

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

27th Legislative Day

3/15/2007

Speaker Hannig: "The hour of 2:30 having arrived, the House will be in order. The Members will please be in their seats. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and the Pledge of Allegiance. We're going to have two prayers today. First, we're gonna have Reverend David Hoefler who's the Pastor of Blessed Sacrament Church in Springfield, and he's the guest of Representative Poe. Then he'll be followed Reverend Dan Perryman (sic-Perry) who's the Pastor of Highland Hope United Methodist Church in Highland, and he's the guest of Representative Stephens."

Reverend Hoefler: "We will have two prayers, but we won't take up a collection. Let us pray. Almighty and eternal God, we thank You for all the gifts and blessings You've given us. We thank You for Your providence and Your power and the way You are at work in our lives. We ask that You will help us to be continually more aware of how You are at work in our lives. Grant us the wisdom and insight to see Your providence and the heritage, the history that You've handed down to us, the wisdom to understand how to be good stewards of all that You've given us, and also to remember who it is we serve. And as we serve You and the people who have put themselves under our care, we ask that You will help us to always have the wisdom to know what is right and true and the courage to respect it and act accordingly. We ask all this and... as we ask You to pour out Your grace upon us this day. Amen."

Reverend Perry: "If you'll remain in an attitude of prayer. Lord, we come to You today and we ask for Your direction and

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guidance. You tell us to pray for those in authority over us, so today we lift these men and women who lead us in this great state. You tell us if we need wisdom all we have to do is ask, and so we ask for that wisdom, Lord. Help the men and women here to look out for the good of all the people of the State of Illinois, and not just those that tend to make a lot... the most noise. I pray for the division that's so prevalent in our nation today, for united we stand, divided we fall. And as a reminder for each of us as we go through the day and every time we look at our hands, Lord, may we first of all look at our thumb and remember that that reminds us to pray for those who are closest to us. As we look at our pointer finger, we pray for those who teach and instruct and heal, those who support and the wisdom in pointing others in the right direction. The third finger being the tallest reminds us to pray for those of us who lead us, like this Body, the President of this great nation, the leaders of business and industry, administrators as they help shape our nation. The fourth finger being our weakest finger reminds us to pray for those who are weak or in trouble or in pain. And as we look at our little finger being the smallest, we're reminded that we should place ourselves in relation to You and to others, that we pray for ourselves last, for the least shall be to the greatest among you. And once we pray for all those groups, we see that... how blessed we truly are. Help this Body to be a Body that are people conscious. Help each individual here today to be... have the courage to make the right choice, whether it be easy or popular. Help us to

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remember the values that made this nation great. Oh God, hear these prayers. Amen."

Speaker Hannig: "Representative Crespo, would you lead us in the Pledge."

Crespo - 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 Hannig: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representatives Fritchey, Ford, Jefferies, and Patterson are excused today."

Speaker Hannig: "Representative Bost."

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

Speaker Hannig: "Mr. Clerk, take the record. There are 110 Members answering the Roll Call, a quorum is present. Clerk, would you read the Resolutions?"

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 209, offered by Representative Beiser. House Resolution 210, offered by Representative Beiser. House Resolution 212, offered by Representative Pritchard. House Resolution 213, offered by Representative Ryg. House Resolution 214, offered by Representative Madigan. House Resolution 215, offered by Representative Flider. And House Resolution 217, offered by Representative John Bradley."

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Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Agreed Resolutions are adopted. Are there any other Resolutions, Mr. Clerk?"

Clerk Mahoney: "The following Resolutions have been filed and referred to Rules: House Resolution 211, offered by Representative Ryg. House Resolution 216, offered by Representative Acevedo. And House Resolution 218, offered by Representative Franks."

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

Schmitz: "Thank you, Speaker. I rise on a point of personal privilege."

Speaker Hannig: "State your point."

Schmitz: "Thank you, Speaker. Behind me in the gallery, I'd like to recognize the ladies and gentlemen from the Illinois Association of Nurse Anesthetists. They're here representing over seven hundred (700) members and their main headquarters is located in my district in Geneva. So, if they could... there they are. If you could please give 'em a round of applause. Thank you."

Speaker Hannig: "On page 13 of the Calendar, under the Order of House Bills-Third Reading, is House Bill 30. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 30, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Will, Representative Hassert."

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Hassert: "Thank you, Mr. Speaker and Members of the House. House Bill 30 is a simple Bill. It amends the Illinois Vehicle Code and includes the definition of 'person with disabilities' as a person who is missing a hand or arm or permanently lost the use of a hand. I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Represe... Mr. Clerk, take the record. On this question, there are 110 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 13 of the Calendar, Representative Franks, you have House Bill 145. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 145, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Franks."

Franks: "Thank you, Mr. Speaker. This Bill would allow the ICC to regulate vehicles in excess of ten thousand (10,000) pounds. The genesis of this Bill is what we've found that some areas were regulated when these 18 wheelers were being towed, but in my county they're not. So, what we've found is these people who have parked illegally, obviously they've broken the law and they're getting fined, but they are getting charged six thousand dollars (\$6,000) for a tow because this industry is unregulated in some counties. So, this Bill would allow the ICC to regulate those vehicles in

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excess of ten thousand (10,000) pounds. I'd be glad to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 14 of the Calendar, Representative Nekritz, you have House Bill 148. Do you wish us to read that Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 148, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Hannig: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. House Bill 148 allows disabled citizens in the State of Illinois... excuse me, I just ran down the aisle... access to Medicare supplement insurance at the same rate as those who qualify for Medicare by reason of being 65 years old. Currently, many of the disabled who qualify for Medicare in Illinois are being denied coverage... being denied supplemental insurance coverage or are being offered that coverage at a very expensive rate, a rate that is not affordable for many, if not most, who qualify. Twenty-two (22) other states currently require this coverage for the disabled. The experience of these other states is that the impact on premiums resulting from this law is minimal. According to a

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survey done by the Illinois Department of Insurance in 2004 of the 19 states who had similar laws at that time, 11 saw no impact on Medicare supplement premiums and the others had an impact but not significant. In Illinois, the numbers would indicate that the impact should also be small. In 2003, which are the most recent numbers I have from the Division of Insurance, there were a total of one and a half million (1,500,000) Medicare beneficiaries in Illinois. The total of disabled Medicare beneficiaries that do not qualify for Medicaid, which aren't... so the dual eligibles, is a hundred and thirteen thousand (113,000), just 7.3 of the total Medi... 7.3 percent of the total Medicare population and as much as... such a small part of the pool that the impact on supplement premiums should be minimal, if anything. That number could be further reduced if we take out the number of disabled that are already enrolled in Medicare Advantage Plans and those that qualify for private insurance. Finally, since the implementation of the Medicare Part D drug program, prescription drugs are no longer covered under the Medicare supplement insurance, thus further reducing the impact of this legislation. House Bill 148 will make health insurance more affordable for the disabled across Illinois and I ask for your support."

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

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

Speaker Hannig: "Indicates she'll yield."

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Black: "Representative, I have a disability and I am uninsurable on the open market. I am, however, lucky to be insured through a group plan. Now, if I understand this, if I went out into the open market to get a Medicare supplement policy, I am a bad risk. I have had radical surgery and I have no backup system, so if something happens my life expectancy would be rather short. So, you're telling me... and from a selfish standpoint, I... I don't suppose I should oppose the Bill. But if an insurance company has to cover me with my disability and cannot charge me a higher premium because I'm a much higher risk, and in real life, I'm not using this as a hypothetical, you could only stand to reason to me that everybody's rates would be raised to some extent to make sure, because all insurance is risk. How much risk are they taking, vis-à-vis, what their exposure is. So, if you would have to take two hundred and fifty thousand (250,000) people like me with a disability and a pre-existing medical condition and could not charge me a higher rate, then it would seem logical to me that at the next rate window they would raise rates on everybody so that they could cover people like me."

Nekritz: "Well, Representative, I don't presume to know whether you're qualifying for Medicare because you're over the age of 65 or whether you're disabled."

Black: "No, I'm... I'm in Medicare."

Nekritz: "Well, then this would not... this... this expands coverage to those that are under the age of 65 that qualify for Medicare by reason of disability. That's the first thing."

Black: "But... okay."

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Nekritz: "So... and, yes, I acknowledge that there might be an impact on rates, but... but, again, the size of the pool of those that qualify for Medicare by reason of age versus those that qualify by reason of disability, the size of those pools is so disparate that... Medicare is... Medicare by reason of age is over... is a million and a half (1,500,000) and the other, I believe, is... is about a hundred and thirteen thousand (113,000) at most... that I believe that the impact would be minimal, and that is the experience of other states that have... of the... in the... many of the other states that have instituted this law. So, I... and in committee... I don't know the name of the organization that Mr. Berry represents, but he... when he originally came to me he said that this Bill would increase premiums by 20 percent, then in committee he testified it would be by 4 percent. So, I have to think that if he'd said it was 4... went from 20 to 4, that it's probably even less than that."

Black: "Do you have any longitudinal studies of states that have done this for at least 10 years, what their rate experience has been? Or is that information available?"

Nekritz: "Well, the Depart... the Department of Insurance did do a study in 2004, and I don't know how long those... many of those states had had this in place at that time, but of the 19 states that had the law in place at that time, 11 of them had said there'd been no impact on premiums."

Black: "Was that based on any particular study of any particular state?"

Nekritz: "Well, that was of the... that was of the 19 states that had the laws in effect in 2004, correct."

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Black: "Okay. All right. And I'm glad you corrected me on one thing because when I first looked at this I... what jumped out at me was AARP supports. But thanks to you and a different look, this really is not aimed at people who are already covered by Medicare, correct?"

Nekritz: "That... that's... by reason it does. That's correct."

Black: "So, with the reason of disability... so if I am adjudicated, disabled, I may be at any age, 33, let's say."

Nekritz: "That's correct, but once you qual... once you are disabled under the... I believe it's the definition by the Social Security Administration, you still have to wait 2 years before you would qualify for Medicare disability."

Black: "Okay. Thank you very much, Representative. As always, I appreciate your forthright answers. Mr. Speaker, to the Bill."

Speaker Hannig: "...the Bill."

Black: "This is not an easy Bill to vote against, and I do appreciate the Representative correcting me on a mistaken assumption that I had. But one of the things I've learned, and I've had to learn it, unfortunately, of having life altering surgery years ago and being in the insurance indus..."

Speaker Hannig: "Mr. Black, please bring your remarks to a close, but you're doin' fine. Proceed."

Black: "Thank you very much, Mr. Speaker. Just in my real life situation, I've discovered over the years a disability in the insurance industry is... as much as I don't like it, I've learned to accept over the years why it's there. I am a higher risk and I have gotten used to paying higher premiums

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for life insurance, if I can get it. The last time I applied for additional life insurance I was rejected as a poor risk. If... if you mandate that people like I be covered at a similar rate of someone who is in excellent health, at some point the risk outweighs the benefits and the policymakers, the policy underwriters, will simply raise everyone's premium to take care of somebody like me who they think is a... a very bad risk. So, I... I reluctantly rise to vote 'no' simply based on the concept of insurance risk and if you cover everybody in a high risk category at the same rate, it only stands to reason to me that eventually everybody will pay higher premiums."

Speaker Hannig: "Representative Nekritz to close."

Nekritz: "Thank you, Mr. Speaker. I would just like to make one other point and that is that this Med... this is Medicare supplement insurance, this is not the primary insurance. So, I think a lot of that risk is already borne by the... by Medicare. This is... this is the supplemental. So, while I appreciate Mr... Mr. Black's remarks, and I do... I freely acknowledge that this may bump premiums a small percentage for those that qualify by Medicare or by reason of age... again, with AARP support I think we all acknowledge that this is the right direction to go for the disabled who are qual... who are unable to get this insurance even though they qualify for Medicare. I ask for your support."

Speaker Hannig: "Representative Black, you've spoken in debate. For what reason do you rise?"

Black: "Mr. Speaker, a point of clarification, if I could."

Speaker Hannig: "Certainly."

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Black: "Ladies and Gentlemen of the House, I misspoke. I owe the Sponsor an apology. I got off on my own experience which would be insurance on the... in the marketplace, life insurance, a supplemental health insurance policy, and I had forgotten what the Sponsor told me initially. This is a Medicare supplement only. So, the experiences I've had would not take place on this Bill and I don't wanna mislead anyone and I apologize for that. I was using my own experience and forgetting what the Representative told me. This is a Medicare supplement policy and that's a little different than going out into the open marketplace for additional insurance."

Speaker Hannig: "So the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Stephens. Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Reis, you have House Bill 156. Do you wish us to have that read? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 156, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Reis."

Reis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 156, as amended, prohibits a child sex offender from being involved as an owner, employee, or otherwise associated with county fairs. The genesis of this Bill, we're having some trouble with county fairs employing

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sex offenders and right now the statute only says for events tailored towards children under the age of 18, not where children under the age of 18 are present. So, I'd be happy to answer any question and appreciate your 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Wait, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 110 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Sullivan, do you wish us to read House Bill 170? Out of the record. Representative Sacia on House Bill 215. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 215, a Bill for an Act concerning animals. Third Reading of this House Bill."

Speaker Hannig: "Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 215 is pretty straightforward and simple in the overall scheme of things. It was brought to me by constituents in Jo Daviess County, Illinois, which has a large number of dairy farmers. The Livestock Management Act... Livestock Management Facilities Act, if a dairy farmer, as an example, wants to add 20 cows or 10 cows to his herd, according to current regulations he must create a storage facility for his manure for a six-month period of time at a very, very great expense. After lengthy discussion with the

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Department of Agriculture and all of the environmental people, we came up with agreed legislation and there are no known opponents to this. And what it does is it simply reduces the time... the manure storage time from a six-month period to three-month period and it... it specifically addresses 300 animal units or less. So, it is good legislation and I ask for your support."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? The Gentleman from Cook, Representative Will Davis."

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

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

Davis, W.: "Representative, so, is this Bill about how long you can hang on to manure?"

Sacia: "Yes, it... I'm getting a lot of help from the folks around me, as I'm sure you can appreciate. It's how long a individual engaged in the business of agriculture can store the waste material or manure from livestock. Yes, Sir."

Davis, W.: "Does it have an expiration date?"

Sacia: "No, Sir."

Davis, W.: "I mean, does it... does it go bad?"

Sacia: "No. It's all... it's all done because of the cost of putting in a facility that would be a great expense for six-month's storage, far less expense for three-month's storage."

Davis, W.: "Representative, how do I become a manure storer?"

Sacia: "Start milkin' cows, Sir."

Davis, W.: "How do... how do I become a manure storer?"

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Sacia: "I... I don't know that answer without checkin' with the Department of Ag."

Davis, W.: "Thank you very much."

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

Black: "Thank you very much, Mr. Speaker. In answer to the previous question, when you get elected to this Body you're automatically a manure spreader, present company excluded of course. I just simply rise to support the Gentleman's Bill. This is an issue in the rural areas of Illinois and I... I congratulate the Sponsor. When you can deal with the waste of livestock and get a Bill that is supported by the Stewardship Alliance and the Illinois Environmental Council then you've obviously done your homework. Those two organizations certainly would not sign on to any Bill that would allow the indiscriminate use or disposal of livestock waste. So, the fact that it cleared committee unanimously and also has the sponsorship... or not... excuse me, not the sponsorship, but the agreement of two excellent environmental groups is all I really need to know that it's a Bill I can work with. It's a Bill that many of you do not have to worry about in highly urbanized, densely populated areas, but it certainly is a problem where I live and many of us live trying to maintain a livestock industry in the State of Illinois. I leave you with one thought. I remember when I was much younger we did not import any appreciable amount of meat into this country. Today, we import... I can't remember the exact percentage, but it's at a much higher amount of beef, pork, poultry, fish than we ever

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did in our past. And I don't think having our food supply dependent on trading partners is good policy. I support the Gentleman's Bill."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Monique Davis, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 110 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Yarbrough, you have House Bill 222. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 222, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Yarbrough: "Thank you, Mr. Speaker, Members of the House. I have for your consideration today House Bill 222 which amends the Unified Code of Corrections. It provides that driver's licenses, state identification cards, Social Security cards, and other governmental issued identification documents in possession of a county sheriff at the time a person is committed to the Illinois Department of Corrections shall be forwarded to the department. It provides that the department shall retain the government issued ID... IDs of a committed person at the institution in which the person is incarcerated and shall ensure the documents are forward to any institution to which the person is transferred. There is no known opposition to this Bill and I'm happy to answer any questions."

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

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

Speaker Hannig: "...cates... she indicates she'll yield."

Black: "Representative, I just have one question dealing with the Social Security card. If, upon arrest, the person does not have their... I don't carry my Social Security card. It's one of the first things you learn in an identity theft class is don't carry your Social Security card. And I'm always amazed at the Federal Government because it says right on the card 'not to be used for identification', but if you don't have a Social Security number you're... you're in a lot of trouble. Your Bill isn't forcing anyone arrested to surrender his or her Social Security card to the arresting agency, are you?"

Yarbrough: "No, no. The Bill, what it does, if a person is arrested and they are detained all of their personal property is collected. We just wanna make sure that their identification, should they be sent to a state institution, is forwarded to that state institution."

Black: "All right. And certainly have no problem with that. But if someone who is facing a term in the Department of Corrections says..."

Yarbrough: "Yeah, I'm sorry, Representative..."

Black: "I didn't have my... I didn't..."

Yarbrough: "...I can't hear. There's too much..."

Black: "Yeah, I... I know how it goes. The only thing that I want on the record is that at no time, even though I'm arrested

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and give up a great many of my rights, I should not have to surrender my Social Security card to the arresting entity or have it transferred to the Department of Corrections should I choose not to do so. Correct?"

Yarbrough: "That's correct."

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

Speaker Hannig: "We've got two other Gentlemen seeking recognition, so we're gonna move this to Standard Debate. And Representative Rose, you're recognized for five minutes."

Rose: "Thank you. A couple questions of the Sponsor, if she would allow me?"

Speaker Hannig: "She indicates she'll yield."

Rose: "Representative, I understand what you're trying to do here but I've two concerns, just thinking out loud here. The first is, let's say someone's arrested for a traffic offense that ultimately is punished by the Department of Corrections. Their driver's license may not be in the possession of the sheriff; it may be in the possession of the Circuit Clerk's Office, because usually it comes in a ticket form when it's initially charged and then they send it to the Circuit Clerk's Office. So, I'm wondering if maybe in what you're trying to do we might have missed a step, that there's another entity out there that might actually have possession of that at that point in time. An example would be driving under... on a revoked license, which could be punishable by a trip to the Department of Corrections."

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Yarbrough: "Yeah, no... you know what? It's just what's in possession at the time that you're arrested."

Rose: "Right. And what I'm saying is, though, that the sheriff might pat you down, so to speak, and take possession of that, but when they go to issue the ticket, your actual driver's license goes with it to the Circuit Clerk's file. And what I'm saying is, what you're trying to do here, we may be missing a step where the sheriff might actually have... might not actually have it anymore, it might be in the Circuit Clerk's possession."

Yarbrough: "What I'm trying to do here is when a person is arrested and detained and put in... in jail, okay, in a county jail and then they're convicted and they are sent on to a state institution, that they take that... ya know, they have to surrender everything that they have."

Rose: "Right. I understand that. But what I'm saying is, the sheriff might not actually have that anymore. The sheriff may have turned it over to the Circuit Clerk's court file. Like where I was a prosecutor on a drivin' on a revocation, driving under the influence, any traffic related crime that was punishable by a trip to the... to the Department of Corrections potentially, the sheriff, the night of the arrest, would have forwarded that with the ticket to the Clerk's Office and the actual driver's license would have been at the Clerk's Office by the next morning. So, I know what you're trying to do. I'm saying we may be missing some people. And my second question, more importantly, is there anything in here that provides for ongoing

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investigations into, say, false or fraudulent documents to be retained by the arresting agency?"

Yarbrough: "I would think that if it was an ongoing investigation they would have whatever they got from the person at the time."

Rose: "Right. But I guess what I'm saying is you're saying that they then have to forward it to the DOC..."

Yarbrough: "The only time they would have to forward it to DOC was... is when they are convicted and sent to DOC, at the time of commitment."

Rose: "But... but there may be an... I mean, when... they may have been convicted of some crime since the DOC, as part of their sentence they've agreed to testify against, say, a fraudulent ID ring. While they're in DOC, the proof, the ID, has now been forwarded and the chain of custody's been destroyed. Representative Yarbrough, I think you got a good idea here and I think what Representative Black has said is right, that we need to protect people's identities and make sure that their personal property ends up with them wherever they go."

Yarbrough: "Well... well, I would think that that would be evidence."

Rose: "But I wanna make sure we do it in the right way."

Yarbrough: "I would think that would be evidence."

Rose: "It would be evidence but you... but your... but the state can't break the law in its own right. I mean, it would have to do this, which would break the chain of custody and then... and then it's subject to a... a hearing. I mean, I... I'll be happy to work with you on this, but I think there's one or

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two things that have to get done on it before this makes sense."

Yarbrough: "Representative, this Bill came out of committee with no opposition. I have worked with the Secretary of State's Office last year and the Department of Corrections, both this year and last year, and they didn't find anything wrong with the Bill whatsoever."

Rose: "Okay. And I guess what I'm sayin' is..."

Yarbrough: "And they're proponents of the Bill..."

Rose: "Yeah, and I see that."

Yarbrough: "...along with the Secretary of State."

Rose: "I see that, but this is a process. And unfortunately I don't sit on this committee, and if I did I would've brought this up already. But the bottom line of this is that you may be missing a number of IDs from the traffic spectrum, and you are missing a number of IDs from the traffic spectrum, which should go. And then also, we have to do something to deal with the chain of custody... to the chain of custody to make sure that if it is an ongoing investigation the sheriff's allowed to retain it for as long as it takes."

Yarbrough: "I... I understand your concern. Thank you."

Speaker Hannig: "Representative Howard."

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

Speaker Hannig: "Indicates she'll yield."

Howard: "Representative Yarbrough."

Yarbrough: "Yes."

Howard: "The purpose of this legislation is to make certain that, to the extent possible, that any documents that were

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on the person of that individual when they were convicted are not destroyed. Am I correct?"

Yarbrough: "That's correct."

Howard: "And isn't the reason that we've been concerned about this because of the horror stories that we've heard from so many people who tell us that they have... they're always facing a dilemma, they don't have identification, they can't get it for various reasons, and what you're trying to do is make certain that at least this is the first step toward people getting on with their lives. Is that correct?"

Yarbrough: "That is correct."

Howard: "I think this is a wonderful Bill. I totally support you. I commend you for... for your sticktoitiveness. In fact that we are probably finally going to get to a point where this very crazy... this very crazy problem is being addressed. And thank you so much for doing this and I'm supportive of this. Thank you."

Yarbrough: "Thank you, Representative."

Speaker Hannig: "Representative Yarbrough to close."

Yarbrough: "I... I ask for a favorable vote. I do appreciate the comments that have been made here and I will suggest to the Senate Sponsor to take a look at what's been brought up here today. Please vote 'aye' on this Bill. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Schmitz, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 106 voting 'yes' and 4 voting 'no'. And

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this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bradley on 228. Out of the record. Representative Dunn on 237. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 237, a Bill for an Act concerning libraries. Third Reading of this House Bill."

Speaker Hannig: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 237 allows librarians to reveal information to police in certain emergencies. It avoids the delay of getting a court order. I'd ask for an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in... Excuse me. Representative Franks in response."

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

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

Franks: "Representative, what's the genesis of this Bill?"

Dunn: "The genesis of this Bill is a lewd act was committed in a library in my district. The librarians knew who the person was. They could not give the identity to police. The police had to go and get a court order. It took about a day and a half to do that. So, this Bill allows the librarians to give the identity of a victim or a suspect of a crime under certain circumstance."

Franks: "Thank... thank you. I... I was hoping this was not an expansion of the Patriot Act and I see that it is not."

Dunn: "No. It's... Right."

Franks: "Thank you."

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Dunn: "Thanks, Jack."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Repre... Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Yarbrough, you have House Bill 246. Out of the record. Representative Franks on 251. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 251, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Franks."

Franks: "Thank you, Mr. Speaker. This Bill comes about as a result of a constituent of mine who had served in law enforcement for 20 years and now is a private security officer. And what he tells me is that if there is an attack on a policeman, that the penalties are much higher than they would be for anyone else. So, he'd like to have those folks that are private security officers, as defined in the Private Detective and Locksmith Act, to have those same penalties apply. I'd be glad to answer any questions."

Speaker Hannig: "...on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' Excuse me. Representative Black in response."

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

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

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Black: "In our analysis it notes that a machine gun is specifically outlined in the Bill. Now, as you know, a machine gun, any fully automatic weapon, is illegal. You can't own or possess a machine gun. My only question is, is the penalty for possession of a machine gun stronger than it would be if used in the situation that your Bill is addressing? I don't want somebody with a fully automatic weapon only having to serve 1 year for aggravated assault if, in fact, the penalty for possessing an illegal weapon might be 5 years."

Franks: "Our analysis indicates that aggravated battery with a machine gun or a firearm equipped with any device or attachment designed or used for silencing the report of a firearm remains a Class X felony."

Black: "Okay."

Franks: "But the sentence increases now. From 12 to 45 years, now will go up from 20... to 20 to 60."

Black: "Okay. So, that answers my question. We're not diminishing the penalty for somebody having a grossly illegal weapon used in the commission of a crime to begin with."

Franks: "We're increasing it."

Black: "Okay. Fine. Thank you."

Franks: "We're increasing the penalty."

Speaker Hannig: "And the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Golar, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the

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record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Smith on 258. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 258, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen. This legislation would create a... a matching grant program in the State Board of Education to provide a 50 percent matching grant to school districts for the training of their personnel in both CPR and the use of the automated defibrillators that we have now required them to have present in their schools. This idea came to me from a constituent actually who complained because the school where her child was attending had the AED but did not... only had one person who was trained in using that and that was the building principal. In talking to many of the educa... administers in my district, they said that it's oftentimes a... a matter of funding for the training of... of their staff in CPR and the use of the AEDs. And so this would provide some matching grant assistance for those school districts. And of course, this is subject to appropriation. I hope that we can make this part of the budget discussions this spring. I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the quest... Excuse me. Representative Meyer."

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

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

Smith: "Of course."

Meyer: "Yes. Representative, you made this subject to appropriations. Have you reached an agreement to request a certain amount be appropriated?"

Smith: "No, I have not, Representative Meyer. We really haven't begun those discussions yet, but I'll be working with Representative Soto and Assistant Majority Leader Hannig as they put together the education budget."

Meyer: "Well, what do you anticipate that that cost might be... or that appropriation might be?"

Smith: "We really have not put a dollar amount on it at this point, Jim. I think that, ya know, it's something that... something that, ya know, I'm sure any amount of money we put to it would be... would be widely used."

Meyer: "Well, I'm not opposed to your legislation, Representative. The thrust of my question was concern as to the dollar amount you're requesting. If it's in the budget, that's fine. But according to my analysis here, it shows that this program will be... the grant program would be administered on a first come, first serve basis. And I was just thinking, basically you're looking for additional... additional people in each school district to be trained to make this an effective program, and if the City of Chicago comes in and they requests somebody from each of their schools, which they well could, I wouldn't have a quarrel with their request, that might eat up the entire amount and the rest of the state would go without any kind of opportunity to be reimbursed, and that's why I was

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interested in your... your process. If it's going to be meaningful, well then, I don't have a problem with supporting it. If it's not really gonna be meaningful because it just didn't have the proper attention paid to how much was being requested for appropriation, then I... it's probably not as great a program as I think it has potential to be."

Smith: "I think... I appreciate your comments. I think you raise a good point and I guess I would... would hope that the state board, in drafting the rules, that they would have to come up with for the grant program would take that into consideration in the terms of... of the geographic balance of grant applicants and... and awardees. But I... I think it is a worthy idea. It, I think, needs to be out there and hopefully we can find some funds to put into it."

Meyer: "Thank you for your responses."

Speaker Hannig: "Representative Jerry Mitchell."

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

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

Mitchell, J.: "Representative Smith, the way our analysis reads, it says it requires ISB to establish and administer a matching grant program. Is this subject to appropriation? And this may have been asked, but I'm having trouble hearing."

Smith: "Yes. Yes, it is subject to appropriation."

Mitchell, J.: "Okay. Do you have any idea what the overall cost would be at various percentages of school districts that would apply?"

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Smith: "No. I wish we did. I don't know how we'd... we'd go about doing that. I know, ya know, a lot of school districts do this already. I just... we don't know what the need would be. We just know that it's... it's a definite need."

Mitchell, J.: "Has there been any suggestion that those school districts that have done this already possibly share those figures of what it costs them so that we can get some kind of analysis and know approximately what kind of money we'd need to request to make sure that this program gets off the ground?"

Smith: "Well, that's a good idea. We hadn't... hadn't thought about that, but that's a ...that'd be a good idea."

Mitchell, J.: "These kind of grants, and of course you know that... that I certainly favor them, that... that basically encourage districts to do the right thing. I had one as well on renewable emer... energy grants that I hope also gets off the ground. So, I commend you for this and I hope we can find some funds to make this go. Thank you."

Smith: "Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Ramey, do you wish to be recorded? Mr. Clerk, take the record. On this question, there 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Cole, do you wish us to read House Bill 260? Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 260, a Bill for an Act concerning sex offenders. Third Reading of this House Bill."

Speaker Hannig: "Representative Cole."

Cole: "Thank you, Mr. Speaker and Members of the House. House Bill 260 amends the Sex Offender Registration Act. Provides that when a sex offender registers with the appropriate law enforcement agency, he or she shall provide the law enforcement agency with all e-mail addresses, instant messaging identities, chat room identities, and other Internet communication identities that the sex offender uses. It also amends the Sex Offender Community Notification Law and provides for disclosure... disclosure of such information to the public."

Speaker Hannig: "The Lady has moved for the passage of House Bill 260. Is there any discussion? The Gentleman from Cook, Representative Lang."

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

Speaker Hannig: "Indicates she'll yield."

Lang: "Representative, would this be your first Bill?"

Cole: "Yes, Sir, it is."

Lang: "Ya know, it's a pretty important Bill; it's about sex offenders. So, you think maybe we should just harass you on your second Bill?"

Cole: "Sure."

Lang: "Sure. You do have other Bills?"

Cole: "Yes, Sir, I do, but not today."

Lang: "All right. Is your next Bill gonna be as serious as this one?"

Cole: "Yes, Sir, it will be."

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Lang: "I'll take a chance. I'm gonna let it go."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Eddy, do you wish us to read 262? Out of the record. Representative Reis on 286. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 286, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Reis."

Reis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 286, as amended, cleans up some language that deals with adult bookstores and the selling of products when they are a thou... within a thousand (1,000) feet of a school, daycare center, cemetery, public park, forest preserve, public housing, or place of religious worship. And right now it reads that any business whose primary business comes from that and we... we lowered that to 25 percent. We worked with the motion picture folks and the retail merchants. I know of no known opponents and I ask for your 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone speak in response? The Gentleman from Vermilion, Representative Black."

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

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Speaker Hannig: "Indicates he'll yield."

Black: "Representative, I need to clarify something. I... I had a Bill a year or two ago that made this two thousand five hundred (2,500) feet to take care of a x-rated video store that was within about eighteen hundred (1800) feet of a church. Now, you're not rolling back that distance, are you, except in the case where it has 25 percent or more?"

Reis: "I don't know what Bill your... your previous piece of legislation did to the statute, but we took current statute which is one thousand (1,000) feet. We have no indi... we have no intention of all of lowering something else."

Black: "Okay. I... I would ask you when this Bill gets to the Senate, ask staff to check because I increased that to two thousand five hundred (2,500) feet about a year..."

Reis: "I'd like to..."

Black: "...to address something in my district."

Reis: "As you can tell, my Bill does nothing to do with the distance, it just takes out 'primary' and inserts '20 percent of its profits from a commercial sale' and it has to do with..."

Black: "Okay."

Reis: "...inventory and no change of setbacks. But I will have..."

Black: "Yeah. Just let me know 'cause I wanna make sure that we don't... we do... I think we had a thousand (1,000) feet; we changed it to two thousand five hundred (2,500) feet. I wanna make sure this Bill doesn't negate what we did about a year ago."

Reis: "And I certainly don't..."

Black: "Okay. Thank you."

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Reis: "...wanna do that either. We will check up on that."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Colvin, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lang, do you wish us to read 293? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 293, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a cleanup Bill for the Secretary of State. I know of no opposition."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Reis, you have House Bill 297. Out of the record. Representative Jakobsson on 313. Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 313, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. This Bill provides that the Secretary of State may designate on each driver's license a space where the licensee may place a sticker or a decal that would be issued by the Secretary of State saying... with the words 'do not resuscitate'. So, I would ask an 'aye' vote, please."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? The Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "She indicates she'll yield."

Black: "Representative, this is going to go on the back of a driver's license?"

Jakobsson: "Yes, just as people have options for other indicators on the backs of their driver's licenses."

Black: "All right. If you have a DNR on the back of your license plate... I don't remember all of the intricacies of the Health Care Act, but somebody at the hospital's gonna wanna know who has durable power of attorney and whether you have a living will. I'm not sure DNR on the back of your license plate is sufficient for them not to take whatever action is necessary to save your life when you come in as the result, let's say, of a traffic accident."

Jakobsson: "It wouldn't go on the back of the driver's... of your license plate, it would go on the back of your driver's license."

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Black: "No, I know, on the back of your driver's license."

Jakobsson: "Right."

Black: "But I would think that the health care... I'll defer to an attorney... but it would seem to me that the hospital would need more information than that. Who has durable power of attorney? Do you have a living will? What if I put DNR on the back of my license, driver's license, and I didn't tell my wife, she does not have durable power of attorney, I do not have a living will, they... they contact my wife and say, 'Your husband has been seriously injured in a traffic accident and we're not sure what to do. On the back of his driver's license is 'do not resuscitate'? She would then have every right or ability to say, 'I don't know why that's on there but please do everything you can to save the old rascal, at least until I can get there.' So, I'm not sure a DNR on the back of a driver's license would satisfy all of the requirements to hold a health care provider harmless if a member of your family shows up later and say, 'Well, what did you do?' Well, we didn't do anything because there was a DNR on the back of his or her driver's license. And then the family could say, 'But nobody in our family has durable power of attorney, he or she has no living will. By what authority did you make this decision?'"

Jakobsson: "Well, they made that decision by the person's own choice. And this is the same thing that's on the back that, ya know, says you can be an organ donor. It's on the back of your driver's license. This came to me because a constituent had a situation. A gentleman had... whose wife had been taken to the emergency room had a living will and

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they hadn't checked it. And in her living will, she had 'do not resuscitate' and they resuscitated her. And this is just one more way of making sure that the individual's wishes are carried out."

Black: "Can you... can you give me some assurance that the health care professional will not be held liable for making that mistake? Because the DNR on the back of a driver's license would not be notarized; it wouldn't be witnessed. These are the documents that you have to file with your health care provider on a durable power of attorney and/or a living will. And so, I'm not sure that the hospital would be... the health care system who's treating you in a trauma center would be held... would have immunity if all they saw on the back of your driver's license was DNR and they followed that wish, but then your spouse or your children show up and say, 'We didn't know anything about this. Ya know, you didn't contact us. This is not our desire whatsoever.' I mean, I don't have a problem with the... the organ donation on my driver's license, but the organ donation doesn't mean that the... I get to the emergency room, they're just gonna sit there and let me die. I... I just don't think this offers enough protection to the members of the family and I'm not certain... and I'll... ya know, maybe one of the attorneys in the chamber would respond, perhaps not. I don't think it offers any protection to a paramedic, a member of a trauma center who looks on the back of the driver's license and takes no action. And perhaps it's something as simple as a punctured lung that they could have easily removed the fluid and saved my life, but they said, 'Oh, no. It's a DNR.

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We're not... we're not gonna do anything.' And the family says, 'We didn't know anything about the DNR, how dare you.'"

Speaker Hannig: "Representative Black, your five minutes have expired. Could you bring your remarks to a close?"

Black: "Thank you, Mr. Speaker. Ladies and Gentlemen, I'm not opposed to this concept, but I don't think a DNR on the back of your driver's license gives sufficient protection to family members, unless you've made those wishes clearly known, but that's not indicated on your driver's license. And I really have a serious question as to whether or not this offers any immunity to an emergency responder, a paramedic, or a hospital emergency room worker who just says, 'Well, there's a DNR on the back of the driver's license, so stick him over in the corner until he chokes to death or codes.' I would think you're incurring a great liability without some additional safeguards on the Bill."

Speaker Hannig: "We're gonna move this to the Order of Standard Debate so we can have some additional discussion. Representative Molaro, you're recognized for five minutes."

Molaro: "Well, thank you. Actually, I just heard Representative Black and I read the Bill. And I think there's problems with the Bill on the other side of it. Okay. If you read the Bill... and it's under the driver's license section; it's not under any health section or under any... anything of import. It talks about driver's license. It says, 'the Secretary of State, under his or her discretion, shall leave a space available where someone could put DNR.' Right? Isn't that what the Bill does? And that's all the Bill

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does. I mean, staff is shaking their head 'yes'. I assume that means 'yes'. Okay. Now, so we have got a Bill that says the Secretary has... of State has to leave a space where someone could put a DNR sticker. Okay, now what? Now, do you want anybody to follow that? Do you want it to mean anything? Do you want it to be at where there's... at... by law you should follow it, by law you shouldn't? I mean, nobody's signing anything. Lawyers see these 'do not resuscitate' orders. Ya know, you sign those. In a will, you sign it so you know the person means it. In other words, so now there's a space in the license. Okay, now what? Do you... are hospital workers supposed to follow that or not supposed to follow it? Your Bill doesn't say what should be done. All it says is the Secretary of State leaves a space. Okay, now what?"

Jakobsson: "If you choose to have a 'do not resuscitate' sticker then you get one from the dri... Secretary of State's Office and you apply it to your license."

Molaro: "Okay. And let's say you do that. Now what?"

Jakobsson: "If you are in a situation where, you know, you... you're... in a... your body is in a situation where the emergency room people are going to look at whether you have a... should be resuscitated or not."

Molaro: "Well, that's my point. There has to be language, otherwise it doesn't make sense, in my opinion. Don't... ya know, it's just my opinion. You should put language in there that says that in this emergency situation hospital workers 'should', 'shall', 'may' look at it, should look... because right now, the way you have it, a hospital worker is

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under no duty to look for a driver's license. The hospital... there's nothing in the Bill that says that they should look for it. So, when someone comes in, they're gonna start workin' on the patient, they don't go through their pants to look for their driver's license to see whether it has a sticker or not. The only reason they would do that is if we have a... pass a Bill that says that they should do that. Otherwise, why would anybody ever look? Does that make any sense to where my..."

Jakobsson: "I have this Bill because it was brought to my attention by a constituent who... his wife did have a living will and the hospital didn't look at that."

Molaro: "Right, right. So, that's my point."

Jakobsson: "And gotta..."

Molaro: "You gotta have something in the Bill that tells the hospital they have to look at it, 'cause right now you're not doing anything. You're not tellin' the hospital they have to look. So, in your constituent's case, the same thing would happen. Why would anybody look at the driver's license? What in your Bill mandates or uses any words that tells the hospital worker that they should look at it?"

Jakobsson: "Well, I will take some of your..."

Molaro: "There ya go."

Jakobsson: "...comments into consideration and see if we should further ...put some further language into this."

Molaro: "There ya go. Thank you."

Speaker Hannig: "Did you wish to take this out of the record, Representative?"

Jakobsson: "Please."

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Speaker Hannig: "Okay. So, this is out of the record at the request of the Sponsor. Representative Rose, you're up next on House Bill 324. Do you wish us to read that Bill? Then it... Representative Fortner on 334. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 334, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Fortner."

Fortner: "Thank you, Mr. Speaker, Members of the House. House Bill 334 provides for language that would treat railroads in the same manner as rivers and state highways for the purposes of municipal annexation. It's fundamentally the same as a Bill that this chamber approved unanimously 2 years ago with some minor things to address, some concerns that were brought up when it went to the other chamber. Those concerns have been met. And I'd ask for your favorable consideration."

Speaker Hannig: "...is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mautino, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 106 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Holbrook, you have House Bill 351. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 351, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

Holbrook: "Thank you, Speaker. House Bill 351, as amended, now allows for aggregation for municipalities and governments. It allows safeguards for consumers with public hearings, approval by boards and city councils, review by the ICC at each level of both their initial outlay for the proposals for power and over the final resolution for power, and allows that a very narrow scope on the ability for the consumer to opt-in to the program. It's an opt-in program. It allows 'em all. This just gives another item in our arsenal to try to help out the hot problem we're having now with the purchase of power and the high expensive rates of power. I'll take any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 365."

Clerk Mahoney: "House Bill 365, a Bill for an Act concerning conservation districts. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from McHenry, Representative Franks."

Franks: "Thank you, Mr. Speaker. We had this Bill and we passed it unanimously a few years. It was in the Senate and they

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had passed it as well. And we had it in Conference Committee and this is the language; it's how it ended up. We thought it had passed and when we checked we realized it hadn't. This Bill only does affect McHenry County and what it does it deals with our conservation district and it allows, via referendum, that if the voters wish to do so they can create a forest preserve district from the conservation district."

Speaker Hannig: "This is on the Order of Short Debate. And on that question, the Gentleman from Jackson, Representative Bost."

Bost: "Will the Sponsor yield?"

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

Bost: "If we passed this 2 years ago, why are we back at it again? What exactly happened? Don't you have any friends over in the other chamber?"

Franks: "Well, they had some changes in the Senate, which we agreed to, and Rep... I'm sorry, Senators Link and Althoff are working on it. We had it in Conference Committee. We assumed that everything had been taken care of and just... we ran out of time. And one of our constituents is asking us about it and I said, well, it's a law, but when I checked I saw that it wasn't. So, that's why we're here."

Bost: "It's a very confusing process."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Cole and Mautino, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 107

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voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 368."

Clerk Mahoney: "House Bill 368, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Hannig: "Representative Franks."

Franks: "Hi. This Bill, Mr. Speaker, is just like Representative Black's Bill we had the other day. And we had passed this Bill unanimously last year and the Senate failed to act upon it. And what this does is it amends the Medicaid Article of the Public Aid Code. It increases the allowance from thirty dollars (\$30) to fifty dollars (\$50) that a person who's an inpatient in an institution eligible for Medicaid would get every year. Be glad to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative McGuire, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 371."

Clerk Mahoney: "House Bill 371, a Bill for an Act concerning children. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from McHenry, Representative Franks."

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Franks: "Thank you, Mr. Speaker. This Bill actually reduces fees and the Secretary of State is with us on this. Right now, when kids need ID cards they have to pay twenty dollars (\$20). This Bill would cut that fee in half."

Speaker Hannig: "This is... this is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Boland, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bellock, do you wish us to read 378? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 378, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "The Lady from DuPage, Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. House Bill 378 is the Bill that requires hospitals to establish the methicillin-resistant Staphylococcus aureus programs in order to reduce this bloodstream infection that is now in... very prevalent in hospitals in Illinois. And what this would do is four things. It would identify people who are in intensive care units or other at-risk patients. No. I'm... excuse me, or at-risk patients defined by the hospital. It would identify them; it would isolate them; it would require a handwashing regimen; and then it would publish data on people in the hospitals who have MRSA to Public Health."

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

Hamos: "Well, this isn't exactly a response."

Speaker Hannig: "Well, you're recognized, Representative."

Hamos: "Okay. Thank you. Ladies and Gentlemen, this is... I rise in strong support of this Bill, something we've worked on for several years. This is an epidemic in Illinois. For 30 years, the hospitals have had a problem with hospital-acquired infection rates. The problem is only growing. From best recount, there's about ten thousand (10,000) of these last year. And what our Bill will do is, in fact, to do a better job of tracking and reporting it so we have a better handle on how many of these cases there are and how well our new protocol is working. The Bill sunsets in just a few years, 3 years, so we can get a really good handle on how this protocol works and what's... and if the state is making progress in doing... dealing with this incredibly important problem."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Collins, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 411."

Clerk Mahoney: "House Bill 411, a Bill for an Act concerning government. Third Reading of this House Bill."

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Speaker Hannig: "The Gentleman from Madison, Representative Beiser."

Beiser: "Thank you, Mr. Speaker. House Bill 411 amends the Organ Donor Leave Act to extend the time state workers are given to donate blood from one hour to an hour or more. The employee is still required to get the state agency authorization and approval prior to the donation. So, I would be happy to answer any questions at this time."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Cole, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Schock, you have House Bill 414. Do you wish us to read that? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 414, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Schock."

Schock: "Thank you, Mr. Speaker. House Bill 414 simply allows, like every other state in the Union, community colleges the opportunity to provide residential housing on their campus. I'd be happy to answer any questions that Members would have and appreciate a 'yes' vote."

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

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

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

Bost: "Representative, this was debated quite a bit in committee. This is involving a process that we've actually not done before. Is that correct? I mean, we've... we've... and there was a reason why. It's always been kind of a standing that we didn't do this with the community colleges after that debate?"

Schock: "At this point, Illinois is the only state left in the Union that does not allow it, that's correct."

Bost: "Okay. And is there a possibility that we could use property taxes to offset housing costs for these community colleges?"

Schock: "Representative, I am working with the... the 4-year institutions who had expressed some concerns and it is my intention to work on those concerns and possibly amend it once it's over in the Senate. And one of the concerns, you'll remember, in terms of funding for the community college housing was the issue of capital dollars. And actually, the U of I lobbyists were kind enough to research that issue and found that, in fact, capital dollars from the state cannot be used for student housing and so that would not be an issue. There would not be competition for dollars. The community colleges who are doing this already are... have set them up in a way through their foundation and they're self-sufficient. And so, this would simply allow

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for a cleaner transaction, a more cost-efficient transaction, and those savings then would be passed on to the students at those universities or colleges."

Bost: "Another... another question. If we formed commu... community colleges to be just that, the idea was that they were originally... if you can remember, when they were first created they were junior colleges. We moved away with that because those colleges were... were formed up to serve a local community. If they're serving a local community then shouldn't that local community be able to provide housing rather than for a government body that uses property taxes and other public trusts to form housing communities? Shouldn't we just be leaving that to the private sector?"

Schock: "I don't see this any different than at a 4-year institution."

Bost: "Okay. I... And Mr. Speaker, to the Bill. I have a tremendous respect for the Sponsor of the Bill. I do not agree with this Bill and I hope each of you will look closely as we have done around... what we've worked on in higher education for years is... is the difference between the community colleges and our universities. One of those is the fact that the housing that is provided. If there is an opportunity and someone does need housing, I believe it's something that should be provided by the private sector, not by an institution that also not only is funded by state dollars but is also funded by your local property tax dollars, and I think this is something that should be left to the local communities."

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Speaker Hannig: "Representative McCarthy, you have five minutes."

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

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

McCarthy: "Representative Schock, I remember this from committee and we agreed to leave it out thinking there was gonna be work on it, and I understood that you were gonna come back with an Amendment about the size of the district and things like that after working with the University of Illinois. What's happened on that?"

Schock: "Thank you, Representative. Actually, I've spoken with them. They had asked me to hold it on Second, which I did for several weeks. And after speaking with Mr. McLennand and the folks from U of I, they asked me to go ahead and move it on Third and pass it out of the House. And if they come forward with an Amendment and the... and the understanding was that they were not gonna work against it. And if they come forward with an Amendment that they would like, I've... I've agreed... I've already spok... spoken with the Gentleman on... in the Senate if it were to pass the House and we would offer up an Amendment at that time, but at this point they do not have an Amendment that they would like me to introduce. And as I mentioned earlier, some of their concerns with capital dollars that they would somewhat qualify for and junior colleges competing for them are not the case, so some of their issues that they raised have been addressed or resolved."

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McCarthy: "Well, I'm sorry. I don't recollect it the same way. But I... I do believe we were told we were gonna work on this thing. It just passed March 1 out of committee. I was the deciding vote and at the time I told you I wasn't committing to what I would on the floor 'cause I also had some property tax things that I was hoping was gonna be addressed in the Amendment as well as the... the size of the Amendment that you had brought to my attention. So, regretfully, I feel like that work has not been done and I would hope that this would have been held for an Amendment in the House. You have great respect for what goes on in the other chamber. I sometimes question what happens over there and what could be done. And once we leave it here, it's out of our control. If it passes over in the Senate, it never has to come back. So, I'm sorry there's been a miscommunication, but I do feel at this time I'm gonna have to vote 'present' or 'no'."

Schock: "Well, Representative, with all due respect, I would ask what you... you would recommend that I do. I've... I've asked the folks that we talked about for their... because in committee they said they would come forward with an Amendment, they have not. They said they do not have one. And so, aside from me never calling the Bill, there's no Amendment for me to introduce."

McCarthy: "I would prefer if you'd call it at a later time, to tell you the truth. I mean, I still think there's time. Our Third Reading deadline is three or four weeks away. I have not been informed by the universities that they're not gonna come forward with this Amendment or have the right to at least oppose it, ya know, a little bit more vociferously."

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So, I still have great concerns about the property tax revenue at our community colleges, about whether there was any priority status for people from those districts, which is not in the Bill at this time. I think I let it go forward so that it could be further worked on, but I do feel that that work has not been done and I think this is a little premature calling. So, ya know, hopefully you'll get enough for Postponed Consideration, but I don't want this to go forward at this time. I would not be supportive."

Speaker Hannig: "Representative Pritchard."

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

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

Pritchard: "Representative Schock, I compliment you for being concerned about the students in your district. In committee, you commented on having a community college district that was very large and that students had to travel hours to get to campus and you were concerned about those. But in committee, as Representative McCarthy said, there was concern that we differentiate between metropolitan community college districts and downstate districts because of the physical size and the travel time. Again, I would second the Representative's suggestion that you pull this back to Second, that you work on an Amendment, even if you don't get one from the University of Illinois, that confines this to a downstate, larger community college issue. We would ask you to do that. Thank you."

Speaker Hannig: "Is there any further discussion? We've now had three in response. So the... Representative Schock."

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Schock: "Mr. Speaker, I'd like to ask the Bill be pulled out of the record."

Speaker Hannig: "Okay. Out of the record at the request of the Sponsor. Representative Coulson, you're next with House Bill 425. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 425, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. House Bill 425 improves the existing school and childcare integrated pest control management laws. It essentially facilitates communication, promotes educational opportunities, provides guidance, and trains personnel. And I'd appreciate an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Nekritz, Yarbrough, Acevedo, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 427."

Clerk Mahoney: "...Bill... House Bill 427, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Lyons."

Lyons: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 427 takes away any of the restrictions or prohibitions from our Illinois parole officers and parole

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supervisors from carrying their weapons during off-duty hours. Currently, they're issued weapons by the State of Illinois to carry while they are on the clock doing their work, but they want the right, as do all law enforcement officers, to be able to carry weapons... their own weapons during the off-hours. So, this is brought to me by a couple of parole agents who do this work in Chicago with the full support of the Illinois State Police. They're held to the same standards as the Illinois Law Enforcement Training students... Standards, as all law enforcement officers. And basically, this is a good, commonsense Bill which'll help our people who protect us to protect themselves during off-hours. And I certainly ask for your favorable support."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dunn, Fortner, Kosel, and Osmond, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 98 voting 'yes' and 8 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Reboletti on 456. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 456, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

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Reboletti: "Thank you, Mr. Speaker and Members of the House. What House Bill 456 does is amends the Cannabis Control Act to add a... what was considered a super X felony. It changes the language in the Cannabis Control Act that instead of over five thousand (5,000) grams of cannabis to be an X, it would recognize there be forty thousand (40,000) grams or over will be a super X, which would be 9 to 40 years. It would also enhance the fines to three hundred thousand dollars (\$300,000). The impetus for this Bill is that, as a former prosecutor in Will County and having worked in an area that is a high narcotics trafficking area, as many times that trucks that are making their way into Chicago and other parts of the state find a way into Will County and to the interstates and they're hauling much more than five thousand (5,000) grams, usually they're hauling two thousand (2,000) pounds of cannabis. And as many of... all of us know, cannabis is considered a gateway drug. And I would ask your support on this. Usually these people that are hauling these amounts of cannabis have large amounts of United States currency that is unaccounted for, they have firearms. And I ask for your support."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 456. And on that question, Representative Froehlich."

Froehlich: "Would the Sponsor yield for a question?"

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

Froehlich: "Yeah. Representative, how many pounds did you say forty thousand (40,000) grams would be?"

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Reboletti: "What the... forty thousand (40,000) grams would be ninety-two (92) pounds."

Froehlich: "Okay. And are you aware that your Bill, according to DOC, would cost the state nearly seven million dollars (\$7,000,000) over the next 10 years?"

Reboletti: "The Department of Corrections did not inform me of that at the time when this Bill was in committee."

Froehlich: "Okay. Well, that's what they're saying today. It'd be six point eight million (6,800,000) over 10 years. And any time we are lengthening sentences, putting in longer mandatory minimums, it's an expenditure Bill, even if it's for Corrections. Do you think that's a good way for us to be increasing spending in this state?"

Reboletti: "Absolutely. And as... but as far as public safety is concerned, we should spare no expense."

Froehlich: "And you think incarceration's the best way to deal with our drug problem?"

Reboletti: "Well, when somebody is hauling two thousand pounds (2,000) of cannabis, I don't believe that probation is a viable option."

Froehlich: "How many pounds did you say forty (40)... forty (40)..."

Reboletti: "Forty thousand (40,000) grams is ninety-two (92) pounds."

Froehlich: "Okay. Thank you."

Speaker Hannig: "The Gentleman from Cook, Representative Lang."

Lang: "Represen... Where are you? Where is Representative... oh, there he is. Mr. Scully. Mr. Scully, Sir. Thank you. Representative, this is your first Bill. Is that correct?"

Reboletti: "That is correct."

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Lang: "Ya sorta threw it in here at the last minute on a getaway day. Did you do that on purpose, Sir?"

Reboletti: "I did not. I do not control the Bills that are called."

Lang: "All right. So, when did... when did you decide, Sir, that it was appropriate to go to the metric system to weigh marijuana?"

Reboletti: "That was not a decision of mine."

Lang: "Oh. So, do you think... you think maybe this odd number of ninety-two (92) pounds is maybe a little off?"

Reboletti: "Well, I... Representative Lang, you bring up a good point. Actually, this follows the Controlled Substances Act where cocaine would be from... let's see here... it is from..."

Lang: "We'll wait, Representative."

Reboletti: "I... I appreciate that. What happens is that it follows that same elevation in the scale. Therefore, it is putting cannabis in the same level of concern as cocaine or heroin."

Lang: "Well, who does the weighing, Sir?"

Reboletti: "The Illinois State Crime Lab."

Lang: "Does the Illinois State Crime Lab pull up to somebody's house... And when do they weigh it? In the... in the location where they find it or do they drag it into the crime lab? How do they weigh it?"

Reboletti: "They bring it to the crime lab."

Lang: "They do? Don't you think it needs something in here about chain of custody?"

Reboletti: "No."

Lang: "You're an ex prosecutor, Sir?"

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Reboletti: "I am."

Lang: "Aren't you concerned about chain of custody?"

Reboletti: "Absolutely."

Lang: "Well, tell us about that. Give us a short lesson on chain of custody?"

Reboletti: "A chain of custody?"

Lang: "Sure."

Reboletti: "Well, it would be appropriate for the arresting agency to secure the evidence and make sure that it is secure with the state crime lab and that it remain in their custody until it's needed for trial."

Lang: "Is... has this been a burning issue for you as a prosecutor, turning... turning... turning marijuana possessors into Class X felons?"

Reboletti: "This is a little bit more than possession, Representative."

Lang: "Sir?"

Reboletti: "This is a little bit more than possession. This is intent to deliver."

Lang: "Well, do you have to have an intent to deliver the whole 92 pounds?"

Reboletti: "Yes."

Lang: "Well, how does one determine that?"

Reboletti: "That's up to the trier of fact."

Lang: "Not up to the crime lab?"

Reboletti: "Not to the crime lab."

Lang: "So, they just do the weighing. They don't determine what's in the mind of the possessor?"

Reboletti: "They do not."

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Lang: "So, how did you determine the ninety-two (92) pounds was the appropriate amount? Why not eighty-seven (87) pounds?"

Reboletti: "Well, the way it worked out, it was at the suggestion of the state's attorney of Will County that it mirror the Controlled Substances Act and that was the multiplier, and forty thousand (40,000) grams was about eight times the amount of where it's at right now."

Lang: "So, the original Bill didn't have that. So, you did not... had not checked with the Will County state's attorney before you put the original number in the Bill?"

Reboletti: "He thought it was more fair at this point and I thought it should be a little bit less, but this was a compromise."

Lang: "Between you and the Will County state's attorney?"

Reboletti: "Yes."

Lang: "Did he testify in committee?"

Reboletti: "He did not testify in committee."

Lang: "So, we're taking your word for it, Sir?"

Reboletti: "Yes, you are."

Lang: "I see. Are there any other states that make ninety-two (92) pounds of marijuana possession with intent to deliver a Class X felony?"

Reboletti: "I'm not aware of what other states do, Representative."

Lang: "So, you... you think as a freshman Legislator you should be leading the way in making Illinois a model state in this area?"

Reboletti: "I hope to do that."

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Lang: "If other states do this, will the Illinois State Crime Lab have to weight their marijuana?"

Reboletti: "No."

Lang: "All right. Well, I'm gonna turn you over to somebody else. Thank you, Representative."

Reboletti: "Thank you."

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

Black: "Mr. Speaker, in all due respect of the dignity of this chamber, it's 4:15 on getaway day, I would ask the Gentleman to take this first Bill out of the record. There oughta be a House Rule the first Bills are called in the morning, early in the morning. Now, here we are talkin' about grams and the Metric Act and all of this stuff. This is... either take it out of the record or I'm gonna move we adjourn, one of the two. Where's the House Rules when you need 'em?"

Speaker Hannig: "Representative Gordon."

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

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

Gordon: "Representative Reboletti, you used the term 'gateway drug'. What does that mean?"

Reboletti: "Well, it's funny that you asked that, Representative. That is the... the drug that youth try first and then they experiment in other drugs."

Gordon: "So, it's something that our young people start with before they go on to the... to the hard-core drugs. Is that correct?"

Reboletti: "That's correct."

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Gordon: "Now, ninety-two (92) pounds, that's kind of a large amount, something difficult to haul. Correct?"

Reboletti: "That's correct."

Gordon: "So, how big of a truck is needed to haul ninety-two (92) pounds of marijuana around Will County?"

Reboletti: "It doesn't have to be a truck. It could be any type of vehicle."

Gordon: "And is this something that is... has an overwhelming smell?"

Reboletti: "The truck, the car, or the cannabis?"

Gordon: "The cannabis. When you pull it over, can you smell this in the car?"

Reboletti: "Yes."

Gordon: "Okay. And so... and can you make the arrest based on that smell alone?"

Reboletti: "No."

Gordon: "You can't?"

Reboletti: "No."

Gordon: "Can... can the person be... also get a DUI ticket for driving a truck with that much cannabis in it?"

Reboletti: "Only if they're under the influence of either that substance or some... something like alcohol."

Gordon: "If someone told... sold ninety-two (92) pounds of marijuana on the street, how much would that... how much money would that bring in to them?"

Reboletti: "The street value would be about four hundred thousand dollars (\$400,000)."

Gordon: "Four hundred thousand dollars (\$400,000). So, if we could sell that marijuana, do you think we could give that

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money to the DOC for the amount that you're gonna cost the state on this Bill?"

Reboletti: "If we legalized it, but that's not the intent of this Bill."

Gordon: "You think so? Okay. I was just checkin'. Now, somebody referred to you as an ex prosecutor, Representative Reboletti, and you and I have known each other for a very, very long time. Is there such a thing as an ex prosecutor, Representative?"

Reboletti: "No, there is not."

Gordon: "Excellent. Well done, Representative. Thank you."

Reboletti: "Thank you."

Speaker Hannig: "Representative Scully."

Scully: "Mr. Speaker, will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Scully: "Representative, in the prior questioning Representative Gordon asked you how big of a truck we would need to haul ninety-two (92) pounds of cannabis, and your response was it could be in a car. Is that correct?"

Reboletti: "I wasn't sure how large of a truck you would need to haul that."

Scully: "How much is ninety-two (92)... in volume, how much is ninety-two (92) pounds of dope?"

Reboletti: "That I'm not sure. I'll ask... Representative Fortner would probably know that."

Scully: "In volume. I mean, in cubic feet, how many cubic feet we talkin' about?"

Reboletti: "That I'm not sure of, Representative."

Scully: "Now, if the cannabis is cut, let's say, with oregano."

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Reboletti: "It wouldn't matter if it was cut with oregano. It's
any substance containing cannabis."

Scully: "So, if he combines forty-six (46) pounds of oregano
with forty-six (46) pounds of good dope, it would clear your
hurdle. Is that correct?"

Reboletti: "Yes, it would."

Scully: "And we don't know how many cubic feet we're talkin'
about?"

Reboletti: "No."

Scully: "Okay. Thank you. I have no further questions."

Speaker Hannig: "Is there any further discussion? Then
Representative Reboletti to close."

Reboletti: "Thank you, Mr. Speaker and Members of the House. I
would appreciate your support on this Bill. It's important
to send a message to those who traffic narcotics through our
state that it will not be tolerated and that 9 years is the
appropriate sentence."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All
in favor vote 'aye'; opposed 'nay'. The voting is open.
Have all voted who wish? Have all voted who wish? Have all
voted who wish? Have all voted who wish? Mr. Clerk, take
the record. On this question, there are 101 voting 'yes'
and 6 voting 'no'. And this Bill, having received a
Constitutional Majority, is hereby declared passed. Mr.
Clerk, what is the status of House Bill 566?"

Clerk Mahoney: "House Bill 566 is on the Order of Third
Reading."

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Speaker Hannig: "Return that to the Order of Second at the request of the Sponsor. And Mr. Clerk, what is the status of House Bill 200?"

Clerk Mahoney: "House Bill 200 is on the Order of Third Reading."

Speaker Hannig: "Return that to the Order of Second at the request of the Sponsor. Mr. Clerk, have we adopted the Adjournment Resolution? Would you read it, please."

Clerk Mahoney: "Senate Joint Resolution 38, offered by Representative Currie."

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, March 15, 2007, they stand adjourned until Tuesday, March 20, 2007, at 12:00 noon."

Speaker Hannig: "Representative Currie moves for the adoption of the Adjournment Resolution. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Adjournment Resolution is adopted. Representative Eddy, for what reason do you rise?"

Eddy: "Mr. Speaker, I was hoping to be able to move a Bill to Second from Third. Is it too late to do that? I..."

Speaker Hannig: "We've not adjourned yet, so which Bill is that, Representative?"

Eddy: "House Bill 1400 to Second for purposes of an Amendment."

Speaker Hannig: "From Third to Second?"

Eddy: "Yes."

Speaker Hannig: "Okay. So, Mr. Clerk, return House Bill 1400 to the Order of Second Reading at the request of the Sponsor."

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Are there any announcements? So, before we adjourn, I'd just remind the Democratic Members that we're gonna have a caucus on Tuesday at 10:30. We'd like for everyone to be there. Representative Sacia, for what reason do you rise?"

Sacia: "Mr. Speaker, a request to return House Bill 1406 to Second, please, for purposes of an Amendment."

Speaker Hannig: "1406?"

Sacia: "HB1406. Yes, Sir."

Speaker Hannig: "Okay. So, Mr. Clerk, return that Bill to the Order of Second Reading at the request of the Sponsor. So now, allowing perfunctory time for the Clerk, Representative Currie would move that the House stands adjourned until Tuesday, March 20, at the hour of noon. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted and the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on March 15, 2007, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #1 to House Bill 820, Amendment #2 to House Bill 988, Amendment #1 to House Bill 1080, Amendment #2 to House Bill 1335, Amendment #1 to House Bill 12... or 1338, Amendment #1 to House Bill 1359, Amendment #1 to House Bill 1671, Amendment #1 to House Bill 2782, and Amendment #1 to House Bill 3395. Representative Howard, Chairperson from the Committee on Computer Technology, to which the following measure/s was/were referred, action

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taken on March 15, 2007, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 1258 and House Bill 1614; 'do pass Short Debate' is House Bill 1663. Representative Washington, Chairperson from the Committee on Prison Reform, to which the following measure/s was/were referred, action taken on March 15, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 3452 and House Bill 3603. Representative Graham, Chairperson from the Committee on Renewable Energy, to which the following measure/s was/were referred, action taken on March 15, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 1551 and House Bill 3666; 'do pass as amended Short Debate' is House Bill 3668. Representative Hamos, Chairperson from the Committee on Mass Transit, to which the following measure/s was/were referred, action taken on March 15, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 6... 1841 and House Bill 471. Representative Will Davis, Chairperson from the Committee on Health & Healthcare Disparities, to which the following measure/s was/were referred, action taken on March 15, 2007, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 1674. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on March 15, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 50, House Bill 439, House Bill

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572, House Bill 1684, House Bill 1398, House Bill 1641, House Bill 1717, House Bill 1746, House Bill 1956, House Bill 1962, House Bill 3382, and House Bill 3588; 'do pass as amended Short Debate' is House Bill 132, House Bill 235, House Bill 1246, House Bill 1439, House Bill 1475, House Bill 1901, House Bill 3393, and House Bill 3586. Representative Beiser, Chairperson from the Committee on DCFS Oversight, to which the following measure/s was/were referred, action taken on March 15, 2007, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 616 and House Bill 617; 'do pass Short Debate' is House Bill 191 and House Bill 3767. Representative Dugan, Chairperson from the Committee on Homeland Security & Emergency Preparedness, to which the following measure/s was/were referred, action taken on March 15, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 1031. Representative McAuliffe, Chairperson from the Committee on Veterans Affairs, to which the following measure/s was/were referred, action taken on March 15, 2007, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 1539 and House Bill 362; 'recommends be adopted' is House Joint Resolution 30, House Joint Resolution 31, House Joint Resolution 28, House Resolution 123, House Resolution 121, House Resolution 96; 'recommends be adopted as amended' is House Resolution 97. Representative Rich Bradley, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on March 15, 2007, reported

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the same back with the following recommendation/s: 'recommends be adopted' is House Resolution 134; 'do pass as amended Short Debate' is House Bill 159, House Bill 804, House Bill 857, and House Bill 1960; 'do pass Short Debate' is House Bill 1697, House Bill 1702, House Bill 1772, House Bill 1930, and House Bill 3578. Representative McCarthy, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on March 14, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 3677; 'do pass as amended Short Debate' is House Bill 486, House Bill 658, and House Bill 3476; 'recommends be adopted as amended' House Joint Resolution 32. Representative Chapa LaVia, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on March 14, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 1026, House Bill 341, House Bill 699, House Bill 386, House Bill 3648, House Bill 3573, House Bill 1823; 'do pass as amended Short Debate' is House Bill 1529, House Bill 840, House Bill 1687, House Bill 1608, House Bill 166, House Bill 620, House Bill 3597, House Bill 1391. Representative Holbrook, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on March 14, 2007, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 31, House Bill 680, House Bill 868, House Bill 1470, House Bill 1654; 'do pass Short Debate' is

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House Bill 1842, House Bill 1875, House Bill 3638, House Bill 3665, and House Bill 3667."

Clerk Bolin: "Representative Rita, Chairperson from the Committee on Tollway Oversight, to which the following measure/s was/were referred, action taken on March 14, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' for House Bill 1939. Representative Osterman, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on March 14, 2007, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 1631 and House Bill 1719; 'do pass as amended Standard Debate' House Bill 1795. Representative Moffitt, Chairperson from the Committee on Fire Protection, to which the following measure/s was/were referred, action taken on March 14, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' for House Bill 1950 and House Bill 1988. Representative Ryg, Chairperson from the Committee on Disability Services, to which the following measure/s was/were referred, action taken on March 14, 2007, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 982; 'recommends be adopted as amended' House Joint Resolution 1. Representative Mendoza, Chairperson from the Committee on International Trade & Commerce, to which the following measure/s was/were referred, action taken on March 14, 2007, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 1447; 'do pass Short Debate' House Bill 3676. Representative Saviano,

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Chairperson from the Committee on Registration and Regulation, to which the following measure/s was/were referred, action taken on March 14, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' for House Bill 119, House Bill 124, House Bill 1007, House Bill 3412, and House Bill 3461; 'do pass as amended Short Debate' for House Bill 283, House Bill 1281, House Bill 1303, House Bill 1366, and House Bill 1678. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on March 14, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' for House Bill 3627, House Bill 1983, House Bill 134, House Bill 154, House Bill 1832, House Bill 2044, House Bill 3504, and House Joint Resolution Constitutional Amendment #18; 'do pass as amended Short Debate' for House Bill 1778, House Bill 1780, House Bill 511, House Bill 1959, House Bill 1919, and House Bill 1235; 'recommends be adopted' House Floor Amendment #1 to House Bill 473, House Floor Amendment #2 to House Bill 8, House Floor Amendment #1 to House Bill 1, House Floor Amendment #2 to House Bill 420, House Resolution 127, and House Resolution 54; 'recommends be adopted as amended' House Resolution 71. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on March 14, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 2003, House Bill 2006, House Bill 2007, House Bill 2008, House

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Bill 2009, House Bill 2011, House Bill 2012, House Bill 2013, House Bill 2017, House Bill 3406, House Bill 3377, House Bill 1652, House Bill 261, House Bill 1651, House Bill 1928, House Bill 1839, House Bill 1910, House Bill 1648, House Bill 1653; 'do pass as amended Short Debate' House Bill 19... House Bill 1559, House Bill 1784, House Bill 1890, and House Bill 3654; 'recommends be adopted' House Joint Resolution 24. Representative Collins, Chairperson from the Committee on Juvenile Justice Reform, to which the following measure/s was/were referred, action taken on March 15, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 1380; 'do pass Standard Debate' House Bill 1517; 'do pass as amended Short Debate' House Bill 391. Introduction and First Reading of House Bills. House Bill 4086, offered by Representative Acevedo, a Bill for an Act concerning appropriations. House Bill 4087, offered by Representative Hernandez, a Bill for an Act concerning appropriations. House Bill 4088, offered by Representative Cross, a Bill for an Act concerning appropriations. First Reading of Senate Bills. Senate Bill 144, offered by Representative Lang, a Bill for an Act concerning regulation. Senate Bill 338, offered by Representative Currie, a Bill for an Act concerning revenue. Senate Bill 355, offered by Representative Will Davis, a Bill for an Act concerning business. Senate Bill 363, offered by Representative Mathias, a Bill for an Act concerning criminal law. Senate Bill 368, offered by Representative Will Davis, a Bill for an Act concerning business. Senate Bill 376, offered by Representative

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Froehlich, a Bill for an Act concerning safety. Senate Bill 401, offered by Representative Black, a Bill for an Act concerning education. Senate Bill 402, offered by Representative Black, a Bill for an Act concerning education. Senate Bill 452, offered by Representative Fritchey, a Bill for an Act concerning civil law. Senate Bill 498, offered by Representative Bassi, a Bill for an Act concerning hunting. Senate Bill 527, offered by Representative Lang, a Bill for an Act concerning juveniles. Senate Bill 457, offered by Representative Hamos... Correction. Senate Bill 547, offered by Representative Hamos, a Bill for an Act concerning State Government. Senate Bill 557, offered by Representative Reitz, a Bill for an Act concerning animals. Senate Bill 560, offered by Representative Reitz, a Bill for an Act concerning animals. Senate Bill 569, offered by Representative Phelps, a Bill for an Act concerning safety. Senate Bill 571, offered by Representative Bellock, a Bill for an Act concerning regulation. Senate Bill 594, offered by Representative Gordon, a Bill for an Act concerning criminal law. Senate Bill 597, offered by Representative Chapa LaVia, a Bill for an Act concerning veterans. Senate Bill 599, offered by Representative Hamos, a Bill for an Act concerning local government. Senate Bill 611, offered by Representative Washington, a Bill for an Act concerning State Government. Senate Bill 612, offered by Representative Tryon, a Bill for an Act concerning local government. Senate Bill 641, offered by Representative Tracy, a Bill for an Act concerning education. Senate Bill 729, offered by

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Representative Jakobsson, a Bill for an Act concerning education. Senate Bill 746, offered by Representative Smith, a Bill for an Act concerning education. Senate Bill 1174, offered by Representative Smith, a Bill for an Act concerning regulation. This has been First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."