

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off laptop computers, cell phones, and pagers. And we ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Father Bruce Wellems who is the Pastor of the Holy Cross Parish in Chicago, Illinois. Father Wellems is the guest of Representative Acevedo."

Father Wellems: "Thank you. Let us pray. Lord of life, giver of all that is good, counselor, be with us in this time, in this time of journey, this time of conversion, for many of our faith traditions, a time of reflection. It's also springtime, coming soon. Who we look in our hearts for hope, for greater wisdom to serve others. Help us to visit the poor, help us to know the needs of others that we might continually be changed for good, for wisdom. We pray this together, amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Collins."

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

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

Currie: "Thank you, Speaker. Please let the record show that Representative Patterson is excused today."

Speaker Madigan: "Mr. Bost."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

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

Speaker Madigan: "The Clerk shall take the record. There being 116 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Bolin: "Introduction of Resolutions. House Resolution 96, offered by Representative Meyer. House Resolution 97, offered by Representative Poe. House Joint Resolutions 16, offered by Representative Joyce. House Joint Resolution 17, offered by Representative Washington. And House Joint Resolution 18, offered by Speaker Madigan. These Resolutions are referred to the House Rules Committee."

Speaker Madigan: "All right. Ladies and Gentlemen, could everyone please take their seats and would the staff please retire to the rear of the chamber. All right. Ladies and Gentlemen, please take your seats. We have a special presentation today and we have a former Governor. So, if everyone would please take their seats. It is my pleasure to, as I have on many previous occasions, present to you former Governor Jim Edgar, the former Governor of Illinois. Jim Edgar."

Edgar: "Well done. Thank you. Thank you. Thank you very much. Thank you. Thank you, Mr. Speaker, Members of the General Assembly. I was thinking, when I was coming over here, the last time I had the opportunity to stand at this spot and address this chamber was about 9 years ago when I presented my last budget address. Now, fortunately, today I don't have to present a budget and, fortunately, you don't have to listen to me present a budget. But today I'm here to talk

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

about something I think may be a little more cheerful and that is the new book that has just been written, and I believe you have received or will be receiving, on the life of Senator W. Russell Arrington. Senator Arrington was the Republican Leader in the Senate during the 1960s. And now, almost 40 years ago, when I was fresh out of Eastern Illinois University, I had the great good fortune of being assigned as a legislative intern to the staff of Senator Arrington. Now, Senator Arrington probably, I think anybody who knows anything about Illinois history would agree, was one of the most forceful individuals in the history of Illinois State Government. He almost single-handedly pulled the Illinois General Assembly into the 20th century. As the Republican Leader of the Senate, he initiated professional staffing for the four caucuses and he insisted that both the Minority receive the same amount of staffing as the Majority. He also brought about annual Legislative Session, which some might debate, but his feeling was the Legislature needed to be a full-time Body on equal par with the Executive Branch. He also, I think much to the pleasure of many of Members of the General Assembly, doubled legislative salaries in about a 3-year period because of the new role the General Assembly had to play. When W. Russell Arrington left his role as Senate Leader in January of 1971, no Governor since has ever taken the Illinois General Assembly for granted, and I can attest to that. But Senator Arrington also recognized that there were times when, as the Legislative Leader, he needed to work with the Governor for the common good of the State of Illinois. And I well

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

remember, when I was an intern, the day that he agreed to Governor Ogilvie's request that he become the Sponsor of the Bill that was known as Senate Bill 1150. Senate Bill 1150 was the state income tax. Senator Arrington had always opposed the state income tax but came to the conclusion the state had no alternative. And while he thought it was gonna be a very difficult undertaking, he recognized his responsibility and he not only sponsored, he saw that it was passed into law. Now, those of you who maybe have known of Senator Arrington, Senator Arrington could be rather forceful, as I said earlier, and somewhat abrasive. In fact, the current mayor's father used to refer to Senator Arrington as 'arrogant Arrington'. He did not suffer fools as well. He was one who was very committed. And to be very truthful, while he could be tough on Members of the other Party, politics wasn't high on his agenda. What was at the top of his agenda was solving the problems of the State of Illinois. And one of the things that I remember most in my years of being in Springfield, particularly in those early years when I was forming many of my impressions, was a day in June of 1970. The General Assembly had been in Special Session called by Governor Ogilvie; he had requested that they raise the gasoline tax to help the Chicago Transit Association out of one of their often financial crisis. Senator Arrington tried to help the Governor and convince his Members to support that Bill, but as you can imagine, among his Members who were primarily suburban and downstate Republican, there wasn't a lot of excitement about raising the gasoline tax statewide for the Chicago Transit

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Authority, particularly after he had just talked them in the year before to vote for the state income tax. So, after several days of a very cantankerous Session, finally the Legislature adjourned without resolving that issue. And the next morning I went into Senator Arrington's office and I could tell he was very agitated and upset; and I went to him and said, 'Senator, I know you're upset; but I said, 'you know, you had pushed your Members as you could push 'em. They were on the verge of revolting. And from the political point of view, you could far... be far better off if we didn't deal with that issue.' And he turned and looked at me and he says, 'Jim, you don't understand.' He said, 'We're here to solve problems and we did not solve the problem.' That was Senator Arrington. He was a fascinating individual to work for; he was a great person for this state. Taylor Pensoneau has written an excellent biography of Senator Arrington. It's both informative and enjoyable and I urge you all to take time to read Power House because I think you'll have a greater appreciation for recent history in State Government and an appreciation for a man who made a difference and I think reminds everyone why they're in the General Assembly. It's now my pleasure to introduce to you the author of this book, someone who many of you know 'cause prior to becoming an author he, when I first met him, was the political reporter assigned to Springfield for the St. Louis Post-Dispatch and then he was with the Illinois Coal Association where he served for many years as president of that association. Since then he has become an author of several books on Illinois history, including a biography on

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Governor Ogilvie and coauthored a biography of Governor Walker and also written a book about the Shelton Gang. There's no correlation there, I'm sure. He is someone who is an excellent student of Illinois history and, again, I'm sure that you will enjoy his latest book Power House. I give you Taylor Pensoneau."

Pensoneau: "Thank you, Governor Edgar. Speaker Madigan and Ladies and Gentlemen of the House, I welcome the opportunity, the chance to join Governor Edgar and Michael Arrington in commemorating today in this distinguished chamber the memory of W. Russell Arrington. Nearly three decades, that's a long time, have passed since the 12-year span in which I sat in the press box to my right, right over here, covering this Body as the Illinois political writer for the St. Louis Post-Dispatch. Those were dynamic years in the legislative history of the state and no figure in the General Assembly loomed larger in those years in every respect than W. Russell Arrington. Starting in 1945, he served right here in the House for 10 years before an 18-year career in the Senate, during which he led that Body as its Majority Leader. It was during his time in this chamber that Arrington gained the expertise that would permit him to realize his dream of increasing profoundly the impact of the General Assembly in addressing and ultimately resolving the great issues bearing on the health and welfare of every Illinoisan. He achieved greatness in the governance of Illinois by almost single-handedly forging changes in the efficiency and effectiveness of the legislative process that led to a new level of quality in the work product of the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

General Assembly. More often than not, he brought this about through the sheer will of his personality, which nobody, as Governor Edgar just said, nobody around at the time would ever forget. I did not hesitate to accept the request of Senator Arrington's son, Michael, to write a book on his father. The political literature of our state, in my opinion, has largely ignored the role of the General Assembly and its Leaders. I hope this book will begin... will be a beginning to reverse that trend. I also hope the book will be a refreshing reminder that in our country an individual still can rise from modest circumstances early in life to achieve great success. Russell Arrington accomplished this in his private professional life and then in public life. In short, Russell Arrington did embody the American Dream. I would not... now like to call to the microphone Senator Arrington's son, Michael. Michael, I would point out, is a great success in life. He's retired now but he's a great success in private enterprise ventures, which his father would have been proud. It was through Michael's insistence for many years that a book, at some point, be done on his father. We teamed up; it was a 5-year project. We turned out, I think, to be... turned out to be a very effective team and we have the book here with us today at its unveiling. I now give you Michael Arrington."

Arrington: "Thank you, Taylor. Thank you, Governor Edgar. I certainly wanna thank Speaker Madigan and Chief of Staff, Tim Mapes, for making this all happen today. Ya know, I also spent some time here in this building back in 1967, fresh out of the United States Marine Corps, as a junior at

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

the University of Illinois in political science. I took six months off to work on my dad's staff, who was the Senate Majority Leader at the time. And I must say, it feels like nothing has changed. I feel like I'm coming home. Of course, the chambers are beautiful. You just moved into a new chamber, as I understand it, about a week ago and this certainly is a... a difference. I wanna thank Speaker Madigan and Members of the House for this opportunity to recognize my father, Senator W. Russell Arrington, who served as Senate Majority Leader between 1965 and 1970. When my father died in 1979, I made a commitment to publishing a book about his amazing life experiences and incredible accomplishments. Twenty-three years transpired before I met Taylor Pensoneau and arranged for him to tell this colorful story about my dad. As you know, he grew up in the coal mining country in Southern Illinois before emerging as a brilliant lawyer, dynamic businessman, and powerful political leader. As a dominant and legendary Senate Majority Leader, he has been recognized by Speaker Madigan and others as the father of the modern General Assembly. My dad was a remarkable man with a forceful personality and a keen intellect that had a powerful impact on those lives who crossed his paths... path. His stories are compelling one that provides inspiration to anyone who aspires to the achievement of excellence and is dedicated to making a difference. I have provided a copy of Arrington from Illinois for all of you at your desk and I wanna thank you very much for this opportunity to share this unique story about my father, who would've been 100 years old last July

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

4, 2006. As quoted in the book, he said, 'I was born on Independence Day, 1906, and that was a hell of a long time ago.' I was pleased in the Senate to see my father's portrait still hanging above the podium. I hope he is looking down and enjoying this day of recognition and I certainly hope that all of you enjoy the book. And thanks so much for allowing us to be in your chamber today. Thank you."

Speaker Madigan: "On page 2 of the Calendar, on the Order of House Bills-Second Reading, there appears House Bill 6. Representative Nekritz. Nekritz. Did you wish to call House Bill 6 on Second Reading? Mr. Clerk, what is the status of House Bill 6?"

Clerk Bolin: "House Bill 6, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading. The Chair recognizes Mr. Lang for the purpose of an announcement. Mr. Lang."

Lang: "Thank you, Mr. Speaker. I'd just like to take the opportunity to welcome to the House chamber a former Member, the Director of Agriculture, Chuck Hartke, up in the gallery."

Speaker Madigan: "Is Mr. Fritchey in the chamber? Did you wish to call House Bill 9 on Second Reading? Mr. Clerk, what is the status of House Bill 9?"

Clerk Bolin: "House Bill 9, a Bill for an Act concerning orders of protection. Second Reading of this House Bill. No

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

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

Speaker Madigan: "Third Reading. Mr. Fritchey, House Bill 12? Mr. Clerk, take House Bill 12 out of the record. Mr. Lang, did you wish to move House Bill 24? Take 24 out of the record. Mr. Lang on 25? Mr. Clerk, what is the status of House Bill 25?"

Clerk Bolin: "House Bill 25, a Bill for an Act concerning gaming. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Schmitz, do you wish to call 162? Mr. Clerk, what is the status of House Bill 162?"

Clerk Bolin: "House Bill 162, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Brady, did you wish to call 194? Mr. Clerk, what is the status of House Bill 194?"

Clerk Bolin: "House Bill 194, a Bill for an Act concerning missing persons. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Yarbrough. Yarbrough. Mr. Schmitz. Mr. Schmitz, did you wish to move 239? Mr. Clerk, what is the status of House Bill 239?"

Clerk Bolin: "House Bill 239, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Speaker Madigan: "Third Reading. Mr. Wait, did you wish to move 272? Mr. Clerk, what is the status of House Bill 272?"

Clerk Bolin: "House Bill 272, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Golar. Is Representative Golar in the chamber? Mr. Holbrook. Mr. Clerk, what is the status of House Bill 316?"

Clerk Bolin: "House Bill 316, a Bill for an Act concerning safety. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Rose. Mr. Rose. Is Mr. Rose in the chamber? Mr. Miller. Is Mr. Miller in the chamber? Representative Fortner. On the Order of House Bills-Third Reading there appears House Bill 3. Representative Bassi, do you wish to call the Bill? Mr. Clerk, House Bill 3, read the Bill."

Clerk Bolin: "House Bill 3, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Madigan: "Representative Bassi."

Bassi: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. House Bill 3 would require the Office of Management and Budget to establish a single Web site, searchable database that will allow the public, and that would include the General Assembly, to research any funds that are in the budget and would know what entity had included those funds. I know of no known opposition and I would request an 'aye' vote."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Speaker Madigan: "The Lady moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Brady. Mr. Brady, did you wish to call House Bill 4? Mr. Clerk, put House Bill 4 on the Order of Second Reading. Mr. Lang, did you wish to call 18? Mr. Lang."

Lang: "Mr. Speaker, could we move this Bill back to Second Reading?"

Speaker Madigan: "Mr. Clerk, put House Bill 18 on the Order of Second Reading. Mr. Black. Is Mr. Black in the chamber? Mr. Black. Representative Osmond. Representative Osmond. Okay. Mr. Clerk, read House Bill 169."

Clerk Bolin: "House Bill 169, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Madigan: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker, Members of the General Assembly. House Bill 169 is dealing with contracts for public water district for construction work or certain equipment which is required to advertise a bid for five thousand dollars (\$5,000) to be raised to twenty thousand dollars (\$20,000). This would put water districts... public water districts the same as park districts, public libraries, and municipalities. This Bill also asks for

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

permission in the event of an emergency affecting or threatening the public health or safety, in order to maintain the safety and adequate services, to allow the general manager and the board chairman to authorize contracts for immediate repair within the written report... giving a written report to the board of trustees dealing with this event. I know of no opposition. I ask for a favorable vote."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have the following people voted: Flowers, Holbrook, Smith, Verschoore? The Clerk shall take the record. On this question, there are 87 people voting 'yes', 30 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Acevedo."

Acevedo: "Yes, Mr. Speaker, I rise in a point of personal privilege."

Speaker Madigan: "State your point."

Acevedo: "I'd like to have the House of Representatives to welcome two individuals we have today with us: Illinois State Superintendent of the Schools, Dr. Chris Koch, and Chairman of the State Board of Education, Mr. Jesse Ruiz."

Speaker Madigan: "Representative John Bradley. Is Mr... Out of the record. House Bill 228, Mr. Bradley. Did you wish... Mr. Franks. Mr. Clerk, read House Bill 250."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Clerk Bolin: "House Bill 250, a Bill for an Act concerning children. Third Reading of this House Bill."

Speaker Madigan: "Mr. Franks."

Franks: "Thank you, Mr. Speaker and Members. House Bill 250 passed out of the Education Committee by leave a few weeks ago. And what we're trying to accomplish with this Bill is a simple expansion to include daycare facilities, like schools, in requiring them to have a birth certificate when a child is entered into the school. I'd be glad to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The question is... Mr. Washington wants to speak. Mr. Washington."

Washington: "Mr. Chairman, will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Washington: "In briefly looking at the legislation, Representative Franks, what is the genesis? Why is this necessary? Because the school systems already require the certificate of birth and some of the things that you've named here. Why... why..."

Franks: "Correct."

Washington: "Why did... why is it being restated and what is the purpose of this?"

Franks: "Thank you. That's a good question. What we're doing is expanding this to include daycare facilities. And what happened is a constituent in my area, where a grandmother could not find her missing grandson because it wasn't required that the birth certificate be shown when the child was put into the school so they used different names and was

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

able to hide the child that way. It's the same reason why we're doing it now in schools. We think it's a good idea so let's just move it a few years up if the kid goes to daycare, that way we'd be able to protect that child in case that child's been abducted."

Washington: "Well, who else... who else has access to this information? Because I know in the school system they have certain guidelines that protect the individual family and child. Is this legislation loosening those requirements? Does this legislation have those safeguards or what?"

Franks: "It's the exact same. All we're doing is expanding it to the daycare facilities. We're changing nothing else except for expanding it to require these institutions to also do what schools are doing."

Washington: "Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 1 person not voting. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Yarbrough, did you wish to call House Bill 257? Representative Coulson, House Bill 264. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 264, a Bill for an Act concerning government. Third Reading of this House Bill."

Coulson: "Than..."

Speaker Madigan: "Representative Coulson."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Coulson: "Thank you, Mr. Speaker. House Bill 264 designates each September as Spinal Cord Injury Awareness Month. This is a Bill that we're trying to make sure people know how to prevent and are aware of the severity of spinal cord injuries. And I'd like to make it a consistent month every year so that we can work to eradicate or decrease the number of spinal cord injuries in the state and I can answer any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Has Mr. Wait voted? Mr. Washington, have you voted? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hamos, House Bill 305. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 305, a Bill for an Act concerning education. Third Reading of this House Bill."

Hamos: "Thank you. Ladies and Gentlemen, this Bill was brought to me by the police chief of Evanston who has talked to me about this issue for several years and he is currently the security head of the Evanston Township High School so now he is even more insistent. And the issue is... has to do with kids who are expelled from school and who come back to the school area. What this Bill provides is that as a condition of expulsion or suspension from school, the school may prohibit that child from being present on the school

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

grounds. That's the current law. This would say 'and within 100 feet of the school grounds'. So, what this is intending to do is to create a school safety zone, a very small one, around the school so that when kids leave school they can leave without being hassled or recruited or otherwise to have contact with kids who are there loitering is what my police chief would say. So, that's what this Bill provides and I'm available for questions and seek your support."

Speaker Madigan: "The Lady moves for the passage of the Bill.
The Chair recognizes Representative Monique Davis."

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

Speaker Madigan: "Sponsor yields."

Davis, M.: "Representative, the current law states that children who are expelled or suspended cannot be on school property, but it does not state that they can't walk past the school, walk past the parking lot, and sometimes be in their own backyard. I know in Evanston, each house... there's a big yard, there's a great distance between the schools and the sidewalk. But in Chicago, a person could live within a hundred (100) feet of a school. Could you tell us what will happen to that young boy or that young girl who is suspended, not necessarily for a violent act, what happens to them if they're walking within a hundred feet of the school?"

Hamos: "Well, I... the goal would be to... for the school's security people to be able to shoo them away."

Davis, M.: "They can..."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Hamos: "To be able to go out to them and say, 'You are not allowed to be within a hundred (100) feet. This is the law.' But it is true that if, for some reason, a person persisted then they would be in violation of the law and at that point they could be... they could call the police and they would be told that they were trespassing and they would be dealt with as a trespasser because we would have created that relatively small but safe school zone."

Davis, M.: "Sometimes, Representative, did you know suspended students or expelled students may have to pick up their younger sibling? Sometimes they may have a kindergarten or first grade brother or sister that must be picked up by that older person."

Hamos: "You know, again, this one hundred (100) feet is not so large that a person would not be able to do those kinds of very, ya know, natural and maybe appropriate activities. This is a hundred (100) feet. We have a set of laws in Illinois and I have done an exhaustive research of them where we do give higher penalties for crimes near schools. We already recognize that having school safety is very important for children who do go to school to be able to learn. What has been identified here is a problem of expelled students, expelled or suspended students, who like to come hang around and hassle the kids who are leaving school, who are there legitimately to learn, and this is a way to take care of their needs. That's what this Bill tries to do."

Davis, M.: "Yeah, but..."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Hamos: "We already have a... we already have a lot of laws that create school safety for a thousand (1,000) feet, this is only a hundred (100) feet."

Davis, M.: "Yeah, that's what concerns me. Now, let's just think about a person who is within a hundred (100) feet of a school who is a timid... intimidating someone. He can be five hundred (500) feet away. There's a law against intimidation. He could be... if he's threatening someone, there's already a law against that. Representative, what your Bill will serve to do will be that net, it'll be that net that picks up innocent children and put them in the criminal justice system. Walking within a hundred (100) feet of a school is no crime. It is not a crime to walk within a hundred (100) feet of a school. So, what you're thinking is, well, if this doesn't put up enough kids to go before a judge, if this doesn't pick up enough kids to... to put 'em in the juvenile detention center and throw away the key, then we'll make it five hundred (500) feet from a school. I feel, and I believe this Body knows, that in Chicago a child's home can be located almost closer than a hundred (100) feet of a school. We, in this Body, must stop passing laws to criminalize people and especially our children. There are already laws on the book that say if you're creating a crime or committing a crime you can be arrested. Now, we want to say if you just walk by a school and you're a hundred (100) feet within that school boundary that you can be arrested. I... that... that... just the notion itself is criminal. Our criminal system has more people incarcerated than in... in China or any other country and we

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

simply must stop. We must stop, Representative, because it is causing and costing taxpayer money. The taxpayer will have to pay for that police officer who should be looking for burglars, murderers, drug dealers rather than a kid who's walking by a school. And if that kid is within a hundred (100) feet and doing something harmful or criminal, he can be arrested. It doesn't have to be a hundred (100) feet, he could be fifty (50) feet and he's doin' somethin' wrong. But to criminalize people because they've had a problem in school... children get suspended for variant reasons. A kid could be suspended 'cause his mother won't come up and talk to the teacher. A kid could be suspended 'cause he didn't bring in his medical report, his medical documentation has not been brought to the school. By October 30, he could be suspended for that reason. So, all kids who are suspended are not necessarily terrorists. They're not necessarily terrorists. We do not need to say to our children, 'You've had trouble in school; you may not be able to come to class at this location and now you can't even walk past. You can't pick up your little brother or sister. You can't help your brother or sister cross the street because now you're prohibited from one hundred (100) feet.' Then is our next boundary five hundred (500) feet? What your Bill says, this person has to do absolutely nothing but walk within a hundred feet of that school. And that, Ladies and Gentlemen, is not a democracy, it is not American, and I just wonder whose children are we trying to pick up. This Bill should absolutely be withdrawn, Representative. You should withdraw this Bill because a

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

person who is walking or standing within a hundred (100) feet of a school does not deserve to be harassed by a police officer. He does not have to be arrested and taken to a police station, a parent does not have to come and get her kid out of jail simply because he was walking by a school. I urge a 'no' vote on this Bill."

Speaker Madigan: "Mr. Dunkin."

Dunkin: "Thank you, Mr. Rep... Mr. Speaker and Members of the House. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Dunkin: "Representative, has there been a consortium of other police directors of public safety, sort of coalescent to create such a law, or is it just this one particular police... director of public safety officer?"

Hamos: "I don't know about a consortium of public safety directors."

Dunkin: "Okay. So, I'm just... I'm trying to figure out... so is there a... is there existing laws at the federal level that give a zone... a buffer zone of square... of hundred feet (100) or a thousand (1,000) or two thousand (2,000) feet?"

Hamos: "There... we have a lot of laws on the books that recognize that a school should be a safe zone and we have a lot of laws that prohibit many things within one thousand (1,000) feet of a school. This doesn't... this doesn't... this is not an Amendment to the Criminal Code. This is an Amendment to the School Code. It gives an additional tool to the schools who 'may' provide that, as a condition of expulsion or suspension, the student cannot come on the grounds or within

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

a hundred (100) feet. On the grounds is already... is already in the law that can be a condition."

Dunkin: "Mmm mmm."

Hamos: "This expands it to create a school safety zone for the kids who are there, legitimately there learning, to be able to leave without being hassled or harassed by kids who are lurking there."

Dunkin: "So, if this law exists already, why is there a need for this? You're sayin' we already have the zones for... you can't sell drugs, you can't do any other negative activity around the youth... sexual predators, et cetera. Why is there such a great need for a hundred (100) feet for arresting powers of an officer? Because I can be in sixth grade and if I come within one hundred (100) feet, am I arrested then, if the officer uses his or her discretion to arrest me?"

Hamos: "You would... you could be charged with trespassing. That is correct. If you are expelled and if the school has made that one of the conditions of you not coming near the school."

Dunkin: "So, are there any stats or numbers that support a gre... a great need for such a law whereas an individual... or individual schools have been bombarded with kids within a hundred... suspended kids or expelled kids within a hundred (100) feet to the degree that it would warrant such a law?"

Hamos: "You know, I bet that if all of us went home and really talked to our school personnel, we would find that a lot of gang recruitment happens right outside the school doors, and that is what I have been told. I have not done the definitive research to know that, but this is a way... if

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

we're balancing the rights of students and one group of students are those that are expelled and another are those that are going to school, this is trying to give them some safety and comfort in being able to leave the school without being hassled in that way. That's what I have been told is the problem that we're trying to address with this Bill."

Dunkin: "So..."

Hamos: "It's an additional tool for the school personnel."

Dunkin: "So, it seems as if, I mean, I think the other... the previous Representative spoke and you mentioned that there are number of laws that exist already. So, if the gang violence... so this is an issue of gangs or this is an issue of demarcation."

Hamos: "Yeah. That's what I've been told, that that is one of the concerns, one of the problems that happens right outside the school grounds."

Dunkin: "So, is there a way that the city council of Evanston possibly can address such an issue?"

Hamos: "I'd like to think that they're doing as much as they can. This is an additional tool for the schools to be able to work on what they perceive is a problem."

Dunkin: "So, again, are there statat... statistics or numbers of any level that would support a State Law to help this one particular police director of public safety or former police chief? I mean, it seems as if... that there's a local government and a county government that possibly could address such an issue. I guess, my thing is this here. And to the Bill, Mr. Speaker. From lookin' at this, on the surface obviously, you're right, we wanna make sure that

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

there is a balance that students who are in compliance with school laws, city laws have an opportunity to have an academic experience unfettered by students who may have run across a particular issue of suspension or expulsion. But it appears, and actually you state it yourself, there already exists in Federal Laws that address such a concern, and I'm certain that there are already local laws. It seems as if for this one particular city, this one particular police chief wants to change an entire State Law... create a State Law that support what his agenda is as it relates to square footage around a school demarcation. So, what I would like to do is for us to, if you can, especially based on what Representative Monique Davis pointed out, is to look at other alternatives other than us just lockin' up young kids who we would prefer to be in school or at least an alternative school compared to being in one of the county or the local jails. So, I would encourage that you, as my colleague, if you can hold this measure, unless you can find an overwhelming level of statistics statewide that says this is a major concern, a major issue, that we shouldn't go... that we should go forward with this other than us creating a law specifically for one municipality for whatever reason other than what's stated here in this analysis. So, is that possible that you can do that, Representative?"

Hamos: "I think I'm proceeding with this Bill, Representative Dunkin."

Dunkin: "Well, I would encourage a 'no' vote. Thank you."

Speaker Madigan: "Representative Graham."

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

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Speaker Madigan: "Sponsor yields."

Graham: "Representative Hamos. Representative Hamos, have you ever dealt with complaints from parents whose children attend schools in your district?"

Hamos: "Have I ever dealt with complaints of parents? Yes."

Graham: "Yes, complaints from parents whose children attend schools in your district."

Hamos: "Yes."

Graham: "Have some of the complaints from the parents been the way that they've been... their children have been handled in school? Have you dealt with parents saying that 'I don't think that the school treated my child fairly'?"

Hamos: "I... I'm... I don't know, I... this is my ninth year, Representative Graham, and I'm... it's possible that I've had those conversations. I'm not sure."

Graham: "Well, let me give you just... what's been happening in my district. In my district, I met with a group of parents who felt like the suspension policy of the schools were not fair to the children who attended there. They felt like the school was harsh in some situations and really extreme in others. My concern with your piece of legislation is that if a child is suspended for a minor thing, which is a complaint that's in my district, if a child is in the classroom talking louder than the other kids, the teacher may in fact send that child home for a day or so and... and... because they feel that the child is being somewhat disruptive but... disrupt

tive but not violent. And if, per your legislation, if their child is suspended for a nonviolent offense, now we're

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

taking him to jail for trespassing when he has not done a violent offense. Ya understand what I'm saying? So, in other situations... I mean, your Bill does not separate a violent offender versus a child who just needs to go home and have a timeout and they're not giving him a timeout in school. So... and then also in my area, our schools are so close. I mean, I used to live right across the street from a school. So, I think that we're being... this piece of legislation has the... the possibilities of being extremely hard on kids who are nonviolent. I think this Body would agree that if your child goes to school selling drugs, being violent, and starting fights, I would agree, I wouldn't want that child in school as well. But your child... this Bill does not separate serious offenses from minor offenses. It doesn't separate them from that. So I would be concerned about that. Does your Bill separate minor offenses from major offenses?"

Hamos: "This Bill is not an Amendment to the Criminal Code, so it has nothing to do with the offense. What it does is it amends the School Code to give an additional tool to school... to school personnel in being able to have as a condition of the suspension or expulsion not to come onto school grounds or within a hundred (100) feet of the school grounds."

Graham: "I und..."

Hamos: "So, it's really..."

Graham: "I understand that, but if the school..."

Hamos: "This is nothing to do with... I mean, this is a 'may' Bill in that sense. It gives the opportunity for the school personnel to do it. And I don't know that they would do it

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

in every situation. Wouldn't they... I mean, at some point, this really is about... I guess I'm trusting that the school personnel would figure out and craft the terms of the suspension in a way that made sense commensurate with the offense. A lot of people have asked in committee as well about our suspension policy. This doesn't take that on. Maybe we need to do more work in clarifying and making more consistent our suspension policies in our schools. This doesn't do that. It just tries to create that school zone if it's appropriate."

Graham: "I think as well that the Illinois Legislative Black Caucus, on a number of occasions, have tried to weed out things that really, really penalize people of color in our various communities. And I think for us, this is another tool for people to selectively pick on children sometimes, like I said, not so... not violent offenses. And I... I really have a real huge concern for this. And laymen people who read the law do not understand words like... not understand, but don't interpret it the same way we do, 'may' and 'shall'. They see it as a law and they feel like they have to act immediately. And I... I... I don't know if they're gonna have an attorney on their side all the time to say, 'Well, you don't have to respond in this way,' especially when a teacher is having a bad day. You want that child out of your classroom and the child goes home for a day for an offense that is not a major offense. And then he lives not too far from there and he has to cross that school going to a store and there it is, he... he's... he's in trouble again for trespassing. So, my concern with this, Representative

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Hamos, I know you have good intentions with this piece of legislation, but I would ask that you would reconsider your... your measure and let's talk about it further. I think this is just another thing for us to be fighting to have understanding and to get clarity for our people in our districts. And as I said before, I'm talking with parents who feel like the suspension policies of the schools are too hard on the kids. They feel like that they're not giving the kids time to work it out, not appropriate counseling session. Everything is always 'go home.' And I think this is a huge concern for me for this piece of legislation. And I would urge this Body to vote 'no'."

Speaker Madigan: "Mr. Washington."

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

Madigan: "Sponsor yields."

Washington: "Ya know, I've heard the Sponsor say a number of things and I respect the Sponsor as a leader of one of the committees that I'm on and a leader here in the House. And I'm not gonna try to change her mind. If she wanna go with it, go with it. But at the same time, I do wanna say this. The person who brought you this Bill, the former police chief who's now the Director of Safety for Evanston Township, how long's he been the Director of Safety for Evanston Township, Representative?"

Hamos: "A short time."

Washington: "How much is a short time? You know exactly how much and you know where I'm goin' with it. How much time has he been on the job?"

Hamos: "Well, it..."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Washington: "Is this the former police chief that just left the job and a new one just took? So how long's he been Director of... of... of the high school sys... ?"

Hamos: "I wanna say just this school year probably. But really he was..."

Washington: "Okay."

Hamos: "...the police chief for many years and he brought me this Bill years ago."

Washington: "Okay. This is what I'm gonna say, one way or the other so I'm just gonna have my say. Here's a guy that was a police chief. He never brought this to you. You been his Rep until he changed jobs, correct? He never brought this to you because, I'm gonna tell you why. It never is and it never was really a problem. Believe that or not. The thing that kinda bothers me personally... We talk about the protection of those inside the school and all of us concerned. As a father of seven children, I know what it is to be concerned about the safety of children. But I also know what it is to be about the safety of the community outside the school as well. And I think my colleagues have said it very well and I echo the same thing, not just because it's Black History Month, but I think there's too many incidents where police officers and people in law enforcement are not the best ones to wear the badge or even enforce the law. And they carry a lot of excess baggage and sometimes they may be having a dull day. And I think Deborah Graham, here, was very passionate as she said about people walking by the school. I know I've been exp... expelled in school and I came back to the school because my

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

mother and father both work and they wasn't home when I got expelled that day. So, I came back to get with my cousin who hadn't gotten out of school and I got a trespassing charge. There are laws enough to address this already. If you're someplace where you shouldn't be, and we know law enforcement officers check and see, then if they find out that you shouldn't be here then you automatically may be facing a trespass. This doesn't make the school any safer, no more than it does some of things that we do for false delusional hope that make us feel safe. But if anybody's gonna do anything, they gonna do it. If you can assassinate presidents, you can... you can do anything to anybody in this country. So, I'm sayin' that I think, though your intentions are good and you are definitely a respected Legislator, I think it's all wrong. And it's all insensitive to take a piece of legislation for a former police chief who now got in the high school in the directorship for a few days and now he sees the need for a law to give him some mileage and some plus signs. And I think that's not what we're here to... to take suggestions of law to make our friends or colleagues get something that they really didn't ask for in the beginning but now that they changed jobs, he wants to stick a feather in his cap for his next political agenda. And I... I suggest we vote 'no' for this legislation. Thank you."

Speaker Madigan: "Representative Flowers."

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

Speaker Madigan: "Sponsor yields."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Flowers: "Representative Hamos, I understand what it is that you're trying to do. I have a child in the system and if a child has been suspended for doing something wrong, causing some other problems in the school, I could understand that child being suspended. But my reservation... and I'm hesitant about this legislation because of the discriminatory practices, because in the area where you live the schools are not that close to the homes. And in the suburban area and downstate, people have to drive to the school. So, I know that this Bill would mostly impact minority children in the City of Chicago bec... and the reason why I said only the minority children, because I also know that in... that... that the expulsion for the Chicago School District is not unified across the board. Some schools can expel for certain reasons, other schools just send the kids back home. So, because the expulsion rate is very high for minorities and we would rather them be in school... and I would imagine since your Bill is permissive and it's not anything that the police has to be called for, but I guarantee you someone would call the police if that child who has been suspended had to come up to the school to pick up their sick sister or brother. There will probably not be any exceptions to the rule made for that minority student. So, because we already have rules and laws on the books already, and the federal courts have also ruled that some of the safe school zones laws have been discriminatory and it has had a negative impact on one community versus another, I would respectfully vote 'no' on your legislation. Thank you."

Speaker Madigan: "Jerry Mitchell."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

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

Speaker Madigan: "Sponsor yields."

Mitchell, J.: "Representative Hamos, I... I think the intent of your legislation has gotten very, very much distorted. First of all, you are not amending the Criminal Code whatsoever. Is that correct?"

Hamos: "That is correct."

Mitchell, J.: "You're dealing only with the School Code which has to do with school personnel. Is that correct?"

Hamos: "That's correct."

Mitchell, J.: "Suspensions and expulsions are not done by teaching personnel, they are done by the administration. Is that correct?"

Hamos: "Correct."

Mitchell, J.: "There's a procedure in every single school district that if a child does something that disrupts the classroom, the teacher cannot automatically send that child home suspended or expelled. There has to be a chain of command sent... that child must be sent either to a dean, assistant principal, principal, or sometimes principal super attendant in small schools. Is that correct?"

Hamos: "Well, you know a lot more than I do. So, I'm assuming that's right."

Mitchell, J.: "Well, it is correct. When a child is suspended or expelled, it's not simply for refusing to do some little thing. We're talking about more serious offenses. We're also talking about one hundred (100) yards. Is that correct?"

Hamos: "Yes."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Mitchell, J.: "I... I'm sorry. That's a hundred (100) feet."

Hamos: "Feet. Hundred (100) feet."

Mitchell, J.: "Okay. When you look at a hundred feet, you're looking at three first downs and ten yards, less than the half of a football field. It is the direct area of the school itself. Now, you're talking about away from the school property. Is that correct?"

Hamos: "Correct."

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

Hamos: "It's a... it's a very small school safety zone..."

Mitchell, J.: "Right."

Hamos: "...for the children who are leaving school."

Mitchell, J.: "It's a very, very small school safety zone. And there's absolutely no reason for a student that's been suspended or expelled to be that close to the school unless they live there. Now, if they live within that then they're already at home. So, there would not be a conflict since they're on their own property. I don't see where we're raising such a red flag and a red herring with a Bill that simply allows the school district to protect those kids that have not been in trouble, those kids that may be taunted or threatened by kids that have been sent home for punishment. And it's not just Chicago. We have a lot of downstate schools that the elementary school, the junior high, and the high school are right in the close proximity of housing and people live right next door. It's no different. Now they may not live quite as close as some... some of the schools in Chicago, but they're close enough to be within that radius. This just simply gives school personnel an additional tool

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

to protect those kids that want to be there and want to learn. I don't see where this is gonna cause kids to get arrested. I don't see wh... where that's going at all unless they're causing such a problem within a hundred (100) feet that somebody is in danger. There's enough school peop... personnel to turn around and say to a student, 'You're within the safety zone. You need to go home.' And I think that's what the intention of this legislation is. Is that correct?"

Hamos: "Yes. Thank you."

Mitchell, J.: "To the Bill, Mr. Speaker. Ladies and Gentlemen, it's a very difficult job that deams of education, that assistant principals and principals have when it comes to making sure that schools are safe. It's not at all improper to have a safety zone from a student that may be angry and come back to school angry, carrying a weapon or carrying a threat to another child or to a teacher. And certainly a hundred (100) feet is not too much to ask. I think the latest legislation makes good sense and is a good policy for districts across the State of Illinois and I urge an 'aye' vote. Thank you, Mr. Speaker."

Speaker Madigan: "Representative Scully."

Scully: "Yes, will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Scully: "Representative, I have a quest... a technical question regarding the enforcement of this provision. I understand that if a school has suspended a student, they still have jurisdiction over that student and they can enforce a rule regarding that student's conduct off the campus. But if the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

school has expelled a student, how can the school enforce a rule that that person cannot be within a hundred (100) feet of the campus? How does the school have jurisdiction to enforce that on a student who has been expelled?"

Hamos: "Well, I... again, this is amending the current law. And the current law already says that the school has jurisdiction to have certain conditions set as... for the suspension or expulsion. And among those conditions is that the student may not come to school, of course, or school activities, a football game let's say, or a prohibition from being present onto school grounds. That's already the current law. In the current law, that school has jurisdiction for the suspended or expelled student. And this is right outside the school, so I'm not exactly sure why it's any different than what the current law already has."

Scully: "Well, I don't know what the current law is. Let me..."

Hamos: "I just gave you the..."

Scully: "...restate my hypothetical again. I have been..."

Hamos: "That was my entire paragraph of the current law."

Scully: "I have been... let's assume that I have been expelled by your school."

Hamos: "Yeah."

Scully: "You're the school superintendent. I've been suspended (sic-expelled). You have pushed me out of the school for wrongful conduct. The next day, I'm standing seventy-five (75) feet... within seventy-five (75) feet of the school campus. What can you do to me? You've already expelled me."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Hamos: "Well, I think the exact same thing as if you were standing in the parking lot, because that too can be a condition of expulsion. So, I suppose if you're not successful in telling the student what the law is and getting him to leave voluntarily, I suppose you could call the police and ask him to be picked up for trespass. That's what this whole conversation is. Exactly as if he were standing in the parking lot."

Scully: "Is it possible to trespass... are... are you saying that this... that standing within a hundred (100) feet of the school campus is trespassing?"

Hamos: "I'm saying that... this Bill does not create a new section of the Criminal Code in trespass. No. It says that a condition can be placed on the suspension or expulsion to enforce, that just as if the student came right into school, he's already been expelled, or he came to the football game when he was told he couldn't, or he came to the parking lot when he told he wasn't allowed to be on the school grounds, this adds a small safety zone around the school. And the enforcement of that, the school could look at whatever they currently use. And I suppose that's what my colleagues are concerned about is that somehow the police would be brought in if necessary, for extreme cases, where they were not successful in getting the student to leave voluntarily."

Scully: "Representative, I... I do not feel that you've answered my question, other than to say that it enforces the rule the same way the rule's enforced today."

Hamos: "Good."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Scully: "My question again is if a student has already been expelled from the school and... and... I've been expelled. I'm not allowed to ever come back to the school. I am out of the school. If I come within fifty (50) feet of the school, what is the penalty?"

Hamos: "I think you are in violation of your suspension or expulsion order as though... and I'm sure there are many other conditions to that. I'm not as familiar with how this all works. I think the... the previous speaker talked about some of those procedures. So you would be in violation of that suspension order. And I... and somebody..."

Scully: "Again, Representative, I'm not asking about suspension."

Hamos: "Well, expulsion order."

Scully: "I'm asking about expulsion."

Hamos: "Right."

Scully: "Once you have expelled me from the school and I'm not allowed to ever come back, how can you impose... how can the school impose any other conditions on me? You've thrown me out forever."

Hamos: "And... and Representative Scully, I tried to say before that it's exac... your remedy as a school is exactly the same as currently if the student decides, for whatever reason, that he's going to come into the school or he's going to..."

Scully: "And... and what is that remedy?"

Hamos: "...sit in his class, or he's going..."

Scully: "What is that remedy?"

Hamos: "Well..."

Scully: "You said it's the same remedy. What is that remedy?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Hamos: "Well, what I said before is that if you're not successful as a school in asking him to leave voluntarily, because that's one of the conditions of the expulsion, then you could bring in the police on a trespass charge. I'm assuming that there is that possibility as an enforcement remedy. But that's not what this Bill, obviously, is about."

Scully: "Okay. Thank you."

Speaker Madigan: "Mr. Eddy."

Eddy: "Thank you very much, Mr. Speaker. Will the Sponsor yield for a couple questions? Representative, are you trying to change anything that relates to why or how students are suspended or expelled in the State of Illinois today?"

Hamos: "Not a part... any part of the suspension or expulsion policy, no."

Eddy: "So... so if someone is concerned with the way students are suspended, for what reasons, or the process that's used, or the expulsion purpose and process, if they have a problem with that, that's not necessarily have anything to do with your Bill, does it?"

Hamos: "That's correct."

Eddy: "Your Bill is specific to what happens after all of that takes place. Isn't that correct?"

Hamos: "Yes."

Eddy: "So, a school district which legally now is required to have a policy dealing with suspension and expulsion and is legally required to provide due process to anyone who believes that the reason that they were suspended or

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

expelled was not proper, they still have all of those protections, correct?"

Hamos: "Correct."

Eddy: "So all you're doing is saying, if you've gone through all of those processes that already exist, you don't need to be within a hundred (100) feet of a school ground because there are potential for problems if you do."

Hamos: "And that may or may not be selected as a remedy by the school based on, I would assume, the severity of the offense in the first place."

Eddy: "So... so if a student is suspended or if a student is expelled and that school district has to call the... the law enforcement because that student now comes on school grounds, that's a totally different issue. That has nothing to do with your Bill. And that can happen today. A suspended or an expelled student can come on school grounds or come to a school-sponsored activity and an administrator would pick up the phone, probably first would say, 'You're not supposed to be here'. And if they refuse to leave, they pick up the phone and... and then they have the person removed. If the person is charged, that's not even the school district's call at that point. That's up to whoever comes to remove the student who's not supposed to be there. Isn't that right?"

Hamos: "Correct."

Eddy: "You're just saying, for the safety of the students who there, because of potential problems, that that student really doesn't have a reason to be with one... in one hundred

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

(100) feet at the point that they're suspended or expelled.
Isn't that right?"

Hamos: "Yes."

Eddy: "I think it's good legislation. It's... it's something that will, in many cases, hopefully even save other kids from becoming suspended or expelled because a student coming back to taunt, to call, to, in some cases, incite gang violence, can be seen if they're in a hundred (100) feet and maybe would cause a student who otherwise wouldn't get in trouble to get in trouble. This could actually save students from getting in trouble."

Hamos: "That would be the hope."

Eddy: "Well, I appreciate your intent. I... I'm sorry it got clouded. I don't... I don't see the problem. We can't do some of the things now that some of the folks are concerned about. You have good legislation. It... it will make schools safer. I think we're all for safer schools. I understand and appreciate some of the arguments that people make when they're frustrated. And where do kids go? Or what should we do with them when they're expelled? And all those other issues, but that's not what this is about. This is simply about taking care of the kids that are there and making them safer. Thank you. I urge a 'yes' vote. This is good commonsense legislation."

Speaker Madigan: "Mr. Riley. Riley."

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

Speaker Madigan: "She yields."

Riley: "There's been passionate debate, Representative Hamos, on both sides. And I think that based on that debate, maybe

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

the sheer nature of the debate means that there's some sort of compromise that can be made. I would be basically against this Bill as it is drawn up. However, there's a lot of aspects about it that I like. A kid should not go to school, any school, and worry about their safety. That's impediment to... to learning in general. The problem that I have is, for example, the hundred (100) feet line of demarcation; wh... where did that come from? How was the hundred (100) feet..."

Hamos: "Ya know, I think that it's small enough so it should not interfere with the legitimate rights of people who live nearby or who pass nearby to go to stores, et cetera. But it's big enough so that children who are leaving school, who are in fact students at the school, have a safe egress from that school."

Riley: "Okay. One of the points that was made before, I think by Representative Scully, had to do with the fact that the child has already been expelled, meaning you can't come to school at all. And I guess school... it's hard to discern whether or not, when you're talking about school, the school campus or a certain radius of the school. It seems like a hundred (100) feet is somewhat, even though the intent was not there, but somewhat arbitrary because it could be five hundred (500), it could be something else. That's one area that I have a problem with. The other area has to do with the fact that there's not really a distinction made. And I think this is really important because in my own district, ya know, I've been privy to some incidents that have happened at school... at schools that were violent. I think

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

there has to be a distinction made as to what the offense was that the child committed to get them suspended because let's face it, depending on the school district you're talking about, I mean, that could vary from something really serious to something, you know, not so serious. And so, it was those two points of the departure that... that really, I think, could what maybe might be a good piece of legislation in my opinion. Thank you."

Speaker Madigan: "Representative Collins."

Collins: "Thank you, Mr. Speaker. To the Bill. I guess as we move closer towards... away from zero tolerance, we're getting back to that when we add another hundred (100) feet to the... to the school if an offense occurred. Now what happens in Chicago, we have gotten zero tolerance out of the School Code this... out of the school discipline code. And the reason for that is because we wanna put restorative justice into the schools. So we wanna teach the schools and train them on how to deal with kids that are inside the school and are outside the school. Now, it is possible that if a kid... if you just put the arbitrary rule, if a kid is within a hundred (100) feet of the school and he did nothin', some schools will pick the kid up and arrest 'em just because of the fact that he was in a hundred feet of the school. It's almost like the drug thing and the housing project thing. When you wanna use the rule, you could use the rule just because it's there. But if it's not there and if the kid di... actually did something, then you'll be able to deal with the actual offense as opposed to just dealing with a hundred (100) feet. So I think that we should not vote for this

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

piece of legislation because first of all, you have suspension. The kids are gonna come back to school in a day or two anyway. And we... why don't we put in where if the kid is suspended for a violent act that they bring the kids together and resolve the issue before they're suspended or while they're doing the whole suspension so that way we won't deal with the threats or anything like that. Because there are a lot of reasons why kids can be in front of the school, but because they did nothin' should not be a cause for the police to pick 'em up just because if someone at the school wanted them to do that. So I urge a 'no' vote. Thank you."

Speaker Madigan: "Representative Harris."

Harris: "Will the Sponsor yield for a question?"

Speaker Madigan: "Sponsor yields."

Harris: "Representative Hamos, do schools have the authority to ban persons from the public way, which is not property of the school? For instance, in Chicago the sidewalks are eight (8) to ten (10) feet, the streets around the school are about forty (40) feet. Does the school have the authority to ban people from the public way?"

Hamos: "Well, I don't really know. I know that our School Code, which I read from previously, it actually is three lines. And it says that... that suspension or expulsion can... as a condition, may include present on school grounds. This would add the hundred (100) feet. I don't know if they currently have that ability."

Harris: "Because I assume the school grounds are considered their private property where they could legitimately ban

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

someone. And could... does the school have the authority, if there was privately-owned property within a hundred (100) feet, ban a student from visiting a business or a residence which the school district does not own?"

Hamos: "I... I'm sorry. I didn't understand."

Harris: "If there's a business across the street from the school or a private residence across the street from the school which the board of education or the school district does not own, does the school have the authority to ban a person from being on that property?"

Hamos: "Well, this could add a hundred (100) feet to the area that schools... that suspended or expelled students would not be able to be on."

Harris: "Okay. Thank you."

Speaker Madigan: "Mr. Fritchey."

Fritchey: "I move the previous question."

Speaker Madigan: "Mr. Fritchey, you can withdraw the Motion because the only remaining person requesting recognition is Representative Monique Davis. So, Monique Davis will be the last."

Davis, M.: "Thank you very much, Mr. Speaker. You know, as we listen to the debate in reference to this legislation, I want you to know that I was a teacher for 18 years in an urban area in the City of Chicago. And out of those 18 years, not one time, not one time did we have a student who refused to leave the grounds of the school or who proposed a major threat. I served as a school administrator for 18 years. Not one time did we have to call a policeman to remove students from within a hundred (100) feet or ten (10)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

feet of the school. I believe that the police chief of Evanston... the police chief of Evanston wants to create a condition that is totally unnecessary and unwise and expensive to taxpayers. Your police chief should drive around and hopefully keep peoples' homes from getting burglarized, keep businesses from being tampered with, keep drunk drivers off the road; but to use police power to make sure that some kid who was suspended maybe for just telling the teacher off, maybe for using profanity, but to use the police power to keep people from within a hundred (100) feet of the school. And let's talk about charter schools. Does this Bill apply to charter schools? Some charter schools are located right next door to a YWCA or a Boys and G... Girls Club. Some charter schools are located right next to a McDonalds. So, this is a piece of legislation, I believe, that sincerely deserves to be a part of our one hundred or our century club. I urge a 'no' vote."

Speaker Madigan: "Representative Hamos to close."

Hamos: "Thank you, Ladies and Gentleman. And this has been a spirited debate. I really, sincerely believe that this is... this was written with the intent to protect children. And it really is to protect children in kind of a modest way. It does not amend the Criminal Code. It has brought out a lot of what I believe are extraneous arguments that really challenge the underlying question of who we're expelling and how to exp... the suspension policies are working, how they're being enforced, how Criminal Codes are being enforced by police, unlawful... selective enforcement. It's brought out a lot of issues that have nothing to do with this Bill. This

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Bill is about protecting children who go to school and should have a right to have a very small and modest safety zone around their school. And I seek an 'aye' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Has Mr. Phelps voted? The Clerk shall take the record. On this question, there are 81 people voting 'yes', 27 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Howard. Connie Howard. If... if the... if the Members could please give your attention to Representative Howard."

Howard: "As you all know, this is African-American History Month and I have been asked to do the first one of the presentations. On Wednesday, January 10th, in a ceremony that took place at Jazz at Lincoln Center, the United States Postal Service unveiled the 2007 Ella Fitzgerald commemorative stamp. Guests included former New York City mayor, David Dinkins; jazz great, James Moody; and Fitzgerald's son, Ray Brown, Jr. This is the 30th stamp in the Postal Service's Black Heritage series. Representing the U.S. Postal Service was vice-president and consumer advocate Delores Killelte. While speaking at this event, Delores Killelte lauded Fitzgerald's determination. 'From her first appearance at the Apollo throughout a career that spanned seven decades, she was never satisfied.' As Ella once said, 'A lot of singers think all they have to do is exercise their tonsils to get ahead. They refuse to look for new ideas and new outlets, so they fail... fall, that is,

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

by the wayside.' Ella never stopped looking and she never stopped achieving.' Dubbed the First Lady of Song, Ella Fitzgerald was the most popular female jazz singer in the United States for more than half a century. In her lifetime, she won thirteen (13) Grammy Awards and sold over forty million (40,000,000) albums. Her voice was flexible, wide-ranging, accurate, and ageless. She could sing sultry ballads, sweet jazz, and intimate every... and, sorry, and imitate every instrument in an orchestra. She worked with all the jazz greats from Duke Ellington, Count Basie, and Nat King Cole, to Frank Sinatra, Dizzy Gillespie, and Benny Goodman. Some might say all of these jazz greats had the pleasure of working with Ella. This great lady born in Newport News, Virginia, on April 25th, 1917. She had... she achieved a number of things and was awarded many times. One of her awards included the fact that she was made an honorary member of Alpha Kappa Alpha Sorority, the oldest and largest African-American sorority in the United States. Her recording career lasted fifty-seven (57) years. She died June 15th, 1996. Thank you."

Speaker Madigan: "Mr. Clerk. Mr. Clerk, for the purpose of an announcement."

Clerk Bolin: "The 2:00 committees will meet immediately upon adjournment. All other committees will be delayed one hour. Again, the 2:00 committees will meet immediately. All other committees will be delayed by one hour."

Speaker Madigan: "Mr. Mathias."

Mathias: "Yes, Mr. Speaker. Point of personal privilege."

Speaker Madigan: "State your point."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Mathias: "Actually, I have two issues I wanted to talk about.

One, I noticed on the bulletin that was passed out that stated that our cell phones now... our numbers have been blocked for outgoing calls. So does that mean we can't use the cell phones to call out?"

Speaker Madigan: "Mr. Mathias, we're gonna ask Mr. Bolin to respond to that question. Mr. Bolin."

Clerk Bolin: "The phones have been programmed so that a person receiving a call from one of these cell phones who has caller ID will not be able to see the number of your phone."

Mathias: "S... someone who's calling in?"

Clerk Bolin: "No."

Mathias: "I'm sorry."

Clerk Bolin: "When you're calling someone else..."

Mathias: "When I'm calling out, it's blocked."

Clerk Bolin: "...they will not be able to see your phone number."

Mathias: "Okay. But we don't have to put in our long distant code like we have to do on our office phones? Okay. And the second thing, it's my honor and privilege to announce that my seatmate, Representative Moffitt, just enjoyed the celebration last Sunday of his 60th birthday. So, unfortunately we can't have cake down here, but we'll still celebrate later."

Speaker Madigan: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. I have a question of the Chair, or maybe a request. I have been following these rules very closely and it said, you know, food in a covered container is permitted in the back there. I left my lunch back there today with my name on it in a covered container

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

and somebody threw it in the trash. And I had to have the custodians go get it out of the trash so I could finish my lunch. So I don't know if we need a security guard in the lunchroom or what, but I'm just asking you, Mr. Speaker, what we could do about this."

Speaker Madigan: "Representative Collins."

Collins: "Thank you, Mr. Speaker. I just wanted to announce that Juvenile Justice Reform Committee that meets tomorrow at 8:30 will be canceled."

Speaker Madigan: "Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Madigan: "Point?"

Moffitt: "Representative Smith and I have a Fire Caucus breakfast tomorrow morning that everyone's invited to, 7:30 in the Rathskeller. They should've gotten a notice on it with the considered legislation. Fire Caucus breakfast, 7:30 a.m., Rathskeller. Thank you."

Speaker Madigan: "Representative Krause."

Krause: "Thank you. Thank you, Mr. Speaker. On a point of personal privilege, if I could announce that the Conference of Women Legislators Legislative and Appropriation Committees have a meeting tomorrow morning, D-1, 7:30 a.m."

Speaker Madigan: "If there's nothing further to come before the Body, Representative Currie moves that the House stand adjourned until 12:30 tomorrow. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until 12:30 tomorrow, providing perfunctory time for the Clerk. Ladies and Gentlemen, the Committee on

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Smart Growth and Planning has also been canceled. Thank you."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction of reading House Bills - First Reading. House Bill 1360, offered by Representative Ford, a Bill for an Act concerning insurance. House Bill 1361, offered by Representative Ford, a Bill for an Act concerning regulation. House Bill 1362, offered by Representative Brauer, a Bill for an Act concerning education. House Bill 1363, offered by Representative Brauer, a Bill for an Act concerning education. House Bill 1364, offered by Representative Boland, a Bill for an Act concerning local government. House Bill 1365, offered by Representative Meyer, a Bill for an Act concerning domestic violence. House Bill 1366, offered by Representative Saviano, a Bill for an Act concerning regulation. House Bill 1367, offered by Representative Reis, a Bill for an Act concerning business. House Bill 1368, offered by Representative Chapa LaVia, a Bill for an Act concerning State Government. House Bill 1369, a Bill... offered by Representative Chapa LaVia, a Bill for an Act concerning State Government. House Bill 1370, offered by Representative Chapa LaVia, a Bill for an Act concerning State Government. House Bill 1371, offered by Representative John Bradley, a Bill for an Act concerning local government. House Bill 1372, offered by Representative John Bradley, a Bill for an Act concerning local government. House Bill 1373, offered by Representative John Bradley, a Bill for an Act concerning wildlife. House Bill 1374, offered by Representative

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Turner, a Bill for an Act concerning revenue. House Bill 1375, offered by Representative Riley, a Bill for an Act concerning State Government. House Bill 1376, offered by Representative Turner, a Bill for an Act concerning revenue. House Bill 1377, offered by Representative Bill Mitchell, a Bill for an Act making appropriations. House Bill 1378, offered by Representative Bill Mitchell, a Bill for an Act concerning health. House Bill 1379, offered by Representative Bill Mitchell, a Bill for an Act concerning food stamps. House Bill 1380, offered by Representative Turner, a Bill for an Act concerning courts. House Bill 1381, offered by Representative Black, a Bill for an Act concerning vehicles. House Bill 1382, offered by Representative Black, a Bill for an Act concerning criminal law. House Bill 1383, offered by Representative Black, a Bill for an Act concerning regulation. House Bill 1384, offered by Representative Krause, a Bill for an Act concerning energy efficiency. House Bill 1385, offered by Representative Krause, a Bill for an Act concerning regulation. House Bill 1386, offered by Representative Krause, a Bill for an Act concerning regulation. House Bill 1387, offered by Representative Black, a Bill for an Act concerning revenue. House Bill 1388, offered by Representative Black, a Bill for an Act concerning revenue. House Bill 1389, offered by Representative Sacia, a Bill for an Act concerning public employee benefits. House Bill 1390, offered by Representative Biggins, a Bill for an Act concerning revenue. House Bill 1391, offered by Representative Fortner, a Bill for an Act concerning local

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

government. House Bill 1392, offered by Representative Fortner, a Bill for an Act concerning local government. House Bill 1393, offered by Representative Black, a Bill for an Act concerning government. House Bill 1394, offered by Representative D'Amico, a Bill for an Act concerning employment. House Bill 1395, offered by Representative D'Amico, a Bill for an Act concerning employment. House Bill 1396, offered by Representative Schmitz, a Bill for an Act concerning sports facilities. House Bill 1397, offered by Representative Reis, a Bill for an Act concerning education. House Bill 1398, offered by Representative Golar, a Bill for an Act concerning criminal law. House Bill 1399, offered by Representative Eddy, a Bill for an Act concerning State Government. House Bill 1400, offered by Representative Eddy, a Bill for an Act concerning environmental safety. House Bill 1401, offered by Representative Eddy, a Bill for an Act concerning ethanol. House Bill 1402, offered by Representative Eddy, a Bill for an Act concerning motor fuel. House Bill 1403, offered by Representative Sacia, a Bill for an Act concerning criminal law. House Bill 1404, offered by Representative Sacia, a Bill for an Act concerning regulation. House Bill 1405, offered by Representative Sacia, a Bill for an Act concerning elections. House Bill 1406, offered by Representative Sacia, a Bill for an Act concerning regulation. House Bill 1407, offered by Representative Sacia, a Bill for an Act concerning used tires. House Bill 1408, offered by Representative Granberg, a Bill for an Act concerning safety. House Bill 1409, offered by

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Representative Granberg, a Bill for an Act concerning revenue. House Bill 1410, offered by Representative Granberg, a Bill for an Act concerning technology. House Bill 1411, offered by Representative Granberg, a Bill for an Act concerning transportation. House Bill 1412, offered by Representative Granberg, a Bill for an Act concerning finance. House Bill 1413, offered by Representative Granberg, a Bill for an Act concerning finance. House Bill 1414, offered by Representative Granberg, a Bill for an Act concerning finance. House Bill 1415, offered by Representative Granberg, a Bill for an Act concerning finance. House Bill 1416, offered by Representative Granberg, a Bill for an Act concerning finance. House Bill 1417, offered by Representative Granberg, a Bill for an Act concerning finance. House Bill 1418, offered by Representative Granberg, a Bill for an Act concerning revenue. House Bill 1419, offered by Representative Lang, a Bill for an Act concerning health. House Bill 1420, offered by Representative Lang, a Bill for an Act concerning gaming. House Bill 1421, offered by Representative Nekritz, a Bill for an Act concerning public safety. House Bill 1422, offered by Representative Nekritz, a Bill for an Act concerning revenue. House Bill 1423, offered by Representative Holbrook, a Bill for an Act concerning regulation. House Bill 1424, offered by Representative Beiser, a Bill for an Act making appropriations. House Bill 1425, offered by Representative Reitz, a Bill for an Act concerning civil law. House Bill 1426, offered by Representative Reitz, a Bill for an Act concerning civil

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

law. House Bill 1427, offered by Representative Saviano, a Bill for an Act concerning regulation. House Bill 1428, offered by Representative Phelps, a Bill for an Act concerning public employee benefits. House Bill 1429, offered by Representative Crespo, a Bill for an Act concerning regulation. House Bill 1430, offered by Representative Crespo, a Bill for an Act concerning revenue. House Bill 1431, offered by Representative Hannig, a Bill for an Act concerning regulation. House Bill 1432, offered by Representative Crespo, a Bill for an Act concerning insurance. House Bill 1433, offered by Representative Crespo, a Bill for an Act concerning regulation. House Bill 1434, offered by Representative Crespo, a Bill for an Act concerning education. House Bill 1435, offered by Representative Bellock, a Bill for an Act concerning health. House Bill 1436, offered by Representative Coulson, a Bill for an Act in relation to taxation. House Bill 1437, offered by Representative Miller, a Bill for an Act concerning business. House Bill 1438, offered by Representative Miller, a Bill for an Act concerning regulation. House Bill 1439, offered by Representative Berrios, a Bill for an Act concerning criminal law. House Bill 1440, offered by Representative Brauer, a Bill for an Act in relation to public employee benefits. House Bill 1441, offered by Representative Bellock, a Bill for an Act concerning public aid. House Bill 1442, offered by Representative Mendoza, a Bill for an Act concerning local government. House Bill 1443, offered by Representative Mautino, a Bill for an Act concerning insurance. House Bill

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

1444, offered by Representative Mautino, a Bill for an Act concerning insurance. House Bill 1445, offered by Representative McAuliffe, a Bill for an Act concerning public employee benefits. House Bill 1446, offered by Representative Mendoza, a Bill for an Act concerning business. House Bill 1447, offered by Representative Mendoza, a Bill for an Act concerning State Government. House Bill 1448, offered by Representative Boland, a Bill for an Act concerning regulation. House Bill 1449, offered by Representative Hernandez, a Bill for an Act concerning State Government. House Bill 1450, offered by Representative Hernandez, a Bill for an Act concerning criminal law. House Bill 1451, offered by Representative Boland, a Bill for an Act concerning elections. House Bill 1452, offered by Representative Pritchard, a Bill for an Act concerning health. House Bill 1453, offered by Representative Jakobsson, a Bill for an Act concerning insurance. House Bill 1454, offered by Representative Boland, a Bill for an Act concerning appropriations. House Bill 1455, offered by Representative Fritchey, a Bill for an Act concerning criminal law. House Bill 1456, offered by Representative Fritchey, a Bill for an Act concerning civil law. House Bill 1457, offered by Representative Osmond, a Bill for an Act concerning government. House Bill 1458, offered by Representative Scully, a Bill for an Act concerning finance. House Bill 1459, offered by Representative Nekritz, a Bill for an Act concerning regulation, which may be known as the Prescription Data Privacy Act. House Bill 1460, offered by Representative

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Boland, a Bill for an Act concerning State Government. House Bill 1461, offered by Representative Boland, a Bill for an Act concerning aging. House Bill 1462, offered by Representative Gordon, a Bill for an Act concerning civil law. House Bill 1463, offered by Representative Pihos, a Bill for an Act concerning safety. House Bill 1464, offered by Representative Pihos, a Bill for an Act concerning education. House Bill 1465, offered by Representative Washington, a Bill for an Act concerning regulation. House Bill 1466, offered by Representative Rita, a Bill for an Act concerning education. House Bill 1467, offered by Representative Rita, a Bill for an Act concerning housing. House Bill 1468, offered by Representative Rita, a Bill for an Act concerning public employee benefits. House Bill 1469, offered by Representative Rita, a Bill for an Act concerning transportation. House Bill 1470, offered by Representative Rita, a Bill for an Act concerning regulation. House Bill 1471, offered by Representative Burke, a Bill for an Act concerning local government. House Bill 1472, offered by Representative Burke, a Bill for an Act concerning regulation. House Bill 1473, offered by Representative Brauer, a Bill for an Act concerning education. House Bill 1474, offered by Representative Brauer, a Bill for an Act concerning education. House Bill 1475, offered by Representative Brauer, a Bill for an Act concerning transportation. House Bill 1476, offered by Representative Brauer, a Bill for an Act concerning education. House Bill 1477, offered by Representative Burke, a Bill for an Act concerning regulation. House Bill

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

1478, offered by Representative Burke, a Bill for an Act concerning regulation. House Bill 1479, offered by Representative Burke, a Bill for an Act concerning regulation. House Bill 1480, offered by Representative Franks, a Bill for an Act in relation to counties. House Bill 1481, offered by Representative Tryon, a Bill for an Act concerning transportation. House Bill 1482, offered by Representative Leitch, a Bill for an Act concerning education. House Bill 1483, offered by Representative Phelps, a Bill for an Act concerning regulation. House Bill 1484, offered by Representative Howard, a Bill for an Act concerning criminal law. House Bill 1485, offered by Representative Howard, a Bill for an Act concerning education. House Bill 1486, offered by Representative Howard, a Bill for an Act concerning finance. House Bill 1487, offered by Representative Howard, a Bill for an Act concerning technology. House Bill 1488, offered by Representative Howard, a Bill for an Act concerning criminal law. House Bill 1489, offered by Representative Howard, a Bill for an Act concerning public health. House Bill 1490, offered by Representative Granberg, a Bill for an Act concerning wildlife. House Bill 1491, offered by Representative Kosel, a Bill for an Act concerning transportation. House Bill 1492, offered by Representative Bost, a Bill for an Act concerning criminal law. House Bill 1493, offered by Representative Burke, a Bill for an Act concerning transportation. House Bill 1494, offered by Representative Granberg, a Bill for an Act concerning finance. House Bill 1495, offered by Representative

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

Granberg, a Bill for an Act concerning public employee benefits. House Bill 1496, offered by Representative Granberg, a Bill for an Act concerning State Government. House Bill 1497, offered by Representative Miller, a Bill for an Act concerning urban development. House Bill 1498, offered by Representative Froehlich, a Bill for an Act concerning government. Introduction of House Joint Resolution Constitutional Amendment # 18

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH 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

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

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

14th Legislative Day

2/21/2007

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 for a fiscal year shall not exceed funds estimated by the General Assembly to be available during that year.

(c)Except upon a record vote of three-fifths of the members elected to each house of the General Assembly, the total aggregate appropriations for each fiscal year shall not exceed the previous fiscal year's total aggregate appropriations by the greater of 4% of the previous fiscal year's total aggregate appropriations or a percentage representing the sum of the percentage rate of inflation and the percentage rate of the State's population growth since the previous fiscal year. State revenues in excess of a fiscal year's total aggregate appropriations as calculated under this subsection shall be deposited into a rainy day fund within the State treasury established and to be used for purposes provided by law.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. There being no further business, the House Perfunctory Session will stand adjourned."