

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

92nd Legislative Day

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Speaker Turner: "The hour of 1:15 having come and went, the House shall be in order. We shall be led in prayer today by Pastor Sandor Paull with the Vineyard Church of Carbondale in Carbondale, Illinois. Pastor Paull is the guest of Representative Bost. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and the Pledge of Allegiance. Pastor Paull."

Pastor Paull: "Let's pray. Father, we... we turn our attention to You today. I pray over this procession, over these events today. I ask that over each one that You would speak to us, that You would reveal Yourself to us. I pray, Lord, that for each of us here that You'd give us humble hearts as servants. I pray, Lord, that those in this room would be mindful of those they represent, the needs that are there that they... the desires that are there in the hearts of the people. I pray that instead of just routine today that You would do a real work here. I pray, Father, not only for the Members here, for these men and women, but I pray also for their families. Father, would You remember them today, would You encourage them. I pray specifically for marriages, that You would strengthen and encourage those in this room that are married. I pray over their children, too, that You'd watch over them and keep them safe. Father, I pray that Your will would be done, that You would bless this state, that You would bless the people here from greatest to least, those of every color, those of every background. I pray for everyone that's represented in this room, Lord, that a... that a good thing would happen. That in

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the legislation, that in the events here, that it would make a difference, that it would have real change in the lives of the people. Lord, we seek You. We know that You are good; we know that You love us. And I pray for these men and women that You would help them. I pray that You'd encourage them today. I ask, Lord, that You'd fill them with strength, with vision. I pray that You'd give them servant leadership, Lord, and humility. I ask, Father, that You would even with all the distractions of their lives, I know they're busy, I pray that You would lead them to the right things. And I pray the Prayer of Solomon that You'd give them a wise and discerning heart. They would make good judgments, that they would have clarity of thinking today. Father, that You would guide them in what they do, Lord, that You would lead their steps. Pray over this procession and I pray over these... these events in this room today, Lord, that Your spirit would be here. That Your presence would come, that You would make a real difference in this place. Lord, we know that You're real, we know that You're love and I pray that You'd reveal Yourself and that You would pour Yourself into these men and women today. Help them, Father, encourage them in what they do. And I pray especially for the people they represent, that their lives would be changed because of their labors. We trust You, we love You, and pray this in Jesus' name. Amen."

Speaker Turner: "We will be led in the Pledge today by the Lady from Will, Representative Kosel."

Kosel - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands,

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one nation under God, indivisible, with liberty and justice for all."

Speaker Turner: "Roll Call for Attendance. The Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Hassert, Saviano, and Cross are excused today."

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

Hannig: "Yes. Thank you, Mr. Speaker. Let the record reflect that Representative Beiser, Majority Leader Currie, Representative Osterman, and Representative Patterson are excused today."

Speaker Turner: "The record will so reflect. And a quorum... 110 being present, a quorum is present. We will proceed with business. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Daniels, Chairperson from the Committee on Developmental Disabilities & Mental Illness, to which the following measure/s was/were referred, action taken on February 09, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 5385; 'do pass as amended Short Debate' House Bill 5382, House Bill 5386. Representative Joyce, Chairperson from the Committee on Aging, to which the following measure/s was/were referred, action taken on February 09, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 5301. Representative McAuliffe, Chairperson from the Committee on Veterans Affairs, to which the following measure/s was/were

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referred, action taken on February 09, 2006, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 5251. Representative Richard Bradley, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on February 09, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4463, House Bill 44... 4737, and House Bill 5331; 'do pass as amended Short Debate' House Bill 4541. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on February 09, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4391 and House Bill 4739; 'do pass as amended Short Debate' House Bill 4193. Representative Reitz, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on February 09, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4369 and House Bill 4819 and House Bill 4949. The following Resolutions are referred to the House Committee on Rules: House Resolution 908, offered by Representative Chapa LaVia. House Resolution 909, offered by Representative Mautino. House Resolution 913, offered by Representative Berrios. House Joint Resolution 97, offered by Representative Sullivan. House Joint Resolution 98, offered by Representative Chapa LaVia. Committee Report. Representative Howard, Chairperson from the Committee on Computer Technology, to which the following

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measure/s was/were referred, action taken on February 09, 2006, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 5244."

Speaker Turner: "I'd like to ask the Members if they would kindly be in their seats. We're going to do Resolutions at this point. On page 8 of the Calendar, we're gonna do House Resolution 819, Representative Sacia. If the Members would.. Mr. Clerk, House Resolution 819."

Clerk Bolin: "House Resolution 819, offered by Representative Sacia.

WHEREAS, The members of the House of Representatives of the State of Illinois learned with sadness of the death of Lance Corporal Andrew Grant Patten of Byron on Thursday, December 1, 2005, on the battlefield in Iraq; and

WHEREAS, He was born June 1, 1986, in Rockford to Alan G. Patten and Gayle Patten-Naschansky; he was a lifelong Byron resident before joining the U.S. Marine Corps in August of 2004; and

WHEREAS, He graduated from Byron High School in May of 2004, where he wrestled and played football; he liked music and he played four different instruments, including guitar, piano, viola, and trumpet; and

WHEREAS, Lance Corporal Patten had a deep and abiding faith in God and was very active in the Maywood Evangelical Free Church youth group; he enjoyed snow camping, rock climbing, four wheeling, and anything adventurous; and

WHEREAS, He was last stationed at 29 Palms, California and was deployed to Iraq on July 4, 2005; he was nicknamed "Rev" by

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his fellow soldiers because of his closeness to God and his willingness to share his beliefs with others; and

WHEREAS, The passing of Lance Corporal Patten has been deeply felt by many, especially his parents, Alan (fiance, Diane Kerr) Patten and Gayle (Victor) Naschansky; his sister, Allison Patten; his grandparents, Richard and Dorothea Seaman; and his many special friends, especially Eddie and Josh Engelert and Matt Nyberg, his solid rock friends; he was preceded in death by his maternal grandparents, Ray and Helen Drake, and his aunt, Donna Nelson; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of Lance Corporal Andrew Grant Patten, a true American hero, and we extend our deepest sympathy to his family, friends, and all who knew and loved him; and be it further

RESOLVED, That we honor the memory of Lance Corporal Patten and his willingness to serve our country, which led to him making the ultimate sacrifice; and be it further

RESOLVED, That a suitable copy of this resolution be presented to his family as an expression of our sincerest condolences."

Speaker Turner: "The Gentleman from Winnebago, Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, it is with great sadness and a humble heart that I stand before you today to pay tribute to the honor of an outstanding young American. In the gallery up behind me is Andy Patten's father, Alan and his fiancé, Diane and Andy's

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mother, Gayle and her husband, Victor. Every one of us in here has been touched in many different ways with the war waging in Iraq and Afghanistan and many of us have lost constituents. In my lifetime, I've attended many... many funerals. I don't think I've ever been quite so touched as the funeral for Lance Corporal Andy Patten. I don't think I have ever attended a funeral where a pastor could not keep his composure and that was because of his personal love for this fine, young man and the way that this young man touched, not only the community of Byron, the 89th Legislative District, but certainly his church, Maywood Free Church in Rockford, Illinois. The funeral was in many ways a wonderful celebration. Some of Andy's closest friends talked of his mischievous smile, his outstanding wit and as Brad said in the reading of the Resolution, he was fondly referred to in the Marine Corps as 'the Rev', obviously short for 'the Reverend' because of his closeness to his God and his willingness to share those feelings with his fellow Marines. Prior to Andy's death his mother, Gayle was called by the mother of a young Marine in San Diego to tell her how Andy had touched her son in his remarkable way. At the funeral, they talked to the fact that he could sit down and devour a pizza at one sitting. They talked to the fact that he loved cherry cheesecake. And again, as Brad read to you, he played four musical instruments. He was an outstanding athlete. Andy died December 1 of 2005. You will remember that day because it was a very newsworthy day when 10 Marines were killed by one roadside bomb. Andy, Lance Corporal Patten, was among those 10 Marines. Andy will be

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laid to rest or has been laid to rest at Arlington National Cemetery. Many of us in this chamber have sons, daughters, relatives that are serving in combat zones. I feel very privileged, my son served three combat tours and I got him home every time. Alan and Gayle weren't near as lucky. I think one of the things we've all heard at many times in our lifetime is 'only the good die young.' Andy Patten was 19 years old, an outstanding young Marine, the pride of the Class of 2004 of Byron High School. He is sadly missed and was greatly loved. His sister, Allison could not be here today. His grandparents, Richard and Dorothea Seaman could not be here either. I'm so grateful that his father, Alan and his fiancé, Diane and his mother, Gayle and her husband, Victor are able to be here. And we have presented them, on behalf of the Illinois House of Representatives, an Illinois flag that has flown at half-staff over this great Capitol in memory of this fine, young man. President Calvin Coolidge is credited with saying, 'Nobody's remembered for what they got, they're remembered for what they gave.' Lance Corporal Andy Patten made the ultimate sacrifice. Ladies and Gentlemen, if I could ask for a moment of silence in this fine, young man's honor. Thank you, Mr. Speaker."

Speaker Turner: "Representative Sacia moves for the adoption of House Resolution 819. All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And the Resolution is adopted. On page 8 of the Calendar, we're going to move to the Order of Third Readings. We'll start at the top and work our way down. The first Bill being House Bill 4121, Representative Burke.

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Representative Danny Burke. Out of the record. On the Order of Third Readings, we have House Bill 4293, Representative Beaubien. Out of the record. We have House Bill 4315, Representative Brosnahan. Out of the record. House Bill 4529, Representative Bradley, John Bradley. Out of the record. House Bill 4532, Representative Phelps. Out of the record. House Bill 4714, Representative Wyvetter Younge. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4714, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Turner: "The Lady from St. Clair, Representative Younge."

Younge: "Thank you, Mr. Speaker. House Bill 4714 will amend Section 3.3 of the Environmental Protection Act. This Amendment will result in expediting a process that will produce a facility proposed for East St. Louis. And it will process used oil for subsequent resale to local refineries. This Bill makes it clear that the facilities processing used oil into reu... reu... reusable products for... for the... for the petroleum refinery industry, that have already received local support for construction of such facilities by Home Rule units of local government, do not have the unnecessary burden of being subjected to additional administrative processes. The intent of the Bill is to shorten the production of this facility by 6 months. And I ask for your support."

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

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

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Speaker Turner: "She indicates she will."

Meyer: "Representative, I sat in the committee that considered that and quite frankly, did not support it. Let me ask you a couple questions, if I could. Does this Bill do away with the local siting process?"

Younge: "It exempts the local siting process in reference to..."

Meyer: "I'm sorry. I just cannot hear in here. There's too much noise."

Younge: "It exempts... it exempts the local siting process in reference to this facility. It does not change any environmental laws or any of the permitting process. The facility still has to be... go through a permitting in environmental law."

Meyer: "Well, why... why do you exempt this from the local siting process?"

Younge: "In order to move up the reality of the project 6 months. It will... HUD has already held hearings on this project. There had been hearings by the city council and there've been all kinds of hearings."

Meyer: "Well, we have a local siting process in this state for... for a reason and that is to give the local population a way to input as to what their desires are in terms of the business moving into a community. Why do you feel this should be exempted from that and cutting... cutting out the local input?"

Younge: "I think there has been an expression of support for this project. The City of East St. Louis has designated one million eight hundred thousand dollars in tax increment..."

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Meyer: "Speaker, could I have... I have no clue what the Lady's saying, I'm sure it's important and I can't hear her."

Speaker Turner: "I'd like to ask the Members if we could lower the volume just a little. If you could lower your volume."

Younge: "There have been all kinds of indications of local support. The city council has passed a resolution accepting and supporting the project. There has been a designation of one million eight hundred thousand dollars in tax increment finance funds in support of the project. The Department of Housing and Urban Development has held hearings and has made a two million five hundred thousand dollars loan. The Chamber of Commerce has indicated it supports the project. So, there is all kinds of hearings and indications of support and therefore, it makes it..."

Meyer: "Ya know, let me interrupt you here. I... I get the picture for what you're saying and I don't have a problem with the local elected officials supporting this. I don't have a problem with the Chamber stepping forward and saying we need to have more business development. I don't have a problem with a grant or a loan that's being given to you by a governmental body. What I do have a problem with, though, is the John Q. Public that lives down the street from this facility, has not had any kind of an opportunity, a venue, to express his or her desires on that development on how it might affect them. All that we have are people who may be, in some cases, disinterested, in other cases, very interested, but they're making the decision and they're cutting out the local input. That to me is why we have the

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local input is so that we give John Q. Public an opportunity to express their desires."

Younge: "Well, each one of these grants or loans has been made in a situation of public hearings. The city council has open public hearings and each... the Department of Housing..."

Meyer: "Well, where was... where was the HUD public hearing held?"

Younge: "It was held over the last year. I don't have the specific date. I could get the date to you."

Meyer: "Well, and my point is..."

Younge: "But... but there have been all kinds of public hearings and opportunities for... for public input."

Meyer: "Well, I see that there are still a number of people that are opposed to this. My understanding, the Illinois Environmental Council, the American Bottom Conservancy, Association of Sierra Club, Mississippi River Basin Alliance. Those... those are some clubs that... or some associations that normally have a fair amount of input on these subject matters and I know, when they appeared in committee, they were concerned that the public notice had not been served, the public had not had the proper amount of input. Here we are, we're trying to... I... I don't have a problem with what you're trying to do, Representative, but we heard... we heard testimony in committee that this is in a hundred-year floodplain and there's debate on that. That's why we need to have, I think, a good opportunity for local people to express their point of view for this to be brought out and as a part of that and it decided whether that really is in a local floodplain. I know it's right next to a levy. If the levy breaks, well, the property's flooded. And I... I

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just believe that in this case, Representative, that we should not be giving a bye as in terms of local input through the... through this process. And I... I would strongly stand in strong opposition to it and certainly encourage people to vote against it. I don't have a problem with your wanting to have development in your area. I truly understand the need for development. I just think it needs to go through the process in the right way."

Speaker Turner: "The Gentleman from St. Clair, Representative Holbrook, for what reason do you rise?"

Holbrook: "I rise in support of this Bill. What we're doing here is just eliminating one hearing over the siting issue with the EPA. If this was a steel mill, if this was a oil refinery, if this was a chemical plant, it would not even have to go under this program. This is a recycling center for the oil, and we're asking that this be allowed in. The Chamber of Commerce has asked for it. The city of... leaders have asked for it. It sets within five or six feet of the corporate limits of the next village and the village there is in support of it. This will not allow any waiver of the Corps of Engineer issues over floodplain or water runoff. If they need an air permit or a water permit through the EPA, they're gonna have to get it, too. This just eliminates one item that should have probably never been put into the law to start with as was discussed in committee. This issue here is simply... it's an economic incentive here for us to get this thing up and rolling. They have contracts already with many of your oil change facilities that you use now whether it's Jiffy Lube or whatever and

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right now, it's an un... served need. We're gonna create some jobs in the largest area of poverty in the State of Illinois. The local people have asked for it. They've asked for this to move ahead. And environmentally, if it doesn't meet the criteria on any issue whether it's stormwater, Corps of Engineers, air permits, does not affect it by this Bill. This Bill is strictly over the site issue. And I would urge all of us to vote 'yes' on this and move ahead with this. Thank you."

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

Tryon: "Mr. Speaker, I rise in support of Representative Younge's Bill. I would like to speak to the Bill."

Speaker Turner: "To the Bill."

Tryon: "Mr. Speaker and Members of the House, this came up in committee. And I think this is a very important Bill because society today needs to recycle. When this Bill orig... Senate Bill 172 was originally passed, that requires the siting committees to be city councils or whatever unit of government's gonna site these things, that was before we had recycling ordinances. That was before anybody ever thought about the need to recycle. Okay. It's by interpretation of the EPA and the environmental groups that we should hold hearings in communities because recycling is a regional solution to a waste problem. Well, I think it's important to note that if Exxon Oil came into this community and wanted to build the world's largest refinery, it would not have to go through this siting process. But if a small oil company wants to come in and build a refinery and as

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their source they don't wanna use crude oil they wanna use used oil, then they have to go through this siting process. And the problem with the siting process is it'll cost the community nearly a million dollars to go through this in some cases. All right. It sets up the city council as a quasi-judicial body, therefore, they can't have any ex parte communications with any of their residents. Therefore, it takes the ability of the city council to have communications with its residents outside of the hearing away from the hearing process. In the end, this is a land-use decision. Every single question that was brought up by the groups that oppose this could be answered in a zoning hearing or a landuse hearing. I think we need to address the problem and the problem is recycling doesn't fit in Senate Bill 172. Recycling is a land-use decision. We need to support recycling. Our communities need to be able to have recycling facilities. This community supports it. And I urge a 'yes' vote."

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

Hamos: "Mr. Speaker, I rise against this Bill, regretfully. We did hear testimony in committee and unfortunately, it became a 'he said', 'she said' kind of scenario. And that is the whole problem with the underlying law and it's the whole problem with this Bill. Now, if we need to change the siting requirements for recycling facilities, we should do that but to put us in the position where we are supposed to evaluate how much... what a... a specific project with special legislation like this, what it's going to mean for that

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local environment, for that local community, is just not right. Now, when the previous speaker said that some... that the community supports it, actually, we had people in committee who did not support it from that local area. They also reported to us that they did not have the opportunity to present information at previous hearings, that the hearing was cut short. They presented to us that the hearing was conducted by the Housing and Urban Development agency of the Federal Government and the person conducting the hearing said that she was not equipped to gauge environmental concerns. We learned also that, in fact, there wasn't that full scale environmental review and that this particular project is sitting on a fragile wetland. So, once again... and it was also presented to us that this kind of operation could cause explosions. So, why are we, in the Illinois House of Representatives, being asked to... to... to say that a local siting should not be... a hearing should not be required when there are these complications, when there's not full consensus back home, when there are environmental concerns and that is the problem with this kind of law. We should change the underlying law, but in the meantime, we should not enact special legislation that might be very... that might have a great deal of complications for which we will be accountable."

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

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

Speaker Turner: "To the Bill."

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Reitz: "What Representative Younger is trying to do here is trying to expedite the process for a very large... it's... it's a \$10 million plant in her area. It's been through numerous siting proposals and decisions already through HUD. It sets it in an Empowerment Zone. It's in... adjacent to one of the largest environmental operations there are and in industrial sites that are... that are in the area that's located in my district. But it sets adjacent to that. It's going to go through all of the environmental steps that it needs to and we're going to have all the hearing processes and all the permits. It's... it's... And I... I think Representative Tryon pointed it out as much as Representative Holbrook, more than anything else, it's just... this is specific to problems that we have with recycling. If this was an oil refinery, it wouldn't need these permits and that just doesn't seem to make sense. This has already been through the process. It's going to be a good environmental plant. It will... it will, as I said, we'll do all the permits, but the main thing is, if there are any problems, if it sets in a floodplain and they're not able to do that, the Corps of Engineers will weigh in on that and the other entities that are in there. And I would like to stress that the EPA... this language is at the behest of the EPA and they helped draft this. They think this is the right thing to do. And I'd appreciate your support."

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

Tenhouse: "Thank you, Mr. Speaker. I rise in support of the Lady's Motion. Serving as the counterpart to Representative

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Holbrook, on the Republican side, in this committee, we heard this discussion at length. And I understand, certainly, some of the concerns that have been raised, but when you really get down to the bottom line, I think we have to say that I think the public is going to be protected whether we pass this... if we pass this Bill. I don't see that there's a change in terms of the level of protection that will take place as far as individuals and as far as the public is concerned. I think it is certainly in terms of, to echo what Representative Holbrook said, this is an area of the state that certainly needs jobs. One of the problems here, of course, is the study that would be required. It's gonna be very tough to handle for a community that does not have the financial resources of a lot of other communities. And so as a result, I think... I certainly support the Lady's Motion. I would urge folks to look very seriously at this Bill and support it on final action."

Speaker Turner: "Representative Younge to close."

Younge: "I ask for your support in reference to this matter. I think if this used oil is recycled in a plant with specifications that would be less damage to the environment rather than the way it is handled now. I... This is very important to my area and I ask for your support."

Speaker Turner: "The question is, 'Shall the House pass House Bill 4714?' 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? Chapa LaVia. Churchill. Daniels. The Clerk shall take the record. On this question, there are 67 voting

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'aye', 39 voting 'no', 4 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Acevedo on House Bill 4719. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4719, a Bill for an Act concerning business. Third Reading of this House Bill."

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

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This legislation would amend the Illinois Consumer Fraud and Deceptive Practices Act to add a provision regulatin' work-at-home solicitations. Each year law enforcement and consumer protection agencies receives... received tens of thousands of consumer complaints about work-at-home schemes. Such schemes are consistently listed among the top 10 categories of consumer complaints. This proposed legislation is modeled on a North Carolina work-at-home solicitations statute which prohibits anyone from advertising work-at-home employment opportunities unless they actually pay compensation for the work performed and requires these... those entities offering the opportunity to disclose specific information about the company. Wisconsin and Louisiana also have work-at-home statutes. The solicitators (sic-solicitors) of these schemes usually target our most vulnerable populations such... such as the elderly and the disabled, as well as the stay-at-home moms who are interested in supplementing earning from home. These are the folks who can least afford to lose money. The typical work-at-home schemes, we're lookin' to combat,

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involves stuffing and addressing envelopes. These companies place signs on light poles and public ways luring the public potential of earning money from home. Interested consumers will call the phone number and be asked to submit an initial payment, usually 75 to 150 dollars, to get the information materials that will supposedly allow them to earn large sums of money. In Operation Job Fraud, a joint investigation conducted by the Better Business Bureau and the U. S. Postal Inspection Service, an examination of over a hundred work-at-home advertisements resulted in absolutely no evidence of people making the promised earnings. As an example of the volume that can be generated by... with just one company in less than a 1-year period, the Chicago Better Business Bureau received 414 complaints about Financial Resources Unlimited, Inc. of Willowbrook, Il... Willowbrook, Illinois. The company used a defendant in a case filed by the Cook County State's Attorneys Office and prior to an injunction being granted the operator of the scheme was making millions of dollars from a work-at-home advertising campaign that promised to pay workers 550 to 2,550 per week for stuffing envelopes. This legislation will require entities to actually pay the advertised wage, salary, set fee or commission to people performing the represented tasks. Additionally, the required disclosure of the actual business entity behind the solicitation. I'd be happy to answer any questions."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, have any states passed such a law?"

Acevedo: "Yes."

Black: "Which ones?"

Acevedo: "Hang on, hang on, Representative. North Carolina and Wisconsin and Louisiana."

Black: "I noticed staff identifies New York as having a real problem with a pyramid direc... or stuffing... envelope-stuffing business, but they didn't pass a law. They just have a consumer watch list. Now, I don't have any problem with the Bill, I have a problem with the enforcement. How is the Attorney General going to enforce this against a company incorporated and doing business, say, out of Washington state who mails into the State of Illinois? What... what jurisdiction do we have? It's not an Illinois-based company. It would seem to me that we... the only thing you could do would be to rely on the Federal Government against possible mail fraud. I... ya know, our staff indicates the Attorney General doesn't have any... any opin... or... excuse me... any difficulty with your Bill, but does issue a cautionary note about the enforcement problems because of different states' jurisdictions in this issue. So, I mean, are we creating a paper tiger or are we really giving the Attorney General something that she could use to, in fact, prosecute these scam artists?"

Acevedo: "Well, Representative, I believe the legislation applies to people operate... the companies operating here in

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the State of Illinois. I believe you're exactly right. If it's coming from a different state, it would be under..."

Black: "Okay."

Acevedo: "...federal jurisdiction."

Black: "All right. So, in other words, the real enforcement will be aimed at companies who do this who are quartered in Illinois, correct?"

Acevedo: "Yes. Yes, Representative."

Black: "Okay. Fine. I... I think any step is probably better than... than doing nothing. But as you know, these scam artists, with your background in law enforcement, as soon as we shut down one thing, they find another. But I... I... I think it's... it's probably a necessary step, unfortunately. Thank you."

Acevedo: "Thank you, Representative."

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

Durkin: "Just a question for the Sponsor, Mr. Speaker."

Speaker Turner: "He indicates he will."

Durkin: "Representative Acevedo, I looked through the text of the Bill and I don't see a penalty included in there for someone who violates this Section. Could you... could you tell me what the... could you tell me what the penalty is 'cause I don't see it in the text of your... of House Bill 4719 for someone who violates this Section."

Acevedo: "Just hang on, Representative. Representative, I don't know the exact penalty, but it would fall under the Consumer Fraud and Deceptive Business Practices Act."

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Durkin: "Okay. So, we're saying is that a... so the enforcement... there would be some type of criminal sanction under the Consumer Fraud Act for someone who violates this and it's already in the existing law?"

Acevedo: "Yes, yes, Representative."

Durkin: "Okay. Is there a civil and... any type of civil penalty which could be assessed against this individ... these companies as well?"

Acevedo: "I... I don't believe this applies to civil penalties, Representative. I... I believe it would be up to the... the people who are actually being taken for granted through this scheme."

Durkin: "Okay. Thank you."

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

Acevedo: "I ask for a favorable vote."

Speaker Turner: "The question is, 'Shall the House pass House Bill 4719?' 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 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the top of the Calendar, page 8, we have House Bill 4121. Representative Burke. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4121, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

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Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4121 very simply makes it a crime for one to misrepresent themselves as having received a Purple Heart from the United States Government. Be happy to answer an questions."

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

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

Speaker Turner: "He indicates he will."

Parke: "I think to do anything like that's outrageous, but is there... is there any kind of benefits by being a Purple Heart other than just bragging that you were wounded in some conflict or is there any... anything other than just falsely using it?"

Burke: "Not that I would presume to represent myself as a veteran of the United States military. I don't intend that anyone get that impression. I am not a veteran. For those in this Body who did serve in the military, I'm certain they are well aware of the significance and the importance of the Purple Heart. It is awarded under very specific circumstances for... for bravery and for service in the line of duty. For one in our society to falsely represent themselves as having received that very, very important recognition, I think is a serious offense not only in law but to our morality in this United States."

Parke: "Well, I agree with you, but I was just wondering if there's no other benefits or any kind of military benefits or anything like that that they are getting. It's just a..."

Burke: "It's..."

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Parke: "...a matter that they're lying about something so important and dear to us."

Burke: "It's an honorarium that's awarded to one who has performed outstanding service to our military."

Parke: "All right. Thank you. To the Bill. I rise in support of the Gentleman's Bill."

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

Stephens: "Well, thank you, Mr. Speaker. First of all, just to correct the record. I'm sure that everyone who receives the Purple Heart is probably perceived as brave, but as a recipient of the award, myself, I can tell you that they train you to not get shot. They spent over a hundred thousand dollars teaching me not to get shot. The first thing I did was got shot. However, there are special benefits that make this a very serious issue. First of all, people... there are wannabes who will wear a Purple Heart, they'll sew it to the back... to their jacket or something and they get to hang out with the real veterans. It's an insult to anyone who's ever worn the uniform, of course, but furthermore, we give a Purple Heart plate. It... it must be purchased, but it's a certain honor that this General Assembly and the Governor have bestowed upon those men and women who have actually received the award. This reminds me of a guy up north, a judge, a few years ago, who used to tell people that he won the Medal of Honor. And he went so far as to have a book published with his name in it saying that he won the Medal of Honor. And he went so far as to apply for the free license plates that we give to those few

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Medal of Honor recipients. So, there are very legitimate reasons, not just warm and fuddy... fuzzy feelings, why we should pass this Bill. And I respect you very much, Representative, for carrying it forward."

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

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

Speaker Turner: "He indicates he will."

Davis, W.: "Representative, currently, this is a... a medal that's received by way of the Federal Government for an individual that serves in a war. So, is it currently illegal for an individual, who is not a recipient, to wear or display... is it currently illegal for an individual to wear or display a Purple Heart medal on... on a coat?"

Burke: "Currently, it would not be a crime for one to misrepresent themselves as a recipient of the Purple Heart. That's the purpose of this legislation."

Davis, W.: "I... I notice you say misrepresent yourself, but let's say, for instance, my father was a Purple Heart recipient and he passed on and I received his medal and let's say I decided to wear it on a coat. Not... ya know, I don't know about protocol, but let's say I decided to wear it on a coat. Someone comes up to me and says, 'Oh, you have a Purple Heart.' And I go, 'No, that's my father's Purple Heart.' How is that a misrepresentation of the medal? How... how is that kind of... how's that a misrepresentation?"

Burke: "I think in your description you're assigning certain significance to this medal that is not appropriate. Number one, I would argue that this Purple Heart is to that one

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individual and if it was a sentimental attachment that you had to that award, that's one thing. For you to wear that award in public, is something that this legislation addresses itself to. I would not suggest that that would be appropriate, that you would wear your father's award."

Davis, W.: "Well, that's why I haven't..."

Burke: "You would hold it in a important place in your home or whatever, but for you to display that award would indicate to the public and society that you had received it and that's what I'm trying to get at in this legislation. That is not appropriate and I think given the importance of a Purple Heart, there should be some penalty for one that would present themselves to society as having received that award."

Davis, W.: "Well... well, that's why I asked because it's a medal that's from the Federal Government. Is there some Federal Law or statute that designates how such a medal should be worn or displayed?"

Burke: "I am not aware of that, but I certainly... I think, just common sense would insist that you don't wear an award that you're not entitled to, but there is no penalty. I'm not familiar with the Federal..."

Davis, W.: "Well, I mean, but sometimes if there's sentimental attachment to it because it may be a relative's and it was passed on to you, you might wear it..."

Burke: "Oh, I can understand..."

Davis, W.: "...in honor of that individual that received it."

Burke: "I can certainly understand that, but you have to understand the significance of a Purple Heart. There are

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very special conditions under which one would receive a Purple Heart and that is being injured in the line of duty."

Davis, W.: "I... I... I'm not questioning why an individual receives it. I'm not questioning that. My... I simply, when I read the analysis and it says that you misripre... mes... misrepresent yourself as the one who has received the Purple Heart, but if someone asked me and I said, 'Well, no, it belonged to my father.' And then how am I misrepresenting myself as someone who received the Purple Heart?"

Burke: "And... and... and in your scenario, I would suggest to you that those who would observe you in public wearing that Purple Heart would make the natural assumption that you were the recipient of that Purple Heart. They would not have the conversation with you to go further discovering that it was your parent's Purple Heart. Those who would observe you in society would make the natural assumption that you were the recipient and that's what I find to be offensive and egregious and that's the purpose of this legislation. To say to you, do not wear that Purple Heart if ya didn't receive it. If ya didn't deserve it, how dare you present yourself to this society as one who was brave enough and served our military to gain that award. That's not right."

Davis, W.: "That's why I asked if there was some federal something that spoke to this previous to your... your Bill or legislation and that's all. I was just curious. I mean, but if I... my father had a Purple Heart and he passed it on to me, I'm... I'm not... I don't think I'm misrepresenting myself as someone who has received this, particular if someone asks me now. I can't argue or deal with someone's

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perception of what they see if they... if I have it on. If they think that I received it, okay, they... that's their perception, but if they ask me and I said, 'No, it belonged to my father. He passed it on to me.' I just don't see how I'm misrepresenting myself as a Purple Heart recipient. Thank you very much."

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

Chapa LaVia: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Chapa LaVia: "Representative Burke, I think this is an outstanding piece of legislation specially because I'm the vice-chair of the Veterans' Affairs Committee for the House and the state. Where... what... where was the genesis of the Bill? Was there an instance that happened in your... in your district or..."

Burke: "Yes, Representative, in my immediate constituency. And I might reference a piece of legislation that my brother had introduced in the city council of Chicago directing itself at this practice of those who would misrepresent themselves in society and take the privilege of wearing this very, very important acknowledgement by our Federal Government, present themselves as heroes in our society when they had absolutely no right to display this very important award."

Chapa LaVia: "Well, on a day today, thank you for honoring all those that have received the Purple Heart and all their family members and I suggest that the whole Body vote, 118, for this Bill. Thank you."

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

Black: "I'm sorry, Mr. Speaker. It's very hard to hear in here. Will the Sponsor yield for a question?"

Speaker Turner: "Indicates he will."

Black: "Representative, I certainly have no difficulty or problem with the Bill whatsoever and Representative Chapa LaVia certainly asked the question that I was interested in and that's the genesis of the Bill. In checking with Representative Stephens, the Uniform Code of Military Justice would... would take effect if a serviceman or woman on active duty falsified any medal that he or she, in fact, was not entitled to. A civilian is what you're after. My only question is, why wouldn't we include in this Bill because I see it coming up now... once this gets out, the Bronze Star, the Silver Star, other military awards that some people falsely represent they have won, why wouldn't we just put all of those in one Bill and just say, you're not going to utilize any of those medal or their insignia unless you, in fact, earned them from the United States military?"

Burke: "You... you are absolutely right, Representative. I was responding to an immediate..."

Black: "Okay."

Burke: "...circumstance in my constituency where, indeed, givin'... given the significance and the importance of the Purple Heart I responded as a result of a situation that occurred in my constituency."

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

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

Burke: "Thank you, again, Mr. Speaker and Ladies and Gentlemen. I think, particularly to those that spoke previous, we understand the importance of this acknowledgement. The Purple Heart in our society is the most important award that one could receive from our Federal Government for their dedicated and committed service to the military. I would certainly encourage the Members of the Body to vote in favor of this matter. It is important; it is a matter of respect. It is a matter of common dignity that one would be punished for misrepresenting themselves as having been a hero in our military service. And I'd ask the Body's favorable consideration."

Speaker Turner: "The question is, 'Shall the House pass House Bill 4121?' 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? Jenisch. Tryon. The Clerk shall take the record. On this question, 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from DuPage, Representative Bellock, for what reason do you rise?"

Bellock: "Thank you very much, Mr. Speaker. I'd just like to be recorded as a 'no' on 4714. Thank you."

Speaker Turner: "The record will so reflect your wishes. The Lady from Grundy, Representative Gordon, for what reason do you rise?"

Gordon: "For purposes of a Motion, Mr. Speaker."

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Speaker Turner: "State your Motion."

Gordon: "I would move to table House Bill 4359 and House Bill 5213."

Speaker Turner: "4359 and 5213."

Gordon: "Correct. Thank you."

Speaker Turner: "The Lady moves that we table those Bills. All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And the Bills will be tabled. Representative Hannig on House Joint Resolution 96, page 9 of the Calendar. Read the Resolution, Mr. Clerk. The Gentleman from Montgomery, Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This is the Resolution that's required under the Constitution so that we'll have a Joint Session of the House and the Senate next Wednesday at 12:00 so that the Governor can present us with his budget address. So, that's what the Resolution does. I'd ask... I'd answer any questions, but I'd move for its adoption."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt House Joint Resolution 96?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. I'd like to alert the Membership that we're going to start on the Order of Second Readings and try to go through this as quickly as we can. If you would be prepared as your number comes up, we'll start at the top of the Calendar on page 2 of the Calendar. Please notify the Chair as to what... your readiness to have your

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Bill called. The first Bill we're going to call is House Bill 1577, Representative Joe Lyons. Out of the record. The next Bill is House Bill 2548, Representative Mary Flowers. Out of the record. Representative Boland on House Bill 4079. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4079, a Bill for an Act concerning government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Flowers on House Bill 4125. Out of the record. Representative Burke on House Bill 4132. 4132, Representative Burke."

Burke: "Mr. Speaker, I have a Floor Amendment that I have just filed this morning."

Speaker Turner: "Out of... Out of the record. House Bill 4186, Representative Feigenholtz. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4186, a Bill for an Act concerning children. Second Reading of this House Bill. Amendments 1 and 2 were approved in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. House Bill 4196, Representative Sommer. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4196, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 4197, Representative Schmitz. Out of the record. House Bill 4203,

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Representative Brady. Out of the record. House Bill 4222,
Representative Watson. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4222, a Bill for an Act concerning
sex offenders. Second Reading of this House Bill.
Amendment #1 was adopted in committee. All notes have been
filed."

Speaker Turner: "Third Reading. House Bill 4223, Representative
Mathias. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4223, a Bill for an Act concerning
public aid. Second Reading of this House Bill. No
Committee Amendments. No Floor Amendments. No Motions
filed."

Speaker Turner: "Third Reading. House Bill 4258, Representative
Lindner. Out of the record. House Bill 4286,
Representative Durkin. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4286, a Bill for an Act concerning
local government. Second Reading of this House Bill. No
Committee Amendments. No Floor Amendments. No Motions
filed."

Speaker Turner: "Third Reading. House Bill 4296, Representative
Beiser. Out of the record. House Bill 4298, Representative
Verschoore. Read the Bill, Mr... Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4298, a Bill for an Act concerning
criminal law. Second Reading of this House Bill. Amendment
#1 was approved in committee. No Floor Amendments. No
Motions filed."

Speaker Turner: "Third Reading. Okay. House Bill 4311,
Representative Eddy. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 4311, a Bill for an Act concerning sex offenders. Second Reading of this House Bill. Amendments 1, 2, and 3 were approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 4313, Representative Krause. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4313, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Pritchard on House Bill 4322. Read the... Out of the record. Representative Kosel on House Bill 4333. Third Read... Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4333, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Collins on House Bill 4338. Out of the record. House Bill 4342, Representative Jefferson. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4..."

Speaker Turner: "Out of the record. Out of the record. House Bill 4350. Out of the record. House Bill... House... House Bill 4357, Representative Lindner. Representative Lindner. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4357, a Bill for an Act concerning civil law. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. Representative Holbrook on House Bill 4363. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4363, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 4370, Representative Brauer. Out of the record. Representative Parke, House Bill 4375. 4375. Out of the record. House Bill 4396, Representative Wait. Representative Wait. We're waiting. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4396, a Bill for an Act concerning criminal law."

Speaker Turner: "Out of the record. Get your hand signals straight, Representative. House Bill 4397, Representative Wait. Out of the record. House Bill 4398, Representative Wait. Representative Wait, 4398. Out of the record. Representative Winters on House Bill 4412. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4412, a Bill for an Act concerning procurement. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Miller on House Bill 4414. Out of the record. Representative Ramey on House Bill 44... Out of the record. Representative Hannig... Out of the record. Representative Bost, 4444. Out of the record. Representative... Representative 40... Representative Beiser, 4451. Out of the record. Representative Howard on

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House Bill 4456. Connie Howard. Out of the record.
Representative Joyce on House... Out of the record.
Representative Osmond, 4461. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4461, a Bill for an Act concerning
State Government. Second Reading of this House Bill. No
Committee Amendments. No Floor Amendments. No Motions
filed."

Speaker Turner: "Third Reading. House Bill 4525, Representative
Phelps. Out of the record. House Bill 4544, Representative
Monique Davis. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4544, a Bill for an Act..."

Speaker Turner: "Out of the record. House Bill 4688,
Representative Jones, Lou Jones. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4688, a Bill for an Act concerning
criminal law. Second Reading of this House Bill. No
Committee Amendments. No Floor Amendments. No Motions
filed."

Speaker Turner: "Third Reading. House Bill 4693, Representative
Deborah Graham, 4693. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4693, a Bill for an Act concerning
firearms. Second Reading of this House Bill. No Committee
Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 4694, Representative
Graham. Out of the record. House Bill 4227, Representative
Golar. Representative Golar. 4727. Out of the record.
Representative McGuire, Jack McGuire, House Bill 4728. Read
the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4728, a Bill for an Act concerning
transportation. Second Reading of this House Bill. No

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

Speaker Turner: "Third Reading. Representative Golar on House Bill 4740. Representative Golar. Out of the record. Representative Schock on House Bill 4743. Out of the record. Representative Ryg on House Bill 4760. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4760, a Bill for an Act concerning property. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 4764, Representative Hannig. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4764, a Bill for an Act concerning revenue. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. Representative Nekritz on House Bill 4782. Out of the record. Representative Tenhouse on House Bill 4804. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4804, a Bill for an Act concerning emergency management. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Hannig on House Bill 4813. Out of the record. Representative Saviano on House Bill 4835. Out of the record. Representative McAuliffe on House Bill 4886. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 4886, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative McAuliffe on House Bill... Out of the record. Representative Nekritz on House Bill 4907. Out of the record. Representative Joyce on House Bill 4955. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4955, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Rose on House Bill 4959. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4959, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 4960, Representative Rose. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4960, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Brady on House Bill 4971. Read the... Representative Brady. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4971, a Bill for an Act concerning local government. Second Reading of this House Bill. No

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

Speaker Turner: "Third Reading. Representative Parke on House Bill 5216. Out of the record. Representative Meyer on House Bill 5249. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5249, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Soto on House Bill 5256. Representative Soto. Out of the record. Representative Hamos on House Bill 5268. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5268, a Bill for an Act concerning housing. Second Reading of this House Bill."

Speaker Turner: "Third..."

Clerk Mahoney: "No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Reitz on House Bill... Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5274, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Mulligan on House Bill 5296. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5296, a Bill for an Act concerning insurance. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. Representative John Bradley on House Bill 5299. Out of the record. Representative Mulligan on House Bill 5300. Out of the record. Representative Black on 5305. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5305, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. In a hurry. Representative Osterman... Out of the record. Representative Jenisch on House Bill 5337. Out of the record. Representative Summon... Sommer on House Bill 5339. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5339, a Bill for an Act concerning insurance. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 5340, Representative Sommer. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5340, a Bill for an Act concerning schools. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Watson on House Bill 5343. Watson. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5343, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Mr. Clerk, read the Adjournment Resolution."

Clerk Mahoney: "Senate Joint Resolution #76."

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RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, February 09, 2006, they stand adjourned until Tuesday, February 14, 2006 at 12:00 noon."

Speaker Turner: "The House moves for the adoption of the Adjournment Resolution. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Adjournment Resolution is adopted. On page 4 of the Calendar, we have Representative Parke on House Bill 4375. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4375, a Bill for an Act concerning sex offenders. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Mr. Clerk, what's the status of House Bill 4079, 4079?"

Clerk Mahoney: "House Bill 4079 is on the Order of Third Reading."

Speaker Turner: "Mr. Boland, the Bill is on Third. It is my understanding that you wanna move the Bill back to Second? The Bill... Mr. Clerk, move the Bill back to Second. Agreed Resolutions, Mr. Clerk."

Clerk Mahoney: "Agreed Resolutions. House Resolution 910, offered by Representative Rose. House Resolution 911, offered by Representative Reitz. House Resolution 912, offered by Representative Poe."

Speaker Turner: "The Clerk moves for the adoption of the Agreed Resolutions. All those in favor should say 'aye'; all those

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opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And the Resolutions are adopted. Mr. Clerk, in writing we have the following Motions to Table. Representative Beaubien wishes to table House Bill 4218, House Bill 4206, House Bill 5541, House Bill 4761. Representative Mulligan wishes to table House Bill 5289. And Representative Willie Delgado wishes to table House Bill 4792. You've heard the Motions. All those in favor should say 'aye'; all those opposed say 'no'. And the Motion to Table is approved. Representative Acevedo, for what reason do you rise?"

Acevedo: "Mr. Speaker, I'd like to table Amendment #7 on House Bill 2414."

Speaker Turner: "The Gentleman asks leave to tab... Mr. Clerk, what's the status of that Amendment? Representative Acevedo. Take the Bill out of the record."

Acevedo: "You can just take it out of the record."

Speaker Turner: "Take it out of the record. Mr. Clerk, read House... Yeah. We have a Death Resolution, Members. We'd like the Clerk to read House Resolution 921. Mr. Clerk."

Clerk Mahoney: "House Resolution 921, offered by Representative Will Davis and Representative Bost.

WHEREAS, The members of the House of Representatives of the State of Illinois learned with regret of the death of Dr. James Walker, the first African-American person to serve as president of the two-campus, 35,000-student Southern Illinois University system (SIU), on Sunday, February 5, 2006; and

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WHEREAS, An Alabama native, Dr. Walker was a graduate of Pennsylvania State University's doctoral program in education and was the co-author of a book, "Behavior Management: A Practical Approach for Education", which is in its eighth edition; he authored several journal articles related to special education and educational psychology; and

WHEREAS, He earned his bachelor's degree in biology from Alabama State University and a Masters in Special Education from Atlanta University; he was a post-doctoral fellow at the University of Alabama in Higher Education Administration and was also a graduate of the Harvard University Institute for Educational Management; and

WHEREAS, Dr. Walker came to SIU from the president's job at Middle Tennessee State University in 2000; he was recognized as one of the most accomplished and dedicated higher education professionals in this country; he is remembered by his successor at SIU as a caring and decent man who accomplished a great deal for Southern Illinois University through his positive outlook on life and his wonderful sense of humor and is credited with providing stable and experienced leadership to the SIU system at a critical point in its history; and

WHEREAS, Upon arriving at SIU in 2000, President Walker formed a committee known as the "2020 Vision Committee" composed of an external group of nationally recognized educators and community leaders; chaired by the late Senator Paul Simon, the committee developed a set of recommendations designed to chart the way for SIU as it moved into the 21st century; in September of 2002 the "2020 Vision Committee" issued its

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report, which included 42 specific recommendations to move the University forward during the next two decades; the report guided much of the President's administrative planning and decision-making processes during his tenure at SIU; and

WHEREAS, President Walker's many visits to Springfield and Washington, D.C., gained him respect and stature among State and federal elected officials; key members of the Illinois Congressional delegation, working together with Dr. Walker, secured millions in federal research grants in the areas of coal, agriculture, bio-fuels, health care, and education during his tenure; and

WHEREAS, His discussions and relationships with key State officials assisted the University in securing more than \$110 million in State appropriations for capital funding during his tenure; key projects included the \$12 million renovation of Altgeld Hall and Old Baptist Foundation, the \$35 million renovation of Morris Library, the new construction of the \$30 million School of Medicine Combined Laboratory Facility in Springfield, the \$21 million Cancer Institute that will break ground this year, and the \$20 million Corn to Ethanol National Research Plant at SIUE; during his tenure at SIU, private contributions to the university's foundation rose by 30%; and

WHEREAS, President Walker was also instrumental in raising student scholarship funds; his Presidential Scholarship Fund annually rewarded academic excellence and resulted in some of the best young minds in the State enrolling at SIU's campuses; and

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WHEREAS, He also initiated efforts to foster greater cooperation between the Carbondale and Edwardsville campuses; his Task Force for the Identification and Development of Collaborative Opportunities resulted in significant improvements in maximizing resources and strengths of SIU as one university; his work in this area resulted in successful joint coordination of federal research funding efforts in rural health care programs including medicine, nursing, dental medicine, and allied health work; in the area of budget, administrative, and legal services, President Walker's streamlining initiatives resulted in a 28% reduction in University administrative costs over the last two years of his service; and

WHEREAS, President Walker was also aggressive in working with the Chancellors of the Carbondale and Edwardsville campuses in pursuing new programs and capital projects funded with university resources, including the new SIUE Pharmacy School and the recently approved expansion of the SIU governmental internship program; and

WHEREAS, President Walker was a member of numerous higher education professional organizations and served on the boards of several of these associations, including the American Association of State Colleges and Universities and the American Council on Education; he also served as chair of the NCAA Division I Athletics Certification Committee; he was involved in Rotary International, the United Way, Boy Scouts of America, and the American Heart Association; and

WHEREAS, He spent more than three decades in higher education; he took the position at SIU after serving at Middle

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Tennessee State University, where he was president for ten years; prior to becoming president at MTSU, he was Provost and Vice President for Academic Affairs at the University of Northern Colorado; he moved through the ranks from assistant professor, department chair, dean, provost, and vice president for academic affairs to president; and

WHEREAS, The passing of Dr. James Walker has been deeply felt by many lives that he touched, especially his wife, Gwenn, and his two daughters; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of Dr. James Walker, and we extend our sincere condolences to his family, friends, and all who knew and loved him; and be it further

RESOLVED, That a suitable copy of this resolution be presented to his family as an expression of our deepest sympathy."

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

Davis, W.: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I just simply wanted to take this opportunity to honor a gentleman who I've had the pleasure to get to know over the last couple of years being here and being on the House Appropriations Committee for Higher Education. I've always felt that President's Walker.. President Walker's commitment to the university was paramount. In our conversations, he talked about the need to increase the number of minority students on campus and a need to increase faculty diversity, but nevertheless, he always had the university's best interest at heart. Many of you know that this is a school that I graduated from and had

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the opportunity to work in the admissions office of that university for 6 years and it was during that time that I... I developed a truer appreciation for this university and everything that it tried to do. It's in the southern most part of the state and there are a number of students from the City of Chicago and the Chicagoland area that choose to go to school there. And I always thought that this university provided an opportunity for young people to stay in the State of Illinois but also expose them to another part of the state that they wouldn't necessarily have the opportunity to see. And after meeting and getting to know President Walker, I think he understood what I hope to accomplish here in this Legislature and I supported everything that he hoped to do. As was indicated by the Resolution, he did a number of great things to try to build the university and to make it one of the finest institutions not only in the State of Illinois but also in the entire country. Many of you in this room graduated from other state universities and we all would argue that our school is the best school in the State of Illinois, but certainly, this was a very fine institution and one that offered the students that had the opportunity to go there, the opportunity to expand their horizons, meet new people, gain different respect and understanding of the world in which we live in today. And also, it's only fitting that since we are now celebrating Black History Month that we recognize this gentleman for being the first African-American president of this particular university. It was a great accomplishment for him, for the university to select him and

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I think he served that university well. So, I thank each of you for rising in support of this Resolution on behalf of this fine individual."

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

Bost: "Thank you, Mr. Speaker. To the Resolution. Ladies and Gentlemen, I came to know James Walker. He came into the university at a time when there was turmoil and he became a great peacemaker between unions and the administration. He was a fine man. He is... he was a person that SIU needed. His vision for the future of SIU, for the future of higher education as a whole in the State of Illinois and I know many of you were visited in the office... in your offices by Jim when he came here and... and was working to try to better SIU. He became... he and his wife, Gwenn, became friends of Tracy and I and it was a friendship that we truly and dearly loved. He... he had a very good joke, I thought, that then chancellor... the chancellor right now is... is Chancellor Wendler. And Chancellor Wendler came from a Catholic faith and changed to Baptist and James Walker, his father, was a Baptist minister and he was Catholic. And whenever they met, one said to the other, 'I understand that we have something in common.' And James said, 'Well, what's that?' And he said, 'It's our mothers believe we're both going to hell for a different reason.' But he was and a light-hearted but yet very focused individual who believed in higher education for all people that knew that no matter what your background that higher education was and is the way to improve and make a better life. I am better for

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having known him. I... My condolences go to his family. We'll be seeing them tomorrow night at the wake. I wanna thank Representative Davis for also pushing this... this Resolution forward. He will be dearly missed all around the state and definitely in the Carbondale and Southern Illinois area."

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

Davis, M.: "Thank you, Mr. Chairman. I, too, stand quite honored to pay respect to the memory of the president of Southern Illinois University. When he came before or when he would come before the Higher Education Appropriation Committee, he was extremely well prepared. His documents were not excuse making, but his documents showed that if he felt a need for a program in his university, the program was implemented. He made a great effort for the retention and the graduation of African-American students and for that I'm truly grateful. Being African-American History Month, we stand truly honored to say for this great American, who had an association with Harvard University, that he was a great role model and we are more than grateful to his family, to his faculty, for putting this kind of gentleman at the head of a university, one of our most prestigious and successful in the State of Illinois. We honor his memory. Thank you."

Speaker Turner: "Representative Davis moves for the adoption of House Joint... House Resolution 921. All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And the Resolution is adopted. And now, allowing perfunctory time for the Clerk,

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Representative Hannig moves that the House stands adjourned 'til Tuesday, February 14 at the hour of noon. Tuesday, February 14, Valentine's Day, at the hour of 12 noon."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of House Bills-First Reading. House Bill 5579, offered by Representative Reis, a Bill for an Act concerning finance. Introduction and reading of Senate Bills-First Reading. Senate Bill 2202, offered by Representative Soto, a Bill for an Act concerning education. Senate Bill 2235, offered by Representative Hamos, a Bill for an Act concerning education. Senate Bill 2247, offered by Representative Ryg, a Bill for an Act concerning local government. Senate Bill 2271, offered by Representative Winters, a Bill for an Act concerning wildlife. Senate Bill 2305, offered by Representative Burke, a Bill for an Act concerning business. Senate Bill 2345, offered by Representative Franks, a Bill for an Act concerning regulation. Senate Bill 2402, offered by Representative Schmitz, a Bill for an Act concerning criminal law. House Joint Resolution Constitutional Amendment 32.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article VIII of the Illinois Constitution by changing Section 2 as follows:

ARTICLE VIII

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FINANCE

SECTION 2. STATE FINANCE

(a)The Governor shall prepare and submit to the General Assembly, at a time prescribed by law, a State budget for the ensuing fiscal year. The budget shall set forth the estimated balance of funds available for appropriation at the beginning of the fiscal year, the estimated receipts, and a plan for expenditures and obligations during the fiscal year of every department, authority, public corporation and quasi-public corporation of the State, every State college and university, and every other public agency created by the State, but not of units of local government or school districts. The budget shall also set forth the indebtedness and contingent liabilities of the State and such other information as may be required by law. Proposed expenditures shall not exceed funds estimated to be available for the fiscal year as shown in the budget.

(b)The General Assembly by law shall make appropriations for all expenditures of public funds by the State. Appropriations may become law only with the concurrence of three-fifths of the members elected to each house of the General Assembly. Appropriations for a fiscal year shall not exceed funds estimated by the General Assembly to be available during that year.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. There being no

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further business, the House Perfunctory Session will stand adjourned."