires that gun dealers sell trigger locks with hand guns. There's no opposition to this legislation. This is the exact same Bill of House Bill 1349 that we're running again in Senate Bill 1832. And I'll take any questions at this time."

Speaker Lyons, J.: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1832 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 Dunkin, wish to vote? Granberg. Representative Granberg, like to be recorded? Mr. Clerk, take the record. On this Bill, there are 77... 76 Members voting 'yes', 39 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 6 of the Calendar, Representative Giles has Senate Bill 1853. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1853, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

59th Legislative Day

5/27/2005

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

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1853 does a couple things. One, the initial thing that it does is... it's an initiative of the State Board of Education. The goal is to increase financial accountability within the various school districts. This piece of legislation, there's no opposition to it. The second part of the legislation I will let Representative Mark Beaubien explain the other part of the legislation. All the language is agreed language. And at the proper time I ask for its passage. I will yield to Representative Beaubien to explain the other part of the legislation."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Lake, Representative Mark Beaubien."

Beaubien: "Thank you, Mr. Speaker. This is an Amendment we passed yesterday on the House Floor. Amends the School Code. It merely codifies what we believe is already in the Bill, but it's in some dispute up in the Round Lake area. It only applies to the School Finance Authority in Round Lake, Illinois. The IAA is... endorsed the Bill. ISBE is neutral on the Bill. And it's always receiving unanimous approval and I urge its adoption. Or... urge the passage of the Bill."

Speaker Lyons, J.: "Is there any discussion? Seeing no one seeks recognition, the question is, 'Should Senate Bill 1853 pass?' All those in favor signify by voting 'yes';

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

59th Legislative Day

5/27/2005

those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Colvin, do you wish to be recorded? Representative Jakobsson? 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. Mr. Clerk, on page 6 of the Calendar, Representative George Scully has Senate Bill 1912. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1912, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Scully: "Thank you, Mr. Speaker. I'd like your support for Senate Bill 1912. This is a Bill that has to do with the interest rate index that will be used for calculating an earnings credit for the public utilities company. In 1997 we passed the Electric Deregulation Bill that tied the interest rate index to the 25-year Treasury Bill... the earnings to the 25-year Treasury Bill Index as published by the Federal Reserve. The problem was, the Federal Reserve stopped publishing that index. This forces us to then pick another index and the Bill as amended provides that the earnings credit will be based upon the lower of the 20-, 25-, or the 30-year index. I'd be happy to answer any questions regarding this matter."

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

59th Legislative Day

5/27/2005

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

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

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

Krause: "I rise in support of this Bill. We had it in the Electric Oversight Committee. Had a good discussion on it. I think the Sponsor has described it very well. And it does provide and on the earning credit as to which one to use and it does, in effect, state that it should use that which provides the lower rate. And I join in support in urging a 'yes'."

Speaker Lyons, J.: "No one seeking further recognition on the Bill, the question is, 'Should Senate Bill 1912 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 Daniels, wish to be recorded on this one? Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 6 of the Calendar, Representative Pihos has Senate Bill 1943. Representative Sandy Pihos on Senate Bill... Out of the record. On page 6 of the Calendar is Senate Bill 1962. Representative Nekritz. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1962, a Bill for an Act concerning firearms. Third Reading of this Senate Bill."

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

59th Legislative Day

5/27/2005

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

Nekritz: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Bill 1962 is a proposal that is very similar to House Bill 2941. It passed unanimously out of this chamber earlier this spring. This legislation, which also passed unanimously through the Senate, requires purchasers of a taser or a stun gun to have a current valid Firearm Owner Identification card. In addition, there would be a 24-hour waiting period between the time of purchase and the time of the delivery or the... of the stun gun or taser. This legislation... and there was... there's also we added an Amendment yesterday that Representative Stephens put on to require a one-hour training before purchasing one of these items. This legislation enjoys the support of a unusual coalition including the Illinois State Police, the Illinois State Rifle Association, and the Illinois Coalition(sic-Council) Against Handgun Violence. Tasers have recently come under increased scrutiny. They are powerful tools that can make their targets incapable of normal functioning. We need to assure that those who obtain these have undergone a background check and waited at least 24 hours before purchase. These are reasonable restrictions and protections for obtaining a taser and I ask for your support."

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

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

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

59th Legislative Day

5/27/2005

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

Stephens: "Representative, your Bill calls for the.. before you can own a taser or stun gun, you need to have a FOI card, is that right?"

Nekritz: "That's correct."

Stephens: "You have to go through an hour's training?"

Nekritz: "Yes."

Stephens: "If you use the taser in a commission of a crime, does your Bill address that?"

Nekritz: "No, it does not."

Stephens: "Okay. Representative, is it currently the law that you're allowed to carry a taser?"

Nekritz: "There... there... well, depends on what you mean by carry. You're allowed to, I believe, own one. Allowed to have it in your home or your place of business and in a vehicle if it is inaccessible or broken down."

Stephens: "Okay. A..."

Nekritz: "Which would be the same as for a firearm."

Stephens: "I... I agree that tasers and stun guns should be... we should... we need to know who has them. You shouldn't be able to have one if you have a criminal background. If you don't qualify for an FOI card, I believe you shouldn't have to own one and your Bill will accomplish that. I'm very much for that. We talked about this at... at length. And the one thing that we know that current law, you cannot do, you can't carry a stun gun or a taser on your person for self defense. If this Bill passes, that's still true isn't it?"



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

59th Legislative Day

5/27/2005

Nekritz: "That is still true."

Stephens: "A lot of us believe that a stun gun or a taser is a perfect nonlethal, very effective method of self defense. Do you agree with that?"

Nekritz: "Well, Representative I... I believe that there are... there are a lot of studies going on about that right now. And I think... and I believe we would need a little bit more study of that before we would co... draw that conclusion completely."

Stephens: "Well, we... we've got a lot of research available and... and we found that there's... nowhere can we find that there's actually been a death caused by taser. There are taser-related deaths because but... but the leading problem with tasers that has been identified is that some people seem to suffer from post traumatic stress syndrome after they've been stressed out by a taser. But in fact, what happens with a taser, is it's a great way to stop someone from harming you without killing them. And that's something that I believe very strongly in. Talking with you and with the Senate Sponsor of this Bill, we talked about the fact that maybe next year we could try to agree that it might be a good public policy if we could establish that they are nonlethal, that they are safe and effective means of defense that we would like to consider at least bringing that debate to the House Floor. I'm in the position right now to say that I'm very much for that. I believe that you should be able to conceal and carry a taser or a stun gun for the purposes of self defense. And

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

59th Legislative Day

5/27/2005

so, next year, we'll be coming back and maybe amending this part of the statute. I rise in support of your legislation with that in mind and I think you've got a good Bill. Thank you."

Nekritz: "Thank you, Representative."

Speaker Lyons, J.: "Mr. Black. The Chair recognizes the a Gentleman from Vermilion, the light is on. Any further discussion? Seeing none, the question is, 'Should Senate Bill 1962 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 115 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 6 of the Calendar, Representative Schmitz has Senate Bill 2038. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2038, a Bill for an Act concerning property. Third Reading of this Senate Bill."

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

Schmitz: "Thank you, Mr. Speaker. We adopted Amendment #1 in committee."

Speaker Lyons, J.: "Mr. Clerk."

Clerk Mahoney: "Floor Amendment #2 was referred to the Rules Committee."

Speaker Lyons, J.: "We'll take the Bill out of the record. Mr. Clerk, what's the status of Senate Bill 2038?"

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

59th Legislative Day

5/27/2005

Clerk Mahoney: "Senate Bill 2038's on the Order of Third Reading."

Speaker Lyons, J.: "Request from the Sponsor, move that Bill back to Second Reading. Mr. Clerk, on page 6 of the Calendar, Representative Brandon Phelps has Senate Bill 2104. Out of the record. 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 27, 2005, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #3 to House Bill 506; Amendment #2 to Senate Bill 1446; Amendment #2 to Senate Bill 2038. On the Order of Concurrence, a Motion to Concur with Senate Amendment #1 to House Bill 788, a Motion to Concur with Senate Amendment #1 to House Bill 1173, and a Motion to Concur with Senate Amendment #1 to House Bill 1350."

Speaker Lyons, J.: "Mr. Clerk, Representative Schmitz has Senate Bill 2038 on Second Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2038 has been read a second time, previously. Amendment #1 was approved in Committee. Floor Amendment #2, offered by Representative Schmitz, has been approved for consideration."

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

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

59th Legislative Day

5/27/2005

Schmitz: "Thank you, Mr. Speaker. An agreement we made with the Executive Committee and a your staff was that we would have... this Amendment has a reverter clause in it which ties into Amendment 1, which we just passed a little bit ago."

Speaker Lyons, J.: "Motion is to amend... adopt Amendment #2 to Senate Bill 2038. Any discussion? Seeing none, the question is... All those in favor vote 'yes'; those opposed say 'no'. The opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2038, a Bill for an Act concerning property. Third Reading of this Senate Bill."

Speaker Lyons, J.: "Representative Schmitz."

Schmitz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill deals with two land transfers in my district, which there is no opposition to from the Department of Corrections to the City of St. Charles and to the school district of St. Charles. It creates or... it corrects a little problem we had a couple of years ago when we did do this land transfer, these little strips of land were left out. It also deals with two provisions on land over in Elgin that have some clauses relating to them that restricts some development. We're removing those clauses to allow the development to occur and the property's being transferred over to another location with that clause

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

59th Legislative Day

5/27/2005

following it, if that made any sense. So, I'd be happy to answer any questions."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 2038? Seeing none, the question is, 'Should Senate Bill 2038 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes', 3 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Senate Bill-Second Readings, on page 8 is Senate Bill 506. Representative Hoffman."

Clerk Mahoney: "Senate Bill 506 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Hoffman, has been approved for consideration."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Madison, Representative Jay Hoffman."

Hoffman: "Out of the record, I have to ask the Chair."

Speaker Lyons, J.: "Mr. Clerk, take this Bill out of the record. On the Order of Senate Bill-Second Reading, on page 9 of the Calendar, Representative Julie Hamos has Senate Bill 1446. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1446 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Hamos, has been approved for consideration."

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

59th Legislative Day

5/27/2005

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

Hamos: "Thank you. Ladies and Gentlemen, this... the underlying Bill is about what's called a QILDRO which is a certain kind of... a divisions of pensions in a domestic relations plan. This Floor Amendment is purely technical and it is being introduced at the request of several of the pension systems. And that's all this does. I know we'll be getting to the underlying Bill."

Speaker Lyons, J.: "Any discussion on Floor Amendment #2? The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

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

Black: "Representative, I always get nervous when I hear someone say its merely a technical Amendment. You weren't here at the time, but there was a Member in this chamber that got up one day and said, 'The Amendment is purely technical.' Someone said, 'Well, what does it do?' He said, 'Well, it's just a technical Amendment.' What does it do? Anywhere in the Bill where the word million appears it changes it to billion. I suppose one could say that was a technical Amendment. What does your technical Amendment do? The... the Amendment."

Hamos: "I am literally told that all this technical Amendment does is to change some words within the underlying Bill to make them con... internally consistent. That's what I have

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

59th Legislative Day

5/27/2005

been told. That the pension systems requested to secure their support."

Black: "What... what pension system requested that?"

Hamos: "This... the underlying Bill, Representative Black, has to do with the domestic relations orders related to public pension. And so, we have been working literally with all of the public pension systems to make sure that any of their concerns were addressed. And that's what the underlying Bill does. And apparently, after we got the underlying Bill introduced they found some... just some problems with language. And I'm told that that's all this does is to make it internally consistent."

Black: "So it... it could conceivably change million to billion?"

Hamos: "It really does not do that, I promise."

Black: "Oh. I see. Well, Representative, I always get suspicious when you tell me that you have been told. I don't think very many people tell you anything. It usually works the other way. So..."

Hamos: "I concede that."

Black: "I will... well, I'll take a look at the Amendment. Are you gonna run this on Third immediately? I mean, that's up to you. I'm just trying figure out what words have been changed."

Hamos: "Okay. And Representative, again, I was told that there were language changes. Apparently, they were LRB errors that they're correcting."

Black: "No... no... LRB errors. Are you sure it wasn't staff error?"

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

59th Legislative Day

5/27/2005

Hamos: "And actually, to those... to those people who serve on Civil Judiciary Committee where this Bill went, the pension systems were there in Judiciary Committee..."

Black: "Okay."

Hamos: "...and they stepped forward and said that the LRB version did not conform to what the agreement had been. And that we were going to come in with a technical Amendment and that is what this is."

Black: "Was it all... all five of the public pension systems or just one of them or...?"

Hamos: "Yeah. Nick Yelverton with TRS is the one who is with us that particular day, but we have been working closely with the pension..."

Black: "Okay. All right."

Hamos: "...systems, local pension systems, as well."

Black: "Thank you very much. I... Thank you, Mr. Speaker. To the Amendment."

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

Black: "It's now very clear. I don't know what technical changes have been made to the Bill. I don't know what the language is and I'm not sure who made the mistake. Other than that, the Amendment seems to be in order."

Speaker Lyons, J.: "No one seeking further discussion? The Motion is, 'Should Floor Amendment 2 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 is adopted. Anything further, Mr. Clerk?"



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

59th Legislative Day

5/27/2005

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

Speaker Lyons, J.: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1446, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

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

Hamos: "Ladies and Gentlemen, this is... this is... this has to do with this QILDRO. Now when parties are divorced a QILDRO is completed. We've had a QILDRO available as I understand for 10 years or so. The QILDRO is used in both private pension systems as well as public pension systems. This particular Bill deals only with the public pension systems. What this Bill is trying to do is to allow divorcing parties to use percentage distribution of the retirement by filling out one of these QILDROs. Right now, they have to go through a lot of trouble to bring in actuaries and to estimate what the... the benefit will be some day when the divorcing parties retire. But this particular Bill will allow them to set that by percentage. We have worked with the public pension systems to make sure that there will be no interruption of their... of their services or their programs when this happens. And that's why it did take a couple of years to figure this out. At this point, all of the public pension systems, both state systems and local systems, are supportive of this approach and I seek your support."

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

59th Legislative Day

5/27/2005

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

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

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

Bradley, J.: "I rise in support of this legislation. There have been difficulties in dealing with the qualified domestic relation orders in the State of Illinois for many years. And what this Bill does is it allows people, attorneys, persons that unfortunately are involved in a divorce and they have a pension involving the state, to have a more reasonable means of dealing with that pension. Currently, under the state, there's a lot of guesswork. Trying to determine numbers that haven't taken place yet. And this would allow for percentages, this would allow for more flexibility and provide for more equity in the divorce system. And I really think that this is a good piece of legislation. I support the Sponsor's position on this. And I really think it behooves all of us to vote for this and give this an 'aye' vote. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Madison, Representative Dan Beiser."

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

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

Beiser: "For 16 years I was a member of a police and fire pension boards. And we ex... we experienced this problem quite often. And it does cause a lot of heartache and it causes a lot of unneed problems for those that are involved

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

59th Legislative Day

5/27/2005

in this. So, I rise in support of this Bill, also. Thank you."

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

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

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

Black: "Representative, I'm trying to follow along with the previous speakers. And I'm... I'm not sure I follow what they're saying. Currently, a QILDRO will specify a dollar amount that is to be paid to the former spouse. A hundred dollars, five hundred dollars, a thousand dollars, whatever it is. Your Bill as amended will allow the QILDRO to specify a percentage payable to the former spouse. Furthermore, the calculations on this percentage shall be provided to the retirement system via a new QILDRO calculation court order. But it says that the retirement system is not obligated to review the calculation for accuracy and it cannot reject any calculation order if it believes the calculation is inaccurate. And the retirement system shall not be held responsible if the calculation proves to be inaccurate or not in accordance with the terms of the divorce agreement. It seems to me that this will open up more difficulties, more litigation, rather than the current standard of a dollar amount."

Hamos: "Representative Black, I'm... I'm glad you're bringing this up because, actually, I think this was a very significant part of the negotiation. We... nobody wanted to

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

59th Legislative Day

5/27/2005

make the pension boards themselves responsible for what divorcing parties are trying to do and trying to agree to. So, this places... this Bill places the burden entirely on the lawyers or the parties themselves in determining the dollar amount at the time that there is a retirement. So what... what happens then is that when the divorced parties receive benefit amount information, right before one of them is ready to retire, then the parties themselves, not the retirement systems, must calculate the dollar amount of the benefit to be paid. And the... the pension boards are not liable for what that dollar amount is. The parties themselves have to... have to end it with the judge... judging... the judge's approval have to convert that percentage into the dollar amount at the time of retirement."

Black: "But the language confuses me because if it's given to the retirement board or the system and if they see that the calculation has not been done correctly, they cannot correct it nor can they reject that calculation order. And... and they're held harmless, so there's no... there's no reason for them to do so. Well, I assume then if it's not correct and the amount is much less than the parties thought, then would the attorney be liable for errors and omission suits?"

Hamos: "Well, the attorneys will be ultimately liable. That is correct. Ya know, if... we... we believe, Representative Black, that actually this Bill will produce more accuracy than the current situation. Right now, the parties might be 35 years old. They're taking sort of a guesstimate of

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

59th Legislative Day

5/27/2005

how much the benefit amount might be 30 years later, 25 years later. With this particular approach, if they select to use a percentage formula, to use the percentage approach, then at the time of retirement they will, in fact, have a more accurate statement of what they intended in the first place. But it is important for me to establish, based on your questioning and I'm... I'm establishing this by legislative intent, that the retirement system itself is... has no responsibility for the consequences of implementing the calculation order that is inaccurate. It is up... they have no obligation to check or verify the accuracy of the numbers. It is up to the parties themselves. And certainly if they say that the benefit amount is going to be, ya know, \$462 but it turns out to be \$468, they are not held liable for making up the difference."

Black: "I... I guess that begs the question then, since they... that the retirement system really has no ultimate responsibility. Why... why does that calculation even go to them?"

Hamos: "I'm sorry?"

Black: "I mean, why... why would you send that... that court order... calculation court order to the retirement system? They... they really can't do anything about it."

Hamos: "As I understand..."

Black: "They can't point out an error and they're not responsible."

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

59th Legislative Day

5/27/2005

Hamos: "Well, as I understand it, what we're sending to the pension systems in the first place is..."

Speaker Lyons, J.: "Mr. Black, your time has expired. We'll give you another minute to follow up on the question."

Black: "If... if you would just let her answer that... she was in the middle of her answer."

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

Black: "If she'd just complete it, that's fine."

Hamos: "Thank you. As I understand it, what we're sending to the pension systems in the first place is just that percentage order. What happens next is that 60 days prior to the benefit commencement date, so that's now upon retirement, that's when we come back to the retirement system and ask them to calculate the actual number. So, they might have the percentage order 20 years before, but now they are actually calculating closer to the retirement what the actual number is."

Black: "All right. Representative, thank you very much. My time is up and I hope, well... I need to talk to Nick Yelverton. I... I'd like to get him on the phone right now. So, I'll ask one of my colleagues to a keep you occupied until I can talk to Mr. Yelverton."

Speaker Lyons, J.: "The Chair recognizes the Lady from Kane, Representative Pat Lindner."

Lindner: "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

59th Legislative Day

5/27/2005

Lindner: "Yes, Representative, this is going to be in a court order, is that correct?"

Hamos: "An in... an in court order?"

Lindner: "It..."

Hamos: "This is... this is part of the divorce decree."

Lindner: "It's part of the divorce and it's in a court order so it is not only reviewed... been reviewed by lawyers on each side, but also approved by a judge, is that correct?"

Hamos: "That is correct."

Lindner: "And normally, lawyers who represent people in divorce, if they don't do pension calculations they get somebody, an expert to do that so that these are more correct than not."

Hamos: "They... they have to bring in experts and I understand that these are costly and at the... the best... in the best of situations they're somewhat guesses, estimates for years later."

Lindner: "And it would be impossible for the state pension system to actually review every divorce decree because they are not privy to all of the other items in the divorce and this is part of the whole divorce settlement."

Hamos: "So, in the case... Yes. But in the case of... of a state system, for example, the Department of Insurance actually signs off on the... the decrees for some of our state members."

Lindner: "Yes. To the Bill. It's a very good Bill. It's supported by the Illinois State Bar and the Chicago Bar. I did family law before, QILDROs are a very confusing thing,

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

59th Legislative Day

5/27/2005

so many women got shafted at the end of the divorces because they did not get part of a pension. And this is a very good Bill. I'm glad that the Sponsor has worked on it and worked this out and I think we all oughta vote 'aye' on this Bill."

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

Hamos: "Thank you. I think that we've had a good discussion. I appreciate that. I think we've also established some legislative intent actually that the retirement systems wanted to make sure... what... what were considered. It is important to note that this is not only supported by the Bar Associations but we have spent this spring in working with the retirement systems. They've all signed off on this. And they've also made... the Chicago Bar Association has also made a promise that they will not come back for another 5 years to make any changes in the QILDRO law. So, I seek your 'aye' vote."

Speaker Lyons, J.: "The question is, 'Should Senate Bill 1446 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? Wyvetter Younge, Wyvetter, to be recorded. Representative Washington. Representative Younge. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 9 of the Calendar, Representative Jay Hoffman has Senate Bill 506. Read the Bill, Mr. Clerk. On



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

59th Legislative Day

5/27/2005

page 8 of the Calendar, Mr. Clerk. I'm sorry. Page 8 of the Calendar, Senate Bill 506."

Clerk Mahoney: "Senate Bill 506 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Hoffman, has been approved for consideration."

Speaker Lyons, J.: "Recognize the Gentleman from Madison, Representative Jay Hoffman."

Hoffman: "Yes. House Amendment #2 is a technical Amendment that would indicate that hospitals would be the ones required to report the births, the number of viewings of shaken baby multimedia educational materials and the number of Shaken Baby Prevention Program participant forms signed at the hospital. I would ask that it be... be adopted. Individuals who have had concerns about this Bill, their concerns are taken care of in the next Amendment, Amendment #3, which deletes the provisions that they had concerns about."

Speaker Lyons, J.: "Is there any discussion on Floor Amendment #2? The Chair recognizes the Lady from DuPage, Representative Patti Bellock."

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

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

Bellock: "I just wanted to say thank you to Representative Hoffman for removing that opposition from the people who had actually sponsored the Bill because they were concerned about that and we thank you for helping them."

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

59th Legislative Day

5/27/2005

Hoffman: "Thank you."

Speaker Lyons, J.: "Seeing no further discussion, the Motion is 'Should Floor Amendment 2 to Senate Bill 506 be adopted?' All those in favor say 'yes'; all those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Senate Amend... Floor Amendment #2 is adopted. Anything else, Mr. Clerk?"

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

Speaker Lyons, J.: "Representative Hoffman."

Hoffman: "Yes. Floor Amendment #3 addresses the issues that Representative Bellock indicated. There was some opposition. This removes the provisions that the individuals were opposed to. So there are no criminal penalties any longer in this Bill."

Speaker Lyons, J.: "Any discussion on Floor Amendment #3? Seeing none, the Motion is, 'Should Floor Amendment #3 be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. Amendment #3 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 506, a Bill for an Act concerning children. Third Reading of this Senate Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, this would create the Shaken Baby Prevention Act which was modeled after existing laws in California, Ohio,

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

59th Legislative Day

5/27/2005

and New York and similar laws include Florida, Pennsylvania, Texas, Utah, Maryland, and Missouri and would require the Department of Public Health, subject to appropriations, to create statewide Shaken Baby Prevention Program to educate parents and primary caregivers about the dangers of shaken baby syndrome. And also, to offer alternative methods of venting anger and frustration. As I indicated in the... on Second Reading, we've removed opposition to the Bill by removing the criminal penalties and this simply requires that hospitals, local health care departments assist in the implementing and administration of this program. And I would ask for a favorable Roll Call."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 506? Seeing none, the question is, 'Should Senate Bill 506 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Colvin, do you wish to be recorded? 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. The Chair recognizes the Lady from Cook, Representative Toni Berrios, for what reason do you seek recognition, Representative?"

Berrios: "Point of personal privilege."

Speaker Lyons, J.: "Please proceed."

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

59th Legislative Day

5/27/2005

Berrios: "I would like to ask the General Assembly to help me welcome the students from Hbgan Elementary School who are up in the gallery. They're not in my district but I know the teacher, James Lopez. Thank you for coming down."

Speaker Lyons, J.: "Welcome Hogan School. Good to have you in Springfield. Representative Washington. Mr. Clerk, on page 15 of the Calendar, Representative Washington has House Bill 1195. 1195. Wanna make your Motion, Mr. Washington? The Chair recognizes the Gentleman from Lake, Representative Eddie Washington."

Washington: "Mr. Speaker, I move for nonconcurrency."

Speaker Lyons, J.: "The Gentleman moves to nonconcur with Senate Amendment #2 to House Bill 1195. All those in favor signify by saying 'yes'; those opposed say 'no'. Opinion of the Chair, the 'ayes' have it. And Senate Amendment #2 is the status of nonconcurrency. Representative Joyce on House Bill 2531, you wish to make a Motion? The Chair recognizes the Gentleman from Cook, Representative Joyce."

Joyce: "Thank you, Mr. Speaker and Ladies and Gentlemen. I move to nonconcur on Senate Amendment #2 to Hous... House Bill 2531."

Speaker Lyons, J.: "The Gentleman makes a Motion to Nonconcur with Senate Amendment #2 to House Bill 2531. All those in favor signify by saying 'yes'; those opposed vote 'no'. In the opinion of the Chair, the 'ayes' have it. And Senate Amendment #2 to Sen... to House Bill 2531... Any further Motions on House Bill 2531, Mr. Clerk? Mr. Clerk, House Bill 2531, anything further?"

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

59th Legislative Day

5/27/2005

Clerk Mahoney: "A Motion to Concur with Senate Amendments 3, 4, 5, and 6 is in order."

Speaker Lyons, J.: "Representative Joyce."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd move to concur with Senate Amendments #s 3, 4, 5 and 6. These Amendments taken all together allow the... allow the state and... First of all, the original Bill dealt with background checks for nursing homes. Also extended this... with the Amendments, extends it to do fingerprinting. There is a... a \$10 fee in this Bill for the State Police to recover the costs of the fingerprinting process in exchange for what they have to... they have to exchange files with the FBI because the State Police file only deals with the State of Illinois background checks. The FBI has the... entire country. I'd be happy to answer any questions."

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

Parke: "Thank you, Mr. Speaker. Just one quick thing on... with all these Amendments and everything, have you taken away all of the concern of any opposition?"

Joyce: "We have. There is no one opposed to this."

Parke: "No one's opposed now?"

Joyce: "Yes."

Parke: "Good work."

Joyce: "Thank you."

Parke: "Thank you."

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

59th Legislative Day

5/27/2005

Speaker Lyons, J.: "The question is, 'Shall the House concur with Senate Amendments #3, 4, 5, and 6 to House Bill 2531?' The Chair recognizes Rep... Representative Parke."

Parke: "Mr. Speaker, I'm sorry for... I need your indulgence. Could you tell us exactly what we're voting on? There's confusion on what... what the Sponsor's asking."

Speaker Lyons, J.: "Certainly, Representative. We are... mor... mor... the Motion is to concur with Senate Amendments 3, 4, 5 and 6."

Parke: "So, it's a concurrent Motion. What happened to 1 and 2?"

Speaker Lyons, J.: "We just moved previous to this to nonconcur with Senate Amendment #2."

Parke: "Okay. Thank you very much."

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

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

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

Bellock: "Sponsor yield. We had this in Human Service today and we voted on 3, 4, 5 and 6, but I don't remember did the noncon... are you nonconcurring with Amendment #2?"

Joyce: "I nonconcurred with Amendment #2 and nonconcurrence don't go to committee, they go straight to the floor, Representative."

Bellock: "Number 2 further defines the selected health care employer. So what is exactly that your disagreeing with?"

Joyce: "Number 2 we nonconcurred with. So, #2 is not part of the Bill."

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

59th Legislative Day

5/27/2005

Bellock: "Okay. I thought it was #2 that clarified that it was going to serve all health care workers not just direct health care workers."

Joyce: "No. Actually, it was number... #3, #2 was technically incorrect. And that's why it was ta... Senate number... it had references to Senate Amendment #1."

Bellock: "Okay."

Joyce: "And that's... and that's why..."

Bellock: "So we just want..."

Joyce: "That's why there was 3, 4, 5, and 6."

Bellock: "Okay. So, we're just gonna clarify that what the Bill does is that all health care workers in long-term care facilities will have FBI background checks done on them. Correct?"

Joyce: "That's Correct. That's correct."

Bellock: "Thank you."

Joyce: "Thank you."

Speaker Lyons, J.: "And on that question, 'Shall the House concur in Senate Amendments 3... The Chair recognizes the Lady from Cook, Representative Coulson, Beth Coulson."

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

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

Coulson: "That last comment that all health care providers will have to have checks. That's slightly not accurate, correct? I wanna clarify in committee..."

Joyce: "Sure."

Coulson: "...we talked about physicians being excepted and also that if... if other licensed health care providers have

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

59th Legislative Day

5/27/2005

already had a background check they would not have to go through this every time they go to a new nursing home. Correct?"

Joyce: "That... that's correct, Representative. As we talked in committee, its my intention should this Bill... should these Amendments be concurrent with... concurred with that I will send a letter along with the Bill to the Governor expressing the committee's concern that anyone that is already covered doing a background check that is cer... currently licensed by the Department of Professional Regulation will then... be exempt from these additional requirements."

Coulson: "Okay. To the Bill."

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

Coulson: "I think that this is an excellent Bill and we need to make sure we protect seniors. But we also need to make sure were not requiring health care providers to have multiple background checks just because they go to multiple different sites. And I believe the Sponsor has said that he will do that and I urge an 'aye' vote. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from DeKalb, Representative Bob Pritchard."

Pritchard: "Yes, Mr. Speaker. Will the Sponsor yield?"

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

Pritchard: "Yes, Mr... Representative Joyce, could you clarify a little bit more what's required in this background check? Does that also include fingerprinting?"

Joyce: "Fingerprinting is required."



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

59th Legislative Day

5/27/2005

Pritchard: "Pardon?"

Joyce: "Fingerprinting will be required. Fingerpri... printed background check will be required."

Pritchard: "And... and how will the nursing home or other long care facility acquire these fingerprints?"

Joyce: "Through the State Police."

Pritchard: "So... but they have to fingerprint the employee, correct?"

Joyce: "That's correct."

Pritchard: "So, we had a similar situation where teachers had to be fingerprinted or people that worked in schools and we found out no one had the fingerprinting equipment in an area that was convenient for the facilities. Do we know that that's going to be convenient for the nursing homes and facilities to fingerprint their employees?"

Joyce: "That's the purpose of the \$10 fee for the State Police to recover those costs. Because their going to be doing... that equipment will be provided and have to be bought by the State Police."

Pritchard: "So, do we know what the financial obligation's going to be for the State Police to acquire this for all of the nursing homes in the State of Illinois?"

Joyce: "The Amend... the Amendments that were put on in the Senate were from the State Police."

Pritchard: "But we don't have any fiscal note that says what this impact is going to be."

Joyce: "No, they weren't filed, Sir."

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

59th Legislative Day

5/27/2005

Pritchard: "You mentioned something about a \$10 fee or reimbursement for that fingerprints, is that correct?"

Joyce: "That's... that's for the State Police Fund, yes."

Pritchard: "So, the nursing home would pay \$10 per fingerprint?"

Joyce: "For a prospective... for a prospective employees."

Pritchard: "And do we know if that's the cost of these fingerprints or is that just a..."

Joyce: "That's the numbers I got from... that the State Police asked to be put in there for their costs to go further and to the FBI."

Pritchard: "Again, I would refer to our educational experience where, I believe, school districts are being charged \$50 for fingerprints. So, is... is one fee right and the other fee kind of inflated to help somebody's retirement fund or what?"

Joyce: "I guess or what? Because \$10 is the fee that the State Police asked to be put into the Bill and it's their cost."

Pritchard: "So, I think we maybe would be better served in going back to the State Police on what they're charging our educational institutions."

Joyce: "I don't think that's germane to this particular issue."

Pritchard: "Thank you, Mr. Speaker."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from DuPage, Representative Roger Jenisch."

Jenisch: "Thank you, Mr. Speaker. Just to... to the Bill."

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

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

59th Legislative Day

5/27/2005

Jenisch: "Representative, we talked in committee this morning that this was an important Bill that goes a long way to correct and make our seniors safe in our nursing homes and assisted living facilities. This morning in committee, though, you agreed that you would either look at notifying the Governor to change some language to exclude all health care professionals who are already fingerprinted and licensed, and in addition you would maybe look at a trailer Bill for Veto Session or next spring that would clarify contractors coming in to do work and issues of that nature. So with that, I... I support this Bill. Thank you."

Speaker Lyons, J.: "Seeing no further discussion, the question is, 'Shall the House concur in Senate Amendments 3, 4, 5, and 6 to House Bill 2531?' 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 Daniels. Jerry Mitchell. Representative Soto, wanna be recorded? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. The House does concur in Senate Amendments 3, 4, 5, and 6 to House Bill 2531. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Joyce, on page 12 of the Calendar is House Bill 350. The Chair recognizes the Gentleman from Cook, Representative Joyce for a Motion."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to nonconcur with Senate Amendment #6 to

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

59th Legislative Day

5/27/2005

House Bill 350. This Amendment was too broad and spoke to the Republican staff. Created an exemption for... that was too broad and too wide open in dealing with sex offenders in proximity to schools. So, I move to nonconcur. I would be happy to answer any questions."

Speaker Lyons, J.: "Representative Joyce makes the Motion to Nonconcur with Senate Amendment #6. All those in favor signify by saying 'yes'; those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. The House does nonconcur with Senate Amendment #6. Representative Joyce, further Motion? Mr. Clerk."

Clerk Mahoney: "A Motion to Concur with Senate Amendment #1 is in order."

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

Joyce: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment... Senate Amendment #1 to House Bill 350 is a result of... of a commitment that was made here in the House to address some issues on licensing of transitional facilities that house sex offenders. In addition to, including some facilities that ho... that house youths that are sex offenders. I think in a couple different Members' districts DCFS has some facilities and DHS has some facilities, so the exemption is in place for transitional housing facilities and the four main points that are covered are 24/7 security at these facilities, a notification to the community in which they are located at these facilities, a maximum of a 90-day stay for any

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

59th Legislative Day

5/27/2005

offender that is put there from the Department of Corrections, any extension of that would be have to be with direct consent from the director of the Department of Corrections and the fourth is that each one of these offenders has a counseling program that is accessible to their parole officers. I'd be happy to answer any questions. Again, I move to concur."

Speaker Lyons, J.: "Is there any questions on the Motion to Concur with Senate Amendment #1? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to Senate Bill... should the House concur with Senate Amendment #1 to House Bill 350?' 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 Verschoore, do you wanna be recorded? Pat Verschoore. Representative Patterson, be recorded? Representative Granberg, 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'. And the House moves to concur in Senate Amendment #1 to House Bill 350. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 5 of the Calendar, on Senate Bills-Third Reading, is Senate Bill 431. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 431, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

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

59th Legislative Day

5/27/2005

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

Hamos: "Thank you, Speaker, Ladies and Gentlemen. This is the Governor's IRID Bill which stands for Illinois Removes Illegal Dumps. And to introduce this Bill to you I'd like to read from a statement by the Sierra Club which I just received. It says, 'Governor Blagojevich's proposal to crack down on illegal dumping in Illinois would close a long-standing loophole in our environmental laws by giving the Illinois EPA the authority it needs to act swiftly and thoroughly to protect citizens from open dumps. Unfortunately, some businesses and individuals choose to cut corners by dumping dangerous waste wherever they can, putting neighbors at risk. These illegal junk piles can be eyesores for communities or even deadly threats to children and others who may encounter the waste.' Now, Ladies and Gentlemen, this Bill creates a regulatory structure for a clean construction and demolition debris fills. That is what it does. It is an all... long overdue and needed regulation of these dumps. Some of us remember the days when the Operation Silver Shovel created illegal dumps that could not be dealt with. And part of the problem is, that the first problem, of course, is that the owners of these sites pay no tipping fees to the state and they're making millions of dollars with no guarantee that there will ever be dollars for cleanup. Secondly, they are typically located in some of the poorest communities in the entire state. When the Illinois EPA has attempted to shut down

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

59th Legislative Day

5/27/2005

these illegal operations in the past, the agency has been told by the court that such operations do not meet the necessary threshold of an emergency under the current statute. So that is one of the changes in this Bill. It will, in fact, create... will allow Illinois EPA to issue an order to seal sites where an imminent and substantial endangerment exists to public health. Secondly, it will allow... it will require that clean construction or demolition debris that are... that it fills receive interim authorization from the Illinois EPA right after we pass this Bill and then to actually obtain a permit. That in a nutshell is what this Bill is about. And I am available for any questions."

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

Fritchey: "All right. Thank you, Speaker. Initially... I mean, inquiry of the Clerk. There was a fiscal note requested on this Bill. The status does not show that it was filed."

Speaker Lyons, J.: "Mr. Clerk."

Clerk Mahoney: "The fiscal note has been filed. And a fiscal note has been filed on House Amendment #10 as well."

Fritchey: "Well, I would... I would note for the record that, as the person that filed that fiscal note, as of 7:00 last night it had not been received in my office and it's not shown now as having been filed on the system."

Speaker Lyons, J.: "It's been received, Representative, and is on the Calendar."

Fritchey: "All right. Will the Sponsor yield?"

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

59th Legislative Day

5/27/2005

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

Fritchey: "Representative, I believe that this is a well-intentioned Bill in substance, but there's some interesting provisions in here that I'd like to discuss with you. Page 13, going into page 14 of the Bill, has a conflict of interest provision, are you aware of that?"

Hamos: "Yes."

Fritchey: "And it has to deal in part with conflicts of interest based on relatives of individuals that may own or have any interest in a waste disposal operation in this state. Is that correct?"

Hamos: "Yes."

Fritchey: "Do we have a similar conflict of interest provision for any other regulated industry in Illinois?"

Hamos: "I'm told that this is the strongest such conflict of interest provision. But what we're talking about here are waste disposal in other clean construction debris fills that are potentially dangerous and are highly regulated. So it's appropriate to have a stronger conflict of interest provision."

Fritchey: "But there are a number of public safety institutions and businesses that are regulated in this state. Correct?"

Hamos: "I... I... yes, I'm sure."

Fritchey: "Do we have this provision for any other regulated industry in Illinois?"

Hamos: "I'm told that we do not."



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

59th Legislative Day

5/27/2005

Fritchey: "Why is it that there's an initiative by the Governor to have a conflict of interest provision based on family members solely for dump sites and landfills?"

Hamos: "Well, again, the con... we have conflict of interest provisions in place, this is stronger and it might, in fact, be the beginning of stronger conflict of interest rules in Illinois. The Ethics Law that the Governor is proposing currently has strong conflict of interest provisions as well. So this is a new way to think about conflict of interest. It might be stronger than others in place, but it's a beginning of looking at this in a new way."

Fritchey: "What is the rationale for extending the conflict of interest provision to family members, specifically fathers, mothers, sons, daughters, brothers, sisters, uncles, aunts, husbands, wives, father-in-laws and mother-in-laws? Why is it and what is it about landfills that want us to regulate and prohibit these relations where we don't seek to do it for any other industry in the State of Illinois. Is there a compelling interest here specific to this business?"

Hamos: "Well, I don't... ya know, Representative Fritchey, again, I... let me just say that this a conflict of interest provision that is stronger. And it deals with potentially dangerous... but in addition to that highly regulated industries and removing even the appearance of a conflict is good government. So, this has to do with the staff, the Governor, the Attorney General, director of EPA, chairman of Pollution Control Board and the members of the Pollution

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

59th Legislative Day

5/27/2005

Control Board or their staffs while they are the people who regulate these industries. And what this Bill says is that there should be no financial interests in the very same industries that they are regulating. So it's not inappropriate to do this. It is stronger than we've seen before, but it is appropriate."

Fritchey: "But for the record, is there any compelling interest specific to landfills that require us to have this conflict of interest that exists nowhere else in Illinois Statutes for any other regulated industry?"

Hamos: "Representative Fritchey, I... that standard does not apply here. We're not asserting that this is a compelling interest, we're saying that it is appropriate to remove the appearance of a conflict of interest in a highly regulated industry that is also potentially dangerous."

Speaker Lyons, J.: "Mr. Fritchey, your five minutes is over. We'll give you one more minute to complete your questions, please."

Fritchey: "Ladies and Gentlemen, this is a decent Bill in substance. We're being asked to take part in a family feud that has no business before this Bdy. There's a lot of more pressing issues facing this state. Do what you wanna do with this Bill, don't lose sight of what's going on here. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from McHenry, Representative Mike Tryon."

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

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

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

59th Legislative Day

5/27/2005

Tryon: "Thank you. Representative Hamos, I'm gonna follow some of the same line of questioning that Representative Fritchey brought forth. And... and... and I, too, don't understand why we have to have a special section in this particular Bill on conflict of interest when we have already the Prohibited Activities Act. And the Prohibited Activities Act spells exactly who can own what, how much they can own, and... and when a conflict occurs. This doesn't even explain when a conflict actually occurs. It says 'any family member' and it says that a brother can't own a landfill that the sister-in-law could. Could it not? If... if... if I was the Governor's brother, could my wife own the landfill?"

Hamos: "Yes. Yes."

Tryon: "Yes. So... so... so..."

Hamos: "Your wife could own the landfill."

Tryon: "...my wife could own the landfill and in the Prohibited Activities Act it includes spouses, goes into percent of ownership. So, let me ask you this. A direct interest in a... in... in this type of an operation could be as small as a one share of stock in a privately held company. Could it not?"

Hamos: "Okay. So, the term 'direct financial interest and personal financial benefit' does not include the ownership of publicly traded stock. So, that is not correct. But again, this Bill is... that one Section that you are pointing to Representative is one page of a 52-page Bill. The other 51 pages in this Bill have to do with providing a

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

59th Legislative Day

5/27/2005

regulatory framework for a... a... a dangerous industry that is creat... potentially dangerous, but certainly one that is creating illegal dumping throughout our state. The other 51 pages."

Tryon: "Okay. Well, Representative Hamos, I did not ask you about publicly traded corporations, I asked you about privately held corporations. If I have just one share in a privately held corporation..."

Hamos: "Oh."

Tryon: "...that would prohibit me and create a conflict and I could be subject to prosecution, correct?"

Hamos: "That is correct."

Tryon: "All right."

Hamos: "This is a stronger conflict of interest Bill than the other statute you referred to which allows you to have, I believe, 7 percent."

Tryon: "Okay. Well, let me ask you this question. In this Bill, what is wrong with just using the language from the Prohibited Activities Act?"

Hamos: "The prohibited... the Prohibited Activities Act allows you to have some portion of ownership in some of these regulated industries, up... I... I believe, up to 7 percent. So, what we are saying here is that you shouldn't have any interest in those regulated industries."

Tryon: "Unless it's your wife. Correct?"

Hamos: "Well, unless it's your wife."

Tryon: "Well, I see. I don't think my wife wants to own a landfill. But... Now, I have another question specific to

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

59th Legislative Day

5/27/2005

the Bill. Right now, we're talking about regulating clean fill land disposal activities. Correct?"

Hamos: "Yes."

Tryon: "And a we're not talking about regulating construction debris landfill activities. Correct?"

Hamos: "This... well, this is clean construction and demolition debris. The... what... I'm not sure what you asked me about."

Tryon: "Well, I'm specifically saying that construction debris and clean fill are two different terms."

Hamos: "If you're referring to general construction debris, that's already regulated under our current law. This is clean construction and demolition debris."

Tryon: "Okay. Then why are we treating... are we treating this more stringent than the other form of... of construction debris?"

Hamos: "No... no, right now, general... right now, general construction debris is already considered waste. The problem has been... and that's why I read from the Sierra Club's letter. This has been a gaping loophole in that you did not have to apply for a permit or be regulated, if you had a clean construction and demolition debris fill and this would create that kind of regulatory structure. So, we're creating something where nothing existed before."

Tryon: "Okay. Thank you, Representative Hamos. To the Bill, Mr. Speaker."

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

Tryon: "I, too, believe that there are some good parts to this Bill. Certainly, there is a loophole that needs to be

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

59th Legislative Day

5/27/2005

closed. I... I think there are a few things that still need to be addressed in just the environmental technicalities of the Bill. But I've gotta tell ya that I find it very offensive that we would start regulating a conflict of interest..."

Speaker Lyons, J.: "One more minute to conclude your remarks."

Tryon: "Okay. For specific officers of this state that's different from the way we regulate conflict of interest on the Prohibited Activities Act. I believe that it's an embarrassment to every General Assembly Member that would vote for this to let ourselves be engaged in a family feud. There's a place for this to be played out and it's not in the chamber of the General Assembly. And because of that, I can't support that. And I hope that that... that gets changed and this Bill comes back in a manner that I can support. But I'm not gonna cast my vote as part of a game between any officer of the State of Illinois and their family members and I find that rather offensive. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Jasper, Representative David Reis."

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

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

Reis: "Representative, this is a very long and complex Bill. And don't know how I am gonna vote on it yet. But I would like to bring some attention to the part that talks about the permitting of clean construction and demolition debris. And they're very specific in there about under the current

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

59th Legislative Day

5/27/2005

law clean construction demolition debris, primarily broken concrete and things of that nature. We're just concerned as farmers that we're exempt from this and I've been told by your staff and the attorneys that that's the case. And I just want to make sure that we're clarified that agricultural farmers are exempt from this... this language that you're presenting forward."

Hamos: "Thank you, Representative. Let me... let me reassure you that we have been in touch with both the Farm Bureau and the Pork Producers Association. We believe that we've alleviated their concerns. Nothing in this Bill would impact any person who disposes of clean construction or demolition debris on the site where it was generated. If you want to drop a barn or a old shed or an old house on your property or in your backyard, that's okay. Nothing in this Bill would limit or prohibit that. The only new permitting requirements would apply to quarries, mines, and excavations. And even with respect to these new requirements, any such debris generated on site, that is on your property would be exempt. So we think that we have alleviated their concerns, Representative."

Reis: "Okay. Thank you very much for that answer."

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

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

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

Franks: "I wanted to follow up on the questions of two of the previous speakers. Representative, I think this is a good

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

59th Legislative Day

5/27/2005

Bill except for the one part with the family feud, quite frankly. And what worries me, right now, what the Governor's trying to say is his father-in-law can't have any... Let's just... let's just be straight here. Let's just... let's talk about what's really happening here. He's saying his father-in-law can't have an interest in a landfill. But there's nothing in the law right now, is there, that would prohibit his father-in-law from owning part of a casino, is there?"

Hamos: "I'm not aware... I... I'm not sure I've... I've memorized all the conflict of interest rules. So, if you say so, Representative. I don't know."

Franks: "I... I'm... What I'm trying to get at is why are we... why are we engaging in this portion here? I think Representative Tryon was absolutely right when he was talking about we already have prohibited Acts. There's nothing for instance that would bar Dick Mell from having a bar in the City of Chicago or here in Springfield? Correct?"

Hamos: "Again, I... if you say so. That's probably true."

Franks: "Okay. I'm gonna go... I don't want to put you on the spot. I'm gonna go to the Bill, but I just... this really concerns me when we have this kind of family feud. And this is not something that we should be making larger here on the House Floor. I would've hoped that this portion would've been excised from the... from the final Bill. This is the type of thing that probably requires family counseling instead of putting it on the House Floor here.



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

59th Legislative Day

5/27/2005

And what concerns me is the Governor is pushing this Bill so hard instead of focusing on the other issues that concern State Government. I wish he would spend as much time on education funding reform. I wish the Governor would put his powers towards prescription drug reimportation. I wish the Governor would work on finding ways to fix our budget. And to be honest about it, instead this seems to be the centerpiece of where he wanted to go. This is the Governor's Bill here and if the Governor's Bill is, 'let's go get Dick Mell.' Now, that's really not what we're here for. The Bill has many merits. It's very unfortunate that we're being pulled in to this type of family situation. And I just wanted to make that for the record and hope that the Governor could get serious about governing and leave the petty, political bickering at home or better yet, just get over it."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from DuPage, Representative Jim Meyer."

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

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

Meyer: "Representative, in committee I asked you if... you would take... if you could take this part of the Bill out of... of... file an Amendment to take this out of the Bill. You responded to me 'no' you could not. Why was that?"

Hamos: "Representative Meyer, I... I'm a steward..."

Meyer: "Mr. Speaker, could I get some quiet in here?"

Speaker Lyons, J.: "Ladies and Gentlemen, the volume in here is very high and we have a discussion on a very serious Bill."

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

59th Legislative Day

5/27/2005

Could I please ask folks to lower their voices in discussion. Shhhhhh. Thank you."

Hamos: "Representative Meyer, we... first of all, we are voting these days and other days on a number of what we might term 'imperfect Bills.' We don't like necessarily every word in them..."

Meyer: "But why couldn't you take this out of the Bill?"

Hamos: "So... so, in this particular case it's a Senate Bill. We don't simply make alterations in Senate Bills. And in this particular case, the Senator who's Bill this is, did not want to have any Amendments dealing with that section and I respected her opinion..."

Meyer: "Thank you, Representative for your answer. To the Bill."

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

Meyer: "Ladies and Gentlemen of the House, we are being used as a pawn in a family feud and it's time that we see through the smoke screen here. All this does is present another amount of smoke for the Governor to hide behind while he dilly-dallies around with other problems the state should be facing. The... the wording in this Bill is flawed. It's been pointed out by others in ther... that've spoken so far. It prohibits a son from owning a share but not the daughter-in-law. It prohibits the daughter from owning a share but not a son-in-law. It's flawed language. It's been put out there for one reason and that is because of a family feud that's been aired in the Chicago Tribune and the Chicago Sun-Times. Representative, I... I count you as

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

59th Legislative Day

5/27/2005

one of the most honorable people down here. I think your legislation's normally very well thought out and very good. I think you make a big mistake, though, and you contribute to the insult of... to this Body being insulted by even having this legis... this... this wording before us on this floor for us to debate. You can see out of 50 some pages that this Bill is well received by this Body and yet we still hang up on this one. I would just ask you to take the Bill out of the record. Go back to the committee with an Amendment to take the... the Governor's wording out of this, because it is flawed, it's there for a smoke screen only. We all know it. There... there's a sham here. It's... it's been exposed, just do the right thing. Give us a piece of legislation that is extremely meaningful to the people of this state and stop dilly-dallying around with it. Thank you."

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

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

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

Lang: "Representative, I think you and I share a very serious concern about the environment and so there's a lot of strong measures in this Bill that you and I could always support and the Sierra Club and others that care about the environment would support, but I'm very concerned about this issue regarding conflict of interest. And so, I just wanna make sure I understand that while there are certain enumerated family members that cannot own any financial

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

59th Legislative Day

5/27/2005

interest, brothers and sister-in-laws still could, daughter-in-laws, son-in laws still could and cousins still could. So there are a lot of family members that still could own financial interests in these facilities, is that correct?"

Hamos: "Seemingly, that's true."

Lang: "Well, do you not feel that that's some kind of a flaw in the Bill? An aunt or an uncle can't, but their children can. Isn't this a flaw in the Bill?"

Hamos: "Well, I think that the way I would answer that, Representative, is that we have to start somewhere. This Bill starts somewhere. Maybe it goes further than a few people here would like. But really it's... it's a statement about conflict of interest dealing with direct relatives. It's a beginning."

Lang: "What about people that own shares of mutual funds and they don't necessarily know every company that a mutual fund has invested their money in? What do we say to those people?"

Hamos: "We think that the ownership of publicly traded stock exemption would cover that."

Lang: "Do you have a legal opinion that speaks to that issue?"

Hamos: "Well, we have no... it's in... it's actually written into the Bill. It says, 'the terms direct financial interest do not include the ownership of publicly traded stock.' And that's what mutual funds are."

Lang: "Well, so, if one of the enumerated family members who cannot own a financial interest happens to buy in the open

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

59th Legislative Day

5/27/2005

market 60 percent of one of these landfills then that would be exempt?"

Hamos: "If it's an open public market, then I guess that would be the case. Because publicly traded stock is not included in this."

Lang: "Well, what is the public policy issue that allows this Bill to exempt some kind of ownership but not other kind of ownership in the same facility?"

Hamos: "Well, the... I think the... the securities law already provides for quite a bit of transparency in some kind of ownership, the publicly traded stocks. So the transparency already exists in that situation."

Lang: "Well, I'm... I'm... its pretty loud in here. I'm not sure I heard the answer. But to the Bill."

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

Lang: "Mr. Speaker, I... I have a very strong record on the environment and if this section about family members was not in the Bill I would probably be voting for the Bill. But I... I think the Bill is poorly drafted. I think in the Governor's Office zeal to deal with a personal problem and a family dispute, they have tried to cloak this within other legislation that is good legislation, but in the process of doing so has written a section that doesn't fly very well. In fact, it may be stricken by a court at sometime. I do believe it might be unconstitutional to say that an aunt or an uncle can own shares in a landfill but their children, the cousins, cannot. Or that a daughter can but a daughter-in-law can't. Or a son can't but a

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

59th Legislative Day

5/27/2005

son-in-law can. This is illogical. And so, I would think that even those of us who share a strong concern for the environment and many of us do, would wanna be very clear that we don't wanna pass legislation that creates more problems than it solves. So, just for the record, this is not a Bill I can vote for in it's current form and I would suggest that the Bill go back to Second Reading for an Amendment."

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

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

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

Miller: "Representative Hamos, I noticed that the Village of Ford Heights is against this Bill. Do you understand why?"

Hamos: "Well, the Village of Ford Heights came to committee and the Committee of... of Energy & Environment had an hour and a half long debate and conversation about, I believe, eight or nine Amendments that were proposed by the for... by the village and rejected all of their Amendments. So I would suppose... most of them unanimously. Some of the Amendments did not even get a Motion. So, I suspect that's why they're against the Bill."

Miller: "Do you know the affects of this legislation would have on the Village of Ford Heights?"

Hamos: "No... no, I don't. I believe that the Village of Ford Heights, currently, has... it is the EPA's position... let's put it this way, not mine, but the EPA's position, that the Village of Ford Heights is building, I guess, a new

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

59th Legislative Day

5/27/2005

recreation facility and they already have what we would call a landfill. It's 80 feet high. And on that landfill that landfill currently requires a permit and the Village of Ford Heights has decided not to seek a permit from EPA. So, I think that's the dispute, but really it's 80 feet high already. This Bill deals with clean construction and debris fills at grade or below."

Miller: "But... but what you said is the fact that... that the issues in regards to Village of Ford Heights that this Bill will not address."

Hamos: "I... Yeah. It is the EPA's position that even under current law they are required to have a permit and they have not sought that permit. That's why they are in court."

Miller: "Well, it's been some contention that this is essent... this will essentially... to the Bill, Mr. Speaker."

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

Miller: "Ladies and Gentlemen, last year I've asked you to support an initiative for on behalf of the Village of Ford Heights. And... and this Body did approve it and I appreciate that support. You've heard me time and time again talk about Ford Heights being one of the poorest communities in Cook County, if not the one of the poorest communities in the state. And so, when the village is trying to do something to procr... create jobs, economic growth, a tax stability, educational system, anything, we have to look at what's gonna happen to the village if something like this is implements law. Would I like to see

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

59th Legislative Day

5/27/2005

a dump in Ford Heights? No. Would I like to see other economic development reach to the south suburbs? Absolutely. You've heard me time and time again to try to create environment for businesses to be profitable and beneficial to the communities and the village in the south suburban region. When we start to look at legislation that affects, detrimentally affects, what they have now, it further puts us in the hole. I... I am for the EPA. I am for it. I don't wanna see citizens of them victimized, citizens of nearby Linwood victimized by a dumping of any sort illegal, but you gotta offer something. And so, when they're trying to help themselves through the Amendments and when they try to have... to be grandfathered in so it doesn't affect 'em, essentially, you're saying to the poorest community, let's not keep what you've got going, let's try for you to defend for yourselves. I would ask for either a 'no' or 'present' vote on this legislation."

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

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. Like the previous speaker, I, too, have some question about this legislation. Over the... the years that we've been here, I've watched Legislators who represent poor communities, who represent distressed communities come before this Body and try to seek some sort of relief, some help to bring economic development to those communities. Over the years I can recall and you've heard about Operation Silver Shovel. I've Operation Silver Shovel took



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

59th Legislative Day

5/27/2005

place in my neighborhood in North Lawndale community in the City of Chicago. It was a local elected official that felt he could help his community by allowing them to temporarily drop debris in a certain area while the construction was going on on the Eisenhower Expressway. It turned out to be a nightmare. But this guy's intention was to try to do something to help better that particular community. We've had the same thing in Ford Heights. We've had the same thing in Robbins. A few years ago we had an incinerator that was built in Robbins where they were burning old tires. As a result, it created over... a hundred jobs for the people in that community and yet we come along later and talk about how environmentally unsafe it is, how dangerous it is to the community. And yet, we shut the plant down and we do nothing to help that community in terms of offsetting the small economic development opportunities that they had. The same thing has happened in St. Clair County in East St. Louis where we've tried to do things in terms of economic development and we get turned back and no help from this Assembly. I rise today... and I'm gonna vote 'present' on this Bill. I don't like the conflict of interest clause. I'm not too worried about it, my wife don't own a landfill. I don't intend to buy one. I'm certainly about to ruin my record with Sierra because they may say that I don't believe in a safe environment, but if you look at my record over 25 years you will see that I am indeed concerned. But I don't like what we're doing here in terms of when a community is moving

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

59th Legislative Day

5/27/2005

forward, trying to make itself better, we come along and say, 'No, no, no we're gonna put the brakes on.' And we don't offer any alternative, any relief, to make up for the loss of income that this community was moving forward in terms of trying to make things happen. I tried to introduce the Amendments which would grandfather in the facility. The Sponsor as she mentioned, the necessary votes were not there. And I... and I wanna, for the record, I wanna be clear. If there was something illegal with this landfill, if there was something there that should not be there, I don't think the place oughta be open. But we've been told, the mayor of that town, Saul Beck, who's been the mayor for 12 years or more, who has been striving hard to try to improve a community where housing value right now is \$19 thousand for a home. And we're saying, 'No, shut the place down.' If that's our intent, then let's just close up all the distressed communities in this state and let's move forward. But I think there oughta be some commitment on the part of us here in the General Assembly to try to help those communities that need the most and I think that this Bill hurts one of those communities. And so, I am voting 'present' on this legislation, just as a sign to say that yes, I am committed and concerned about environmental concerns. But I don't think this is the right way to do it."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Clinton, Representative Kurt Granberg."

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

59th Legislative Day

5/27/2005

Granberg: "Thank you, Mr. Speaker. And with due respect to my friend Art Turner and Representative Miller, I... I remember this issue from last year with Ford Heights. And after we passed that Bill certain authorities started questioning what was going on. This Bill is very, very simple. It's not about Ford Heights. It's about a wealthy corporation who should be permitted. That's all. It doesn't matter the location. It doesn't matter if it's in Centralia or Ford Heights or any place else. This is a very, very affluent corporation. Why should they be exempted from the permitting process, just because it's located any place? That's the question. That's the issue. They should be required to be permitted. It doesn't matter where the location is. Ford Heights is not paying for the permit, the operator is. And the operator should be required a permit like anyone else when they operate a landfill. No exceptions."

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

Hamos: "Thank you. Ladies and Gentlemen, thank you for the good conversation. I think we clarified some of the outstanding issues. I would like to suggest, as the last speaker did and maybe the other speaker... some of the other speakers did, this Bill does not shut anything down. It creates a regulatory framework to prevent illegal dumping, that is something that helps all of our neighborhoods. When we don't know what is in a fill, when we don't know if it's clean or hazardous, that hurts all of us. This is a strong environmental Bill that... that is long overdue. It

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

59th Legislative Day

5/27/2005

is filling a loophole. And even if you don't like a few words in the Bill, it is a 52-page Bill that makes... that creates this really important set of regulations. I would also like to remind you that in the Senate they passed this unanimously. In our committee, they passed it also by a very strong margin. Again, this Bill is about more than just... the... one of... one of the Sections and I would urge a strong 'aye' vote."

Speaker Lyons, J.: "The question is, 'Should Senate Bill 431 pass?' All those in favor signify by voting 'yes'; those opposed '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? Representative Cultra. Mr. Clerk, take the record. On this Bill, there are 77 Members voting 'yes', 16 Members voting 'no', 23 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognize the Gentleman from Champaign, Representative Chapin Rose for an announcement."

Rose: "Thank you, Mr. Speaker. Ladies and Gentlemen, would you please join me in welcoming students from Lerna Elementary School in Coles County up in the House gallery here."

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

Clerk Mahoney: "Order of Senate Bills. Senate Bills-First Reading. Senate Bill 1333, offered by Representative Osterman, a Bill for an Act concerning firearms."

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

59th Legislative Day

5/27/2005

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

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I noticed that our birthday boy over there, Aaron Schock, is looking a little bit... I don't know like not himself, he was eating some chocolate, kinda reminded me of what little kids do when they're bored. And anyway, we want you to feel at home, Aaron, and we think you're a great guy. A good kid. And being that I know what it feels like to be the baby of the House at one point, Toni knows what it feels like to be the baby of the House. But we don't want your birthday to go by without giving ya a little something. So, Representative Burke, Representative Chavez, Representative Berrios, and myself would like for you to feel a little bit more at home. So we have a little something, something for ya here. Hope you enjoy it and you feel a little bit more your age bracket. Happy birthday."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from DeKalb, Representative Bob Pritchard, for what reason do you seek recognition?"

Pritchard: "Yes, Mr... Mr. Speaker, my switch malfunctioned on the last vote. I intended to be an 'aye' on that."

Speaker Lyons, J.: "The record... the Journal will so reflect. Mr. Clerk."

Clerk Mahoney: "Attention, the Rules Committee will meet immediately in the Speaker's Conference Room. The Rules

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

59th Legislative Day

5/27/2005

Committee will meet immediately in the Speaker's Conference Room."

Speaker Lyons, J.: "Representative Currie for a Motion."

Currie: "Thank you, Speaker and Members of the House. I move to suspend the posting requirements so that Senate Bill 14 can be heard in Executive Committee, Senate Bill 96 in Executive Committee, Senate Bill 157 in Human Services, Senate Bill 230 in Executive, Senate Bill 251 in Agriculture, Senate Bill 316 in Revenue, Senate Bill 490 in Executive, Senate Bill 661 in Executive, Senate Bill 676 in Executive, Senate Bill 926 in Registration & Regulation, Senate Bill 998 in Executive, Senate Bill 1333 in Human Services, Senate Bill 1442 in Executive, Senate Bill 1625 to Revenue, Senate Bill 1815 to Executive, Senate Bill 1843 in Executive, Senate Bill 1866 in Revenue, Senate Bill 1879 in Executive, and Senate Bill 1964 to Transportation."

Speaker Lyons, J.: "Heard the Lady's Motion. Any discussion? The Chair recognizes Representative Black. In agreement? You've heard the Lady's Motion. All those in favor signify by saying 'yes'; those opposed 'no'. The 'ayes' have it. And the posting requirements are waived. The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

Black: "Yeah. Thank you very much, Mr. Speaker. Inquiry of the Chair."

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

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

59th Legislative Day

5/27/2005

Black: "Is it the intention of the Chair to give us a committee schedule in the next few minutes? Because we... it's very difficult to hear."

Speaker Lyons, J.: "I think it's on its way, Mr. Black."

Black: "All right. And one other inquiry of the Chair. Our Calendar says there's Session tomorrow, Sunday and Monday, which is fine with me, as I said earlier. I... I'd like to stay here and see if we can't get done. But there's been no definitive statement about our schedule Saturday, Sunday, and/or Monday, Tuesday. Will there be some official statement so that we know how to plan for rooms and laundry, et cetera, the next three or four days?"

Speaker Lyons, J.: "Representative Black, I'm assured that that forthcoming within matter of a few hours."

Black: "I'm sorry. What did you say?"

Speaker Lyons, J.: "I think that information will be coming to us in a matter of a couple of hours."

Black: "Oh. All right. All right. Thank you."

Speaker Lyons, J.: "And, Representative Black, I have just been told that we will probably be meeting tomorrow sometime around 11 or 12:00 on Saturday morning. That's the anticipated starting time. Purpose of clarification, the plan for tomorrow is to go into Session between 11 or 12:00 tomorrow. We will certainly let you know specifically before the afternoon is over. The Chair recognizes the Gentleman from Cook, Representative Bob Molaro."

Molaro: "Thank you, Mr. Speaker. And I know you might not know 'til later. But more important than tomorrow, 'cause we

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

59th Legislative Day

5/27/2005

know we're in tomorrow, is about Sunday. And that is because if we're gonna be left to go home or if we're gonna stay here then we can may... maybe bring our families up. Have there been any indication about, not a time Sunday, as to whether or not we're gonna be in Sunday? And I see... I see... I see somebody... I'll let it go. All right, Mr. Speaker, can you answer that, please? I'm more asking about other people's families, mine probably wants me down here but..."

Speaker Lyons, J.: "Representative Molaro, the answer to that question on Sunday, we're looking for some type of a midafternoon call to order on Sunday."

Molaro: "Oh."

Speaker Lyons, J.: "And we'll get more specific on that within the next few hours. Ladies and Gentlemen, we're gonna start off where we left yesterday with concurrences. And that was on page 12. I believe Representative McAuliffe was next with House Bill 595 on the bottom of page 12. Representative McAuliffe in the chamber? He's not, so we'll come back to that. On the top of page 13, House Bill 596, Representative Mike Boland. On the Motion on that... page 13 on concurrences, we're picking up where we left off yesterday, Representative. House Bill 596."

Boland: "Thank you, Mr. Speaker. Let me grab the stuff here. Yes, I would move to concur with Senate Amendments 1 and 2. These arose from during our House debate. Representative Black had asked for a definition of 'emergency management worker'. And Senate Amendment 1 was adopted in error over



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

59th Legislative Day

5/27/2005

there, but Senate Amendment 2 replaces the Bill and includes the correct language. So, it is a... it does include the definition for an 'emergency management worker'."

Speaker Lyons, J.: "Mr. Boland, I believe we... were... the Motion is to concur with Senate Amendments #1 and 2 to House Bill 596. 'Cause Amendment #2 will replace Senate Amendment #1."

Boland: "Yes."

Speaker Lyons, J.: "Motion as filed, Representative. Is there any discussion? The Chair recognizes the Gentleman from Bond, Representative Stephens."

Stephens: "Well, first of all, the question of the... of the Chair."

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

Stephens: "Can we get... can we get some staff to come over here and clean up the popcorn mess in front of the Republican side?"

Speaker Lyons, J.: "We'll work on that, Representative."

Stephens: "We... we... we have children and John Millner have both been seen eating off the floor."

Speaker Lyons, J.: "We'll..."

Stephens: "The five second rule applies. I understand that. But it's been there for five minutes and Millner's hungry."

Speaker Lyons, J.: "We'll do our best to rectify the congestion over there."

Stephens: "And... and will the Gentleman yield?"

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

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

59th Legislative Day

5/27/2005

Stephens: "Representative, you said this was adopted in air in the Senate? Or error?"

Boland: "Senate... Senate Amendment... Yes. Senate Amendment 1 had an error in it. And so they put in..."

Stephens: "Representative, excuse me."

Boland: "Yes."

Stephens: "They do a lot in the air over there."

Boland: "Yah."

Stephens: "Was this an air? Or error?"

Boland: "Oh, it probably is both."

Stephens: "All right."

Boland: "An error in the air."

Stephens: "All right."

Speaker Lyons, J.: "The question is, 'Shall the House concur in Senate Amendments #1 and #2 to House Bill 596?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Jenisch, do you want to be recorded on this concurrence? Representative Jenisch. Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. The House does concur in Senate Amendments 1 and 2 to House Bill 596. This Bill, having received the Constitutional Majority, is hereby declared passed. Going back on page 12 of the Calendar, Representative McAuliffe has House Bill 595. The Chair recognizes the Gentleman from Cook, Representative Michael McAuliffe."

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

59th Legislative Day

5/27/2005

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 595, I'd like to concur in Senate Amendment #3 which would add all hepatitis A, B plus C. And I'd be happy to answer any questions. And move for... move to concur in Senate Amendment #3 to House Bill 595."

Speaker Lyons, J.: "Anyone seeking recognition. Seeing not, the question is, 'Shall the House concur in Senate Amendment #3 to House Bill 595?' 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 Sacia, would you like to be recorded? Take the... Take the record, Mr. Clerk. On this Bill, there are 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And the House votes to concur in Senate Amendment #3 to House Bill 595. This Bill, having received the Constitutional Majority, is hereby declared passed. Returning to page 13 of the Calendar, on the Order of Concurrences, Representative Jones, Representatives Lou Jones has House Bill 612. The Chair recognizes the Lady from Cook, Representative Lou Jones."

Jones: "Thank you, Members, Mr. Speaker and Members of the House. I move to concur on Senate Amendment #2 on House Bill 612. The Amendment actually deleted the provisions of the original Bill and attached the substance of House Bill 2374 which was passed out of the House with 114-0 vote. The Bill now puts into place the Family Case Management Act at the Department of Human Services. There was no

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

59th Legislative Day

5/27/2005

opposition to this Bill and it is supp... it is supported by the Illinois Public Health Association, the Department of Human Services and the Chicago Family Case Management Association and the City of Chicago. It creates no fiscal impact on the department at this time. It's subject to funding."

Speaker Lyons, J.: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Amendment #2 to Senate... House Bill 612?' All those in favor signify by saying 'yes'; those opposed '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'. The House does concur in Senate Amendment #2 to House Bill 612. This Bill, having received the Constitutional Majority, is hereby declared passed. Page 13 of the Calendar, Repre... Representative Delgado has House Bill 615. The Chair recognizes the Gentleman from Cook, Representative Willie Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. I'm asking for a concurrence in Senate Amendments #1. Adds provisions requested by the Illinois Depart... Thank you. ...of Human Services. Recognizing that the agency programs related to the reduction of racial and ethnic disparities in infant mortality and diabetes. Deliniates the various initiatives of the Department of Public Health, including those that address asthma, breast, cervical, prostate, and colorectal cancer, kidney disease, HIV/AIDS, hepatitis C,

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

59th Legislative Day

5/27/2005

sexually transmitted diseases, adult and child immunizations, along with quite... a couple of others. Clarifies that the Department of Public Health will coordinate the administration of this Act with the Department of Human Services and I would ask for your concurrence."

Speaker Lyons, J.: "Any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 615?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority... the House does concur in Senate Amendment #1 to House Bill 615. And this Bill, having received the Constitutional Majority, is hereby declared passed. Page 13 of the Calendar, Representative Tryon has House Bill 668. Representative Michael Tryon on the Motion."

Tryon: "Thank you, Mr. Speaker. I'd like to make a Motion to Concur with the Senate Amendments on House Bill 668. Okay. May I speak to what... the Senate Amendments do?"

Speaker Lyons, J.: "Yeah. Please explain the Amendment, briefly."

Tryon: "Essentially, the Senate Amendments combined two Bills together, which would provide oversight of the county board of a conservation district in county of 300 thousand and

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

59th Legislative Day

5/27/2005

would allow for the county boards to raise that to 750 thousand. Okay. Could you take it out of the record?"

Speaker Lyons, J.: "On request of the Sponsor, we'll take that Bill out of the record. Mr. Clerk, on page 13 of the Calendar, Representative Holbrook has House Bill 669. The Chair recognizes the Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Speaker. I wish to con... cur with Senate Amendments 1 and 3. They're some technical cleanups the department needed and the one group needed. Know of no opposition to 'em. Passed out of the House unanimously and out of the Senate with the Amendments unanimously."

Speaker Lyons, J.: "Is there any discussion? Seeing none, the question is, 'Shall House concur in Senate Amendments #1 and 3 to House Bill 669?' All those in favor signify by voting 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Chavez, you wanna be recorded? Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no'. The House does concur in Senate Amendments #1 and 3 to House Bill 669. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Lake, Representative Eddie Washington, for what reason do you seek recognition, Representative?"

Washington: "Thank you, Mr. Speaker. Mr. Speaker, I would like to reflect that on Senate Bill 431 I was having problems

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

59th Legislative Day

5/27/2005

with my switches and that I be recorded as a 'yes' vote, being I was a cosponsor of that Bill."

Speaker Lyons, J.: "The Journal will so reflect. Mr. Clerk, on page 13 of the Calendar, Representative Chapa LaVia has House Bill 678. The Chair recognizes the Gentl... Lady from Kane, Representative Linda Chapa LaVia on a Motion."

Chapa LaVia: "Thank you, Speaker. If the House can just concur with the Senate Amendment #1."

Speaker Lyons, J.: "Would you like to give a brief explanation of that Amendment, Representative?"

Chapa LaVia: "Excuse me, Speaker?"

Speaker Lyons, J.: "Would you care to give a brief explanation of that Amendment."

Chapa LaVia: "Sure. It was placed in by the Illinois Education... Board of Education. All it did is... the Bill would be allowed to give the State Board... excuse me. Let me find my notes on it. Can you take it off record and then come back?"

Speaker Lyons, J.: "Take that Bill out of the record, Mr. Clerk. Mr. Clerk, on the bottom of page 13, on the Order of Concurrences, Representative Rita has House Bill 760. The Chair recognizes the Gentleman from Cook, Representative Rita."

Rita: "Thank you, Mr. Speaker. I move that we concur with Senate Amendment #1 which basically puts a sunset on the... the raise that we initially put in for the funeral directors for and it'll sunset in 2007."

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

59th Legislative Day

5/27/2005

Speaker Lyons, J.: "Is there any discussion on the Amendment? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 760?' 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 Chapa LaVia, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #1 to House Bill 760. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Cook, Representative Art Turner, for what reason do you seek recognition?"

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I rise for a point of personal privilege."

Speaker Lyons, J.: "Please proceed."

Turner: "In the gallery... in the gallery to my right we have one of the elementary schools in my district. Skinner Elementary School and the students are down visiting. Could you give 'em a great Springfield welcome. Skinner Elementary school."

Speaker Lyons, J.: "Welcome to Springfield. Glad to have ya. Mr. Clerk, on page 13 of the Calendar, Representative Chapa LaVia has House Bill 678. We recognize the Lady from Kane on a Motion."

Chapa LaVia: "Thank you, Speaker. The Senate Amendment to 678, what it does, it would allow students to have... that have been in a transitional bilingual program for less than 3



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

59th Legislative Day

5/27/2005

years to take an accommodated limited English prof... proficiency assessment test to determine... determined by SBE. Currently, such students have the option to take the Illinois Measure of Annual Growth in English, the IMAGE test. This Amendment replaces IMAGE with a more generic term so that the state board is free to specify another test if it so chooses. And I request a favorable vote. I concur with Senate Amendment #1."

Speaker Lyons, J.: "Any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 678?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 1 person voting 'no', 1 person voting 'present'. On this que... this... the House does concur in Senate Amendment #1 to House Bill 678. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Kelly, did you seek recognition? Robin, did you seek recognition? Your light was on. No. Thank you. Mr. Clerk, on the top of page 14, on the Order of Concurrences, Representative Feigenholtz has House Bill 763 and the Chair recognizes the Lady from Cook, Representative Sarah Feigenholtz for a Motion."

Feigenholtz: "Thank you, Mr. Speaker. I Motion to Concur with Senate Amendment #1, which addresses concerns that the state's attorney had. I'd be glad to answer any questions."

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

59th Legislative Day

5/27/2005

Speaker Lyons, J.: "Seeing none... the discussion of the question is, 'Should Senate Amendment #1 to House Bill 763 be adopted?' All those in favor signify by saying 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Representative Verschoore. Representative Meyer. Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 763. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 14 of the Calendar... Representative Soto in the chamber? I don't believe it. I see Representative Soto will... Page 14 of the Calendar, Representative Soto has House Bill 783. The Chair recognizes the Lady from Cook, Representative Soto for a Motion."

Soto: "Thank you, Speaker and Members of the House. I'd like to concur in Senate Amendment #2."

Speaker Lyons, J.: "Any description on the Amendment, Representative?"

Soto: "Amendment also specifies that the financial institution shall forward the money to the state disbursement unit. It's a little technical Amendment."

Speaker Lyons, J.: "Any discussion? Seeing none, the question is, 'Should the House concur with Senate Amendment #2 to House Bill 783?' 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

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

59th Legislative Day

5/27/2005

voted who wish? Representative Flowers. Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #2 to House Bill 783. This Bill, having received the Constitutional Majority, is hereby declared passed. Page 14 of the Calendar, Representative Jones has a Motion on House Bill 788. Representative Lou Jones, the Lady from Cook."

Jones: "Thank you, Mr. Speaker and Members of the House. I move to concur on House Bill 788. Amends the State Finance Act to create a regional epilepsy center. Grants-in-Aid Fund subject to appropriations. Funded for a new state income tax checkoff."

Speaker Lyons, J.: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Amendment #1 to House Bill 788?' All those in favor vote 'aye'; those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #1 to House Bill 788. This Bill, having received the Constitutional Majority, is hereby declared passed. Page 14 of the Calendar, Representative Sacia has House Bill 864 for a Motion. The Chair recognizes the Gentleman from Winnebago, Representative Jim Sacia."

Sacia: "Thank you, Mr. Speaker. The concurrence coming over, I do concur with that... the Senate Amendment which does

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

59th Legislative Day

5/27/2005

change it from a Class X felony to a Class I felony. Aggravated Battery to a peace officer."

Speaker Lyons, J.: "Is there any discussion on the Amendment? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 864?' 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 Fritchey, wanna be recorded? Mr. Clerk, take the record. On this Bill, there are 91 Members voting 'yes', 26 Members voting 'no'. The House does concur in Senate Amendment #1 to House Bill 864. This Bill, having received the Constitutional Majority, is hereby declared passed. Page 14 of the Calendar, Representative McAuliffe has House Bill 866. The Chair recognizes the Gentleman from Cook, Representative Michael McAuliffe."

McAuliffe: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur in Senate Amendment #2 to House Bill 866. And this Bill amends the (sic-Barber), Cosmetology, Esthetics, and Nail Technology Act which will make it still go to January 1, 2016. I'd be happy to answer any questions."

Speaker Lyons, J.: "Is there any discussion on the Motion? Seeing none, the question is, 'Shall the House concur with Senate Amendment #2 to House Bill 866?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who

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

59th Legislative Day

5/27/2005

wish? Have all voted who wish? Have all voted who wish? All voted who wish? Mr. Clerk, take the record. And on this Bill, there are 77 Members voting 'yes', 39 Members voting 'no'. The House does concur in Senate Amendment #2 to House Bill 866. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Madison, Representative Dan Beiser, for what purpose do you seek recognition?"

Beiser: "Yes, Mr. Speaker, a point of personal privilege."

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

Beiser: "Yes, I'd like to take this opportunity to recognize a tremendous feat by one of our former colleagues, former State Representative Bob Walters who's up in the gallery. He scored his... shot his first hole in one this past week down in Florida on a golfing trip."

Speaker Lyons, J.: "Congratulations, Representative. On page 14 of the Calendar, Representative Saviano has House Bill 875. The Chair recognizes the Gentleman from Cook, for a Motion, Representative Skip Saviano."

Saviano: "Thank you, Mr. Speaker and Members of the House. I rise to concur on Senate Amendment #5. This is the rewrite of the Dental Practice Act. We worked together with the Illinois Dental Hygienist Society, the IFT, and Illinois State Dental Society. And this will continue that Act to the year 2016. And I would ask for your favorable vote. Thank you."

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

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

59th Legislative Day

5/27/2005

Miller: "Thank you, Mr. Speaker. Just note a conflict of interest."

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

Stephens: "Well, Representative Beiser. Representative Beiser mentioned that Representative... former Representative Walters got a hole in one and a lot of us on our side of the aisle know Bob Walters very well. And we'd like to know which miniature golf course he was playing when he got his hole in one?"

Speaker Lyons, J.: "We'll put Representative Beiser right on that with an answer. The question at hand is, 'Shall the House concur in Senate Amendment #5 with Huse Bill 875?' This is final action. 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 Granberg, like to be recorded? Representative Granberg. Mr. Clerk, take the record. On this Bill, there are 82 Members voting 'yes', 33 voting 'no', 1 voting 'present'. The House does concur in Senate Amendment #5 to House Bill 875. This Bill, having received the Constitutional Majority, is hereby declared passed. Page 14 of the Calendar, Representative Gordon has House Bill 909. The Chair recognizes the Lady from Grundy, Representative Careen Gordon."

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, I move to concur in Senate Amendment 1 to House Bill 909. It's

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

59th Legislative Day

5/27/2005

merely a clarifying Amendment. It... I felt it was in the original Bill but the Senate clarified it so that it specifically spells out the number of jobs to be created and the amount of money to be made with these economic development project areas. I would ask for your support. It passed overwhelmingly the first time it came into this chamber. Thank you very much."

Speaker Lyons, J.: "No one seeking recognition then? The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 909?' All those in favor signify by saying 'yes'... by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 116 Members voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #1 to House Bill 909. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the bottom of page 14 of the Calendar, Representative Marlow Colvin has House Bill 1058. The Chair recognizes the Gentleman from Cook, Representative Marlow Colvin."

Colvin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to move to concur with Senate Amendment #2. It is a change, a small change, in the language. It changes the word 'parties' to 'party'. If you recall, this Bill deals with the ability to... for individuals to have the ability to freeze their credit in the event that they have been a victim of some type of

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

59th Legislative Day

5/27/2005

identity theft. The language change deals with individuals who do in writing submit to credit reporting agencies to chang... to allow a individual party, being an individual company or lender to access one's credit as opposed to a number of parties at one time. There was no opposition, both either in the House or the Senate. This Amendment is technical in nature and I appreciate an 'aye' vote."

Speaker Lyons, J.: "Is there anyone seeking discussion? Seeing not, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 1058?' All those in favor signify by voting 'yes'; those opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this, there are 116 Members voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #2 to House Bill 1058. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Barbara Flynn Currie for a Motion."

Currie: "Thank you, Speaker and Members of the House. I move to suspend the posting requirements so that Senate Bill 945 can be heard in the Executive Committee."

Speaker Lyons, J.: "You've heard the Lady's Motion. Is there any discussion? Seeing none, the question is, 'Should the Motion pass?' All those in favor signify by saying 'yes'; those opposed 'no'. Opinion of the Chair, the 'ayes' have it and the Motion is passed. Mr. Clerk, read the committees."



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

59th Legislative Day

5/27/2005

Clerk Mahoney: "Committee Report. Meeting immediately after Session: the Agriculture & Conservation Committee will meet in Room 122-B. The Election & Campaign Reform in Room 114, Registration & Regulation in Room C-1. At 3:30, Judiciary II-Criminal Law will meet in D-1, Local Government in C-1, Revenue in 115. At 4:00, the Executive Committee will meet in Room 118, Transportation & Motor Vehicles in 114, Judiciary-Civil Law in 122-B. Meeting at 4:30 p.m. is the Labor Committee in Room D-1 and Human Services in Room 115."

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

Soto: "Thank you, Speaker. On personal business, regarding the Labor Committee. To the Labor Committee Members, please be there on time at 4:30. We have... we've been waiting... ya know, other days. So please be there at 4:30. Thank you."

Speaker Lyons, J.: "Thank you, Representative. Ladies and Gentlemen, the House will stand in recess to the hour of 5 p.m. We recess 'til 5 p.m."

Speaker Turner: "The House shall come to order. Mr. Clerk, Committee Reports."

Clerk Bolin: "Committee Reports. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 1333; 'do pass as amended Short Debate' Senate Bill 157."

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

59th Legislative Day

5/27/2005

Representative Soto, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Motion to Concur with Senate Amendments #1, 3, and 5 to House Bill 2137. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Motion to Concur with Senate Amendments 1, 3 and 4 to House Bill 27; Motion to Concur with Senate Amendment #4 to House Bill 720. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Motion to Concur with Senate Amendments 1 and 2 to House Bill 1469. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 926. Representative Jefferson, Chairperson from the Committee on Elections & Campaign Reform, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Motion to Concur with Senate Amendments 1 and 3 to House Bill 1968. Representative

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

59th Legislative Day

5/27/2005

Granberg, Chairperson from the Committee on Agriculture & Conservation, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 251. Representative Reitz, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'do pass as amended Standard Debate' Senate Bill 316. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 1964. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Motion to Concur with Senate Amendment #1 to House Bill 337. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on May 27, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to Senate Bill 27; 'do pass Short Debate' Senate Bill 945; 'do pass Standard Debate' Senate Bill 1843, and Senate Bill 1879."

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

59th Legislative Day

5/27/2005

Speaker Turner: "On page 28 of the Calendar, we have Representative Black with a Motion, Senate Bill 251."

Black: "Yes, thank... thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. The Amendment #1 is agreed language by the Illinois Trial Lawyers Association. Excuse me."

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

Black: "Yes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I have a Motion on the Calendar that's been there for some time to discharge Senate Bill 251 from the Rules Committee. I would like to withdraw that Motion at this time."

Speaker Turner: "The Gentleman asks leave to withdraw the Motion to Discharge. All those in favor should say 'aye'; all those opposed say 'no'. And the opinion of the Chair is the 'ayes' have it and the Motion carries. If we could have the Members' attention. We're gonna start on page 15 of the Calendar, under the Order of Concurrences. We'll go down the Calendar in order until we decide to do otherwise. Page 15 of the Calendar, the first Bill we will start with is House Bill 1071, Representative Munson. The Lady from Cook, Representative Munson."

Munson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment 1 to House Bill 1071, which would remove the term 'electronic mail service' from the Bill. It's a technical Amendment."

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

59th Legislative Day

5/27/2005

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur with Senate Amendment 1 to House Bill 1071?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. The House does concur in Senate Amendment 1 to House Bill 1071. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Davis, for what reason do you rise?"

Davis, M.: "Mr. Speaker, I rise for a point of personal privilege."

Speaker Turner: "You still with us?"

Davis, M.: "First of all, I'd like to say to you, I know that you'll be very proud to know that Dr. Alicia Bell is in the audience. Alicia is one of Art Turner's scholarship recipients who has earned a medical degree from Southern Illinois University. She has a pediatric psychiatry degree and an adult psychiatry degree. Welcome Alicia Bell, Art Turner's scholarship recipient."

Speaker Turner: "Hello, Dr. Bell. How are you? And on the Order of Concurrences, we have House Bill 1074, Representative Reitz. The Gentleman..."

Reitz: "Thank you, Mr. Speaker. House Bill 1074 is a initiative of the Department of Conservation. The... the Senate Amendment reduced the... the fee in this Bill. This

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

59th Legislative Day

5/27/2005

Bill's supported by the Farm Bureau and I'd be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 4 to House Bill 1074?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Younge. Brauer. The Clerk shall take the record. On this question, there are 64 voting 'aye', 52 voting 'no'. And the House does concur in Senate Amendment 4 to House Bill 1074. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Too late now, Mr. Speaker. But some of these Bills are going out of here and you're speaking very softly. I've known you for a long time. That voice is generally not that soft. That last Bill could've used a little debate. But it's too late now."

Speaker Turner: "I will speak up, Representative. On the Order of Concurrences, we have House Bill 1100, Representative Miller. The Gentleman from Cook, Representative Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like thank your support on behalf of passing this fine piece of legislation, the Payday Loan Reform Act. Senate Amendment 1 and 2, excuse me... Senate Amend... I move to concur Senate Amendment 1 and 3. Senate Amendment 3 is pretty much technical. But Senate Amendment #1 lowers the

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

59th Legislative Day

5/27/2005

rate to a flat 1550... \$15.50 fee which lowered it from \$16 from the way we passed it. In addition to... it extends the implementation time to give the industry a little bit more time to comply. I would like to thank Secretary Grillo to help... who's been very instrumental helping getting us through and to this point. It's a major step in... in the State of Illin... Illinois to protect the citizens. Thank you."

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

Parke: "I wanna take a moment to give credit to the Sponsor for a lot of hard work to bring all these groups together to try and find consensus on such a complex Bill. If this wasn't necessary in our society today, it... it begs the issue because, in fact, it is. But to have a system in place that protects consumers at the same time allows people to get some kind of cash when they need it, I think this goes a long way to solve that problem. I commend the Sponsor for all that hard work that he put in with all those groups and other Legislators."

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

Davis, W.: "Thank you, Mr. Speaker. I, too, want to commend the Sponsor of this legislation for all of his hard work. In districts that we represent many individuals are, in some cases, living check to check or not figuring out how they're gonna make ends meet. And... and unfortunately individuals like that are often preyed upon and taken

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

59th Legislative Day

5/27/2005

advantage of. This legislation hopes to stem the tide of individuals who see loans of this type as an opportunity just simply to get by until the next paycheck but not realizing that there are circumstances and the consequences that result as... as because of their actions. So I'm very happy that the Gentleman has brought forth this legislation. I believe he has been working on this legislation since he has been in the House. And I am very proud to, if I'm not a Sponsor I certainly want to be a Sponsor of this piece of legislation. Again, I wanna commend the Sponsor for his hard work in this particular issue. Thank you."

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

Davis, M.: "Thank you, Mr. Speaker. I'm glad to know that you speak softly and carry a big stick. But I wanted to say, I, too, support this legislation. And we worked very hard with Representative Miller with the industries involved. We have a number of payday loan locations that will now have to be much more concerned with how they do business in the State of Illinois. And they'll be have to be concerned with the fairness to the constituents. And for that, I, too, commend Representative Miller and I'm sure you'll get a unanimous vote. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House concur in Senate Amendments 1 and 3 to House Bill 1100?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have



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

59th Legislative Day

5/27/2005

all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And this Bill... and the House does concur in Senate Amendments 1 and 3 to House Bill 1100. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 1149, Representative Millner. The Gentleman from DuPage."

Millner: "Thank you, Mr. Speaker. House Bill 1149 is one we had in committee before regarding... creates the Computer Equipment Disposal and Recycling Commission. And what we did is we added an Amendment to add people that were in the industry in the business as well. So I ask for your favorable support."

Speaker Turner: "Seeing no questions, the question is, 'Does... Will the House concur in Senate Amendment 1 to House Bill 1149?' All those in favor should vote 'aye'; all those opposed say 'nay'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Kosel. The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Major... and the House does concur in Senate Amendment 1 to House Bill 1149. And this Bill, having received the Constitutional Majority, is hereby declared passed. Is Representative Hoffman in the chamber? Supplemental Calendar #2, on the Order of Concurrences, we

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

59th Legislative Day

5/27/2005

have House Bill 2137. Representative Hoffman. The Gentleman from Madison, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that we concur in Senate Amendments 1, 3, and 5 to House Bill 2137. House Bill 2137 is a historic agreement between business and labor regarding the issue of workers' compensation. I would like to... to commend everyone who worked on this process. And I would ask for a favorable Roll Call. If I might, I would like to just go through the history of this agreed Bill process. First of all, this is the first such agreed Bill process regarding workers' compensation in over 20 years. This historic agreement was reached through hard work from the Governor's Office, hard work with the head of the Industrial Commission or Workers' Compensation Commission, Mr. Dennis Ruth. I'd like to commend the Governor for in his State of the State speech calling the parties together to help reduce costs to businesses and workers' compensation and provide an update to our Workers' Compensation Act to bring us competitive in the twenty-first cent... to make us competitive in the twenty-first century. I would also like to commend Senator Terry Link who worked so hard on this stuff for over 2 years. And I believe did a wonderful job at helping this agreement come together. Also, the House Members and the caucus Members other than myself that were involved in the negotiations, Representative Kurt Granberg and Representative Dan Brady, all worked very hard to... to attempt to get an agreement. This agreement is an

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

59th Legislative Day

5/27/2005

agreement between business and labor, the major organizations that represent business in this state believe the syste... that this will provide a benefit in the 6½ percent savings to their cost of workers' compensation. For those of you who live on the borders, and the borders of Illinois and we have to be competitive with neighboring states, know that workers' compensation.. the cost to businesses has always been an important factor in businesses locating here in Illinois. This reduces their costs. Yet, it brings labor onboard by updating benefits that needed to be updated for many, many years. In addition to the businesses being onboard, the... all of the organizations that make up the AFL-CIO in Illinois have agreed to this House Bill these... this House Bill 2137. This would pre... would provide for the first time in Illinois fraud prevention, a fraud prevention unit in the Department of Insurance that would investigate charges of fraud including uninsured employers and fraudulent claims by employees. When you talk to people about workers' compensation the one thing they bring up is they would just like to make sure that we get some of the fraud out of the system. This for the first time in Illinois we follow other states of providing for a fraud prevention unit. In addition, this joins 44 other states in the nation in providing for a medical fee schedule and prohibits the action what is called balance billing. The Bill would also require that employers pay providers of medical... medical care within 60 days or pay 1 percent interest per month

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

59th Legislative Day

5/27/2005

after 60 days of an unpaid medical bill. This also would streamline some of the procedures in the Workers' Compensation Commission, provide for a third paid to move cases through the system quicker. Ensure that... that cases be resolved within a hundred and eight days in case of emergency hearings and provide for other dispute mechanisms and penalties. Finally, on the benefits side this would bring benefits up to twenty-first century levels by insuring that survivors of an individual who dies on the job while he is working would receive an increase in death benefits and brings them more into line with the actual loss. It would also increase burial benefits for the first time in a long time from 42 hundred to 8 thousand dollars so that it would bring the cost... the reimbursement closer to the cost of the burial. Finally, in cases of extreme disfigurement, in cases of amputation and other serious injuries, it increases the amount that an individual would receive by 7½ percent and also makes the maximum wage differential rate increase to a hundred percent of the statewide average weekly wage. I would li... like to once again commend all the people who worked so hard to get this agreed Bill completed. I believe it's a step in the right direction for working men who are injured on the job as well as a step in the right direction making sure that businesses in this state can be competitive with businesses of other state. I ask for a favorable Roll Call."

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

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

59th Legislative Day

5/27/2005

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

Speaker Turner: "To the Bill."

Brady: "First off, Ladies and Gentlemen of the House, I wanna thank Representative Hoffman and Leader Cross for appointing me to this task force of the workers' compensation issue. It's been quite a learning experience. And I wanna thank all the others, labor, business, and others involved for their hard work and their valuable insight on this issue. Clearly, this legislation strengthens the injured workers in their recovery process. And I think we all want to be as fair to the injured worker that we possibly can. But I also worry that the increased payouts under the Bill are not offset by the savings. But I'm aware of the projected savings, but these are guesses and estimates and they're educated guesses. But they're made by people and groups who are professed to be experts in the field of workers' compensation. They envision cost reductions due to the business-friendly provisions of this Act. This Bill is presented to us in an agreed Bill most... most of the groups who operate within the system tell us that this is the best way to address this issue. I'm gonna take them at their word, Ladies and Gentlemen of the House and I'll be voting 'yes' on the concurrence to House Bill 2137. Thank you."

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

Washington: "Thank you, Mr. Speaker. Mr. Speaker, to the Bill."

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

59th Legislative Day

5/27/2005

Speaker Turner: "To the Bill."

Washington: "Mr. Speaker, I rise in support of this Legislation because I think it has a lot of many... a lot of good points in it, especially when it talked about cost containment and the savings that it would create for the state. And I want to thank the Sponsors for the efforts that they put in and shows you what collaboration and coordination can do. And I urge for an 'aye' vote of support for House Bill 2137."

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

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just wanna take a minute to commend the parties involved. Without the perseverance of people like Mike Carrigan, Greg Baise and Dave Vite, this Bill would not be a reality here tonight. I have dealt with this issue for a number of years on balanced billing and that issue alone was difficult, but to reform the whole Workers' Compensation Act is unprecedented and I think the last major one was actually 1975. So, they did a tremendous job and their commitment was absolutely fantastic. And I wanna thank the Governor for his leadership in initiating this idea. He grabbed it and took it and... I want... there's also another person I want to commend although it pains me, and that is Representative Jay Hoffman. Without Jay's commitment through this arduous and difficult task we would not be realizing the gain from this Bill. As a downstater and one who borders some states like Indiana, we've always been at a competitive disadvantage. This will help address

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

59th Legislative Day

5/27/2005

that. It is a very serious move. And Hoffman told me to say that by the way. So, thanks to all of you. And I urge support for the Bill."

Speaker Turner: "The Lady from Kane, Representative Chapa LaVia, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Chapa LaVia: "Jay, in Senate Amendment 3 which is... my question's on, this legislation authorizes the use of standardized treatment guidelines. However, there may be gaps when new treatment technologies emerge that are not addressed in the treatment guidelines. And I just want you to clarify for me and for the record that the lack of new treatment not being addressed in the guidelines does not constitute a basis for denial of treatment. If you could answer that for me."

Hoffman: "Yes, and... and that's one of the reasons I'm sure that business agreed to... or labor agreed to these provisions. If... It does provide for what's called outlier payments, in other words, may be treatment center unique, treatment center different, treatments that wouldn't be... wouldn't fit in the... in the medical fee schedule. So, yes, it does provide for that... that and treatment would not be denied."

Chapa LaVia: "And could you clarify what health care providers is?"

Hoffman: "It would mean anyone whether it's a doctor, a chiropractor, a physical therapist, a neurosurgeon,

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

59th Legislative Day

5/27/2005

individuals who provide health care to the people of the State of Illinois or to injured workers, I apologize."

Chapa LaVia: "I want to commend you on an outstanding piece of legislation. I'm happy and proud to be a Sponsor and good luck with the piece."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, I, too, will commend you for this. But let's not oversell it. There's one thing that I'm glad to see in here and that's the rate adjustment fund stability. About 5 years ago when I brought a Bill like that to the floor I don't think... I think I got four Democrat votes on trying to fix the Rate Adjustment Fund. I have six widows in my district that rely on the Rate Adjustment Fund to keep them above water. I'm glad to see that language in there. Let me quote from the Governor's State of the State Address, 'Illinois is the nineteenth most expensive state in the nation when it comes to workers' compensation premium. In fact, Illinois companies pay 40 percent more for workers' comp than Michigan, Wisconsin, and Indiana. We have to bring those costs down and we can if we're willing to embrace reform.' I agreed with the Governor, but you're not about to tell me that this is going to reduce our cost by 40 percent, are ya?"

Hoffman: "I apologize. Could you repeat the question?"



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

59th Legislative Day

5/27/2005

Black: "I didn't wanna interrupt the love fest. I quoted from the Governor's State of the State Address in which he currently pointed out that we have the highest workers' comp premium costs in the Midwest, 40 percent higher than Michigan, Wisconsin and Indiana. Now, you're not gonna tell me that this Bill is gonna lower those costs by 40 percent?"

Hoffman: "I believe that business believes that it will lower the costs substantially. I don't... I'm not going to stand here and tell you..."

Black: "Yah."

Hoffman: "Definitely, it's gonna lower it by 40 percent but I will... what isn't in this Bill is the continued commitment by business and labor to sit down and address other issues that are outstanding, issues such as the PPD rate, issues such as repetitive trauma, issues such as some of the average weekly wage calculations. And other outstanding issues that we couldn't necessarily get to an agreement here. We have a commitment on behalf of business and labor and I know Representative Brady and Representative... Representative Granberg are gonna be a part of this again to come back together and make sure that we address even further workers' compensation reform."

Black: "So, I think it would be fair to call this an incremental step in a long journey."

Hoffman: "Well, I would not care... I would... I would categorize it as a substantial step in a journey."

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

59th Legislative Day

5/27/2005

Black: "Well, we... we can disagree on... on... on the terminology. And I think it's... I think it's incorrect to call this an agreed Bill as you and I have been here awhile. Under the old agreed Bill process this is not an agreed Bill under the old agreed Bill process."

Hoffman: "I can tell you my understanding of history and my understanding of history is, during the Thompson administration he brought together for the issue of workers' compensation, as well as the issue of unemployment insurance, what is a term of art, the agreed Bill process. And at that time, as it was today, it was the business organizations and the labor organizations sitting down on those issues. This is not agreed by all parties. There are opponents. The Illinois State Medical Society is opposed. The Illinois Hospital Association is neutral. There are... there are, I'm sure, other opponents. But by the term of art that as I understand historically on these issues who is involved at the table of the agreed Bill process, I believe that's what was followed."

Black: "Thank you very much, Representative. Mr. Speaker, to the Bill. The City of Chicago stands in opposition of this Bill. Gee, I don't understand that at all. But let me just join with the Sponsor. I... I don't... I don't think we should oversell this. I'm gonna vote for it. I think it's a positive step forward. But I just went through in my hometown a long process where we were in competition with Marianne, Indiana, for a substantial investment in a company that would employ 600 workers. Now we haven't had

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

59th Legislative Day

5/27/2005

the exit interview. I don't know all of the factors involved in them picking Indiana over the site in Illinois. But let me tell you this. One of the reasons they told us up front was that first-year costs on workers' compensation were \$500 thousand higher than Indiana. The second-year costs they would estimate to be considerably higher because then they would have an experience rate and because they were in the distribution of loading and unloading of the trucks, they would assume they would have back and knee injuries. This is a positive step. It's one we've needed to take for a long time. But there is still a great deal of work to do. I congratulate those that have started on this journey. I hope they continue the journey. I intend to vote 'aye'."

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

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

Speaker Turner: "Indicates he will."

Meyer: "Representative, the issue is somewhat clouded, I think, when you indicate that it's an agreed Bill process. But others... there are some that were not part of that agreement. If I could get you to comment, because I'm getting today just this afternoon during the recess that we had. I had a fax from one of the communities that I represent. And when I checked my analysis I saw that the Illinois Municipal League along with a number of county organizations and different communities had logged on now

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

59th Legislative Day

5/27/2005

as... as opposing this version of House Bill 2137. And just... I wanted to read a couple comments that were made here and I just wanted you to react to it because certainly I do wanna support the agreed Bill process if it truly is. Just give you part of a quote here. 'This version of House Bill 2137, as put forth by the Senate, will significantly raise employment-related costs of the villages and municipalities.' Can you give me a comment on that?"

Hoffman: "I dis... I disagree. And I... I just think there's been misinformation about a Bill that was out there last year, over in the Senate, that I think may have had an adverse effect on some... on some entities. This... I can tell you what CMS says and what they have indicated to us. And they are not unlike municipalities or City of Chicago. They believe there could be as much as a 10 percent savings on the medical side regarding the... by having the fee schedule in place and the utilization review in place in the area of workers' compensation medical costs. I don't see any difference between what our experience here would be and what other municipalities and counties would experience. In addition, under the fee schedule provisions of this Bill, it's indicated that if you have a separate contract with health care providers that that is still in place. It's up to you. If you're a self-insured provider, if you're a big employer and you can get a better deal and you make a contract directly with the provider, that's up to you. You don't have to go by the medical fee schedule. So, I believe that we've attempted to put safeguards in

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

59th Legislative Day

5/27/2005

place in order to address some of those concerns. So, I just respectfully disagree with the comments that were made by some of the municipalities as well as I disagree with the conclusion that has been made by the City of Chicago that it's gonna cost them money. I think it's gonna save them money."

Meyer: "Are there fees that will be increased under this legislation?"

Hoffman: "There... while... while you do receive reductions in the area of medical costs, and I believe there will be reductions in some of the procedural changes that we made because we'll get a case through the system faster and not have the cost of defense. Also, we're cracking down on any fraud in the system which I think will bring savings. There are benefit increases to injured workers. They're not permanent partial-disability benefit increases that were in the Bill last year. But they are..."

Meyer: "Okay. If I could get..."

Hoffman: "...but they are increases in the neighborhood of 7½ percent on the most serious cases."

Meyer: "If in this last minute and half, I could get your comments on this final sentence. In addition, this version is not really an agreed to version of the House Bill. Were all parties including the municipalities and others that might be opposed to this a part of this agreed Bill process?"

Hoffman: "The people in the room of the agreed Bill process as I indicated in my comments earlier were modeled after what

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

59th Legislative Day

5/27/2005

was done under the traditional agreed Bill processes on workers' compensation and unemployment insurance. And that in the room were members and Representatives of each of the caucuses, members from organized labor and representatives of the business coalition. Traditionally, that's the way it's been done. That's the way this was done. We did bring in..."

Meyer: "Well, one of my concerns..."

Hoffman: "...we did bring in other individuals to come and testify to the group, to talk to the group. We had open hearings where they were able to testify here. Were they actually in the room? No. Were they consulted? And cons..."

Meyer: "One of my concerns, if I could, Sir, is..."

Hoffman: "But..."

Meyer: "...that there are just a growing number of municipal workers in this state. And to exclude them, of course, takes a very part of a... very, very large part of the state workers out of the equation in terms of reaching the agreed Bill process. I... I think that certainly in the future those people oughta be in room and very strongly in the room because for us to say..."

Speaker Turner: "You'll get one more minute."

Meyer: "For us to say that this is truly a... a true agreed Bill process, I would suggest that maybe the municipalities have a point to make... to be made here. And I... I certainly will listen to the rest of the... the rest of the comments on this Bill. Thank you."

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

59th Legislative Day

5/27/2005

Speaker Turner: "The Gentleman from Jasper, Representative Reis."

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

Speaker Turner: "He indicates he will."

Reis: "Thank you. Representative, is there anything in this legislation that repeals the workmen's comp premium tax that the Governor imposed on businesses last year?"

Hoffman: "No."

Reis: "I have a Bill available if you wanna make this Bill even better. We'll be glad to run it in the next couple days. 'Cause if you're wantin' to reduce costs that's an added cost, but to the Bill. My district borders Indiana. And we've been getting... we've been getting hurt bad by the lower workmen's comp rates in Kentucky, and Tennessee, and Indiana. And I know there's other bordering states on the other side. This is a great first step. We didn't hit a home run here. We got a... we got a single. We got a double. And I hope that... that the committee, I thank you for your time. I commend you. All the business groups and the hospitals and the trial lawyers that have worked on this. But I hope we can continue to make this a work in progress so that Illinois can become competitive with their workmen's comp rates. Thank you."

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

Hoffman: "If I might just address some of the procedural issues. Again, the agreed Bill process that was followed here is the agreed Bill process on these issues that we

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

59th Legislative Day

5/27/2005

have used traditionally here in the State Capitol regarding workers' compensation and unemployment insurance. So, this is the second time in the short time that we... the Governor's been in office that the agreed Bill process has worked. First, we solved an unprecedented unemployment compensation crisis here in Illinois and now this is a substantial step, I believe, in reforming the workers' compensation... the Workers' Compensation Act here in Illinois and insuring the businesses are competitive. What... would... would we like to do more and solve every problem of the whole world? Well, yeah, of course we would. But this isn't small changes. This isn't just changes in forms. This isn't just changes in procedure. These are substantial changes that are going to reduce substantially costs of businesses and make them competitive here in Illinois. But at the same time we're doing good things. We're cracking down on fraud. We're saying if you are killed on a job site that you're going to get a decent benefit. We're saying if you're killed on a job site we're going to allow you to have a decent burial. And we're raising the costs of burying... the costs of burial benefits under this Bill. We're also saying if you lose an arm you're going to... and it gets cut off at work, you're going to get a 7½ percent increase. That's in here. I'll admit it. It's a positive thing for people who are injured on the work site. Is that a small step? No, it's not. It's substantial. And making sure that we hold the line on medical costs. And making sure that for the first time



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

59th Legislative Day

5/27/2005

here in Illinois we have utilization review for medical costs and making sure we do something that people have been trying to do for 20 years and that's get rid of what's called balanced billing is substantial. These are substantial changes. That's why all of business is supportive. And that's why all of labor is supportive. And I ask for a favorable vote."

Speaker Turner: "Time. The question is, 'Shall the House concur in Senate Amendments 1, 3, and 5 to House Bill 2137?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 2 voting 'no', 1 voting 'present'. And the House does concur in Senate Amendments 1, 3, and 5 to House Bill 2137. And this Bill, having received the Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1, we have Senate Bills-Second Reading. Mr. Clerk, would you read Senate Bill 14. Representative Hannig."

Clerk Bolin: "Senate Bill 14, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill on Second. Mr. Clerk, we have Senate Bill 157. Read the Bill."

Clerk Bolin: "Senate Bill 157, a Bill for an Act concerning hospitals. Second Reading of this Senate Bill. Amendment

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

59th Legislative Day

5/27/2005

#1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill on Second. Mr. Clerk, we have Senate Bill 230. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 230, 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 Turner: "Hold the Bill on Second. We have Senate Bill 316. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 316, 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 Turner: "Hold the Bill on Second. We have Senate Bill 490. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 490, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill on Second. Senate Bill 661, read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 661, a Bill for an Act concerning finance. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill. We have Senate Bill 676. Read the Bill, Mr. Clerk."

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

59th Legislative Day

5/27/2005

Clerk Bolin: "Senate Bill 676, 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 Turner: "Hold the Bill on Second. We have Senate Bill 998. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 998, a Bill for an Act concerning health. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill on Second. We have Senate Bill 1442. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1442, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill on Second. Senate Bill 1815, read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1815, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill. Senate Bill 1843, read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1843, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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

59th Legislative Day

5/27/2005

Speaker Turner: "Hold the Bill on Second. Senate Bill 1879, read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1879, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill on Second Reading. We have Senate Bill 251. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 251, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill on Second Reading. We have Senate Bill 926. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 926, a Bill for an Act concerning regulations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill on Second. We have Senate Bill 945. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 945, a Bill for an Act concerning liquor. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill. We have Senate Bill 1267. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1267, a Bill for an Act concerning employment. Second Reading of this Senate Bill. No

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

59th Legislative Day

5/27/2005

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

Speaker Turner: "Hold the Bill. We have Senate Bill 1964. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1964, a Bill for an Act in relation to transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill on Second Reading. We have Senate Bill 1333. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1333, a Bill for an Act concerning firearms. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill on Second Reading. We're starting back on the Order of Concurrences. On page 15 of the Calendar, we have House Bill 1316. Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. I move to concur in Senate Amendment #1 to House Bill 1316."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1316?' All those in favor... I'm sorry, Mr. Black. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much Mr. Speaker. I apologize. I was a little late on the switch. I was trying to read the Senate Amendment. Would the Sponsor..."

McCarthy: "Yes."

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

59th Legislative Day

5/27/2005

Black: "You sure you want ask... answer to some of these questions?"

McCarthy: "Always, Mr. Black."

Black: "You're a Gentleman. Representative, if I read the Senate Amendment correctly and I read it very... very fast, I see language that says, 'parking in a disabled parking spot will now become a moving violation.'"

McCarthy: "Yes, Sir. That's act..."

Black: "How many moving violations can you get before you lose your license?"

McCarthy: "Well, this is the thing. The way we passed the Bill out of the House and it got 111 votes, including you and I, if they had one ticket for this it was up to the discretion of the Secretary of State to suspend or revoke their license. When it got over to the Senate they saw that as a problem and I personally agree with them. And they put it under the Section of a moving violations now, so that before you had to have three of these in a year before the Secretary of State would have the right to suspend or revoke your license. So, some people might look at this as a loosening of it, but I think it's making it more responsible. Having a person caught doing this one time and having the Secretary of State having the right to suspend or revoke I think is a little bit overbearing, so this actually loosens it up a little bit by putting it under that Section the person would have three in a year before the Secretary of State could suspend or revoke. And the Secretary of State's Office agreed with the Amendment.

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

59th Legislative Day

5/27/2005

They did not think they needed a heavy enough hammer that they could do it after just once."

Black: "Can you... can you tell me where the draconian punishment was in the Bill that left the Senate? I... I see a huge penalty for fraudulently using the placard, but I... I don't see the moving violation that you are talking about."

McCarthy: "Well, it... it's put on page 9 line 36. It's put in the Section in order to make sure it's about the people who use these phony placards, many times in Chicago, because you can park for free at parking meters in Chicago. Until I started involving myself in this Bill, I didn't realize they would sell these phony placards on ebay and other places for thousands of dollars. And you'd think, well, who would do that just to get a better parking spot, but if people who could park downtown then and of course, sit at a parking meter all day and not pay any fees. So, it... that's the Section that we're referring to here as far as the Amendment and as far as the revoking or the suspending of the license."

Black: "Well, Representative, maybe I'm missing it. But I... I still don't see the language when it left the House that it said parking in a disabled parking place would be a moving violation and you got one offense."

McCarthy: "It... it wasn't when it left the House."

Black: "Well, what did it say when it left the House?"

McCarthy: "It says, 'Any person found guilty of violating the provisions of subsection(a-1) shall be fined \$500 and 'may'

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

59th Legislative Day

5/27/2005

have his or her driving privileges suspended or revoked by the Secretary of State.'"

Black: "All right. But that was..."

McCarthy: "And we changed that. Now, we changed that to, 'anyone is guilty of an offense against traffic regulations governing the movement of vehicles which shall be fined \$500.'"

Black: "All right."

McCarthy: "And then we put it in the subsection 6-206 of the Vehicle Code."

Black: "But the subsection(a) for the revocation was if you are fraudulently using a placard, was it not?"

McCarthy: "Correct."

Black: "Okay."

McCarthy: "And that's what this is for."

Black: "All right. I didn't have any problems voting for that because I think if you fraudulently obtain or use a disabled parking permit, it should be a rather stiff penalty. But, Representative, parking in a disabled space, making that a moving violation... are any other... have any other states in the country done this?"

McCarthy: "I... I can't answer your question."

Black: "Would there... would there be case law... I mean, I... I'm not an attorney, but if I got one of these tickets I would certainly argue, my car was parked, how in the world can you give me a ticket that, in effect, makes it a moving violation?"



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

59th Legislative Day

5/27/2005

McCarthy: "I'm getting guidance here and it's not helping much. But... it's only confusing me more. This is a traffic offense, okay? And we looked at it as..."

Black: "Well, yeah... yeah, I think you could say that."

McCarthy: "...as putting it in this Section, I guess to some people's way of looking you might say it loosened it up a bit because it doesn't give the... ya know, 'cause it does say 'may', before we did this he 'may' suspend or revoke. So, I think... I think it's a good... a good Amendment."

Black: "But if you get three, there is no 'may'; it 'shall'. If you get three moving violations, you lose your license."

McCarthy: "Okay."

Black: "Right?"

McCarthy: "I really apologize, but please repeat."

Black: "You said 'may'."

McCarthy: "Right."

Black: "I interpret the Bill that it says 'shall'. If you... and not this Bill, but I mean the Illinois Vehicle Code says, I believe, if you get three moving violations in a one-year period you lose your license. So what... what concerns me and I don't have any..."

McCarthy: "Correct. Correct. And this could be one of 'em."

Black: "Okay. Representative, I don't have any patience with people who are not disabled that park in a disabled parking place. I have no... no sympathy for them whatsoever. But to make... to make a moving... to make a ticket that you receive for parking in a dis... in a handicapped space a moving violation seems to be a tremendous expansion of the law."

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

59th Legislative Day

5/27/2005

Let me follow up with another question. Most of these parking places are on private property and I've been told for years that you can't get a police officer to come in the vill... or the mall parking lot or a parking lot owned by a store with the handicapped spot, that they say they can't do anything about that because it's on private property."

McCarthy: "Well, that that..."

Black: "So who's going to issue the ticket that now becomes a moving violation?"

McCarthy: "Well, that... that did come up in committee and it was clearly stated by other witnesses that they certainly have the right to come in and do this. And that Orland Park Police Department, in the... my hometown, was recently cited in both newspaper stories and by the Secretary of State and the main place where they did enforcement was at Orland Square Shopping Mall and they had over three or four hundred arrests during one... I think it was a two-weekend time period."

Black: "Well, Representative, I... I really appreciate your answering the questions and Mr. Speaker I... I appreciate you... recognizing my late light. Ladies and Gentlemen of the House, to the Bill. I don't have any empathy for people who abuse a handicapped parking space. I think it's the height of rudeness. But this is a policy decision, as staff indicates, that has some tremendous ramifications. If you're going to assign a moving violation to a parking ticket, no matter how egregious the behavior might be, what next? Double parking? Parking with one wheel over the

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

59th Legislative Day

5/27/2005

curb? Back in parking where the sign says, no you can't back in, you only front park? If you make all of these things and that... if you open this door, I don't know where this will stop. I... I have no empathy, no sympathy for people who abuse this. But I think there's a time that when you make... you can make the punishment certainly not fit the offense. And I think... I just... a moving violation for a parking ticket just doesn't seem right to me. I intend to vote 'no' or 'present'."

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

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

Speaker Turner: "He indicates he will."

Bost: "Representative, if I could continue where Representative Black left off. I'm a little concerned because we have a law right now for younger drivers that a moving violation automatically loses their license. Is that not correct?"

McCarthy: "I believe you are."

Bost: "So... so... so, a person, a 16-year-old, 18-year-old, all of a sudden goes into the mall..."

McCarthy: "Sixteen or seven... hopefully, a brand new driver would be responsible enough that in his first couple of years of driving he wouldn't go out fraudulently using a handicapped..."

Bost: "Well, hope..."

McCarthy: "...vehicle sticker."

Bost: "...hopefully, a brand new driver's a lot of things."

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

59th Legislative Day

5/27/2005

McCarthy: "These aren't... these aren't people that just accidentally got in the car and drove around with this thing. I mean for a brand new driver who just went through the Rules of the Road, some of us haven't been through the Rules of the Road for 30 years and maybe we'd forget a few things. But I think a brand new driver in his first 2 years would know a little bit better than fraudulently using a vehicle sticker..."

Bost: "Well, I think... I think we're..."

McCarthy: "...that says he's handicapped."

Bost: "I think we're stepping over the line here as far as a moving violation. I have to agree with Representative Black. I see all kinds of ramifications that come out of this. Ya know, I don't think people should park in handicapped spots, don't... I think that's terrible. But now we're talking about kids who are gonna be able to... are gonna lose their license. Suppose you've got a very aggressive police officer and maybe somebody's parked a little bit across the line in... in a handicapped zone or, ya know, I see all kinds of problems with this. Don't you see the problem with making this a moving violation?"

McCarthy: "I think... this is only for people fraudulently using the vehicle sticker, the handicapped sticker."

Bost: "Okay. I... I just have trouble with the Bill and I'll be voting..."

McCarthy: "Okay."

Speaker Turner: "Representative McCarthy suggests take it out... the Bill out of the record."

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

59th Legislative Day

5/27/2005

McCarthy: "Thank you."

Speaker Turner: "On the Order of Concurrences, we have House Bill 1387. Representative... We have House Bill 1445, Representative Burke. On the Order of Concurrences, page 15 in the Calendar. The Gentleman from Cook, Representative Burke on... you wish to concur on Senate Amendment 1."

Burke: "Yes, Mr. Speaker. I move to concur with Senate Amendment #1."

Speaker Turner: "Representative."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As amended, House Bill 1445 would amend the Fire Sprinkler Contractor Licensing Act. And basically, what this Senate Amendment does, it simply adds language that architects are no longer necessary to signoff on spire... pardon me, on fire sprinkler plans. So, it's rather a technical thing. It's an agreed Bill and I would ask for the Body's favorable consideration."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur with Senate Amendment 1 to House Bill 1445?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Delgado. Delgado. The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 1 'present'. And the House does concur with Senate Amendment 1 to House Bill 1445. And this Bill, having received the Constitutional Majority, is hereby declared passed. On

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

59th Legislative Day

5/27/2005

page 16 in the Calendar, we have House Bill 1480. Representative Phelps, the Gentleman from White."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to move that the House concur with Senate Amendment #1 to House Bill 1480. This is a state chamber initiative and I ask for your support."

Speaker Turner: "Seeing no questions, the question is, 'Will the House concur in Senate Amendment 1 to House Bill 1480?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Parke. The Clerk shall take the record. On this question, there are 110 voting 'aye', 6 voting 'no'. And the House does concur with Senate Amendment 1 to House Bill 1480. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 16 in the Calendar, we have House Bill 1511. Representative Tenhouse, the Gentleman from Adams."

Tenhouse: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that we concur with Senate Amendment #1 to House Bill 1511. As you remember, when House Bill 1511 left here, we talked about the fact that there had been some problems with the Department of Human Services Office of Inspector General where basically frivolous claims were made and then ended up in that situation where substitute guardians had to be appointed. This... our language would've said 'may' but when it went over to the Senate they wanted to tighten that up a little bit, and frankly, the language

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

59th Legislative Day

5/27/2005

is probably better. It simply says, 'that the... Adults of Disabilities Abuse Project 'shall', when there is immediate and urgent necessity, seek the appointment of a temporary substitute guardian if the guardian of an adult with disabilities is alleged to be the perpetrator of abuse, neglect, or exploitation.' So that kinda clears it up a little bit. It should pass unanimously in the House, unanimously in the Senate. I would ask for concurrence."

Speaker Turner: "Seeing no questions, the question is, 'Does the House concur in Se... The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Black: "Representative Tenhouse, is this a good Bill?"

Tenhouse: "Yes, it's... my entire legislative initiative, Representative."

Black: "Thank... thank you very much."

Speaker Turner: "Seeing no further questions, the question is, 'Will the House concur in Senate Amendment 1 to House Bill 1511?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment 1 to House Bill 1511. And this Bill, having received the Constitutional Majority, is hereby

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

59th Legislative Day

5/27/2005

declared passed. And under the Order of McCarthy, we're gonna do House Bill 1387. Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 to House Bill 1387. Senate Bill... Senate Amendment #1 was House Bill 1393 when it was over here in the House and we passed it unanimously 114 to 0. When it got over to the Senate, that Bill was not called. So in order to keep the topic alive, they amended it on completely to Senate Bill 1387. 1393 had to do with noise suppression switches in school buses and as I said before had passed the chamber unanimously."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, having been a school teacher and a bus monitor, the noise suppression switch is a good idea. There are a lot fans, lot of motors, et cetera. But the biggest... the biggest aid in assi... in assistance to the bus driver, is there a noise suppression switch to quiet down the kids?"

McCarthy: "Well, we had corporal punishment when I was teacher, but I don't think that's allowed anymore, Representative. But... unfortunately, there's not. But this technology is available and it will reduce a good amount of the noise, hopefully. Maybe the kids'll see it and think, hey, this is a serious thing. And I think it's a very nominal cost."



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

59th Legislative Day

5/27/2005

So while we can't make the kids quiet, I've been on school buses with children, also, it's... I think it's a step in the right direction."

Black: "I... I agree with you, Representative. It's necessary because of all the equipment that's being added to school buses. But having been a school bus monitor and riding along with ya... with them on more than one occasion, the... the noise of the future of America on the school bus can be sometimes a little loud. But I will... I just asked the question in jest. I intend to vote 'aye'."

Speaker Turner: "Seeing no further questions, the question is, 'Does the House concur in Senate Amendment 1 to House Bill 1387?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 1 voting 'present'. And the House does concur in Senate Amendment 1 to House Bill 1387. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative McCarthy, you have House Bill 1487. The Gentleman from Cook, Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. House Bill... I move to concur in Senate Amendment #1 of House Bill 1487. If we concur in that then this Bill as amended, in the Senate, will exactly parallel Senate Bill 2112. Our friends in the IEA and the IFT asked me to do this, even though 2112 is already on the Governor's desk. So we'll be somewhat

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

59th Legislative Day

5/27/2005

redundant, but we do this a lot, unfortunately. So, 1487 and 2112 that are... is already on the Governor's desk would exactly parallel and... But I would appreciate a 'aye' vote."

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

Reitz: "I was just wondering for the sake of time could we run all of Representative McCarthy's Bills at once, just group 'em together?"

Speaker Turner: "Well, we said we are on the Order of McCarthy. You didn't hear it earlier, but yeah."

Reitz: "Oh. Thank you."

Speaker Turner: "We're trying to help him out here."

Reitz: "Okay."

Speaker Turner: "Seeing no further questions, the question is, 'Does the House concur in Senate Amendment 1 to House Bill 1487?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And the House does concur with Senate Amendment 1 to House Bill 1487. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 1517, Representative Brady. The Gentleman from McLean, Representative Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1517 is a particular piece of

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

59th Legislative Day

5/27/2005

legislation dealing with the criteria for immediate next of kin dealing with remains within the State of Illinois, human remains for disposition. I ask for a concurrence for House Bill 1517 and be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Does the House concur in Senate Amendment 1 to House Bill 1517?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 1 voting 'no', 0 'presents'. And the House does concur in Senate Amendment 1 to House Bill 1517. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 1565. Representative Soto, the Lady from Cook."

Soto: "Thank you, Speaker, Members of the House. Senate Amendment #1... I'm just getting to it, Speaker. I'm just gonna ask for the file. Thank you, Speaker. Ready? Thank you, Speaker. Senate Amendment #1 for House Bill 1565 on page 1, by replacing line 26 through 28 following the Secretary of State. On page 1, immediately below..."

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

Black: "Thank you very much, Mr. Speaker. To the Bill. I know of no opposition. I think it's an agreed Bill. Let's vote."

Speaker Turner: "The Lady moves that the House concurs in Senate Amendment 1 to House Bill 1565. All those in favor

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

59th Legislative Day

5/27/2005

should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Repre... The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment 1 to House Bill 1565. And this Bill, having received a Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, the moment you've been waiting for, information about your future. So, this is the way it looks. The House will reconvene tomorrow at 11:00. We will work tomorrow from 11 to 4. If everybody is very attentive, we might get out before 4, but tomorrow it is the plan to work from 11 to 4. We will then reconvene again on Sunday at 2:00. And I can't tell you what time we'll finish on Sunday and I can't tell you at this point what time we're gonna start on Monday. But we will be here Sunday and Monday. So, we will reconvene tomorrow at 11. We'll work 'til 4. On Sunday, it's 2 'til probably 6, 7 and on Monday, I don't know what the start time is gonna be on Monday, yet. Maybe tomorrow I can tell you what time on Monday. The Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, I appreciate that information. If at all possible, if you could give us Monday's schedule tomorrow, I know many of us our scheduled to be at Memorial Day observances on Monday and I've said before I'll stay here, if that's what it takes. But we need a time as quickly as we can because I... I feel an obligation to call folks back

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

59th Legislative Day

5/27/2005

home that I've said I would be at their ceremony or speak at their ceremony. And it doesn't look like I'm gonna be able to do that. So..."

Speaker Turner: "Representative, as soon as we find out, probably first thing in the morning we'll be able to tell you what Monday's..."

Black: "All right."

Speaker Turner: "...schedule is."

Black: "I... I appreciate that and certainly, the sooner the better. Thank you."

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

Brady: "For an announcement, Mr. Speaker. The House Republicans will caucus tomorrow morning, that would be Saturday for those of you who are wondering, May 28 at 9:30 in the morning, Room 118; 9:30 in the morning, tomorrow, Saturday, Room 118. And I thank you for your support on that initiative. Thank you."

Speaker Turner: "And now... and now, allowing perfunctory time for the Clerk, Representative Currie moves that the House does stand adjourned until Saturday, May 28, at the hour of 11:00 a.m. Saturday, May 28, at the hour of 11:00 a.m. And the House is adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Reading of Rules Report. 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 27, 2005,

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

59th Legislative Day

5/27/2005

reported the same back with the following recommendation/s: 'approved for floor consideration' is House Bill 1920, referred to the Order of Second Reading. Referred to the House Committee on Rules is Senate Joint Resolution 31, offered by Representative Washington; Senate Joint Resolution 38, offered by Representative Millner; Senate Joint Resolution 20, offered by Representative Yarbrough. Introduction and reading of Senate Bills-First Reading. Senate Bill 1180, offered by Representative Joe Lyons, a Bill for an Act concerning criminal law. Senate Bill 1211, offered by Representative McAuliffe, a Bill for an Act concerning civil law. Senate Bill 1212, offered by Representative Schmitz, a Bill for an Act concerning civil law. Introduction and reading of House Bills-First Reading. House Bill 4083, offered by Representative Holbrook, a Bill for an Act concerning regulation. House Bill 4084, offered by Representative Coulson, a Bill for an Act concerning education. There being no further business, the House Perfunctory Session will stand adjourned."