

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

33rd Legislative Day

3/29/2007

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off laptop computers, cell phones, and pagers. And we ask our guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Lee Crawford, the Pastor of the Cathedral of Praise Christian Center in Springfield."

Pastor Crawford: "Let us pray. Most gracious and most kind God, the author and the finisher of our faith, we pray that You would bestow Your most precious blessings and promises upon this House, upon this Leader, and upon all of its Members, ones that You have chosen to serve here. May they know today that it is better to serve than to be served. It is more blessed to give than it is to receive. May they know that those with the greatest call in Your eyes should be called the greatest of Your servants. This we ask, in your Son's name. Amen."

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

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

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

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

Speaker Madigan: "Mr. Bost."

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Bost: "Thank you, Mr. Speaker. Please let the record reflect that Representative Osmond and Durkin are excused today."

Speaker Madigan: "Mr. Clerk, take the record. There being 115 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Scully, Chairperson from the Committee on Electric Utility Oversight, to which the following measure/s was/were referred, action taken on March 29, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 1383. Representative John Bradley, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on March 29, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' are House Bill 2036, House Bill 1519, House Bill 1514, House Bill 1242, House Bill 983, House Bill 950, House Bill 586, House Bill 556, House Bill 472, House Bill 290, House Bill 282, and House Bill 576; 'do pass as amended Short Debate' is House Bill 1637, House Bill 1558, House Bill 1144, House Bill 664, and House Bill 403; 'recommends be adopted' is House Floor Amendment #2 to House Bill 2918. Representative Nekritz, Chairperson from the Committee on Railroad Safety, to which the following measure/s was/were referred, action taken on March 28, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' House Floor Amendment #1 to House Bill 3428. Representative Jakobsson, Chairperson from the Committee on Human Services, to which

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the following measure/s was/were referred, action taken on March 28, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is House Floor Amendment #1 to House Bill 1805. Representative Soto, Chairperson from the Committee on Approp-Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on March 29, 2007, reported the same back with the following recommendation/s: 'do pass as amended Standard Debate' is House Bill 750. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on March 28, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is House Floor Amendment #1 to House Bill 3327. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on March 29, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2734, Floor Amendment #1 to House Bill 3022, and Floor Amendment #1 to House Bill 3131. The following Resolutions are introduced and referred to the House Committee on Rules. House Resolution 265, offered by Representative Acevedo. House Joint Resolution 39, offered by Representative Bellock. House Joint Resolution 40, offered by Representative Monique Davis. House Joint Resolution 41, offered by Representative Froehlich. House Joint Resolution 42,

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offered by Representative May. And House Joint Resolution 43, offered by Representative Coulson."

Speaker Madigan: "The Chair recognizes Mr. Ramey."

Ramey: "A point of personal privilege, Speaker."

Speaker Madigan: "State... state your point."

Ramey: "Thank you, Mr. Speaker. I'd like recognize some good friends of mine here to visit Springfield from Elmhurst, Illinois, the Jordan family. Please give them a nice round of applause."

Speaker Madigan: "Mr. Brady, did you wish to call House Bill 1822? Mr. Clerk, what is the status of House Bill 1822?"

Clerk Mahoney: "House Bill 1822, a Bill for an Act concerning gaming. Third Reading of this House Bill."

Speaker Madigan: "Mr. Brady."

Brady: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 1822 would amend the Illinois Horse Racing Act for the simple technical change that the money from the OTB, the off track betting parlor, in Bloomington has moved and opened in Normal. By statute, it indicates that the park district is to receive the proceeds of this. Normal, Illinois does not have a park district per se. It has a children's discovery museum in which the statute would allow for museum use. So, we're making a technical change. And I'll be happy to answer any questions. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any debate? There being no debate, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The

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Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. John Brady... Bradley, did you wish to call House Bill 494? Mr. Clerk, what is the status of House Bill 494?"

Clerk Mahoney: "House Bill 494, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Madigan: "Mr. Bradley."

Bradley, J.: "Yeah, thank you, Mr. Speaker. This is a Bill which creates a parallel statute to the statute we currently having... have to attract medical providers to underserved areas. We have a severe under service with regards to child psychiatrists. And it's currently not provided for in the law we have. So, this would create a parallel law that would allow us to recruit child psychiatrists to underserved areas. I ask for an 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 3 people voting... 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Joe Dunn, did you wish to call House Bill 153? Mr. Clerk, what is the status of 153?"

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Clerk Mahoney: "House Bill 153, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Hannig: "Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 153 is legislation that truly affects my district. It's local in nature. It's quick-take for Indian Prairie School District 103. The school district purchased 25 acres of land from a seller, a trust. They went out and did a referenda, raised a hundred and thirty million dollars (\$130,000,000), went back to the seller to buy... to buy the adjacent 50 acres of land and could not agree on a price. The school district then pursued eminent domain and was successful in the courts. They won... they were successful in the courts. However, they were required to pay fair market value. The courts are still going to decide fair market value. The jury is convening in... in September of this year to decide the fair market value and will do so no matter what we decide here today. But the... what we are going to decide today is whether or not the school district has to wait until after the... until after the jury convenes and comes to a decision and all the motions and appeals are run out to begin construction or whether we can begin construction effectively this spring. So, I ask for an 'aye' vote. It's really a local issue and it's a timing issue. It's vacant land, and the school district is going to pay fair market value. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Meyer."

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

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Speaker Madigan: "Sponsor yields."

Meyer: "Representative, my understanding is that the... the land that is being discussed here, it's already been decreed by the courts that the school will be able to purchase it. Is that correct?"

Dunn: "Yes, that is correct."

Meyer: "And... I'm sorry?"

Dunn: "Correct. They've already been successful in the courts on the eminent domain issue."

Meyer: "Okay. And that at this time the courts are... they've set a date that they are going to... they're going to determine the price that the school district will pay, correct?"

Dunn: "Jim, you're right. This is just a timing issue, whether or not we have to wait for the courts to finish that process or whether we can start construction now. You're right. Yes, the court set that date."

Meyer: "There... there is a difference in the price that the school would like to pay versus that which the seller would like to receive, correct?"

Dunn: "There is a discrepancy in price. And..."

Meyer: "And does the school district have enough money to pay either price?"

Dunn: "Either way. They're stuck with the price. Whatever the jury decides, they know that is the case. And yes, they're going to pay the seller the fair market value no matter what."

Meyer: "So, either way, the courts are going to decide the price and the school district has enough to pay for it."

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So, there really is nothing that is out there to be decided other than the exact price and the fact that the school is going to pay it, would seem to me that it's really a moot issue. And the problem arises in that the school would have to wait a full year in order to... a full building season in order to really start their construction, would that be correct?"

Dunn: "That's the heart of this issue, Jim. When... when... when can the school start construction. That's all that we're discussing here."

Meyer: "And how... how many students is this school anticipated to hold?"

Dunn: "Just shy of four thousand (4,000)."

Meyer: "Just shy... shy of four... And they need it now, correct?"

Dunn: "We do need it now. I have four high schools in my district. This school district currently has two high schools that are both at capacity. There's a lot of growth in the area. And this additional high school is being built to accommodate that growth."

Meyer: "And by delaying what... what this is going to do is force the school district to buy temporary housing... temporary classrooms for these students probably?"

Dunn: "We really want to avoid that. Now, the high school is going to occur at this location for the fair market value."

Meyer: "Well..."

Dunn: "We want to avoid those over... overcrowding issues, correct."

Meyer: "Thank you, Representative. And to the Bill I stand in strong support for the Representative's Bill. Ya know

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this... this Bill makes complete sense, to save a school district the price of temporary classroom facilities. The money is there. It's going to be paid regardless of what the price the courts sets at it between that which the buyer wants to receive and that which the purchaser wants to... to... to purchase for. So, to me, it is almost virtually a no-brainer. Let the school construction begin. Let the kids have a... a permanent school. Let the school district forego the expense of temporary classrooms. And I would... stand in strong support. Encourage the Members to support this. It just makes absolute common sense."

Speaker Madigan: "This Bill is on the Order of Standard Debate. Under Standard Debate, three people speak for the Bill, and three people speak in response. Two people have spoken for the Bill. There are now six people seeking recognition on the Bill. Five. Currie, Washington, Lang, Burke, Graham, Cross. Make it six. Representative Currie, are you rising in response? Representative Currie."

Currie: "Thank you, Speaker. I'm rising in support of the Bill. I think that it is critical that this school district be allowed to house those students in August of 2009. This property already had been offered for sale to the school district. And, in fact, only the failure of a referendum means that all of the property was not bought in May of 2005. The school district now owns 25 acres. At issue is the other 55. The estate was willing to sell that acreage a few years ago. I think the district doesn't have any choice but to go ahead and... and... and ask for this quick-take opportunity. The total dollar amount will be

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decided in court by a jury if this legislation succeeds. If it doesn't, the owners of the estate will continue to delay, to delay, to delay to try to force the district to pay more than the property is worth. I don't think that's a fair situation for a school district to have to find itself in. I would wish that the owners of the land would've come to a fair settlement, or at least would've stopped throwing up barriers and delays to make it impossible for the school district to do its job. Now I would urge recognizing that... that this quick-take opportunity is an unusual one. These circumstances are unusual, and they are emergency circumstances. I would urge a 'yes' vote."

Speaker Madigan: "All right. Ladies and Gentlemen, if I could have your attention. This Bill is on the order of Standard Debate. Three people have already spoken for the Bill. And under the rules of Standard Debate, that would preclude further speakers speaking for the Bill. There are three people seeking recognition. And Mr. Lang, do you rise in opposition to the Bill?"

Lang: "Yes, Sir."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you. Will the Sponsor yield? I assume that's yes."

Dunn: "Yes."

Lang: "Mr. Dunn. Hello." "So, do I understand that this issue is currently in litigation?"

Dunn: "It is. The... the school district sued for eminent domain. They were successful. They have to pay fair

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market value which is disputed. And that is going to be determined by a jury in September."

Lang: "But it's ongoing litigation, is that correct?"

Dunn: "The problem is it's ongoing forever. And quick-take allows construction to start during that process. That will continue regardless of what we do."

Lang: "Was there an effort to do the quick-take before the litigation commenced?"

Dunn: "No, there was not."

Lang: "Why was there no effort to do the quick-take if... if they knew that the litigation would take a certain amount of time, why was there no effort to do the quick take-before they commenced the litigation?"

Dunn: "Lou, I just don't have an answer for that... that question."

Lang: "Okay. Look, to the Bill, Mr. Speaker. Generally speaking, I support a Member who's asking for quick-take for their community, particularly when it's for a school district or a public building or something that's critical. In this case, I understand that it's critical to those school children. I understand it's a rapidly growing community. And I understand that this community needs a school. But Ladies and Gentlemen, this is a matter in litigation. These folks had an opportunity to come to us any period of time and ask for quick-take. But now it's in litigation. Let's take a look at what this means. It means that any time any of us have a matter in litigation in our community, we can come here to the General Assembly and ask the General Assembly to do what someone else has

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asked a judge to do. Should we prejudge this case for... for the court? Should we basically write an order in that court case for the judge? I don't really think that's our place. We have three branches of government. We are not the judicial branch. We are the legislative branch. And if these folks, even if they are seeking something that they deserve, even if they're seeking something that's good for children, for students, for schools, even under that scenario, since we are here as a Legislative Body not a Judicial Body, I think it's appropriate for us to let the judicial system do what the judicial system does. Imagine if this case was over. And the people that want the quick-take now lost and they came to us and they said, 'Give us quick-take.' We would probably not do that because we would say, 'This has been through the judicial process and they lost.' So, how much worse is it for them to come in the middle of their litigation and say, 'Look, this is taking too long. Bail us out, Legislators... Legislature.' It's not our place. And so, while I understand the Representative is trying to help his community, while I understand they need the school, and I would be glad to help the Representative under other circumstances, here we have a matter that's in litigation. And it's not the place or the province of the Legislature to deal with this. The court should deal with this. The folks made a choice to go to a courtroom. And now we should let the judge decide, not the Illinois House of Representatives. I would suggest 'no' votes."

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Speaker Madigan: "Mr. Burke, do you stand in opposition to the Bill?

Burke: "For it."

Speaker Madigan: "You're for the Bill. All right, Mr. Cross is seeking recognition to speak for the Bill. I plan to do an exception to the rule and recognize Mr. Cross as a proponent to the Bill. Were there others who were seeking recognition in opposition to the Bill? Mr. Cross to close."

Cross: "Thank you, Mr. Speaker. I'll keep this relatively short. I... I... I think this has been explained by Representative Dunn, but the only remaining issue here is the value of the property. No one is suggesting that the school district does not have... or is trying to get out paying the fair market value. There certainly is going to be some debate about what that is. But that is the remain... only remaining issue. I happen to represent an area adjacent to Representative Dunn. And for those of you not familiar with this area along Route 59 in DuPage County and Will County, Plainfield, Naperville, Oswego, Aurora. It is an area that is literally exploding, exploding in growth. Representative Hassert had this area the last decade. It almost doubled in size. My area is doing the same thing, as are parts of Joe's district. These areas are beyond normal capacity, beyond capacities that we're used to. The towns are overwhelmed. The sewer systems, the water systems, and the schools are doing all they can to stay ahead of the curve. This is a school district trying to stay on top of the growth issue with their kids. We are

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all concerned about oversized classrooms. We're concerned about making sure our kids get a good education, making sure our kids are in a climate that is good for an education... for education to be given. This school district desperately needs a new building. Representative Dunn is doing what he can and should do to take care of the needs of his students and of those school districts. I would appreciate, as somebody that represents actually part of this area with these kids, as would Representative Dunn and others, a 'yes' vote on this Bill. Thank you, Mr. Speaker, for the accommodation."

Speaker Madigan: "Representative Monique Davis, are you standing in opposition to the Bill?"

Davis, M.: "Opposition."

Speaker Madigan: "All right. Opposition. All right. Representative Monique Davis in opposition."

Davis, M.: "Thank you, Mr. Speaker. We just want to say that quick-take is an extraordinary power rarely granted to local units of government. And even then, because the contemplated public improvement involves many parcels of land owned by many different owners where no practical alternative land exists, as in the case of a highway or major airport expansion. Property owners are constitutionally entitled to just compensation. However, there are many philanthropic... philanthropic reasons for full and timely compensation. The private estate of Helen Brach does not wish to have their property taken away from them. There are many people who feel that quick-take is not

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answer and government should not use its awesome power against many landowners. We urge a 'no' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass.' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Please record yourself. Have all voted who wish? The Clerk shall take the record. On this question, there are 60 'ayes' and 52 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Brosnahan, did you wish to call 463? Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 463, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 463 amends the Wireless Emergency Telephone Safety Act. Presently, wireless carriers are required to submit a seventy-five cents (\$.75) 911 surcharge. Twenty-five cents (\$.25) goes into the Carrier Reimbursement Fund, while fifty cents (\$.50) goes into the Wireless Services Emergency fund. This Bill does not change that amount in any way. The money that goes into the emergency fund is distributed to the 911 centers. The problem is not all wireless carriers are submitting the surcharge. They're also required to submit subscriber information. And these carriers are not submitting the subscriber information either. So... and currently, there is actually no penalty provision in the statute the way it's drafted for these wireless carriers that do not comply with this Act. So, what this Bill does, it creates a penalty

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provision for carriers that are late in filing their surcharge to the commission. It also creates a penalty for late filing the subscriber information with the ICC. Additionally, what this Bill does, it deals with... dealing with the Carrier Reimbursement Fund. Right now there is an excess of thirty-five million dollars (\$35,000,000) in this fund. What this Bill allows us to do is... there'll be a review every year. And after looking at the... the amount of expenditures that've been taken by the carriers as well as the... the revenues brought in, we'll make a determination and that money, then, could be transferred over to the other fund, the emergency fund, that is distributed to the 911 centers. This is a very important piece of legislation for these 911 centers because with the loss of so many landline telephones, they are relying more and more on this wireless surcharge. So... and finally what the Bill does it extends the sunset of this Act for another 5... and other five years, 2013. I know of no opposition to this legislation. I'll be happy to answer any questions."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, there was a... a very interesting article. And I... it's back in my office, unfortunately, not here on the floor, in The Chicago Tribune, I don't know, seven, ten days ago. And I read it with great interest because I was very involved in the original wireless 911 issue. And according to the Tribune report, many of these 911 centers are commingling the funds and not purchasing or

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upgrading the equipment to handle the wireless 911 locator. And... and that from... from... as the best I can recall from the article, some of these 911 centers were sitting on large balances and not spending the money. And of course, as you know I still... I think we still have 14 counties that don't have any 911 system at all. Is there anything in the Bill that would... I'm searching for the word... not... not mandate, but urge these 911 centers to be more accountable with the money and in fact to spend it on the wireless locator system that we anticipated would've been done with the original Bill?"

Brosnahan: "Well, not exactly, Representative Black. And... and I think that maybe that's one of the reasons why there is such a... a surplus in this Carrier Reimbursement Fund. I'm hearing from some of the carriers that they are not seeking reimbursement because they've already made the upgrades. Other wireless providers haven't made the upgrades yet. And we obviously are trying to encourage them to do that. But I... I guess what we're... we're doing with this Bill is we're trying to give them an... an incentive to do these upgrades to their 911 systems 'cause what we're saying is, if you don't claim this money within 2 years that we're going to then transfer that money to the Emergency Fund. And that money will go directly to the 911 centers. So, it... it's kind of a two-prong problem. We want the carriers to upgrade their... their 911 services, we want the 911 centers to be able to have new equipment and use all the new technology available to them. So, that's why we're... we're trying to do it. We're trying to say, 'hey, if you

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don't take this money within 2 years, you're not going to... you're not going to have it anymore.' And it'll go directly to the 911 centers. And hopefully then, with this new money for the 911 centers, they will be making these upgrades."

Black: "And now what... what upgrades do the wireless providers have to do? I mean, what... Is... is it to the telephone itself, I mean the cell phone itself or..."

Brosnahan: "It... it's the... the E911 System which is the Enhanced 911 System."

Black: "Right."

Brosnahan: "Which will be able to... when someone makes a call on the phone, on their cell phone, that they'd be able to identify exactly where the cell phone is."

Black: "Okay."

Brosnahan: "Not all 911 centers, not all carriers have that technology yet."

Black: "Well, I... I was under the impression that the Federal Government mandated... I just had to buy a new cell phone about a year ago. And when I did so, they checked my old cell phone and said, 'This is not E911 compatible. And under Federal Law, we can't sell you a cell phone that doesn't have the', for lack of a better word, 'the geo-positioning system... satellite system that would locate you.' So, if... if we already have a federal mandate, what are the wireless companies waiting for? For more people to trade in the phone or...? I... I'm not sure what the wireless companies have to do because it's my understanding, at least from the dealer that I deal... deal with, that the feds

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have already said, 'You can no longer sell a... a cell phone that isn't E911 locatable.'

Brosnahan: "And... and I've just been informed by our staff that I guess there also is like new software that comes out..."

Black: "Okay"

Brosnahan: "And they have to make to it compatible. So, there are upgrades that the carriers have to make as well, I guess."

Black: "All right. I... I'll try and give you a copy of that Tribune article"

Brosnahan: "I would appreciate that"

Black: "Because there... there were some things that were a little shocking about how much money some of these 911 centers were carrying in balances and how much of the wireless money they were spending to upgrade the landline system, when in fact we now have more cell phones in use in Illinois than we have landlines. So, it was a very interesting article. And I... I assume that the Commerce Commission is aware of that and will take the necessary steps because what I don't want to do, and... and we... we debated this on the floor when we originally did the surcharge as a cell phone user, I don't want to be paying this seventy-five cents (\$.75) for the next 20 years. I thought we would be wrapping this up within the next year. And evidentially, from what your Bill says, we're not able to do that so we have to extend that... well, surcharge, heck, it's a tax. And I... I don't want to pay that tax any longer than I have to. You... you think by 2013 we'll... we'll be able to actually eliminate... Ya know I... I've had people

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tell me that we never eliminate a tax. And this is one I would like to eliminate."

Brosnahan: "It... it's hard to look into the future. I... I can tell you that I guess with the decrease of landline phones, these 911 centers..."

Black: "Okay."

Brosnahan: "...are really increasing more and more on the wireless surcharge."

Black: "Okay."

Brosnahan: "So, it's tough to look into the future, but I know there is more... definitely more of a reliance on it today..."

Black: "All right."

Brosnahan: "...than there were a few years ago."

Black: "One last question. If... if you're traveling through a county that does not have a 911 system, who picks up that wireless signal? Where... Is there a public service answering point somewhere? As I recall, the original Bill said the State Police would do it."

Brosnahan: "And it's my understanding it's still the Illinois State Police

Black: "Okay."

Brosnahan: "...that would pick that up."

Black: "And... and they're still willing to do that?"

Brosnahan: "Yes."

Black: "All right. Thank you very much."

Speaker Madigan: "Representative Mulligan. Mulligan."

Mulligan: "Excuse me, Mr. Speaker. I didn't understand they called my name. Thank you, Mr. Speaker. Will the Sponsor yield?"

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Speaker Madigan: "Sponsor yields."

Mulligan: "Representative, I see that in 2004 budget year, and I have to go back and find this, there was an admin... administrative chargeback of one point two million (\$1,200,000) to this fund. Following that subsequently, the General Assembly made the fund exempt from further chargebacks which seems sad that we have to go fund by fund in order to protect them. Do you know if that money was ever put back?"

Brosnahan: "I am... I'm not sure of that. I know the Emergency Fund was protected from sweeps. I... I don't believe the Carrier Reimbursement Fund was... was ever protected from the sweeps."

Mulligan: "All right. Under your legislation, our analysis says the State Treasurer is required to deposit one third of the revenue from the wireless surge... surcharges into the Wireless Carrier Reimbursement Fund and two thirds into the Wireless Service Emergency Fund. So, I presume the Reimbursement Fund goes back to local entities, and the Emergency Fund is held for emergencies."

Brosnahan: "The Emergency Fund proceeds... money from there goes directly to the 911 centers. The Carrier Reimbursement Fund is given back to the carriers to help them pay for any upgrades they make to their 911 services. And... and that's present law right now. We're not changing that at all."

Mulligan: "All right. So... when we protected that, do you know if we protected both of those funds from any chargebacks?"

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Brosnahan: "It... it's my understanding that the Emergency Fund was protected, but the Carrier Reimbursement Fund was not protected."

Mulligan: "All right. But..."

Brosnahan: "That... that was my understanding. That came out of committee."

Mulligan: "But that cannot... they cannot sweep that other fund because they have to use it to reimburse the carriers. Wouldn't that be illegal?"

Brosnahan: "I... I'm not sure of that. I... I don't know."

Mulligan: "Well, it seems strange that entities have to sue in order for us not to do... sweep those funds or do anything. So, I'm just interested if you're looking at different charges, how much money will be sitting there and what the entity is. I mean, in some instances, these funds are replenished through increased fees from JCAR, in other ways they're done legislatively. But in all instances, we'd like to make sure that they're protected so that the money that we think is going to an entity like 911 is actually going there as opposed to being swept back into the General Revenue Fund."

Brosnahan: "And... and that's kind of exactly what we're trying to do with... with this legislation. Any excess money that's in there after 2 years we're allowing those funds to be transferred from the Carrier Reimbursement Fund, which there's a big excess right now. We want to be able to take that and give it to the 911 Emergency Fund, so that money goes directly to the 911 centers. So, that's what we're trying to accomplish with this legislation."

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Mulligan: "All right. So, I'm just trying to make sure that both of the funds are protected. I guess we'll have to do some research on the first one if we... if you think we only passed it on the second one. I'm trying to remember back and I can't remember that, but I do know because we've been doing it so piecemeal it's hard to follow just which ones are protected anymore."

Brosnahan: "I agree with that."

Mulligan: "All right Thank you."

Speaker Madigan: "Mr. Moffitt."

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

Speaker Madigan: "Sponsor yields."

Moffitt: "Representative, does this extend the 911 Act on downstate and Chicago Cook County both, or just on the one?"

Brosnahan: "This just extends the Act downstate for 5 years. This does not apply to the City of Chicago."

Moffitt: "Does not, but their... their Act also sunsets, I believe, is it in '08?"

Brosnahan: "I... I'm not sure when the Chicago Act sunsets."

Moffitt: "Anyway, I think... I think there's going to be..."

Brosnahan: "I... I think it's this year, as well, or '08."

Moffitt: "Yeah."

Brosnahan: "But I... I'm not positive."

Moffitt: "Okay. So, this is only downstate?"

Brosnahan: "Yes, that's correct."

Moffitt: "There's a separate issue. And some of the discussion today has even been on il... eventually eliminating the fee. And I think it's a great day anytime we can do that. But

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because of declining numbers of landlines, a lot of these centers... their... their revenue's actually dropping based on landline."

Brosnahan: "That... that's correct."

Moffitt: "So, there's discussion... the need for increase in wireless. And that's a separate issue, though, from this."

Brosnahan: "That... that's a totally separate issue. Actually, it's a Bill that... that I know you're carrying, Representative Moffitt. And this Bill does not increase the... the amount of money for the surcharge, either downstate, Chicago. So this does not apply to the City of Chicago."

Moffitt: "But it's a separate issue that we... we should address as a Body at some point."

Brosnahan: "I would totally agree with that. And, hopefully, we will be addressing that in the next couple weeks when we get back from break."

Moffitt: "I think a couple things we need to do... and... and the questions have come up directly related to your Bill, and very good questions. But we are looking at declining revenue at these funds under the current system. So, not only are we extending the life of this legislation, but we wanted to make sure they have adequate revenue but not wasting money. And I guess I mention it now because I'd like to work with you. Maybe part of any of that effort should be to... to request right at the time that there would be an audit, so that we know that the funds will go where we're saying that we intend for them to go. And would you support that?"

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Brosnahan: "I think that's an excellent idea. And I would certainly support that."

Moffitt: "And would you... you support..."

Brosnahan: "Especially in light of Representative Black's comments earlier. And he just actually kindly dropped off the article. I'll be taking a look at it. So, I... I definitely think that's a great idea."

Moffitt: "Okay. Well, certainly support this legislation. But this is only part of the puzzle that we need to put together and... and... to really make sure that our 911 service is adequate in the State of Illinois. So, certainly support this and look forward to working with you on the... the other... the other part of it."

Brosnahan: "Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Black."

Black: "Mr. Speaker, a point of personal privilege."

Speaker Madigan: "State your point."

Black: "Thank you very much. I, as usual, I... I couldn't remember the article, and I did give it to Representative Brosnahan, appeared in The State Journal-Register on March the 4th. If any of you want a copy, I'll be glad to get it to you. It's a very interesting article. I was not aware that the State of Illinois swept eleven million dollars (\$11,000,000) from the 911 fund in last 2 years. And that

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Indiana, in fact, did abolish its cell phone tax after it got its system up and running. So, it is a very interesting article about what Illinois has done to several million dollars worth of 911 funds. I... I said it was in the Tribune, it was in The State Journal-Register. I want to give attribution."

Speaker Madigan: "Mr. Bill Mitchell."

Mitchell, B.: "Thank you. Thank you, Mr. Speaker. I rise for a point of personal privilege."

Speaker Madigan: "State your point."

Mitchell, B.: "Yeah. Over in the... over in the Democratic gallery, could the young men... men and women stand up, please, right now. I'd like to give them a big welcome... in Macon County, in Representative Flider's and my district, we've had a very good month. Is... My home football team Maroa-Forsyth and the basketball team won the championships of the first time in many years that a school won both the football and basketball. But not only do we have good athletes in Macon County, we've got smart people. So, I'd like to introduce the Lutheran School Association who are the small school Class A Scholastic Bowl champs. So, thanks a lot. Appreciate your hard work. Let's give 'em a big welcome."

Speaker Madigan: "Mr. Meyer, do you wish to call House Bill 50? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 50, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Madigan: "Mr. Meyer."

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Meyer: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 50 provides that an offender placed on supervision, probation, or mandatory supervised release for an offense that would qualify the accused as a child sex offender shall, as a condition of that supervision, probation, or mandatory supervised release, refrain from communicating with or contacting, by means of the Internet, a person who is not released... who is not related to the accused and whom the accused reasonably believes to be under 18 years of age. Ladies and Gentlemen of the House, the genesis of this legislation comes from a... a hearing that Representative Bellock, Representative Pihos, and I held on Internet safety in... in Downers Grove over the summer. And the Attorney General of the state was gracious enough to send her head investigative team that deals with Internet crime up to our hearing to testify and to put on a... a sting. If I could just take a... a couple minutes because I think this is just very serious and it shows the kind of work that the state is doing already to protect our youth from sexual predators. But in the room we had 2 to 300 parents of interested children from the school districts around. And we had a huge screen that the investigators used. They projected a computerized version of a screen... a computer screen up on that and typed in a girl's name into an area that all of our... many of their children, if not all of them use, it's called MySpace. Within seconds of typing that girl's name into the computer, there were at least 10, 12 hits all from men. And the conversation started. It was extremely sexually

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explicit. It was not an X-rated. It was below an X-rated version of whatever that might be. And the bottom line is is that at the point that the question was asked, 'How old are you?', and the officer typed in 14. Immediately, 10 or 12 other people came on the line. I asked the question of the officer, 'How many of those people do you think are previous sexual offenders?' And he said, from their experience, a great number of them were. And that is what is out there on the Internet in MySpace whenever our youth goes on to it. This legislation aims at giving these people... giving the officers an opportunity to... give... give the officers an opportunity to take these people down."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Rose. Mr. Rose."

Rose: "Thank you, Mr. Speaker. An announcement for the Body. You and Mr. Mapes, in particular, have been very stern with us in respect to cakes and cookies on the floor. Today is Representative Bill Mitchell's birthday, however. And back in Representative Black's office is a cake for Representative Mitchell. So, happy birthday, Billy."

Speaker Madigan: "Mr. Osterman, do you wish to call House Bill 375? Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 375, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Osterman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 375 creates the Great Lakes-St. Lawrence River Basin Water Resources Compact Act. Legislation comes after years of collaboration with leadership of the eight Great Lakes states, and Canadian provinces of Quebec and Ontario, and environmental advocates. All agree the precious water in the Great Lakes Basin is a fragile and finite resource. And accordingly, we must join together to protect and manage the future use of the Great Lakes' water. House Bill 375 prohibits new... new increased out of Basin diversions of water except under special circumstances. It creates a council of the Great Lakes governors that will work on the government structure to review water uses involving the Great Lakes and review and regulate any future proposals for water diversions. The future pressures of Great Lakes water are unknown. This compact and council offer positive framework to plan for the future and make decisions that are in the best interest of... preserving the Great Lakes wat... water for current and future generations. Illinois today is under a consent decree. And this consent decree gives Illinois sovereignty as we decide our water uses in the future and at present day and that will remain under this compact. But this will give us a positive framework and a seat at the table as we decide water uses for the Great Lakes in the future. It's in supported by the environmental community. There's no opposition. And I'd ask for an 'aye' vote."

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Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' The Chair recognizes Mr. Franks."

Franks: "I just wanted to speak briefly for the Bill, if I may. I want to commend the Sponsor. We worked on this together for a long time. And this... Understand when you're voting for this, that our... our natural resources are not always replenishable. And the genesis of this Bill, as we've seen in other areas that have not protected their watersheds, as they've lost them. And the Urals in... in Asia, for instance, there's been entire lakes, 60 miles, that have been diverted for irrigation and other purposes, that have just been decimated. This is a very important Bill for our future. And I appreciate the Sponsor's hard work on it."

Speaker Madigan: "Again, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Is Mr. Saviano in the chamber? Saviano? Mr. Bill Mitchell, did you wish to call 3721? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3721, a Bill for an Act concerning wildlife. Third Reading of this House Bill."

Speaker Madigan: "Mr. Mitchell."

Mitchell, B.: "Thank... thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3721 provides that the

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Department of Natural Resources may issue crossbow permits to persons age 60 or older upon the appropriate verification of age. Right now they have to be 65 and they have to have a doctor's permit and that becomes cumbersome. There are no opposition to this Bill. And I sure would appreciate answering any questions."

Speaker Madigan: "the Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Reitz, did you wish to call 1778? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1778, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Madigan: "Mr. Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 1778 adds to the list of imprest accounts that the Treasurer and the Comptroller set up. This will allow the Department of Natural Resources to pay out cash prizes and purchase awards in association with events held at the World Shooting Complex. DNR currently doesn't have that ability. This will follow the same rules and regulations that they use for the State Fair and for universities that also have similar imprest accounts. I'd be happy to answer any questions."

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Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. For what purpose does Mr. Molaro seek recognition?"

Molaro: "Thank you, Mr. Speaker. For a point of personal privilege."

Speaker Madigan: "State your point."

Molaro: "My point is that this may mean something to me and you and hopefully the whole Body. In the gallery behind me, we have students from the eighth grade class of St. Rene School. They are accompanied by their principal, Marlene DeSantis and their eighth grade teacher, Janet Block. For those of you who don't know, St. Rene is a great Catholic school in Chicago that borders my district and the Speaker's district in the 63rd Street area in the City of Chicago. And I'd like to welcome them to Springfield, if we may. Stand up and say hello. Hi, ladies."

Speaker Madigan: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I rise to a point of personal privilege."

Speaker Madigan: "State your point."

Mulligan: "In the gallery right behind us is Peter Knapp and his mom and his two brothers. He's here today working on a

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merit badge on his way to becoming an Eagle Scout. And this is part of the fulfillment. So, he's here today. Seeing how we did a Bill yesterday about civic involvement, I think this is really good to know that the Boy Scouts have this in their Eagle Badge and their Eagle Scout program and that he's here today visiting us and observing the General Assembly."

Speaker Madigan: "Mr. Saviano, did you wish to call 121... House Bill 121? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 121, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 121 is a initiative of the Illinois Speech-Language Pathology and Audiology Association of Illinois. It simply extends the sunset date of the licensure to 2018 and has a little cleanup work in the training requirements. There's no opposition to this. And I would ask for your favorable vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Smith. Mr. Smith. Mr. Scully, did you wish to call House Bill 3463? Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 3463, a Bill for an Act concerning finance. Third Reading of this House Bill."

Scully: "Thank you, Mr. Speaker. Ladies and Gentlemen of the committee, I'd like to present to you House Bill 3463 which makes an Amendment to the Illinois... Build Illinois Bond Act to make it... it possible for a... unincorporated communities that need a... a sewer system to be eligible to at least apply for the grant. Now, Representative Sullivan has a very similar Bill to accomplish what I believe to be the same goal. In my community, there is an unincorporated association that has been operating on septic sewer systems for... for decades. Their septic sewer system has been condemned. They are now confronted with a bill... there is approximately 80 houses that are confronted with a bill three point two million dollars (\$3,200,000) to install a sewer system. Because of the way the law's presently written, an unincorporated association is not even eligible to apply for the grant. We know that if the... if this area can apply for the grant, it is a competitive grant. It would probably only pay one tenth of the cost, but it would give them an opportunity to get some assistance from the State Government to show them that the state is willing to help them in some way with their remediation of this problem. I'd ask for your support and I welcome any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish?"

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Have all voted who wish? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Schmitz, did you wish to call House Bill 2782? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2782, a Bill for an Act concerning libraries. Third Reading of this House Bill."

Speaker Madigan: "Mr. Schmitz."

Schmitz: "Thank you, Speaker, Ladies and Gentlemen of the House. 2782 is agreed language that I worked with with the Library Association dealing with some annexation issues up in my area. What this Bill will allow is a public hearing for residents to come out and discuss the... the proposed annexation. It will require the library districts to send a notice out to their neighboring library districts that they're interested in annexing the property so it provides some sunshine. Also puts at the agenda of their annexation will be placed on the Internet if they do have such services and a Web site. I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Soto,

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did you wish to call House Bill 619? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 619, a Bill for an Act in relation to child support. Third Reading of this House Bill."

Speaker Madigan: "Representative Soto."

Soto: "Yes. Thank you, Speaker and Members of the House. House Bill 619 adds a new section to the Income Withholding for Support Order Act to provide that an... House Amendment #1 adds a new section to the income withholding for Support Acts... Act to provide that an officer or an employer of any payer, person responsible for paying income to a person obligated to make child support payments who is respons... responsible for withholding and paying income under the income withholding notice who willfully fails to withhold or pay over income is personally liable for a penalty equal to the total amount that is withheld. I urge an 'aye' vote. Thank you."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Schock? Mr. Schock, do you wish to call 414? Mr. Sommer, do wish to call House Bill 2783? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2783, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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Speaker Madigan: "Mr. Sommer."

Sommer: "Thank you, Mr. Speaker. House Bill 2783 provides for the issuance of a special Korean Service license plate. This would recognize the service of approximately two million (2,000,000) men and women who have served in Korea since the cease-fire in 1954. This was brought to my attention by a... a veteran who served during that time. And this has been supported by the VFW. And interestingly, the individual who typically testifies, Victor Smith for the VFW, is also a veteran of Korea and fully supports this measure."

Speaker Madigan: "Mr. Fritchey."

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

Speaker Madigan: "Sponsor yields."

Fritchey: "Representative, not an inquiry but more a suggestion. I have made several years back some modifications to the veterans plates that we had had out there as far as who was included and who's not. My memory may not be completely accurate, but I believe that we have already included them in those plates. My only suggestion to you, and I'm not saying you haven't done it already and maybe my memory is incorrect, but you may want to just double-check with the Secretary of State's Office or the research unit to make sure that we're not doing something that we've already done."

Sommer: "Thank you, Representative Fritchey."

Fritchey: "Thank you."

Sommer: "Actually, what has previously been passed is those who've served during the conflict in Korea. This is

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recognizing those that served after the imposition of the cease-fire. So, it's recognizing those who have served since then."

Fritchey: "Okay. That... that raises a... an interesting question then, of... You know, our respect is always high for service members, both active and retired. And obviously, we can have license plate discussions ad nauseam. What this will... What I can see then this opening up is the floodgate to license plates for service members that are in other areas around the world for each locale. And I think that you would agree with me that a service member that is stationed or has been stationed in Korea post... post cease-fire is every bit as honorable as every other serviceman and woman that has been in every theater of war in every place where we have peacetime operations around. Gosh, ya know, no... nobody wants to vote against a plate like this, but ya know, something like this opens... other than Representative McCarthy. But and I... I true... I mean this with all respect, but gosh, this is just going to open up the floodgates now for countless numbers of other plates for specific... for servicemen and women stationed in specific locales around the globe. They all deserve our respect, obviously. But I just don't know that we need to have, ya know, a license plate for people that have served in post-cess-fire Korea. A license plate for people that have served in areas that have been sources of conflict in the past, be it Vietnam, be it Europe, be it Northern Africa, wherever it may be. I... I say this in no way as a disrespect to these men and

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women, but we're going to wind up with more and more and more of these. So, that's all. Thank you."

Sommer: "I understand your comments. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 3 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Turner, did you wish to call House Bill 1290? Mr. Verschoore? Mr. Verschoore, did you wish to call House Bill 333? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 333, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Verschoore: "Thank you, Mr. Speaker and Members of the Assembly. What this does is... is what they call a rollback carrier. It's a cleanup language for the Secretary of State. And right now, the license plate only covers the... the vehicle that's carrying the whatever piece of machinery or... automobile or whatever. What this would do is make them have a... a license plate that would cover the gross weight of not only the truck but of the piece of equipment they were hauling. And I'd ask for an 'aye'. And I'd be happy to answer any questions."

Speaker Madigan: "Mr. Hannig in the Chair."

Speaker Hannig: "Is there any 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?"

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Mr. Clerk, take the record. On this question, there are 115 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Stephens, would you like us to read House Bill 617? Out of the record Representative... Oh, there he is. Shall we read that Bill on Third? You want to move it? Okay. So, Mr. Clerk, let's return House Bill 63... 617 to the Order of Second Reading at the request of the Sponsor. And Representative Sullivan, you have House Bill 132. Is that correct? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 132, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Sullivan."

Sullivan: "Mr. Speaker, I believe that we have an Amendment #2 that is in Rules."

Speaker Hannig: "So, Mr..."

Sullivan: "So, I don't... I don't know that we can move that right now."

Speaker Hannig: "Mr. Clerk, why don't you give us the status of what Amendments have been adopted and... and what is pending."

Clerk Mahoney: "Amendment #1 was adopted in committee. Floor Amendment #2 has been referred to the Rules Committee."

Sullivan: "Would it be possible to run House Bill 3614 that is ready?"

Speaker Hannig: "Why don't we move this back to Second, since you're apparently going to need an Amendment?"

Sullivan: "Yes, yes, absolutely."

Speaker Hannig: "And then we'll take a look at that."

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Sullivan: "Thank you."

Speaker Hannig: "And we will see what we can do, okay? So, that's... Mr. Clerk, return that to the Order of Second Reading at request of the Sponsor. Representative Myers, for what reason do you rise?"

Myers: "Mr. Speaker, on House Bill 2783 I would like the record to reflect that I had intended to vote 'yes' on that Bill."

Speaker Hannig: "Okay. So, the record will reflect your intentions, Representative."

Myers: "Thank you."

Speaker Hannig: "Okay. So, Representative Sullivan, on page 36 of the Calendar you have House Bill 3614. So, Mr. Clerk, would you read the Bill?"

Clerk Mahoney: "House Bill 3614, a Bill for an Act concerning animals. Third Reading of this House Bill."

Speaker Hannig: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill does two things: 1) increases the penalties for animal fighting. Presently, under dog fighting rules you have a Class IV felony. We're increasing cockfighting and any other animal penalties to match. So, in essence, having everything match at a Class IV felony... penalty. And furthermore, we are doing some cleanup language just to make sure the appropriate violations are in appropriate sections. That's all this Bill does. Thank you."

Speaker Hannig: "Is there any 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?"

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Representative Will Davis? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Tracy, you have House Bill 3395. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3395, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Brown, Representative Tracy."

Tracy: "Thank you, Mr. Speaker. House Bill 3395 amends the State Finance Act to allow for a Boy Scout and Girl Scout recognition license plate. And I would appreciate an 'aye' vote. And I will answer any questions."

Speaker Hannig: "Is there any 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? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 3 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Tryon, you have House Bill 3729. There he is. Do you wish us to read this? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3729, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Tryon."

Tryon: "Thank you, Mr. Speaker and Members of the House. House Bill 3729 makes it a ch... a change to the Private Sewage Code that governs the State of Illinois. And what this Bill does is it allows for the Illinois Department of

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Public Health and other health departments that administer their own Septic Code to consider a system that is non-conforming to the current code on a case-by-case basis if that system design is submitted and designed by an Illinois licensed engineer or an Illinois licensed environmental health practitioner. It applies only to large systems that... septic systems that would generate more than fifteen hundred (1,500) gallons of wastewater per day. I think this will allow for more technology transfer than the code currently allows and gives flexibilities to different properties that may otherwise not be buildable. With that, I would urge an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate, but in order to accommodate a number of Members who wish to speak, we'll put this on Standard Debate. And Representative Black, you're the first to be recognized."

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

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

Black: "Representative, you and I've talked about this off and on for well over a year. Let me see if I and make sure I understand the Bill. First... the first question is, will this Bill put us out of compliance with the United States EPA?"

Tryon: "No, this doesn't have anything to do with surface discharging..."

Black: "Okay."

Tryon: "...systems or sytems that would require a NPDS permit. Only... this only deals with systems that would be subsurface disposal."

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Black: "Okay. The... one of the opponents that slipped, evidently, in committee. I... I'm not on this committee. What I don't understand is the Illinois Precast Concrete Association, why would this Bill impact them? Or why... I don't understand why they would be in opposition. It wouldn't outlaw a... a concrete septic system as I understand the Bill."

Tryon: "No. And quite frankly, it would allow for different types of concrete septic systems that the... that the current code doesn't... doesn't allow. So, I'm not sure. They didn't give any testimony, so I'm not sure..."

Black: "Okay. All right."

Tryon: "...what their opposition was."

Black: "Thank you very much, Representative."

Speaker Hannig: "Representative Eddy."

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

Speaker Hannig: "Indicates he'll yield."

Eddy: "Representative, one of the questions I had was answered by Representative Black's question regarding the effect on the NPDS permitting system for surface discharging and... and your comment is this doesn't affect that. My question has to do with county health departments and what effect this might have on county health departments."

Tryon: "Well, each county that administers a Septic Code adopts their own private Sewage Disposal Code for their county. The current Act allows for those counties to have a code that's more restrictive than the State Code. And if they did not like this provision in the State Code, a county could opt not to allow nonconforming systems to be

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designed. The premise of the Bill is to open up the design criteria to systems that are... are a little more environmentally friendly and allow for the ability to cluster different homes together as... and put in a septic system that services... that services more than one home or more than one type of wastewater flow."

Eddy: "So... so, would this require county health departments to do anything differently than they're doing now or would it only allow them flexibility to consider the installation of systems that might allow for the flexibility that you're talking about?"

Tryon: "It would allow them the flexibility to consider different types of systems than what's in the current code. The current code is very prescriptive. It says that you have to have this type of design for this type of a system. What this is getting at is for larger systems, systems that service more than one home. And that allows for an engineer to submit plans that a unit of government can consider on a case-by-case basis."

Eddy: "So... so, why do you suppose the county governments... the county health departments are opposed? I'm trying to understand that. If... if your legislation simply allows that flexibility, doesn't change anything they can currently do, why... do you understand the basis for their opposition?"

Tryon: "No. And they did not testify either. Illinois Department of Public Health did testify and their comments were that systems that were nonconforming would... would take longer to... to review. And I think it has to be decided on

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a case-by-case basis. Right now, an engineer can design a... a sewage treatment system for an entire city, a sewage treatment plant. And they submit that on a case-by-case basis. But now they can't... they can't design a small system without going through a very cumbersome pr... state process of an experimental use permit. And this would allow the units of government the flexibility, I think that they need, to consider different types of technology."

Eddy: "So... so, for the record, the intention... your intention with this legislation, is for county health departments to only have additional flexibility and that their prescribed duties under the law don't change except in their favor."

Tryon: "That's correct."

Eddy: "Okay. Thank you very much, Representative."

Speaker Hannig: "Representative Rose."

Rose: "Good morning, Mike. I think I just got the answer, but to be accurate the... the local counties could opt-out if they wanted to, is that accurate?"

Tryon: "They... they... Each health department submits their code to the county board. And the county board adopts it. It can be more restrictive than the State Code. If they don't wish to allow this portion of the State Code in their code they could... they could take it out."

Rose: "But also, theoretically, it could help citizens design systems they want to have."

Tryon: "Absolutely. Es... especially if... if we have an NPDS permit system for surface discharging systems and... and a county health department may want to consider a different option where they put 20 homes or 10 homes on one cluster

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septic system that's located off-site, they could... they could consider that."

Rose: "Thank you."

Speaker Hannig: "Representative Tryon to close."

Tryon: "I think all the questions that I answered, it came down to one thing, this empowers local governments to take ability, take... to be able to consider different types of systems that may be more environmentally desirable, may be more desirable for a certain site. Certainly, it allows for technology transfer from different types of technology that are used around the country routinely but aren't recognized in our code. And I think this expands the powers of local health departments and gives them additional flexibility under this code. I would urge an 'aye' vote."

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, take the record. On this question, there are 106 voting 'yes' and 9 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Wait, you have House Bill 270. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 270, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 270 basically creates a new offense provides that a person commits the offense of unlawful

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contact with a street gang member when he or she knowingly direct or indirect contact with a street gang member after a judge has ordered them not to. Be happy to answer any questions."

Speaker Hannig: "Is there any 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... Representative Turner, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Washington, you have House Bill 1562. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1562, a Bill for an Act concerning environmental liability. Third Reading of this House Bill."

Speaker Hannig: "Representative Washington."

Washington: "Thank you, Mr. Speaker. Mr. Speaker, this Bill, House Bill 1562, grows out of an extenuating circumstances in my district. The school district, with good intent, had accepted some land sometime ago that we were going to use for the education of our children in District 60. And come to pass that that land wound up being something that the EPA would be interested in in terms of a contaminant. And so, what we're asking with this Bill is to levy an annual tax in order to pay the cost of the settlement under the Federal Comprehensive Environmental Response. And I'm

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askin' for support for my particular district. And I'm open for any questions."

Speaker Hannig: "The Gentleman has moved the passage of House Bill 1562. Is there any discussion? Representative Black."

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

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

Black: "Representative, I'm a little unclear on how you... are you changing the way the Tort Fund Tax could be used by a school district? I mean, as I understand it, the... the Tort Liability Fund can be used to pay any judgment or lawsuit that they are charged with and they lose in a court of law and any other judgment that may be rendered against them. Now, are you asking in this Bill that that Tort Liability Tax be used for other purposes?"

Washington: "Representative, I'm asking for some flexibility for my district. Due to the fact that the land that was given to the school district beginning in 1958 and in the '60s. Waukegan had gave that to the school district, but it come to pass that this land cannot be used because it's on the hazardous waste... it's a waste site. And so as a result, the district has accumulated some serious bills as it relates to that. And so, we ask for a sunset provision to provide that the school board may levy an annual tax to pay the cost of that settlement. That's the essence of the Bill."

Black: "Okay. That would seem to make sense, but I'm... I'm having trouble trying to balance... As I read this Bill,

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every school district in the State of Illinois would now be able to use the Tort Liability Fund for another purpose. Why... why don't you just make this Bill applicable only to the Waukegan Community School District 60 and then sunset it at 3 or 4 years after they've done. I... The only reservation I have is I don't know that I want to vote to give every school district in the state the ability to use a tax levy for a purpose other than what the levy was intended for. Now, I understand your situation. But there may be school districts in Illinois who would use it in a system that not... is not as clear as it appears to be in Waukegan. I guess my question is, why don't you just amend this and make it apply only to the Waukegan School District?"

Washington: "It does only apply to the Waukegan School System, Representative. Even though the lawsuit has been settled, but the... settlement hasn't been paid. So, this would give us an ability unique to Waukegan situation that started out with good intents. But now it's... it become a problem. And, you know, we already in a balancing act in trying to make sure that the school system stays on an even economic tilt. And we really need this unique help for my district. And it is for my district only."

Black: "Representative, if... We just have a difference of opinion. If it only dealt with your school district, I don't have a problem with it. And you may want to ask staff. Our staff indicates that this legislation would impact taxes on the local level as it would allow Waukegan School District and any other school district with such a

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judgment against them to levy a tort immunity tax to cover the expenses of that judgment. So, we have a difference of opinion..."

Washington: "Representative, my understanding is that this is a..."

Black: "...from our staff. Maybe you could ask your staff. And I'm not trying to play games with your... your Bill, Representative."

Washington: "No, I know that, Sir."

Black: "I... I thought maybe... I want to vote for your Bill, but I don't want to vote for it if it gives the power to any other school district or all school districts in the State of Illinois to use this tax for another purpose. Would you be willing..."

Washington: "Representative..."

Black: "...with...with the... with the assurance of the Chair that we'll get back to this Bill, would you be willing to take the Bill out of record and have your staff and our staff get together and make sure that we're on the same page?"

Washington: "Representative, I just want to add to you, your feelings would be the same as mine. We share the same concern. But I'm here to tell you that there is no school district in the entire state that has the unique problem that we're faced with, with this land that has wound up being on a waste... hazardous waste site. So, it's... it's no other... there is no other school district that this applies to other than Waukegan."

Speaker Hannig: "To Representative Black, your... your 5 minutes have expired, but bring your remarks to a close, please."

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Black: "All right. Well, thank you, Mr. Speaker. The only problem that we have, and I'm not trying to... I... I know you could get back to the Bill. We don't see any... any place in the Bill that it specifically states the Waukegan Community School District. So, our staff is afraid that it would be available to all school districts. And I know... I know that's not the Gentleman's intent. And it certainly wouldn't be the intent of some of us who would like to vote for the Bill, but at the same time we don't want to give that authority to every school district in the state."

Speaker Hannig: "Representative Washington."

Washington: "Can I request one thing? Before we go on, and I'm considering what the Representative is saying to my right. I totally concur with him. This was not a blanket thing to just open up the gates, but it was to deal with a particular unique situation that no other school district is facing throughout this state. To have land given to it in 1958 and then that land winds up being unusable. And it's costing our school district and it's a drain on us. And it's taking money from our children. But my colleague, Representative Fritchey, has some added information that I would like for the record before we consider pulling this Bill."

Speaker Hannig: "We'll continue, then, with the debate. And Representative Fritchey, you're next."

Fritchey: "Thank you, Speaker. To... to the Gentleman from Vermilion, let me... let me try to hopefully allay your concerns. The... the legislation deals with a specific situation which I believe that the Gentleman from Vermilion

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and all of us would be amenable to trying to address and that is the rare but existent situation of schools that have found themselves in the unenviable position of owning contaminated properties. The Waukegan School District that Representative Washington happens to represent found itself in a situation where they are required to pay settlement under the terms of CERCLA, the Comprehensive Environmental Response Compensation Liability Act, and under the EPA. So, what he has done is crafted legislation that has said, if you have a school that finds yourself in this situation, if you have a school that finds itself the unwitting holder of contaminated property and, therefore, having to pay a settlement because of that, that... that that district shall have the permissive ability to use funds for that purpose. The Representative from Vermilion said that this should not be an open-ended exception. It is not. This Bill is intended to sunset in 2010. The Bill, as originally drafted, would apply to any school district that finds itself so situated. As Representative Washington indicated, as far as he knows and as far as staff knows, no other school finds itself in that situation. Should such a determination be made, what would happen is that there would be a Bill very similar to what Washington... Representative Washington is trying to do for his district and we would entertain it and we would pass that Bill. This Bill is evidence of a Legislator doing what a Legislator is supposed to do, as Representative Black had indicated yesterday on another matter. Representative Washington is advocating trying to help his school district

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out in a very unique situation, not for some extravagant expenditure, but to help it get itself out of a situation that was not of its making, was not of its doing. Representative Black, I know that you've asked him to pull this Bill out of the record, but I think that if you listen somewhat to what I have said and more importantly taken a look at what the legislation says it... it is carefully crafted and narrowly crafted to address this situation. It's a proper piece of legislation to address a significant situation. It's not overly broad. It's not a Trojan horse for something else. I believe that this is something that we can all support and be comfortable in supporting. Thank you."

Speaker Hannig: "Representative Black, did... did that help clarify?"

Black: "Mr. Speaker, yes. Could I ask the Representative one... Representative Fritchey one question about that?"

Speaker Hannig: "Surely."

Black: "Rep... Representative, I... I respect your legal expertise. And I'm looking at the Amendment on page 2, line 24. I... I see where it says, 'liability relating to actions brought under the Federal Comprehensive Environmental Response Compensation and Liability Act of 1980,... ta da da da and has, a sunset clause. The only thing I can't find... Now, is that the language that would make this apply only to Waukegan? Because in the Bill or the Amendment we find no reference to just the Waukegan School District."

Fritchey: "No. You... you are entirely correct. And if... I... I... I won't deign to speak for the Sponsor."

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Black: "All right. I mean I understand."

Fritchey: "But let me say... To... to... to the extent that there was a representation made that there is language in the Bill specifically limiting this to his school district, that language is not in this Bill. The intent... I think the intention in reference was of no other school district finds itself similarly situated. And what... the only point that I was trying to posit was, I know you well enough after a decade now, if we found another school district so situated, we would go to help that district too, because that local Legislator... Legislator would try to do something just like this. What he has done, I think, is drafted it in such a way that it's not special legislation, but it is drafted in such a way to deal with a situation that is location specific and with the narrow sunset date, I think if anything if another school found itself in that situation we'd help them. I don't think that there is another school out there so situated. And that we have tried to craft, and I shouldn't say we. I'm not going to take credit for this. Representative Washington has tried to craft a Bill that passes this test and is narrowly focused to address that specific concern. If it doesn't do that, then let's meet and talk about this. But I... I hope that clarifies it somewhat."

Black: "All right."

Speaker Hannig: "Representative Black."

Black: "Yeah. Mr. Speaker, thank you very much for your indulgence."

Speaker Hannig: "Representative Eddy."

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

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

Eddy: "Representative, I understand what you're trying to do. And I agree with the... the description, Representative Fritchey, that this is narrowly drafted and would include any school district that was in the exact same situation under that portion of the law. My question is a little bit different in that I want to make sure that your levy applies to the Waukegan School District. And what... what would the effect of property tax caps have on the total levy? First of all, is the Waukegan District subject to PTELL? Are they in a... in a dist... Is their school district subject to PTELL?"

Washington: "Representative, I can't answer that. I can only go to the content and the nature and subject matter of the Bill. There is no other school district going to take any land that's going to be wound up in the '50s and wound up being on a list of hazardous waste site. It is a unique situation. The only situation like its kind in the State of Illinois. It's... That's why... that's why the Speaker signed off on the sunset of this Bill. It is just to address an already settlement and help us take care our bill before it continues to rob from our children's resources. That's all it is."

Eddy: "Rep... Representative, let me make myself clear. I'm not against your legislation, I know what you're trying to do, and I plan to vote for your legislation. I want you to understand, though, you may not be doing what you want to do if they're subject to PTELL because you might just

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simply be shifting the... the levy to that area. My suggestion is that if you're going to run this, you need to make it so that it's not subject to that cap or you actually may just be shifting your levy to tort from a different area. I... I want you to do it the way you want to do it to get that money. And... and I... I'm just suggesting."

Washington: "Right."

Eddy: "Now, the other thing to keep in mind is that if you don't make it specifically to Waukegan then, and another of these comes up before 2010 and they have caps, you still have that same problem. If you're wanting the school district to be able to access the... the local property levy to take care of this problem without harming some other area, you have to also make it so that it's not subject to those caps. I... I'm suggesting that you need to do that because I... I think Waukegan is under caps. I... I believe that they are from my..."

Washington: "Rep... Representative, I don't think they are because with the school representative that I met in... in crafting this legislation and I'm sure... I would give them credit that had they..."

Eddy: "Okay. Would you double-check to make sure so that in case this doesn't do your intended purpose? And while you're doing it, if you really want to narrow it to... to make sure it's Waukegan only and as Representative Fritchey suggested, we... another one comes we can deal with that separately..."

Washington: "Right."

Eddy: "...it may be a good time to do that."

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Washington: "Right."

Eddy: "I will support the legislation."

Washington: "Thank you."

Eddy: "I would support it if you had it outside the caps."

Washington: "Thank you."

Eddy: "Thank you."

Speaker Hannig: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. We've had a real good discussion on... on this Bill. I rise in strong support of this legislation. The Gentleman... This does not affect anybody else, as Representative Fritchey said so eloquently. Let me put it real simple, this has the potential to have all schools in it, but it does not because no other school finds themselves in this situation. So, by writing it the way they have, very, very eloquently, the school district that Representative Washington represents is the only one that is eligible at this time. Should we find another school district eligible before the sunset, certainly they can apply and... and use this language to help them. But as Representative Fritchey said before, we would help them anyways. So, I rise in strong support for a Gentleman that's got a local issue. Representative Osmond is also in strong support of this issue. And I... I would encourage an 'aye' vote from everybody. Thank you."

Speaker Hannig: "Representative Washington to close."

Washington: "Mr. Speaker, thank you. And thank you Committee Members for those fine questions because they... they have concern to myself as well. But I'm asking you... you to support me on this because my school district is in a

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unique situation. And we really need to get out of this. This is draining us. So far, we haven't lost our shirts, but if this continues on it's going to cause us some problem. So, I'm asking for an 'aye' vote."

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 Mathias and Lyons, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 72 voting 'yes' and 43 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative D'Amico, for what reason do you rise?"

D'Amico: "Point of personal privilege."

Speaker Hannig: "State your point."

D'Amico: "Up here in the gallery right behind me, I'd like to welcome a grammar school from my district... from my district, my neighborhood, Edgebrook grammar school. Thanks for making the trip on down."

Speaker Hannig: "Representative Watson, you have House Bill 1833. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1833, a Bill for an Act concerning fish. Third Reading of this House Bill."

Speaker Hannig: "Rep... Representative Watson."

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1833 is supported by the Illinois Commercial Fishermen's Association and the Illinois Department of Natural Resources. Provides for many changes

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in the Fish and Aquatic Life Code, establishes new fee, a new roe harvester permit, and it changes quite a few of the violations. Strengthens some and weakens some... or reduces some to avoid petty violations. I'd be more than happy to answer any questions."

Speaker Hannig: "Is there any 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 and Lindner, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 6 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Winters, you have House Bill 187. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 187, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker. House Bill 187 deals with the Motor Fuel Tax Law. And it is a redistribution within a county. It only affects about 10 counties in the state. The township officials is in support of the Bill this year. And it basically... townships that do not l... levy an eight cent (\$.08) minimum are not allowed any access to their county's share of the Motor Fuel Tax. This would give them a prorated share. Would be happy to answer any questions."

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Speaker Hannig: "The Gentleman has moved for the passage of House Bill 187. Is there any discussion? Representative Franks."

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

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

Franks: "Thank you. Representative, I... I appreciate you coming to talk to me about this Bill the other day. Our analysis indicates that there'll be 31 additional road districts that will receive the MFT funds. Can you list those districts and where they are?"

Winters: "I'm looking..."

Franks: "Because our... our analysis also indicates that the other existing road districts would then get less money 'cause we're not allocating additional monies, we're just give... giving more pieces to the pie."

Winters: "Right. What this would do is it would not affect any counties that don't have a township that is affected. Our list shows Fulton County, Banner Township; in Kane County, Geneva Township; in Lake County, Benton, Ela, Libertyville, Shields, Vernon, Waukegan; in Macon County, Decatur Township; Ogle County, Rockvale; Rock Island, South Moline; Will County, DuPage, Reed, and Wheatland Townships; Winnebago County, Harlem Township. And within Cook, Barrington, Bloom, Bremen, Elk Grove, Lyons, Maine, Northfield, Norwood Park, Orland, Palos, Rich, Schaumburg, Stickney, Thornton, Wheeling, and Worth. Now, I think in Cook County most of those townships don't have township roads. They would be... they would be eligible, but if they don't have township roads it has no practical impact. The

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other ones... it, again to explain it, it is only within that specific county that a pool would be divided slightly differently. And you have to understand that the townships that I listed are the main generators of Motor Fuel Tax, and they get absolutely zero back currently because they don't meet their minimum. This would allow them if instead of taxing eight cents (\$.08) they'd tax two cents (\$.02), they would get one quarter of their normal allocation which is done by road mile, not by the amount of dollars generated by that township."

Franks: "So, it's a fairness issue for those..."

Winters: "It absolutely is a fairness."

Franks: "...that are paying in but not getting anything back."

Winters: "Correct."

Franks: "Because you're asking us to vote... for instance in my county there's not going to be anyone additionally who would be eligible. But we're... you're asking us to voluntarily take probably a little less."

Winters: "Well, McHenry County, I believe, is your county."

Franks: "Yeah."

Winters: "And it's not listed as one that is affected."

Franks: "Right."

Winters: "So, there is no dollars taken from the McHenry County Township."

Franks: "Okay."

Winters: "It would only be in Winnebago County, which I know best. The pool of Motor Fuel Tax generated in Winnebago County, a portion goes to the municipalities. That portion is not affected. A portion goes to the county, and that is

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not affected. A portion goes to the townships. That would only be affected in the extent that a dollar that would go to Harlem Township would be reduced by the other townships. But the overall pool would not change..."

Franks: "In... in each of the counties."

Winters: "...for any other count... any other county."

Franks: "Thank you. You've explained it very well. Thank you."

Winters: "Certainly."

Speaker Hannig: "Representative Boland."

Boland: "Yes. Thank you, Mr. Speaker. Sponsor yield?"

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

Boland: "Dave, when you and I talked the other day when you were... came over to explain the Bill, you had pointed out that South Moline Township where I happen to live would get more money. Is that correct? But the money would come from the other townships within Rock Island Coun... County."

Winters: "Correct."

Boland: "Is that correct?"

Winters: "Correct."

Boland: "The... the..."

Winters: "And this is really a... this is really a Bill that will help support good stewardship. Moline... South Moline Township could tax eight cents (\$.08) and access the motor fuel, and there's nothing the other townships could do to stop them. They don't have enough road miles, however, to need that much money."

Boland: "Right."

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Winters: "So, they may tax it one (\$.01) or two (\$.02) cents, only what they need. But because they do that, because they're responsible, they didn't go get any access to the Motor Fuel Tax. And in Moline County they may well... they may have 80 percent of the Motor Fuel Tax come out of that large township and they get nothing back."

Boland: "So... so, it's a... it's a fairness for South Moline Township, but I hate to see it draw away from the more rural townships that have more mileage."

Winters: "Well, they get the same amount per mile. So, if... if South Moline Township has a very few road miles. In my case, Harlem only has 13 miles. Many of the rural townships may have 50 or 60 miles. They get the same dollar per mile. In this case, if South Moline only taxed it two cents (\$.02), they would not get the same dollars per mile, they'd only get a quarter of what the other townships are per mile. And there is one other point and that is that there are rural townships that may be taxing the eight cents (\$.08) simply to access Motor Fuel Tax. With this Bill, they could reduce to seven cents (\$.07), if that's what they actually needed, could still get seven eighths of their Motor Fuel Tax. They wouldn't cut off their nose to spite their face by being responsible. So, this is actually a way that... that some townships may to be in a position they can lower their tax levy and still continue to get Motor Fuel Tax."

Boland: "So, they... they could actually not be hurt then by this."

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Winters: "I'm not going to say that there's not a township that's going to be hurt. They... they may see a small reduction, but it should be a very small percentage of the reduction. And it is a tax equity case where the township's that putting the vast majority of Motor Fuel Taxes in is getting nothing back. And.. and as... as a change over last year's Bill that Representative Nekritz carried, the township officials this year are supporting this Bill. They were opposed to it last year. They are in support.. filed a slip and testified in committee."

Boland: "Okay. Thank you."

Speaker Hannig: "Representative Winters to close."

Winters: "I would simply ask for support of a equity issue that is in several counties around the state. Most counties are not affected. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All those 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? Representative Cultra, Eddy, Sommer, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 88 voting 'yes' and 26 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Yarbrough, you have House Bill 1330. Do you wish us to read that? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1330, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Yarbrough."

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Yarbrough: "Thank you, Mr. Speaker and Members of the House.

This Bill is a initiative of the National Center on Poverty Law that I've worked with on the past 3 years with teachers, social workers, domestic violence advocates, sexual assaults advocates, students, and their parents. The Ensuring Success in School Act promotes successful school completion amongst youth who are parents, expectant parents, or victims of domestic or sexual violence. By fostering their enrollment in school and school attendance, supporting their efforts to participate in school, and providing guidance to school districts when a student is an expectant parent, parenting, or a victim of domestic or sexual violence. To address the needs of students, the provision includes ex... excused absences related to pregnancy, parenting, and domestic or sexual violence, specifically trained personnel to serve as advocate for students, students confidentiality to encourage attendance and participation in school, and connecting students to community resources. I would ask that the Body support this measure. We intend to continue to work on the measure, as we've been presented with some other ideas of how we can strengthen this Bill. I'd be happy to answer any questions."

Speaker Hannig: "This is on Short Debate. And in response, Representative Eddy."

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

Speaker Hannig: "Indicates she'll yield."

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Eddy: "Representative, I don't want you to... excuse me... I don't want you to misinterpret the comments I'm going to make regarding my concerns because I think, generally, you bring to this Body an important issue that we in education should do everything we can when... when students are either the... the victims of domestic violence, sexual assault, or have a child. We should do everything we can to ensure that those students are successful in their... their quest to get a diploma, go to college, whatever. We... we should be as successful as possible. The... the concerns I have, have to do with some of the language that would require school districts to provide certain services that would cost additional dollars. Specifically, when... when school districts are required to provide a... a counselor or social worker or some other type of specified service without reimbursement. And in the Bill there is a requirement that a school district provide those services, but there's... this is not subject to appropriation. So and... and it's also something that the school district would have no... no recourse in if they couldn't find that specific type of specialized care. I have a concern about that."

Yarbrough: "Representative, I understand your concern. What we're trying to do here is make sure that every student gets an opportunity to succeed regardless of what circumstances they find themselves in. We want to identify a go-to person at the schools to be able to... to allow these people to know where they can go to get help. Now, as I mentioned to you, it's my intent... I'd like to pass the Bill out of this Body. The Senate Sponsor has agreed to work

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with the other groups that want to work on this Bill. And I've even been told today by some Members of your side of the aisle who would like to work on this measure."

Eddy: "Okay. The other issue related to this that I'm concerned about has to do with your intention to enter into the purview of school suspension and expulsion. And there is specific language in the Bill that actually requires some significant changes in the way school districts would conduct a hearing and subsequently any suspension or expulsion of a student in cases related to a pretty broad category. And that concerns me."

Yarbrough: "I understand your concern on that as well. We're not telling them how to go about doing this, we're just saying that the student can raise his or her status as a parent or an expectant parent or even a victim of domestic or sexual violence as a potential mitigating factor in determining whether to suspend or expel a student."

Eddy: "And..."

Yarbrough: "We want them to have the opportunity to raise that, just in case, ya know, maybe a teacher or a social worker they... they just simply don't know what's goin' on with that student."

Eddy: "Okay. And I... I appreciate that intent. My opinion is the language doesn't... isn't tight enough to that right now. And... and again, I think you have some good intentions in here that need the language to reflect those good intentions and not some of the things that could happen. And I'll give you an example. On page 10 of the Amendment, you refer to... or excuse me, page 11 of the Amendment, you

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begin to refer to grading. And you also make a state... or the language says 'that pupil must not be penalized for grading purposes, nor be denied course completion'... and I... 'grade advancement, graduation.' And then you do say, 'solely on the basis of the pupil's absence from the regular education program during the period of this instruction.' But my question is if the instruction is never completed and it is on... the student is... is the one responsible, I don't think you want them to receive credit for instruction that they themselves, after a school district have... has made a good effort to provide, hasn't taken place, I don't think that's your intention, but I think that could happen under this language."

Yarbrough: "I don't see page 11 of the Amendment. I don't think there's a page... Is that the underlying Bill that you're speaking of?"

Eddy: "Actually, I think I have the Amendment here. And... and I don't want to belabor the point. And I see my times almost run out. Just for... just for... for just a..."

Speaker Hannig: "Bring your remarks to a close, Representative."

Eddy: "I'm happy to do that. I would suggest that if this Bill were to be brought back and worked on here, we could make a lot of good changes to this and support your cause. Very respectfully, I say that until that would happen here I'm not sure I trust everything that might happen to this in the Senate. And it's not you, it's the process that I worry about sometimes. I can't support it. I would be happy to help on it if we were to move it back to Second."

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We have time for the Amendment. Today, I can't support it, but... but I hope that if it does go out of here today, and I hope it doesn't, that we could... we... we could make those changes 'cause this could be a very difficult thing for school districts."

Yarbrough: "Thank you for your suggestions."

Speaker Hannig: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Chairman. I rise in support of the Lady's legislation. And I commend her because this Bill is an attempt to address some of those issues that prevent young people from completing their elementary or secondary education. Mr. Speaker, I am happy to join the following proponents who support this Bill; Chicago Teachers Union, the Illinois Maternal and Child Health Coalition, the Illinois Coalition for... School Health Centers, the Illinois Center for Violence Prevention, the Children's Home and Aid Society, Protestants for the Common Cause, the Illinois Coalition Against Sexual Assault, the Illinois Federation of Teachers, the Illinois... Voices for Children, Sargent Shriver's National senator... Center on Poverty. I would just like to say as we look at enrollment and attendance, very frequently some events that occur in a student's life that has not been addressed by educators or professionally, prevents that child from the good attendance that's needed for success in school. I think the Bill is called Ensuring Success in School for that very reason. There are some people who have had some of these difficulties in life, but there was some avenue in which they received help, continued their education. Some may be sitting here among

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us today. I believe that this is one of those Bills that will surely affect the attendance in the schools in the State of Illinois and help us to have more successful students. I commend the Lady for her passionate work on this Bill. And I urge an 'aye' vote."

Speaker Hannig: "Any further discussion? Then, Representative Yarbrough, you're recognized to close."

Yarbrough: "Thank you, Mr. Speaker. And I appreciate the words of wisdom that I've heard from this Body. My intent, again, is to move it out of this Body over to the Senate. And we intend to continue further work on the Bill. We think that every child in education needs the opportunity to succeed. And we certainly, I think, in all of our lives know of a child or children who have had some difficulties. Even they deserve a chance to succeed. I ask for an 'aye' vote. 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, take the record. On this question, there are 76 voting 'yes' and 38 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Younge has House Bill 1259. Okay. That'll be out of the record. Representative Crespo on House Bill 876. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 876, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

Crespo: "Thank you, Speaker and Members of the House. I'm here with House Bill 876, which will amend the Highway Control Act of 1971 to allow for relocation of billboards in a specific location in Hoffman Estates in compliance with the Federal Highway Beautification Act of 1965. The Bill clarifies the term 'business area' as it applies to signs owned or leased by the state or political subdivision. The zoning requirements have already been part of a comprehensive zoning and not created primarily to permit outdoor advertising structures. This Bill was presented to me by the Hoffman Estates Park District and has been strongly supported by the Village of Hoffman Estates. And basically what it does, it allows for relocation of three existing billboards in an area that is clearly a business area and allows for the installation of a fourth one. What it means for the park district is they have an agreement with the Chicago Wolves. If they lease two of those billboards, they get a return anywhere from one to two million dollars (\$1,000,000-\$2,000,000) which they intend to earmark for some of the lower-income residents in my district as well as seniors. I hope I get an 'aye' vote. And I'm pretty sure I'll be entertaining a lot of questions today. Thank you."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 876. And on that question, the Gentleman from Cook, Representative Lang."

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

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Speaker Hannig: "Indicates he'll yield."

Lang: "Did he actually indicate? Did he indicate that he would yield? Did you indicate, Sir?"

Crespo: "Most definitely. Yes."

Lang: "Okay."

Speaker Hannig: "All right."

Lang: "So, just... just for the record this is your first Bill, Sir?"

Crespo: "Yes, Sir."

Lang: "And are you familiar with the Resolution that Bill Black and I passed 3 years ago that freshmen are not allowed to do first Bills on getaway day? Were you familiar with that?"

Crespo: "Actually, ya know, you guys were there during the orientation. You did not mention that, Representative."

Lang: "We did not mention that during orientation?"

Crespo: "Not at all."

Lang: "Well, that's 'cause we didn't want to scare you away, Sir."

Crespo: "Okay."

Lang: "So you're... you're going to proceed with this anyway?"

Crespo: "Yes, Sir."

Lang: "In violation of House Rules, do you want to take this out of the record?"

Crespo: "Yes, Sir."

Lang: "You do want to take it out of the record?"

Crespo: "No, I do not. I want to continue with this."

Lang: "Oh, okay. Thought maybe we were going to move on to another Bill. So, I'm reading through your Bill, Sir, and

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I'm noticing a peculiar part of the Bill. It talks about the fact that this has to be adjacent to the... to within 660 feet of an interstate highway that is in Township 41 North, Range 10 East. Is that correct?"

Crespo: "Correct."

Lang: "Why 660 feet? Why not 630 feet or 680 feet?"

Crespo: "That's the state requirement. It has to be 660 feet from the highway."

Lang: "That's a state requirement?"

Crespo: "Mmm hmm."

Lang: "The state requires 660 feet. Is that correct?"

Crespo: "Yeah, it's true... right. It's part of the Highway Advertising Control Act of 1971."

Lang: "Well, now why does it need to be in your Bill if it's already part of the State Law? Would you like your staffer to come to the microphone there..."

Crespo: "No. I won't be that long."

Lang: "Sir?"

Crespo: "Give me one second."

Lang: "Yeah, we'll wait 'cause we have nothing better to do, Sir."

Crespo: "Representative, it is part of the law. We just wanted to make sure it was on the record, make sure it was clear."

Lang: "So, it's part of the law, but we're reiterating it in another law?"

Crespo: "Correct."

Lang: "And I notice it's talking specifically about Township 41 North, Range 10 East. So, are we talking about a specific piece of property then, Sir?"

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Crespo: "Specific piece of property in Hoffman Estates. It currently has three billboards right now."

Lang: "So, you... you're aware that the Illinois Constitution allows or re... forbids, prohibits special legislation that would only affect one locality or one person or one entity? You're familiar with that Constitutional provision?"

Crespo: "No, I'm not."

Lang: "Maybe staff can tell you about it. We'll wait."

Crespo: "I guess the question is, 'What is the standard on special legislation, Representative?'"

Lang: "So... I'm asking the questions here, Sir. So... so... so, do you not feel that this violates the Illinois State Constitution?"

Crespo: "As far as I know, it does not."

Lang: "Is this in your district, Sir?"

Crespo: "Yes it is, Sir."

Lang: "Well, if I needed something like this in my district and Mr. Black needed it in his district, would you try to be helpful to us?"

Crespo: "Well, I think and there's some compelling arguments, Representative. I think it's something that we, as a Body, should consider. Especially in this case, it will have a huge impact to the residents of my district, specific... specifically seniors and folks on a low income."

Lang: "Now, according to my analysis the Hoffman Estates Park District will get four point five million dollars (\$4,500,000) over 15 years because of these billboards, is that correct?"

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Crespo: "They actually... That's the agreement they had with the Chicago Wolves, but because they couldn't comply with the two billboards, they're actually losing anywhere from one to two million dollars (\$1,000,000-\$2,000,000) in... in 15 years."

Lang: "So, they're no longer in an agreement with the Wolves? They're going to get these billboards from some other advertiser? There'll be some other advertising?"

Crespo: "Well, actually right now there's nothing they can do. Th... that part of the agreement... the park district's actually losing out."

Lang: "I see. And was it the Hoffman Estates Park District that came to you with this legislation, Sir?"

Crespo: "Yes, Sir."

Lang: "And why you?"

Crespo: "Well, I... Well, number 1) I was a... as a former trustee in Hoffman Estates, that had come in front of the Village of Hoffman Estates asking for the permits to get these... these billboards. They were unanimously approved. So, I became aware. And when I became a State Representative, they did ask me to please take up the cause. I've had a great working relationship with the park district in Hoffman Estates. We've done some great work for a lot of our residents, especially those, again, a lot of seniors, a lot of minorities, and folks... low-income folks."

Lang: "Now, you aren't going to be coming back and asking us for some quick-take here, are you?"

Crespo: "I don't think so, Sir. No, definitely not."

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Lang: "All right. So, in... in the last section of your Bill it says, 'The provisions of this Amendatory Act of the 95th General Assembly shall not be applicable if such application would impact the receipt, use, or reimbursement of federal funds by IDOT.' What's that mean?"

Crespo: "Give me one second."

Lang: "Okay, Sir. Check with staff."

Crespo: "And you're reading from the analysis, correct?"

Lang: "No. Actually, I'm reading the actual Bill. Page 2, subsection (c), last page. By the way, just while you're checking that out I just want you to know what a good time Representative Hernandez is having at your expense. So, go ahead, Sir."

Crespo: "Okay."

Lang: "She went through this yesterday, Sir. You need... Should we break for lunch, Sir?"

Crespo: "No, no. Actually, I'm trying to understand the point you're trying to make, Representative. In terms of... Are you asking, is IDOT required to..."

Lang: "I'm... I'm just asking what this means. I'm just a simple lawyer. I don't understand the language of the Bill, Sir. So, what does this mean?"

Crespo: "Basically, it's just requiring that... This is stating that IDOT is not required to use any extra money out of this. And... and... I, actually, I forgot you are an attorney."

Lang: "Yes, Sir. I am."

Crespo: "Okay. I'm a law school dropout. So, I..."

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Lang: "You heard Mr. Black say yesterday it took me five and a half years to get out of law school. He doesn't know the half of it. So... so, this isn't applicable if... if this would impact the receipt of federal funds by IDOT. Have you checked with IDOT to determine if it will impact their funding?"

Crespo: "We did check with IDOT. They actually helped in drafting this piece of legislation."

Lang: "And have you checked with the Federal Government to see if they have any problem with this, Sir?"

Crespo: "As far as I know, we have not."

Lang: "Have you checked with the Federal Government?"

Crespo: "I have not."

Lang: "Who's your congressman, Sir?"

Crespo: "Congressman Melissa Bean."

Lang: "I see. And... and you... you haven't bothered to pick up the phone and call that person to determine if this is an issue?"

Crespo: "I was just relying basically on the park district. They did meet with their attorneys. And they drafted the legislation with IDOT."

Lang: "I see. So, you're relying on others in your efforts to move this Bill along, Sir."

Crespo: "I've relied on these folks in the past and they haven't failed me yet."

Lang: "Okay. So, Mr. Speaker, to the Bill. I... I think it's a problem, as I said before, when freshmen on getaway day would waste our time with this foolishness. But Mr. Crespo has worked very hard on this Bill. He doesn't understand

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it so well, but he's worked very hard on it. And I think, though, that he ought to take the Bill out of the record. I'm sure you would agree, Mr. Speaker. He's... he hasn't talked to his congressperson about this. He hasn't really discussed it with IDOT. He doesn't really know what's going on this billboard. Perhaps it'll be a billboard we don't like, Sir. And so, I... I'm sure the Members of the House would agree, don't you all, that he should take this Bill out of the record right now? Yeah. So, I'm going to wait. I'm sure Mr. Black will have similar comments. And I'm... I'm sorry you'll have to put up with that, Sir. Thank you."

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

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

Crespo: "Yes, Sir."

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

Black: "Representative, do you... do you have someone assigned to you by the House Democrats to kind of help you with your legislative agenda? Things you need to do as a freshman?"

Crespo: "I do have... I do work with staff. I do check with them."

Black: "As... as well... as well you should. And I... I'm... I'm somewhat amazed that staff felt this would be a good Bill for you to carry. Whether it was the first Bill or the second Bill or the tenth Bill. Let me ask you a question, the location of this billboard, because I'm not familiar

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with Hoffman Estates, is... what's the zoning? Do you have zoning?"

Crespo: "We have zoning. The zone is..."

Black: "What would the zoning classification be in the area where the billboard is located?"

Crespo: "The zoning is business."

Black: "Is what?"

Crespo: "Commercial use."

Black: "Commercial use. All right. And the Chicago Wolves are what, a hockey team?"

Crespo: "Correct."

Black: "All right. In all... in all seriousness, I believe this Bill violates the Highway Advertising Control Act of 1971, which is a Federal Law. You obviously do not agree. All right."

Crespo: "Well, it actually... the Illinois laws are more restrictive than the Federal Law, Representative. The Highway Beautification Act of 1965, which is a Federal Law, tends to be a little bit more permissive. And actually this was complied with that Federal Law. The Illinois law, when it was written, took into account what was in place in 1959. Hoffman Estates wasn't even incorporated until 1959. So, for us to just have this law restrict us because it's considering Hof... that particular area has a nonbusiness... It's actually incorrect nowadays. It is very clearly zoned for commercial use."

Black: "And so, the... the Illinois Act... excuse me, the Illinois Act of 1971 would indicate that such a billboard could be

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erected in a business area. How does that act define a 'business area'?"

Crespo: "Actually, verbatim here, 'the business area', according to the Act, means 'any part of an area adjacent to and within 660 feet of the right of way which is at any time zoned for business, commercial, or industrial activities under the authority of any law of this state or not zoned but which constitutes an unzoned commercial or industrial area as defined in Section 3.11. However, as to signs along interstate highways, the term 'business area' includes only areas which are within incorporated limits of any city, village, or in... incorporated town as such limits existed on September 21st of 1959 and which are zoned for industrial or commercial use or both.' And, again I repeat, in 1959 which is when this Bill was put in... in the books, Hoffman Estates as... as a village didn't even exist at that point."

Black: "That was a rather long answer. I... I define a 'business area' as that directly before an interchange, and exit. And the general law has... has generally been accepted to advertise a business that is in that area of the exit. Now, you've... you've given me a more lengthy definition. But let me... let me get to the point. With..."

Crespo: "Yes... yes, we should. For purpose of this Act, that is exactly what I read to you, Representative Black. That's what they were looking at when they adopted this piece of legislation back then."

Black: "What... It appears to me that your Bill may put us in jeopardy of not following the Federal Law. And... and you've

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addressed that in the Bill. So... so, you must be concerned about that as well, correct?"

Crespo: "Well, the... as I stated before, IDOT did help us draft this Bill. And they include language that in... in the event that there is a discrepancy, there is an issue we will, yes, abide by that."

Black: "Okay. Now, that... that brings up my next point. On page 2 of your Bill, line 11, 'To the extent that the Secretary of the United States Department of Transportation or any court finds the changes to this Section made by this Amendatory Act to be inconsistent with or preempted by such law or regulation, the changes shall be repealed to the extent necessary to cure such inconsistency or preemption.' So, obviously, whoever had this Bill drafted is concerned that if we put this billboard where you want it to be placed, we could lose federal funding. And do you... do you have any idea how much federal funds we could lose? In fact, not lose, we'd have to pay back."

Crespo: "Actually, that was included in there at the request of IDOT..."

Black: "I know."

Crespo: "...in terms of being proactive. They feel that there should not be an issue. However, they just felt that this was the way to draft it to... just in case. And in terms of your second question, Representative Black, no, I do not know any financial exposure at this point. And, again, if there were, there is language there where we just repeal the entire law. Not the entire law, just specific... the Amendment."

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Black: "All right. But... but IDOT is concerned that... that this may very well abrogate the bonus agreement with the Federal Government and would... would cause Illinois to have to pay back three point seven million dollars (\$3,700,000). IDOT also indicated they don't have the funds available to pay back three point seven million dollars (\$3,700,000). Will the Chicago Wolves sign on as a guarantor and pay back this three point seven million dollars (\$3,700,000) if we have to?"

Crespo: "Well, IDOT... Again, this is the first I hear about that, Representative. Again, the way this is drafted right now, this Amendment, if that were the case we would just repeal the Amendment and in hopes that that... not in hopes. Based on the conversation with IDOT and the attorneys who helped them draft this, it wouldn't even get to that point."

Black: "Well, Hoffman Estates wouldn't be willing to pay back the three point seven million (\$3,700,000), would they?"

Crespo: "I cannot speak for Hoffman Estates. As a former trustee, I do know all the folks out there, but I'm not in the liberty of speaking for them, Sir."

Black: "Representative, I don't believe the language put in the Bill that appears on page 2 would meet any constitutional standard. I don't know of any law that could be automatically repealed if we come up against an adverse ruling by a federal agency. Any law to be repealed would have to be brought back... any law we pass, in my opinion, would have to be brought back to this Body and the Illinois Senate and repealed by action of the Illinois General

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Assembly. Now, you have an automatic repealer in here, but I don't think that's possible. I don't think it's constitutional."

Crespo: "We haven't looked at case law to see if it was unconstitutional or not, Representative. Again, it was just put in there just to make sure make sure our intent was very clear."

Black: "Okay. Representative, I... I think... I don't know if Representative Lang was being serious with you. I think you may want to take this Bill out of the record. You've... you've indicated that you don't want to do that. This Bill is, in all seriousness, a very controversial Bill. Mr. Speaker, to the Bill."

Speaker Hannig: "...Bill."

Black: "First of all, we are violating basic state rule and, I believe, Federal Law by putting this billboard where the individual wants it to be put. Secondly, it advertises the Chicago Wolves. I think the People for the Ethical Treatment of Animals may have trouble with a billboard with a wolf on it. I've tried to get a billboard on I-72 with the former symbol of the University of Illinois, and I was told that that was a controversial figure and the billboard could not be erected. On the other hand, I've tried to put a billboard up on a... a scenic byway through Skokie with Representative Lou Lang's picture on it. The neighborhood signed a petition saying that they didn't mind if we put a picture of Representative Lang in the post office, but not on a billboard in their district. But having said all of that, let me tell you why in all honesty I rise to oppose

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the Bill and not because it's the Gentleman's first Bill. I... I would hope he would take it out of the record and... and do some additional research on it. I think it's grossly unfair to pass this Bill which would allow one party to be exempt from the agreement that the outdoor advertising industry was mandated to follow. And... and, believe me, if this passes there's going to be a half a dozen cities or... or entities that want to be included. Now, I knew Lady Bird Johnson. I had the privilege of meeting Lady Bird Johnson and this isn't what she had in mind with the Highway Beautification Act. This isn't going to only impact Hoffman Estates. There will be, and rumor has it, there will be up to six locations added in the Senate. I think that's wrong. I think that's not what we should do legislatively. As I said before, it appears to me that the Federal Government will say that this ultimately flies in the face of the agreement that they have with the State of Illinois. And they will demand that Illinois pay back three point seven million dollars (\$3,700,000) a year annually until the billboard is removed. And, ya know, nobody's opposed to growth, nobody's opposed to trying to help your area advertise something that... that people want to go to or... or tourists may want to go to. I've attended many hockey games. And I... and I certainly enjoy watching the sport. But when all of that is said and done, and I'm not speaking because it's the Gentleman's first Bill, I think this Bill goes too far. It allows an exemption to the Outdoor Advertising Act which once you open that door, there will be exemption after exemption after exemption

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requested. There could be no end to it. I think it puts us in danger of losing federal funds. And... and last but not least, if we're going to start doing this on a case-by-case basis, we could be taking up the time of this Body 20 or 25 times a year on somebody who wants a billboard in a key location. I'm a Cub fan. I'd like to see far more Cub billboards downstate, but they've chosen not to do that. But I can't do that on a case-by-case basis. We have law, we have rule, we have regulation. This Bill violates everything we've done in the past. If he wants to change the entire law and allow these billboards to be put up willy-nilly, I might be more inclined to vote for that than I'd be inclined to vote for a single exemption when I know as surely as I stand here the exemption will be multiplied and we will be back here on a case-by-case basis far too often. Ladies and Gentlemen, the Sponsor is trying to help his area and I understand that. But when you get in to the Outdoor Advertising Act and you start asking for exemptions, you are putting federal funds at risk, you are putting people who may or may not in the neighborhood want this billboard. I haven't heard from any of them, so I don't know what the case may be. I don't think this is good public policy. I would hope the Gentleman take the Bill out of the record, see if staff could work more closely with IDOT and the Outdoor Advertising Agency. But I am not prepared to sit here and vote on this exemption on a case-to-case basis. And I fully intend to vote 'no'. And I fully intend to keep my 'no' vote on no matter how

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long the hazing goes on. This is bad public policy and deserves a 'no' vote."

Speaker Hannig: "Representative Fritchey."

Fritchey: "Thank you, Speaker. This is an uncomfortable situation. Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Fritchey: "It... it's an uncomfortable situation to do on a first Bill and it's an uncomfortable situation to do to a friend. So, in this interest, let me see if I can try a different tact. On the technical aspects that was raised... that were raised by the previous speaker and the conflict with the Federal Law I've dealt with some of these issues in the past. The Gentleman is correct. Can I ask you, with all due respect and you're not going to offend me one way or the other, you might just want to pull this out of the record and see if it can be fixable. There... there's some conceptual issues that people may have and you have never addressed those. But I think you could... you could address enough of them to pass the Bill. There's some technical aspects which I think will either create problems for you in this chamber, the other chamber, or at the Governor's desk. You... you... I... I believe that you wholeheartedly have the passion for what you are trying to accomplish here, but I'm not sure that you've got the legal footing that you want to be on. Representative, I mean this with all due respect, pro... proceed as you will. In the interest of disclosure, I will vote 'no' because this Bill... I can't... I do not believe can withstand legal scrutiny in its present

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form. I just wanted to make that as a humble suggestion to you. Thank you."

Speaker Hannig: "Representative Mulligan."

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

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

Mulligan: "Representative, many people have asked you to take this out of the record and this is a very bad first Bill. I noticed the company that's involved in this deal with Hoffman Estates is called Tollway LLC, which is the billboard company who has nothing to do with a tollway. Can you tell me who the principals of that company are?"

Crespo: "My understanding of the principals would be George Moser and... who is a developer in Hoffman Estates."

Mulligan: "In our area, our local municipality went into a deal with a billboard company which was supposed to be on business property. When the billboard actually was put up, number 1) the light shined onto the local residents who absolutely had a fit. Then it turned out that the billboard company and my municipality that I'm speaking of was in your area. The billboard company's principals were people that had a past history of criminal background. And they took the money from the municipality and then resold the billboard for an extreme amount of money, really hurting the community and the people where the billboard was on. Our development director lost his job. Quite frankly, I think this is a horrible Bill, as everybody said. It violates law. I... I can understand, certainly, trying to help your community. I can understand the people that are up there trying to help their community. Perhaps

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they didn't follow both Tribune and Sun-Times stories of what happened in our community. I will be voting 'no'. And I also will not change my light on this. I think it's a horrible Bill. I wish you'd pick out another Bill for your first Bill. But I think this is a terrible Bill, and I would urge the Body not to vote for it."

Speaker Hannig: "Representative Molaro."

Molaro: "Thank you. Well, there are a couple State Representatives that asked that this be taken out of the record. One of the reasons you take a Bill out of the record is maybe you make it better. And then certain people that ask you to take it out of the record could then vote for it. The reason I think you should call your Bill is I haven't heard these people say that if you take it out of the record and you work with them that they'll vote for it. I mean, you call a Bill. If it gets 60 votes, it passes. If it doesn't, you lose. I mean many Bills not get 60 votes. As a matter of fact, my name's on the trophy back there on a couple Bills. So, I... ya know, I just don't understand when... If... if someone's saying to you, Representative, take it out of the record and we can work with you and you can... we'll help you pass this Bill, well then I would consider that if I were you. But from the comments that were made it seems like they're against the Bill and it's for a public policy that I don't know if you took it out and worked with them for the next five weeks that could ever change. In other words, you're... you're taking an area that's a nonbusiness area and making it into a business area. But I do have to ask you this 'cause

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maybe it'll make us feel a little better. There was an agreement made between the Wolves and the park district. Right? To keep the Wolves in Hoffman Estates?"

Crespo: "Correct."

Molaro: "Is that the idea? So, sort of an economic engine. Now, when they were doing these billboards, do the billboards... Is there at least something somewhere where the billboards are actually going to be for the Wolves hockey team?"

Crespo: "No. Actually, this particular location, Representative, currently has three billboards. The owner of the property, of the billboards, agreed to give two to the park district, who in turn, can lease them to the Chicago Wolves. But he wants to keep two for himself. And that's the dilemma. They actually have three, we need a fourth one."

Molaro: "Okay."

Crespo: "And... and in response to... to the Representative before, we're not asking to put billboards where none have existed before. Now, in... I have heard all of you. I respect this... this Body and I'm hoping to work with Representative Fritchey as well. I understand there's are some concerns with the federal aspect of this and what it would mean. I'd be more than willing to take it out of the record. However, saying that, it's... it might be considered a bad Bill for some. In my case, what we're looking at in Hoffman Estates is what this means is anywhere from one to two million dollars (\$1,000,000-\$2,000,000) for them to subsidize programs for senior citizens and folks who can't

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afford some of these programs in Hoffman Estates. And I think it's a great, great way to have a public/private partnership come... come and show what they can do at no cost to the state or the village but..."

Molaro: "Right. Well, Representative, if... if you take it out of the record which I think you are, is that what you're indicating?"

Crespo: "Correct."

Molaro: "I would hope that the people who asked you to take it out of the record would... would be willing to work with you because if you don't like the Bill, then you get up and speak against the Bill and you ask your colleagues to vote 'no'. The only time I would ever ask anybody to take it out of the record is so I could work with them to make it a better Bill so I could help them pass it. So, I hope that's the reason that people asked you to take it out of the record and you could count on their 'yes' votes when you bring it out. So, if you take it out of the record, good for you and hopefully you'll work with them and we can have a unanimous vote when it comes back."

Speaker Hannig: "So, that your intention, Representative, would take it out of the record?"

Crespo: "We'll take it out, work with I know Representative John Fritchey. If there's anyone else who has some concerns who'd like to talk to me, I'd be more than happy to talk to them. I intend to bring this back."

Speaker Hannig: "Okay. So, out of the record at the request of the Sponsor. Representative Burke has House Bill 1279."

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Representative... Excuse me. Representative Feigenholtz,
is... is this your Bill?"

Feigenholtz: "No, it is not."

Speaker Hannig: "Rep... Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1279, a Bill for an Act concerning
regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Burke."

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. House Bill 1279 simply says that defibrillators
must be placed at outdoor sports facilities as well as the
indoor facilities. I'd be happy to answer any questions."

Speaker Hannig: "Mr. Clerk, did... could you advise us if all the
Amendments... what the status of the Amendments are?"

Clerk Mahoney: "Amendment #1 was adopted in committee. Floor
Amendment #2, offered by Representative Burke, was approved
for consideration."

Speaker Hannig: "So, did you wish to adopt that? You did?
Okay, so..."

Burke: "I'm sorry. Yes, I do ask for the adoption of..."

Speaker Hannig: "So, let's... let's return the Bill to Second
Reading. And Mr. Clerk, are there any Amendments?"

Clerk Mahoney: "On House Bill 1279, Floor Amendment #2, offered
by Representative Burke, has been approved for
consideration."

Speaker Hannig: "And on the Amendment, Representative Burke."

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. Amendment... the Amendment that I'm introducing would
eliminate and not require the device for park district

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facilities. So, it exempts all park district facilities in the state."

Speaker Hannig: "So, on the Amendment, is there any discussion? On the Amendment, Representative Nekritz."

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

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

Nekritz: "Representative, I just wanted to clarify that the Amendment says that facilities owned or operated by a park district organized under the Park Districting Code. So, that would include park districts that are set up as... as separate entities. Would it also include municipal recreation districts?"

Burke: "Yes, there is language in that that would include other similarly titled entities."

Nekritz: "And that... and that language is within the Park District Code that... that defines those municipal recreational districts?"

Burke: "I believe in the Amendment we specifically identified other entities that don't operate under the name of park district but are similar in activity."

Nekritz: "Okay. So, what... so, what you're telling me is that the... that the municipal... municipal recreation districts..."

Burke: "Correct."

Nekritz: "...aren't specifically listed here... Oh the... because that... that would just be then the two. The Chicago Park District and the Metro East Park and Recreation District?"

Burke: "I thought there were only..."

Nekritz: "They're specifically delineated in the Amendment."

Burke: "Yes."

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Nekritz: "Because I believe that... that Lincolnwood has a municipal-owned recreation district..."

Burke: "Well..."

Nekritz: "...that's not a separate park district."

Burke: "For legislative inten, it is our intention to exclude all entities that resemble a park district at a municipally operated..."

Nekritz: "Okay."

Burke: "...recreation facility."

Nekritz: "So, if we could just... If as... if as the Bill goes through the process, if you could just check to make sure that that is what this does then I could... I'd be very comfortable with that."

Burke: "Yes, that's certainly our intention."

Nekritz: "Okay. Great. Thank you."

Speaker Hannig: "On the Amendment, Representative Black."

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

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, this question deals with the Amendment, but I don't think is... is part of the Amendment. I... I have had two calls from people in my district. And remember, I live in an area not very densely populated. They both own a fitness facility that when... when you join, you're given a key. And you may commute 75, 85 miles a day one way to your... to your employment. So, what... what he did, the one individual, if you pay to belong to his health club and you don't get home until midnight but you want to workout, you have a key and you can go in and workout. You turn on

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lights. His fear is, and I... I told him I thought he would probably not be in compliance, there's nobody working there. So, if the individual who's exercising his right to his membership is the only person in the facility, obviously, he couldn't use an AED on himself. The owner of this facility, and I have two of them, were wondering if at some point you and I might get together and see if it would be possible to exempt these kind of facilities that have relatively low membership where you have literally 24-7 access. He... he's not opposed to the AED, he's just saying, 'I can't afford the staff of 12, 18, 20 hours a day.'

Burke: "Well, I think, Representative, we have addressed your concern. The original legislation talks about the AED being required where there is supervised activity."

Black: "Okay. You're right."

Burke: "So, in your situation and it would be similar to a health club in a hotel where they don't have an attendant..."

Black: "Okay."

Burke: "...and they don't have a trainer. So, we're already covered in that regard."

Black: "I... I thank you for... for reminding me. As I said yesterday, you get to a certain age and your memory is the first thing to go. And I can't remember what the second thing is. But thank you very much."

Burke: "Certainly."

Speaker Hannig: "Representative Eddy on the Amendment."

Eddy: "Thank you, Mr. Speaker. Will the Sponsor of the Amendment yield for a quick question or two?"

Speaker Hannig: "Indicates he'll yield."

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Eddy: "Okay. Thank you. Was there a particular reason, because quite honestly I think this is important legislation. I think if we're going to be concerned about the safety and the welfare of... of individuals and AED is a lifesaving device. What... what was the reason for excluding those... and our analysis says 'facility owned or operated by a park district organized under the Park District Code' which would lend me to think it's more than just the Chicago Park District and the Metro East Park and Recreation District. But whatever that group is, what's the reasoning for removing those?"

Burke: "Pretty much economic, with the number of park districts throughout the state. And in certain cases, I am thinking of one instance there are twenty-seven hundred (2,700) fields in one of the districts. And in that case, it would be absolutely impossible for them to comply and have a device at every one of those twenty-seven hundred (2,700) facilities, so we just took it out. And for the most part, these park districts are complying with the original language of the AED requirement."

Eddy: "Okay."

Burke: "And they do have defibrillators. But it would a physical impossibility for them to have one device at every single field."

Eddy: "Okay. Thank you."

Speaker Hannig: "Representative Bost on the Amendment." Bost:
"Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

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Bost: "And... and my question has to go right along with Representative Eddy's. And I understand the park district's concern for the cost and... and I do think this is a very important issue and I think we should be able to deal with this. But we... So, we're telling a private sector facility that you have to do it regardless of what the cost is, but we're going to tell our own taxing bodies that no they don't?"

Burke: "Well, as I responded to Representative Eddy, in those cases with park districts they are complying with the original language of the AED requirement and they have a device at the facility in the field house for the most part. It would be a physical impossibility for them to maintain these devices in outdoor sporting facilities."

Bost: "Okay. Then why..."

Burke: "The numbers are just too..."

Bost: "Then why is it not a... If... if we go ahead and pass it on to the private sector type facilities, why would it also not be impossible for them to do that?"

Burke: "Well, we're just simply talking about supervised athletic activity, exercise practice, whatever the case may be. In those instances, the coach or the volunteer coordinator of the event would have the device. That's what our new language is calling for."

Bost: "Okay."

Burke: "That the coach or any individual that's supervising, whether it be a practice session of a football team or any... any number of activities..."

Bost: "Okay. So..."

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Burke: "...they must have the device at the site."

Bost: "Okay. But... but that would still... At a park district event where there's a supervised activity they already..."

Burke: "They must..."

Bost: "...they already have to have that."

Burke: "Yes."

Bost: "Is that correct? Okay. Thank you."

Speaker Hannig: "Is there any further discussion? Then, all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments have been approved for consideration."

Speaker Hannig: "Third Reading. Do you want us to read the Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1279, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Burke."

Burke: "Thank you again, Mr. Speaker and Ladies and Gentlemen. This matter as has been discussed in the moments before my presentation, is a very, very important piece of legislation in the sense that I think we've all been exposed and have observed the number of unfortunate tragedies that occur with young people at college campuses exercising or practicing for an event collapsing with cardiac arrest and not having this miraculous lifesaving device present to be able to resuscitate them. This particular matter has been brought to my attention through the untimely death of a Rashidi Wheeler who was a football

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player at Northwestern. His teammate actually held the young man in his arms as he expired only waiting for a paramedic to arrive. It was too late. There was no device present. And unfortunately, the young man passed away. So, I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 1279. Is there any 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? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lindner, for what reason do you rise?"

Lindner: "I rise on a point of personal privilege."

Speaker Hannig: "State your point."

Lindner: "Yes, I would like the Body to welcome Annunciation BVM Catholic Elementary School and two of the people are Kevin and Chris Eversol who are Representative Kosel's relatives. So, let's give them a warm Springfield welcome. Would you stand up?"

Speaker Hannig: "Representative Colvin, you have House Bill 1663. We can come back to that in a little bit. Representative Gordon, you have House Bill 516. Would you like us to read that Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 516, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Hannig: "Representative Gordon."

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Gordon: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 516 is a continuation of a Bill that we passed during the 94th General Assembly. The only thing it does is remove the ability of the nuclear plants to do self inspections when it comes... for permitted releases. It gives the ability to the EPA and IEMA to do those inspections. This legislation passed overwhelmingly out of both houses in the past. And I would ask for your support today. It comes from a specific situation in my district having to do with the Braidwood and Dresden Nuclear Power Plants and their release of tritium into the groundwater."

Speaker Hannig: "The Lady moves for the adoption of House Bill 516. Is there any discussion? Representative Franks."

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

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

Franks: "I'm looking at the analysis here, Representative. Could you please tell me what a radionuclide is?"

Gordon: "A radionuclide is a radioactive substance. And... and Representative Fortner is also here to help me along with this and give anyone who wants one a lesson in physics and any other type of nuclear energy question."

Franks: "That... that was my... I was hoping we could have a professor help because most... I... I didn't do well in science. And I'm not sure I understand what a radionuclide is or nuclide, I'm not sure I'm saying it right. And it looks like she taking this word out of that Act. And I'm not sure if it's going to..."

Gordon: "No, no, no."

Franks: "...hurt us or not."

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Gordon: "The Amendment took care of that, Representative.
We're keeping it 'radionuclide'."

Franks: "Okay."

Gordon: "Which was not covered. I had received some
information from one of the VPs at the LaSalle... the site
manager... the site VP at the LaSalle station to... to give me
the great information that 'radionuclide' is the correct
term that should be in there. So, when we adopted the
Amendment..."

Franks: "Okay."

Gordon: "...it kept it 'radionuclide'. The only thing we're
doing is taking away their ability to self inspection."

Franks: "Thank you very much."

Franks: "You're welcome."

Speaker Hannig: "Representative Fortner."

Fortner: "Thank you, Mr. Speaker. And I rise in support of
this Bill. And I welcome the opportunity to answer the
Representative's question. A radionuclide we would
normally refer to as a radioactive atom. It's an atom that
is not naturally stable. And in the case of power plants,
obviously there are a lot of radioactive materials within
the power plant. And some of the materials at times leak
out. There are very strict standards for at what point
there is a leak and there has to be reporting. This Bill
makes it clear that if there is a substantial release, and
usually this occurs in a... in a radioactive version of the
atom hydrogen which is called tritium, that it will be
properly reviewed by the IEPA and the IEMA."

Speaker Hannig: "Representative Meyer."

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

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

Meyer: "Representative, I rise in support of your Bill. I... I'm on the committee that the Bill went through. And I... I forget now if the IEPA indicated that both the IEPA and the IEMA had the staff available to do what your Bill is asking them to do?"

Gordon: "Yes, they do. And... and that was in the past. And right now, from the past as you can see from the actual legislation in the Bill, they're... they're in the process right now of writing the administrative rules to deal with that. But the IEPA and IEMA has... has already began some of the inspections. I believe one was already done at the Clinton plant. And so, they're in the process of doing that."

Meyer: "Well, that... that's good to hear. It seems like on every other Bill that we hear, the IEPA is having problems with their staffing. And I... and I certainly agree with what you're trying to do. I think it's... it's imperative that it's done. And it should not be a self-inspection. Thank you for your response."

Gordon: "Thank you, Representative."

Speaker Hannig: "Representative Rose."

Rose: "Thank you, Mr. Speaker. I actually have a question for the ratio of operating. I'm wondering if we'll be protected under Representative Gordon's Bill from a nuclear power release if the ratios are down?"

Speaker Hannig: "Representative Gordon to close."

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Gordon: "Thank you, Mr. Speaker, Ladies and Gentlemen. I would appreciate an 'aye' vote on this... on this Bill. It's... it's good legislation. And it just is another way to ensure public safety in the community and also put into the hands of the experts the ability to inspect at the nuclear power plants. 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, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Granberg has House Bill 3504. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3504, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Hannig: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3504 classifies community college districts as governmental units as opposed to state agencies. This allows them to retain their local controls since they are primarily locally funded. The trustees are locally elected. It passed unanimously out of committee. And I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 3504. Is there any 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

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wish? Have all voted who wish? Mr. Clerk... Representative Tryon and Younge, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 98 voting 'yes' and 14 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. We're going to go back to a few Bills that we passed over a little bit earlier. And Representative Schock has House Bill 414. So, Mr. Clerk, read the Bill."

Clerk Bolin: "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 deals with student housing at community colleges. You'll see that the Bill has been amended. This is a result of work addressing concerns brought to me by the Committee on Higher Education as well as Members of the full Body when I raised it last week. The Amendment does a number of things. First of all, it requires that a community college have at least eight counties within its community college district to build student housing or to own it. It also does not allow for real estate taxes to be used in securing the bonds for student housing. It should also be noted that state capital dollars are not allowed to be used for student housing as well. This Amendment addresses those concerns that were brought to me. And as a result, U of I is now neutral on the Bill. I'd be happy to answer any questions that the Members might have."

Speaker Hannig: "The Gentleman moves for the passage of House Bill 414. And on that question, Representative Meyer."

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

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

Meyer: "Representative, some of the schools and some of the community colleges in my district have indicated their opposition to this Bill because they feel that it allows for community colleges to become part of... or well to upgrade from a 2-year school to a 4-year college. Is that your intention with this?"

Schock: "Absolutely not."

Meyer: "Okay. So, it has absolutely nothing to do with that... that effort on the part of one of our local community colleges in the metropolitan area to do that, correct?"

Schock: "Correct."

Meyer: "Okay. All right. Thank you very much for your input. And I'll support your legislation."

Schock: "Thank you."

Speaker Hannig: "Representative Hamos."

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

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

Hamos: "Representative, you came around a few days ago and... and talked to us about this Bill. And some of us over here thought it was a good idea. But this doesn't look like the Bill that you talked to us about. And I'm wondering... it seems like there is an Amendment on this that refers to community colleges that have encompassed in whole or in part eight or more counties. I don't remember you mentioning that... that part of this Bill. And I'm wondering who that is and how many such community colleges are there?"

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Schock: "Well, I'm sorry for the misunderstanding. But that was one of the issues that was raised in committee as well as on the House Floor. And it... it includes, I believe, less than a dozen community college districts that would qualify under the legislation. And I believe it addresses most of the community colleges like mine who have through other means, primarily a community college foundation, gone about building student housing."

Hamos: "Well, again, I was... I was pretty supportive of the concept. But what is the... what is the issue of eight counties? I mean, why eight? How did you select that? I mean, I'm trying to really understand the public policy component that's now incorporated here."

Schock: "Well, we're trying to recognize the fact that in some community college districts... certainly one could argue that every community college should be allowed to build housing. And that is... that is a concept I support, but not one that the committee and... and I felt that the Body could support at least a majority of. We are the only state in the Union right now who prohibits community colleges from owning their... owning student housing. And my community college in particular has... represents portions of at least 13 counties. And so, that was one of the reasons why they went about building the student housing as they have. So, I think it recognizes the fact that there are those community colleges that represent large geographic areas where students may be required to drive an hour or two to school and as a result, would need housing on or near the campus."

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Hamos: "Okay. So, I... I understand that you were being very practical in trying to pass something. And I... I guess maybe you answered my question. You're telling us that there are... but you said a dozen community colleges that this would apply to. In other words, we're not just passing a Bill for your own community college, is that correct?"

Schock: "That's correct."

Hamos: "And you're thinking is that it could be as many as a dozen?"

Schock: "That's correct. I believe it's just under a dozen. I think it was... It's actually... Okay, it's eight."

Hamos: "Okay. It's you thinking there's eight."

Schock: "To be exact."

Hamos: "Well, okay, and... and I guess I could be supportive of this from the perspective that if we're trying to make education more accessible and available for people who... the demographic of people who go to community colleges sometimes really are people who are at a different stage in their life. And if they're traveling large geographic distances, I guess this would make sense. I want to make sure that this wasn't such special legislation that it only applied to one. Thank you."

Schock: "Thank you."

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker. First off, I want to tell the Sponsor I think he's been working very hard on this. And... and I know this is an important issue to him. I, myself, working in and around in higher education ever since I've

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been here the concern I have is many of our community colleges in our area don't agree with going down this path because a community college is just that; it's a community college. Our universities have always been the... the ones that would take care of 4-year degrees. That are those that trying to push now our community colleges to have 4-year degrees. In this case, it... it is better for the fact that... that he made it very clear that there won't be your local property tax uses in... in putting the dorms together. The concern, though, I have is is with our community colleges, if they do need dorms why is it that the private sector shouldn't take care of that? And why is it that... that it should be... shouldn't be handled that way instead of going down this path? I do not think it's a good path. I don't agree with the Sponsor. I would encourage a 'no' vote on this. I think we... community colleges have a specific place and this is not the direction they need to go."

Speaker Hannig: "So, this is now on Standard Debate. And we've had two speak on each side. So, we'll have one additional speaker on both sides. And Representative Black, you're next."

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

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

Black: "Representative, should this legislation pass, no community college has to build a dormitory, right?"

Schock: "That's correct. It's permissive."

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Black: "It's strictly permissive. Okay. It would not preclude a private developer of doing a land lease, would it?"

Schock: "No it's not."

Black: "If the college thought that was a better way to go."

Schock: "Absolutely."

Black: "Okay. Thank you very much, Representative. Mr. Speaker, to the Bill."

Speaker Hannig: "...Bill."

Black: "I... I spent 10 years working for a community college. I think I've said this many times on the House Floor. I'm an unabashed supporter of community colleges. I think they are a unique creation of the state. I... my... my compliments to the far-reaching thought process of a... of a General Assembly many years ago that created the Illinois community college system. And I think we're one of the finest states in the country in that... in that unique brand of... of higher education. And when they were started, you're right, they were commuter colleges. But there were thousands of square miles in the State of Illinois that... that did not belong to any community college district. And then again, in the wisdom of this Body and the Senate about 10 or 12 years ago, we mandated that every square mile of territory in the State of Illinois must annex or be annexed into a community college district. So, there isn't one square inch of territory in the State of Illinois that does not affiliate or... or belong into a... belong to a community college district. So, the old methodology of... of a commuter college, in many respects and in the Gentleman who's sponsoring the Bill's district, that changed. All of a

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sudden they encompassed 12, 14, 17, 18 counties. And depending on your schedule, it may make it very difficult for you to commute to a class in the morning, try to get back home to either take care of children or to work, and then come back for a class in the evening. So, the community colleges have metamorphed into a... a very unique institution and, I think, a critically important institution of higher education in this state. I refer to them as the light cavalry of higher education. They're quick on their feet. They see a need, they can react quickly and create courses to meet the need in their area. One area that I think many community colleges are doing a phenomenal job is in the health-related fields. They... they crank up an LPN or a CNA or in some cases a... a bachelor of science nursing degree program in cooperation with a 4-year school. And they're doing some remarkable things. What we've also seen is we no longer give lip service to the term life-long learning. It's real, it's here, and community colleges are uniquely positioned to do that. Oh, and what's life-long learning? Go back to your district and talk to people. They've been layed off from factory jobs or the factory has moved. Their skills suddenly are no longer in demand and they need to go back and take advantage of a year or 2-year program to upgrade computer skills, upgrade computer-assisted manufacturing skills in order to find jobs in a more... a more highly oriented... technologically oriented world. They... they are remarkable institutions. Some are finding that student housing is becoming an issue. The community college that I represent...

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or I represent two, but one of them is too small to take advantage of this. But I'm amazed at the number of students they're now attracting from Indiana. And some of these students have... have indicated a... a desire for student housing. We used to approve rental housing and that got to be such a liability issue that we... we got... we got out of that business altogether. And students are finding it hard sometimes to find a place to live in the area or the vicinity of the community college. My community college wants to look toward having a foundation build the dormitory. And I'm not adverse to what Representative Bost said. I've thought this for the 4-year universities for many years. Do a land lease. Lease the land to a private developer and let them build dormitories. I think that's the way we should go in higher ed, 4-year schools."

Speaker Hannig: "Representative, could you bring your remarks to a close?"

Black: "Yes, I will. Thank you, Mr. Speaker. Students today want more amenities in dormitories or student housing than they did when I went. Ya know, I... I would like in the dormitory room that I... my mom and dad dropped me off almost 50 years ago, that dormitory room was kind of like a monk's quarters or maybe a jail cell without the... without the bars. The... the bathroom and showers were down the hall. They were very Spartan living conditions. Today's student population, from I've heard from my own children, they want a few more amenities. Some of the dormitories with the biggest waiting list at the University of Illinois are privately owned under a land lease or what have you. So,

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there's all kinds of creative things we can get into. But I think the point is, and... and thank you for your indulgence, Mr. Speaker the gentleman is trying to address, as we've heard all day today, a situation that his community college thinks is very important for their future growth. And just to show you how they've changed, this community college has fourteen thousand (14,000) students. That wasn't the norm 25 years ago. They don't have to build student housing; it doesn't mandate student housing, but it lets those boards of trustees who are elected by the people in that district decide whether that's the way they want to go. I think he's narrowed the definition. I know the University of Illinois, for example, is now neutral. And while... while it can be controversial, I think he's not closed off any avenue. And I... I rise in support of the Gentleman's Bill."

Speaker Hannig: "We've had three in favor. And the rules would provide one additional speaker in response or in opposition. Representative McCarthy, are you in opposition? Okay. So, Representative McCarthy."

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

Speaker Hannig: "Indicates he'll yield."

McCarthy: "Okay. First of all, the... I want to compliment you. You did try to work through the process. A week or so ago when we brought this Bill up, I had objected to it being called at that time so, I thank you for taking it back and trying. Of course, that doesn't mean that you satisfy... when you go back and work out something, it doesn't mean you're going to satisfy everybody's questions or their

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complaints about a piece of legislation. But in the case of your own community college, this is a community college that already has dormitories, correct?"

Schock: "That's correct."

McCarthy: "Okay."

Schock: "Well, they... their... they have gone the route as about six community colleges have and that is that they've leased the property to the foundation. The foundation has gone out and secured bonds with the... the rents that the students pay. So, indirectly."

McCarthy: "Okay. So, the purpose behind this is that they would... The community college now is going to purchase those units from the foundation? Is that what you believe?"

Schock: "Right. They're going to basically... You're going to basically move the bonding structure under the... the umbrella of the university as opposed to the foundation. And it'll make for a cleaner transaction. And in the case of my university or my junior college it will save them a hundred thousand dollars (\$100,000) a year which actually would be savings passed on to the students because it's the students' rents that pay for the bonds."

McCarthy: "And how... how will they reach that hundred thousand dollar (\$100,000) figure?"

Schock: "Because..."

McCarthy: "Where will the savings come in?"

Schock: "Because they will be able to use the triple A bond rating of the 2-year institution and... and borrow the money

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under the full faith and credit of the institution as opposed to the foundation."

McCarthy: "Okay. And... and do they plan any new additional spots at this time?"

Schock: "They do not."

McCarthy: "They're not. So, there will be no more beds or no more students are going to be able to occupy these homes or this housing that's there already."

Schock: "That... that's right."

McCarthy: "Okay."

Schock: "Like in terms of do they have plans to build more? Is that your question?"

McCarthy: "That was the basic question. Is there going to be more or is it... Basically, the... the housing that's there today is going to be there tomorrow. There's not going to be any new beds, there's not going to be any new students that are going to be able to be taken care of. It's just going to be financed under a different vehicle."

Schock: "Exactly."

McCarthy: "Okay. And as I explained in committee and we... we've spoken on the floor about, community colleges are different than 4-year universities because of the fact that they have property taxes involved with them. And the legislation as it's written today has no preference for the people who pay property taxes as far as obtaining spots in those housing units, correct?"

Schock: "That's correct."

McCarthy: "Okay."

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Schock: "We did address the property tax issue from the standpoint that we have prohibited the use of property taxes in securing the bonds for the... the housing. So, in other words, the property taxes..."

McCarthy: "Okay."

Schock: "...cannot be used in the construction of the housing."

McCarthy: "Right. But... but as far as any preference given for like myself. I've lived in the same community college district for 25 years now in my home, paid community college property taxes for those 25 years, but if my son or daughter wanted to go to Moraine Valley and obtain one of their housing spots if they decided to build some dormitories, the way the legislation is written today whether, ya know, my son or daughter would get no preference over someone coming from Peoria who wanted to get that spot at Moraine Valley. Isn't that correct?"

Schock: "Right."

McCarthy: "Okay. Well, I... I find real fault with that. The... the other thing is my son or daughter would get no financial incentive under the way that the legislation is... is currently written. So, while I pay property taxes to Moraine Valley, my son or daughter would be expected to pay the same amount for their dormitory space as a person who's never paid any property taxes to that district."

Schock: "And... and Representative, if I could to that point. While you make a good point, the... the problem with that is this. The reason that you get a discount on your tuition at a 2-year university... or 2-year community college is because your property taxes are in essence subsidizing the

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professors, the teachers, the... the construction of the facilities, the classrooms at that community college. So, because your parents or you, yourself are paying property tax dollars, you are in essence subsidizing the infrastructure. So, you should get a discount on your college tuition there. And... and that is the way community colleges are set up. But if property taxes are not going to play in the mix of funding the construction of the buildings, I think we should leave that up to the locally elected community college trustees to decide whether or not they want to provide in that provision or not. But if we're not going to allow property taxes or any local funding mechanism to be used in the construction or securing of the bonds, then I don't think it's appropriate for us to tell them that they have to give those in-district residents a discount."

McCarthy: "Yeah. But I do believe that if you strutinized the budget, it's going to be very, very difficult to tell where the property taxes start and where they stop. And, ya know, saying they're only used for this part of the... They now go into a pool basically, when they're determining tuition they're determining their expenses that they can incur. And just because they're saying, well technically we're not using these for them, it does affect the other parts of the budget. Ya know, it's one big pool of money when it's all said and done. And I really believe that there should be some preferential treatment in there for the people who pay the property taxes. And just by saying that, ya know, the building bonds form can't be, ya know,

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secured by property taxes, I don't think handles it. And I would certainly hope that if this is successful and goes over to the Senate whoever will be the Senate Sponsor will..."

Speaker Hannig: "Representative, could you bring your remarks to a close?"

McCarthy: "If it's successful today, that whoever takes it out of the Senate would listen to some ideas about making some preferences for those people who are paying property taxes to those districts. And I... I believe that their students should get some preference over people who do not pay property taxes because that's what makes community colleges different than our 4 years. So, good luck."

Speaker Hannig: "We've now had three on each side. And the rules would provide that Representative Schock, you're recognized to close."

Schock: "Thank you, Mr. Speaker. As you've heard, the Bill is not perfect, but it is good. And it is something that... that is addressing a need in my district. This Bill simply will allow for a cleaner transaction in the bonding. It'll save my community college students who rent these housing units a hundred thousand dollars (\$100,000) a year simply in interest savings. There are approximately six community colleges in the State of Illinois who have built residential housing using their foundation. So, there's definitely a need. And as Representative Black said, ya know, the purpose of community colleges has changed since the first piece of legislation was passed. And this Bill recognizes that change. We are presently the only state in

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the country that outlaws community colleges being able to own their student housing. So, I respectfully ask for a 'yes' vote."

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 Riley, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 82 voting 'yes' and 32 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Younge, do you wish us to read House Bill 1259? Do you wish us to read this? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1259, a Bill for an Act concerning community revitalization. Third Reading of this House Bill."

Speaker Hannig: "Representative Younge."

Younge: "Thank you, Mr. Speaker and Members of the House. House Bill 1259 would create the Community Self-Revitalization Act. It would provide that a municipality or a combination of a municipality and county that was certified as an economically distressed community could apply to the Department of Commerce and Community Affairs to be designated or certified as an economically depressed community. And if they then set up a board of economic advisors and come up with a 3-to 5-year plan, then the Department of Commerce and Community Affairs would assist them in reference to an operational budget and... and grants."

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Speaker Hannig: "The Lady has moved for the passage of House Bill 1259. Is there any discussion? 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 113 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. We've got about five Bills we need to move from Second to Third. And then we're going to come back to Third. So, Representative Sacia, you have House Bill 1407. Is that correct? Do you wish us to read that Bill? Not today? Okay. So, out of record. Representative Phelps, you have House Bill 3569. Out of the record. Representative Chapa LaVia on 3393. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3393, a Bill for an Act concerning fees. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, what's the status of House Bill 1956?"

Clerk Bolin: "House Bill 1956 is on the Order of House Bills- Third Reading."

Speaker Hannig: "Return... return that to the Order of Second Reading, Mr. Clerk, at the request of the Sponsor. And Representative Nekritz is recognized for an announcement. Okay. And Representative Colvin has returned to the chamber. Do you wish us to read House Bill 1663? Shall we read that Bill on Third? Okay. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 1663, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Colvin."

Colvin: "Thank you, Mr. Speaker. I ask for consideration on House Bill 1663 that creates the I-Connect Technology Board that provides... It does three things. It requires the Illinois Math and Science Academy to establish I-Connect Computer Technology Program which provides computer support to sixth grade students and it specifically targets those school districts that are low-income as a priority. It creates the I-Connect Computer Technology Board which will report to the Governor and the General Assembly with its progress and its support in the school that they are working in. It awards... and it amends the State Finance Act to create the Computer Technology Fund, a fund that would be open to accept charitable and corporate donations with respect to advancing computer literacy among low-income children across the State of Illinois. The program is currently running as a result of legislation that was passed by former Representative Kelly. It's running in about nine or ten schools now. This Bill will give it a greater possibility to be expanded to other schools and other school districts throughout the state. I'll be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 1663. And on that question, Representative Franks."

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

Speaker Hannig: "Indicates he'll yield."

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Franks: "Thanks. Marlow, the program you're talking about with the sixth graders getting laptops. That was a pilot program started last year, am I correct?"

Colvin: "That's correct."

Franks: "I know in Woodstock where I'm from, my son's in the sixth grade. And his school was chosen to get these laptops. And I want you to know that it's been tremendous, a wonderful response through the school. And I talked to the superintendent recently and there's been a very, very positive response to that. One of the problems they had though, with implementing, was the fact that the state didn't give the money for infrastructure to be able to do the wireless stuff. I don't know if you're aware of that."

Colvin: "I am."

Franks: "And we had a real problem because in Woodstock for instance, the... the school board agreed to pay, but the state wouldn't imp... wouldn't even give them the laptops because they had not released the money from the State Board of Education. And they said, 'Well, that's okay. We'll pay for it. Reimburse us later.' And they wouldn't do that until we got involved. And I was hoping that we... I wanted to put this on the record to make sure that we fix these problems that they have in the rule process. There are laptops available for those kids, but they don't do any good sitting in a warehouse in Springfield because of the inactivity of our state board of Education and for... and because of the archaic rules that they have. And I want to make sure that those are... are taken care of. Have you had a chance to talk to the State Board on these issues?"

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Colvin: "Jack, we had a brief conversation prior to committee when we talked about this Bill. They have indicated support. I think what's important in this Bill is that it.. it's going to establish a technology board to specifically deal with those issues that present obstacles to making this program work in those schools that have been selected. So, I think you're right. I appreciate your.. your opinion. But I think the board is necessary 'cause they could pay acute and specific attention to these issues and get them resolved in a fair and quick manner."

Franks: "I agree. That's why.. that's why I wanted to bring up the problems. And I think by having this board, we'll be able to get around a lot of the problems that we've had. So, I think it's an excellent idea. And I think we're going to see real results as.. as.. as a result of this piece of legislation. And I appreciate you bringing it forward. And I encourage everyone to vote 'aye'."

Colvin: "Thank you.. thank you."

Speaker Hannig: "Representative.. Representative Eddy."

Eddy: "Thank you very much. Will the Sponsor yield for a couple questions?"

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

Colvin: "Of course he will."

Eddy: "Representative, my analysis indicates that this requires the Illinois Math and Science Academy to establish this Computer Technology Program, is.. is that correct? It requires them to do that and.."

Colvin: "Yes, it does."

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Eddy: "Okay. This may sound... This is a simple question related to that requirement. How... what's... How do they feel about it?"

Colvin: "They have been in support of the... the idea."

Eddy: "Well, if they're in support of it, why did you have to require it?"

Colvin: "Because what we're doing here is creating a public policy that will make sure that that will take place. It's not so much in the demand as we're trying to respond to an issue with respect to computer literacy for a lot of young adolescent children. I would hate for you or anyone else to think... to center the debate around whether or not they're required to when they're a willing participant. Semantics notwithstanding..."

Eddy: "Okay."

Colvin: "I think what we're trying to do here..."

Eddy: "They are in favor of it? They are totally in favor of it?"

Colvin: "Yes."

Eddy: "And... and the requirement is just a part of trying to make sure it happens. They don't have a problem with it."

Colvin: "That's correct."

Eddy: "What is the purpose... the specific purpose of the I-Connect Computer Technology Board? What is their purpose?"

Colvin: "If you were listening to the debate with the previous speaker..."

Eddy: "I was trying to, but it's a little loud so..."

Colvin: "...with Representative Franks, what he was really getting to was the issue of resolving some of the issues

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that have... that those bumps in the road that occur with respect to getting technology into classrooms. As Representative Franks mentioned, in the school district in... a school district in his representative district where the program was implemented, they had a problem with the wiring in the school in order to get the program to work properly. And it took a lot of red tape and jumping through hoops dealing with the Illinois State Board of Education. The purpose of the board is to have a group of individuals which had not existed previously as a dedicated group of individuals who will be able to... where these school districts can go to that board and say, 'These are our issues with respect to properly implementing the program in our schools.' And have a dedicated group of people to look explicitly at those problems that prevent technology from coming into the classrooms."

Eddy: "Okay. So, if there's infrastructure problems related to the immersion projects, this board exists to help them overcome those types of technical issues related. Now, does this provide a specific appropriation for the program? Does the legislation... Is this subject to appropriation or does this provide the appropriation to start it?"

Colvin: "One moment, Representative. I just want to make sure I give you the right number."

Eddy: "Representative, I'll just quickly indicate that...that our... our staff does indicate it's subject to appropriation."

Colvin: "It is."

Eddy: "Okay. Is there an anticipated funding source for this?"

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Colvin: "Well, we hope to work with Illinois State Board of Education for funding, but the... but the third provision of the Bill also creates I-Connect Technology Fund which would be available to accept charitable and corporate donations so that we can expand the program accordingly."

Eddy: "Okay. So, that fund would be dedicated to use in the laptop program or this one for the math and...?"

Colvin: "That's correct."

Eddy: "For the whole program, not just for the Math and Science Academy?"

Colvin: "For the whole program."

Eddy: "Okay. Final question. Do you plan to protect that fund so that those dedicated donations can be used just for this purpose and can't be charged or swept?"

Colvin: "That would be something of great interest, yes."

Eddy: "I would recommend that as this moves through the process we add that language that seems to be cropping up more and more often in this Body and that very simply says this fund will not be subject to chargeback sweeps or any other effects of any of the types of things we've been seeing the last few years. And I'm not going to argue that the... the merit of all of that. I just want you to make sure that what you're doing is protected in that manner."

Colvin: "I appreciate the... the awareness issue. And I'll be certainly happy to share that with the Senate Sponsor. And if it takes an Amendment to do it, I'd be more than happy to support it back here in the House."

Eddy: "Thank you."

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Speaker Hannig: "Representative... Representative Colvin to close."

Colvin: "Thank you, Mr. Speaker. I would appreciate an 'aye' vote on a program that will greatly enhance computer technology and allow school districts across the... across the state. Thank you very much."

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 Saviano, McAuliffe, Boland, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Howard, for what reason do you rise?"

Howard: "Thank you very much, Mr. Speaker. I had intended to vote 'yes' on House Bill 1259. Thank..."

Speaker Hannig: "The record will reflect your intentions, Representative."

Howard: "Thank you."

Speaker Hannig: "Representative Acevedo, would you like us to read House Bill 1555? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1555, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Hannig: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker and Members of the House. House Bill 1555 is designed to tighten regulations on Illinois public insurance adjusters by expanding the scope

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of who must be... who must have a public adjuster license. This Bill add languages... language to the Public Insurance Adjuster Act, allowing for the consumer to avoid a contract with a public insurance adjuster if that person making a representations to the consumer is not a licensed public insurance adjuster. It will require that a public insurance adjuster provide additional documentation and information to the insured, such as the amount and value of the work to be performed. It would also prohibit Illinois insurance adjusters from advancing cash and offers of hotel accommodations to the insured. This is a common tactic used by adjusters in... in hooking the insured to sign up for their services immediately. I'd be happy to answer any questions."

Speaker Hannig: "Is there any 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 Stephens. Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bassi, you have House Bill 3509. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3509, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Bassi."

Bassi: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 3509 is a Bill that actually comes from the fact that I have two domestic violence shelters in my district, both

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of whom have waiting lists for their beds. This would require or give the opportunity for the judge to fine... to increase the fines for domestic battery from anywhere from ten dollars (\$10) to two hundred dollars (\$200) and allow the... the domestic violence shelter folks to access those funds to decrease the number of... of people on their waiting list. And I would request an 'aye' vote."

Speaker Hannig: "The Lady has moved for the passage of House Bill 3509. And on that question, Representative Molaro."

Molaro: "Representative Bassi, I'm... I'm fighting a cold. I know there was a reason I didn't like your Bill in committee, but I forgot. Can you refresh my recollection as to why I didn't like your Bill?"

Bassi: "Representative..."

Molaro: "Do you remember?"

Bassi: "I do. And I've got the Amendment that has already been added to the Bill to... to correct what you didn't like. It... The initial Bill required the judge to do it. This says 'may' rather than 'shall'. And you said you would support it with that."

Molaro: "What... what a fine Lady you are. Thank you."

Speaker Hannig: "Representative Fritchey."

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

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

Fritchey: "Representative, just two questions. I want to make sure that I'm looking at this the right way. Obviously, the egregious offense that we're talking about here..."

Bassi: "Yes."

Fritchey: "And egregious offenses deserve..."

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Bassi: "Aggravated domestic battery."

Fritchey: "As I said, an egregious offense which deserves a fitting penalty. So, what we are talking about doing is giving the judges the discretion about whether or not to impose the fine."

Bassi: "Exactly."

Fritchey: "Under present law, it's a mandatory ten dollar (\$10) fine?"

Bassi: "Yes, it's a mandatory ten dollar (\$10) fine. Mm hmm."

Fritchey: "And so, then the fine goes from ten to two hundred..."

Bassi: "Correct."

Fritchey: "...potentially. And a judge could level... could levy it anywhere in that range."

Bassi: "Precisely."

Fritchey: "As he or she saw fit. And then the other part... So, the circuit clerk... does the circuit clerk presently get 10 percent of the fine now?"

Bassi: "I don't know."

Fritchey: "Okay. But under your Bill, then, the circuit clerk would retain 10 percent of whatever fine would be levied, correct?"

Bassi: "If they already get it, yeah."

Fritchey: "Well, then here and... and again, I'm just... I just want to make sure I understand it. And I'm... I'm reading from the summary not the Bill, which is, ya know, always a suspect proposition. But it says currently the ten dollar (\$10)..."

Bassi: "You're right. The circuit clerk shall retain 10 percent of such a penalty to cover the cost incurred in

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administering and enforcing this section. You are correct."

Fritchey: "And just the only concern for you if you're thinking about going forward... Well, when... when... when we let the clerk keep a piece of any fine it's usually for administrative costs, 10 percent of a ten dollar (\$10) fine is a dollar (\$1), 10 percent of a two hundred dollar (\$200) fine is twenty dollars (\$20)."

Bassi: "Good point."

Fritchey: "Their administrative costs are the same one way or the other. Let me just suggest to you, this may not sit real well with our circuit courts... circuit clerks around the state, here. I... I don't know that there's any reason to allow a two hundred-fold increase with the clerks... what the clerks would get to keep for their administrative costs. And again, just a thought maybe on the other side..."

Bassi: "Excellent point."

Fritchey: "...saying the fee can go from ten (10) to two hundred (200), but in no event shall the portion kept by the clerk exceed, I don't know pick a number, five dollars (\$5). What..."

Bassi: "That's an excellent point, Representative."

Fritchey: "Well, that... that... that's what I'm here for. So, just food for thought. Thank you."

Bassi: "With your permission, would you be amenable to my making sure that that gets amended to that in the Senate?"

Fritchey: "You don't need my permission, nor do you need to make... to make the representation that you'll do it. All I... and I appreciate you asking, though. All I'm saying, just

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take a look at it and see if it makes sense to you. And if it does, then work on the Senate to do that."

Bassi: "That's a great idea. Thank you."

Speaker Hannig: "Is there any further discussion?"

Representative Bassi, you're recognized to close."

Bassi: "Okay. I ask for an 'aye' vote. 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, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Berrios, you have House Bill 1964. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1964, a Bill for an Act concerning education. Third Reading of this House Bill."

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

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1964 is the summer school food Bill. It's a Bill I've been working on for a couple of years with Representative Roger Eddy. And what we are trying to do is feed hungry children. So, this Bill does three main things. It would provide food to students during the summer. If the school has 50 percent or more free or reduced lunch students, that school must provide this program. If the school does not offer summer school, then they shall provide the information about the students who qualify for 50 percent or more reduced or free lunches to a not-for-profit organization that would house a program.

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And finally, if a school realizes that it is too much of a burden on them, they do have the option of opting out. I'll take any questions and would like your support on this."

Speaker Hannig: "On the Lady's proposal, we have Representative Eddy."

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

Speaker Hannig: "Indicates she'll yield."

Eddy: "Representative, I think you stated it very well, but I want to make sure that everyone understands that... a couple things. First of all, if a school district does not have an operating instructional summer school program, under this version of the Bill they have no obligation to provide a food service program."

Berrios: "Can you repeat that? I'm sorry."

Eddy: "On... if... if a school district is not operating a... an instructional program summer school..."

Berrios: "Yes."

Eddy: "...where students are present, they have no obligation to provide summer... or excuse me, any kind of food service program."

Berrios: "True. Very true."

Eddy: "Okay. They do, however, if a non-for-profit organization requests from them information regarding free and reduced lunches that would help them establish a program at that non-for-profit organization, the district would simply have to provide that information so that that

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non-for-profit could go ahead and apply and.. and provide those services."

Berrios: "Exactly." Eddy: "Okay. And.. and further, if the school district does a quick calculation of the cost of providing that program to the summer school that's operating as opposed to the calculation of how much they will be reimbursed and they take into consideration any other factors related to the cost, that they have a main cafeteria somewhere that they have to drive the food to a different place, if it costs more or if they can show that they're not being reimbursed fully, they just send to the regional superintendent of schools a letter opting out of the program."

Berrios: "Yes. They send a letter. It's the same opt-out program as the regular school breakfast program."

Eddy: "Okay. Thank you for the clarifications. I think this has come a long way."

Berrios: "Yes."

Eddy: "I.. I'm.. I'm impressed with the fact you have taken into consideration the very nature of school districts in the state and how this is not possible to be done, ya know, in some of the rural areas, especially as you had envisioned. And I actually appreciate what you're trying to do for children in schools with 50 percent or more free and reduced lunch. And those children are being picked up by the bus early in the morning."

Berrios: "Yes."

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Eddy: "This is a nice option for them if the school can afford it, and that's the way you've crafted the language. Thank you."

Berrios: "Thank you, Representative."

Speaker Hannig: "Representative Fritchey."

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

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

Fritchey: "Representative, I don't want to repeat what the prior speaker said, but I... you are taking on here a... an issue of fantastic importance. I mean, so, it's a... it's a moral shame that we have hungry kids to start with. It's a logical fallacy that a hungry child can be expected to learn."

Berrios: "Right."

Fritchey: "When they are more concerned about a growling stomach than a learning mind, they... they've got nowhere to go. You've got provisions here for summer school... for schools that have summer school. You've got provisions here for schools that don't have summer school. You've got opt-out provisions for schools that can't afford to do this, correct?"

Berrios: "Yes, I do."

Fritchey: "Are the opponents that were listed on the analysis, are they still opponents to this Bill?"

Berrios: "I didn't have opponents that I remember. Oh, well, sorry about that, Representative. I..."

Fritchey: "Well, here let... let..."

Berrios: "Okay. I didn't have chance to discuss it after the Amendment."

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Fritchey: "Let me save you the answer. If... if there are still opponents to this Bill, it is shameful. The fact that we are in a prosperous nation and a prosperous state and we have kids going to school hungry every day and we don't think about what happens to those hungry kids all summer is a shame. This is the finest Bill that this woman has brought since she's been down here. She has given these schools every option that there is imaginable and for there to be opponents to this is just a travesty. This Bill deserves our overwhelming support. I commend you for bringing it forward."

Berrios: "Thank you."

Speaker Hannig: "Representative Black."

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

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

Black: "Rep... Representative, let me respond to the... and a good friend, and... and I don't argue with what he said. And I know he gets emotionally involved in a lot of Bills. But your Bill isn't talking about kids who go to school every day hungry, correct?"

Berrios: "It... I'm sorry, Representative."

Black: "Where are you? I can't see you."

Berrios: "Right here."

Black: "I've got this Senator in front of me. Oh, there you are. Okay."

Berrios: "I'm right here."

Black: "The previous speaker said well, any opponents to this Bill it's terrible because how in the world can we have in

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this great land kids who go to school every day hungry?
And your Bill isn't dealing with every day of the school
year, correct?"

Berrios: "No, it's only for summer school."

Black: "Only for summer school. So, and let me follow up on
what Rep... what Representative Eddy said. If the school
does not have a summer school session nor offer summer
school, they do not have to open up their school to serve a
lunch to children who might meet the requirements,
correct?"

Berrios: "Correct."

Black: "All right. But they have to give the information to
social service agencies who then could perhaps help the...
the children in... in the need."

Berrios: "We've changed the language so only if the social
service agency asks for the information..."

Black: "Okay."

Berrios: "...is it to be given to them."

Black: "Okay. Now, the opponents that are listed in the Bill,
were they opposed because they regarded this as a mandate
or were they opposed because they were afraid they would
not be reimbursed for the cost?"

Berrios: "The alliance was opposed with... because of the
transportation of the kids. But because now if the school
doesn't have it... Now it's for summer school, so the kids
are already there."

Black: "Yeah. Okay. So, did that eliminate their opposition?"

Berrios: "Yes."

Black: "All right."

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Berrios: "I hope. I hope. And Representative..."

Black: "Yes?"

Berrios: "...no... no one came to testify in the committee."

Black: "Okay. So, you've done a good job. And it just gets noisy in here. I was trying to follow up with what Representative Eddy said."

Berrios: "That's fine."

Black: "You... you've tightened the Bill. You've narrowed the impact of the Bill. Do... I don't view this as a mandate, do you?"

Berrios: "No. No."

Black: "All right. It's if they qualify and if they're in summer school, a meal will be served to them, correct?"

Berrios: "Yes."

Black: "I congratulate you on working very, very hard to... because as you could see, some of us who I think had concerns and opposition a year ago, if... if my school wasn't open for summer school it would... it would be a very expensive burden to open the school, hire staff, prepare and serve the meal, clean up afterwards, et cetera. I... I think you've done a good job."

Berrios: "Thank you."

Black: "And I can't imagine why you'd get any 'no' votes. Thank you very much for your work."

Berrios: "Thank you."

Speaker Hannig: "Representative Berrios to close."

Berrios: "I'd ask for your favorable vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open."

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Granberg, Representative Washington, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Black, you have House Bill 1382. Do you wish us to read this Bill? Out of the record. Representative Boland on House Bill 1769. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1769, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Boland."

Boland: "Thank you, Mr. Speaker. What House Bill 1769 does is it bans smoking in a vehicle if any person in the vehicle is a child 8 years or... of age or younger. And it provides a penalty of twenty-five dollars (\$25) or less."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 1769. Is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker and Ladies and Gentlemen of the House, to the Bill."

Speaker Hannig: "To the Bill."

Black: "Now, I hope everybody's paying attention. I'm a nonsmoker. I don't allow anybody to smoke in my car, I don't allow anybody to smoke in my office, I wish nobody smoked in this building, period. That's the law, but it's ignored every day. But I'm also a free market enthusiast. Now, I realize there isn't a market driving the car or

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hauling the kids around, but I... enough is enough. Can you imagine the enforcement nightmare that this thing is going to be? How old is the child? Is it your child? Is it anybody's child? Are you smoking? Are you old enough to smoke? Should you know better? Yes, you should know better. But if you're going to get out of the car and go home in a closed environment and smoke two packs of cigarette a day in the living room or the kitchen, what's next? Are we going to have the smoke police come to your house? I wish nobody smoked. It killed my mother. But at some point it's not my responsibility to go into your home or to go into your car and tell you, 'Hey, you can't smoke in your car. Well, you can, but not if you have kids in there. And by the way, how old are those kids? Oh, 13. Well, I want to see their driver's license. Well, they don't have one. I don't think they're 13. I want to know how old they are. I'll follow you to the county clerk's office and we'll get a birth certificate.' Now, come on. We can do education, we can plead, we can beg. But do you realize, and for those of you on the other side of the aisle who I joined with on the mandatory seatbelt law, this is a primary stop law. If a police officer sees smoke emanating from your car and a little bitty head in the back, they have a right to pull you over for that and that alone. And by the way, where's your insurance card? And by the way, you didn't have your seatbelt on. And by the way, this kid isn't in a... in an approved safety seat. Yes, he is. No, he isn't. It isn't... it isn't installed properly. Yes, it is. No, it isn't. We'll take you to

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the nearest fire station and we'll prove whether it's installed properly. At some point, ask yourself how intrusive do we want to be? I don't want anybody to smoke, but if we're really serious and we really want to pursue this to its ultimate end then why don't we just put a Bill on the Calendar that says, 'No cigarettes shall be sold in the State of Illinois. And the possession... and the possession, the mere possession of a cigarette would be a Class X felony.' How many years ago was it when you'd go to the Senate, and I'm allergic to cigarette smoke. My eyes water, my nose runs. And under a primary stop, the police officer might ask me why my nose is running. And I tell him it's none of his business. I... I get a sore throat, I get a headache. But you'd go to the Senate up until they did the remodeling, I don't know whether they're still smoking on the Floor of the Senate, but they did up to a year ago. Cigarettes, cigars, tiparellos, if it would... if it made smoke the Senators smoked it. Let me rephrase that. There was some things that made smoke that they didn't smoke, as far as I know. Although, some of the Bills they vote for one could argue that point. But in all seriousness, and let me again reiterate and I... I'm dead serious. I am a nonsmoker. I have a personal family reason to be a nonsmoker. I can remember, and it will stay with me 'til the day I die, when I was in high school and my mother had that smoker's hack. And in the morning I would wake up and hear that. (Coughing). And I'd jump out of bed because I was trying to figure out if she was going to be able to breath in. It wasn't funny. It was sad, it

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was tragic. She was an intelligent, wonderful woman. And in the last year of her life when she was dying of emphysema and lung cancer, she would turn off that..."

Speaker Hannig: "Representative, could you bring your remarks to a close?"

Black: "Just getting started, but I will. She would turn off her oxygen bottle and go across to the other side of the living room and light up a Pall Mall. And I would beg her, 'Why are you doing this?' I know what an addictive drug nicotine is. I saw it first hand. She never lived to see any of her grandchildren. One of the saddest things I've ever seen 'cause boy, they would've loved her and she would've loved them. But I don't think it's our right or our responsibility to tell a citizen who chooses to smoke because it's legal. We tax the heck out of it. We took in seven hundred million dollars last year on a cigarette tax. Now, at some point, either have the courage of your convictions to say we will not sell nor will we tolerate possession of a cigarette in the State of Illinois. But let's quit harassing people who are doing something legally in their own automobile. Do I like that they would smoke when they have young children in the car? No, I don't. But that, unfortunately, is a decision that adults must make. And don't tell me in your close that we must speak for the children. We can do our education, we can tax cigarettes, but enough is enough. It's their car, it's their life, it's their private responsibility. And if we don't stop at some point then we will have to hire smoke police to go into their house, to go into their living

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rooms, their bedrooms, their family rooms and see if they're smoking in a house where there are young children. I detest the habit, but I cannot and will not in good conscience vote to tell people what they can do inside of an automobile that they paid for and that they choose to do. And the... the particular thing I don't like about this Bill is that it becomes a primary stop cause. We already have enough primary stop causes, and you know what that leads to, run your license, run your insurance card, everything else that may or not... may or not... may or may not be wrong with your car. Ladies and Gentlemen, this goes a step too far. At some point, we have to tell people, 'You take responsibility for your actions.' We can educate them or try, we can put out public service announcements, we can do whatever we want. But when we start telling people that a legal behavior in their automobile is now going to be illegal and a primary stop, in all sincerity, in all seriousness, I think that goes too far and I intend to vote 'no'."

Speaker Hannig: "Representative Fritchey."

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

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

Fritchey: "Thank you. Representative, just a brief question for you and that is if an individual were to be stopped and cited for this, would this be treated as a moving violation? And... and I'm... I'm asking that just since I... I don't know if it would be treated as some type of incidental offense..."

Boland: "Yeah."

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Fritchey: "...or if it's a moving violation that would count towards your three violations in a year."

Boland: "No, I... I don't believe so. No."

Fritchey: "Okay. Ladies and Gentlemen, let me say the previous speaker and I have debated. I... I think we have equal passion about smoking and the effects of it. And we've both watched it devastate our mothers, unfortunately, over the years. And... and I respect Representative Black's passion on this. And I believe he respects mine on this as well. I didn't know where I was on this despite the fact that I've... I've consistently supported numerous antismoking laws over the years. I didn't know I was on this at first until it comes down to really trying to protect kids in cars. Ladies and Gentlemen, we were all falling over ourselves, and rightfully so, a few years back to provide for increased penalties for individuals that were convicted of a DUI while having children in the car. And the reason that we did that and the reason that we recognized that that was the right and prudent thing to do was we wanted to send a message to people that were jeopardizing the health and jeopardizing the lives and safeties of kids that they had in their car. Ladies and Gentlemen, having a child in the confined car with a parent or an... an adult that is smoking is every bit as hazardous and dangerous to that child's life and safety as it is to have that child in your car when you are over the legal limit for intoxication. We recognized that it was the right thing to do. We recognized it was the proper role of government. So, we are going to protect children when they are in a car. And

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let's be honest, the kids don't have the choice to be in that car. They are being taken somewhere by an adult and they are, whether they want to be or not, they're... they're in that car. And they are in a very confined space. You're not going to find a much more confined space than a motor vehicle. And if we are going to say if you drink and drive when there's a kid in the car, you're going to have a stiffer penalty because, by gosh, it's the role of the Legislature to protect kids and to protect kids in cars. Ladies and Gentlemen, those of you that were here and voted to increase penalties for DUIs with children in the car, you got to vote for this Bill. It's the same logic, it's the same rationale, it's the same safety, it's the same young lives that we're looking out for. If you weren't here when we voted on that Bill, here's your chance to do that right now. To say, 'You know what, we believe in protecting kids. We believe in protecting them in this situation.' We are not telling those adults that they can't smoke, but my gosh, don't smoke when you've got the child in a four by four contained inside... inside space. Wait and do it another time. Let's give these kids a chance. Let's give these kids a chance to have a healthy life and clean lung... lungs. Folks, I promise you, you... If you... if... if you want to whistle through this one, go ahead. I'm going to tell you something, God forbid any of you will have to go through what Representative Black did with his mother or what I did with my mother. Please vote 'aye'."

Speaker Hannig: "Representative Black."

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Black: "Mr. Speaker, I owe the Sponsor an apology. I should know by now to listen to staff, and she was trying to get my attention. The Sponsor did take the primary stop language out of this Bill, and I'm glad he did. I still think it goes too far, but at least it's no longer a primary stop. And I do thank him for taking that out. And I'm sorry that I didn't listen to staff and say that in the first place. I... I don't equate drunk driving with smoking a cigarette, but I've already spoken on that. So, I know you'd call me out of order."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker. To the Bill. We discussed this Bill in committee. And I offered several options that the... the Sponsor might've chosen. For instance, if you're driving your car and all four windows are down, you got to bun... bunch of fresh air flowing through that car. It's still not legal to have a child in that car. In fact, if you're in a convertible flying down the road at 55 miles an hour because, of course, you wouldn't break the speed limits, but that's illegal also to have a child in the backseat of your convertible with the top down. Now, I think this is overstretching. If you want to talk about the safety of children, as Representative Fritchey did. Well, the next step, if we're following logic, is to say that a pregnant mother who has a child in her body is harming that child and that we ought to make it illegal to smoke if you're pregnant. That's the next step. This is a slippery slope. Let's say you've got a car, as Representative Black said. You've got a car. It's legal.

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This is a legal product that you've paid your taxes on. It's legal in the State of Illinois. Have some common sense. If we want to actually impact children, let's teach them to use the window control so they can lower the window if they're having trouble with the smoke, but not continually intruding on peoples' lives. This is one step too far. I did... Rep... I'd actually ask if Representative Dunkin could get the trophy because I think that's what this Bill is worth. It was worth about 100 'no' votes. Thank you."

Speaker Hannig: "We've had two in favor and two in response. We have room for one more on each side. And Representative Washington, you're next."

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

Speaker Hannig: "Indicates he'll yield."

Washington: "Representative, I just want to say, you know, most of the time I support everything that you basically come up with 'cause I think it's well thought out. But this particular Bill, when I think about some of the constituents that I do serve and then that so many of them are caught up in vices. They have alcohol problems, they got... they smoke cigarettes, they do everything under the sun that works against their health. And I can imagine some poor mother who's a single parent, who working from 'can't see to can't see', driving off trying to rush to take the kids somewhere, smoking a cigarette, and you catch one of these... these cops out here who don't... who DWB or DWB at Brown, and then stop that mother. And then a situation take place where the child is hurt or the parents is hurt.

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A further burden is put on the parent for not only smoking, but maybe they find out just through the smoking that maybe the... their insurance wasn't so tight. Then they tow the car. And that's the only car she got to get to work. I mean, I can see that in my mind's eye with this legislation. So, based on that, that would be the only reason, because the intent is clear that children don't pick their parents. The parents don't pick their children. They deserve a chance, but at the same time I think more problems would be caused by this Bill based on my constituency base than it would solve. Thank you."

Speaker Hannig: "So, the rules would provide for one additional speaker in support. Representative Mendoza, in support?"

Mendoza: "No, actually, I don't know where I'm at. I have a few questions for the Sponsor. Yeah. I... I would like ask him, if possible."

Speaker Hannig: "Go ahead, Representative."

Mendoza: "Thank you. A few questions. I... I know Representative Winters mentioned about it being in committee and hearing about the convertible, that example which is one of the questions that I had because to me it seems that, you know, in principle it's something that I'd like to support. I... I get offended when I'm driving on the roadway and I see, ya know, the c... the cars on a window rolled up. You see the smoke in the car and little kids in car. It makes you sick to your stomach to think that those parents would be exposing their children to that type of... of, ya know, toxin. However, he's got a very good point on the side that if you're in a convertible it just seems to

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me, without being offensive, it seems ridiculous that we would be allowing somebody to pull someone over for smoking when it... I don't think at that point you're impacting the children's lungs. Another question would be, why did you come up with... with the age limit of 8 years old and not 9? I mean, is there a difference in a child's lung capacity at 9 versus 8, because to me a child is a child and certainly would be at a higher age group than that? So, you might help me figure out where I want to go."

Boland: "Okay."

Mendoza: "But I think I am... I would like to see the Bill tighter drafted, I guess, more tightly drafted before I... I think I decide to support it or not."

Boland: "Well, let me answer on the first one about the convertible. If... if that is a big concern we could... if we can get it to the Senate, look at amending it there. But I would say this. Even in a car moving, ya know, the smoke blowing around can still get in kids' lungs. So, that's number one there. Your second question as far as the age, I think is a good question. The reason I chose 8 and under is because that is the car seat age so that a policeman could tell right away the age. They wouldn't be getting into an argument about that. Actually to tell you the truth, the State of Louisiana and Arkansas have already passed this. And the State of West Virginia has 14 and under, but I chose 8. I thought that would simplify the process of the policeman. The reason I got involved in this, and I... I want to bring this out, I also had the experience of what Representative Fritchey and

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Representative Black in that my father had a heart attack at... in his fifties. He had been a heavy smoker and I saw what that could do to him. But I've never been really against... I've always thought, ya know, if you're an adult you do what you do and... and that's that. But what drew my attention to this particular situation, I was going in... I was in a supermarket parking lot. I got out of my car. I happened to look over and see a car a little bit ahead of me that was sitting there, it was a cold day, windows were up, literally a cloud of smoke in there. And, again, I just thought well, ya know, that's your business. But as I walked and saw closer, I saw a couple little heads in there. And they were in their seats. They didn't have any choice of where they were at. They were not adults. They can't tell their mom or dad, ya know, 'Hey, don't smoke around me. Don't smoke in the car around me. I'm in... ingesting this.' Ya know, they're... they're going to obey their parents and... and do what their parents want. So, I... I think that, one, we have already experienced, as Representative Fritchey said, not only with DUI but the very idea of car seats for little kids. That's the... the purpose of it, to protect the little kids. And not only for the humanitarian reason of protecting their health from problems later on down the road, but also it comes back to haunt us in later health care costs, health insurance costs, Medicaid costs, and so forth down the road."

Speaker Hannig: "We've now had three on each side. You think you can change any votes, Representative Molaro? We'll give you 5 minutes."

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Molaro: "I don't need 5 minutes. I'll just take 2 minutes 'cause I thought she was against it. Ya know, everybody keeps talking about kids. We.. we're getting to far afield. Obviously, ya know, smoking in a car's not like drunk driving. And we talked about convertibles. What is there, one out of a thousand is a convertible? Let me just say this, it's pretty simple. Everybody in this chamber knows they shouldn't have a cloud of smoke when you have two 5 year olds sittin' in the car. Everybody knows that. All we're trying to do is say, hey, let's remind the parents out there and the adults don't smoke in your car when you got two 5 year olds. That's all we're doin'. No one's going to get stopped and be put in jail. We're not going to be over there searching and doing their cars. If you think it's a good idea, vote 'yes'. If you don't, vote 'no'. I think it's a good idea."

Speaker Hannig: "Okay. So, now we've had a full debate on both sides. And Representative Boland, you're recognized to close."

Boland: "Thank you very much, Speaker. I greatly appreciate the debate. I think this is a very important issue. And I think that Representative Molaro really hit on it. What this Bill does is send a very good message out to the public to those rare individuals who as adults are irresponsible enough that they would smoke in a car with little children there and either unknowingly or through negligence, ya know, put in danger their children's health. So, I think, and my good friend Representative Washington, ya know, I've... I likewise have supported him many, many

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times in... in his Bills and particularly in racial profiling. But this is a case where it doesn't matter what race, religion, ethnicity, or anything else. We're trying to protect the children here. We're trying to cut down on later costs that would accumulate because of these things. So, I humbly ask your 'aye' vote. 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? Have all voted who wish? Last call. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 18 voting 'yes' and 91 voting 'no'. And the Bill fails. Representative Coladipietro, you have 37... House Bill 3767. Out of the record. Representative Coulson, you have House Bill 981. Representative Coulson? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 981, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. House Bill 981 will improve the collection of data systems across our health systems. It develops a Health Data Task Force within the Department of Public Health so that we can create linked health care data and measures of analysis so that we can provide a better public policy planning process for our health in the State of Illinois. And I'd appreciate an 'aye' vote."

Speaker Hannig: "The Lady's moved for the passage of House Bill 981. Is there any discussion? Then, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed

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'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative... Okay. Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Monique Davis, you have House Bill 466. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 466, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 466 amends the Charter School Law of the School Code to limit the number of campuses a charter school can have to the number of campuses it has as of this effective date. If a charter school with multiple campuses closes a campus on or after the effective date, then the charter school cannot open another one in its place. The number of campuses it can have is reduced by the number that it closes. The purpose behind this Bill is to keep charter schools small, excuse me, so they may maintain their mission. In addition, there's a desire to prevent charter schools from expanding at the expense of traditional public education. The Illinois Federation of Teachers supports this Bill because it feels that the states only allow a specific number of charters for charter schools. However, some of the charter schools are opening up multiple campuses, thereby increasing the number of charter schools by a loophole in the law. Thank you. I'll answer..."

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Speaker Hannig: "The Lady has moved for the passage of House Bill 466. And on that question, Representative Black. It's Representative Black."

Black: "Oh, I'm... I'm sorry. Thank you very much, Mr. Speaker. Will the Sponsor yield?"

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

Black: "Representative, as... as you know, this was a... an important part of the Chicago school reform process. And from everything I have been... been able to read, it has been relatively successful. But let me ask you, and my point is this. Would this be a bargainable issue with the Chicago Teachers Union and the Chicago School Board?"

Davis, M.: "Well, the issue here, Representative, is it's a violation of our law. Public Act 93-0093, Section 27A-5 states that each charter is for one campus. Its limit.. Each charter is limited to one campus. And what we have going on now, Representative, is they are... they have one charter and they're opening up multiple campuses which is a true violation of the law that we passed. Now, we feel, Representative, if they want more charters they should come back and ask for them. Chicago was allotted 30 charters, downstate was allotted 15 charters, and suburban schools were allotted 15 charters. Chicago has now 72 charter schools when they were legally allotted 30."

Black: "Thank you very much, Representative."

Davis, M.: "You're welcome, Representative Black."

Black: "Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. Our staff feels very strongly that the Chicago Board of Education is within their legal rights under the..

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under the State Law. Let me just tell you, I think this is a bargainable issue and that's where it should be handled rather than bring it down to the General Assembly. But there was a strong editorial in The Chicago Tribune just the other day about the efficacy of the charter school movement in the City of Chicago and how wrong it would be to limit that. Let me just go over some of the facts on charter schools and why I intend to vote 'no' on this Bill. The charter schools in Chicago have entrance exams, they are public schools. They currently serve a student population that is 65 percent African American, 29 percent Latino, and 75 percent low-income students. There are over ten thousand (10,000) students on waiting lists to attend charter public schools. And House Bill 466 would deny public school children and their families that choice. Almost a thousand (1,000) students, if this Bill would become law, would have to change their schools now. Almost every published fact you can read points out that the charter schools in the City of Chicago are high performers. Catalyst Chicago magazine's analysis states, 'Charters are outperforming neighborhood schools where their students would likely have landed if the charter school didn't exist. Graduation rates were especially high and dropout rates were especially low.' A University of Chicago study on college enrollment of CPS grads found that charter public high schools far outpace the average in getting their graduates into college. Four mil... over four million dollars (\$4,000,000) in private funds have been pledged for Math and Science Charter Public School in East Garfield

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Park scheduled to open in September of 2007. Many of these charter schools are in fact heavily supported by private dollars. But when all is said and done and.. and we both.. both sides can quote statistics. We made a good faith effort about 12 years ago to reform Chicago schools. I think.. And I think the Sponsor disagrees with me. I think it's working. I think it's working rather well. And I commend all of those in the City of Chicago, particularly the mayor, the former superintendent Mr. Vallas, the current superintendent. I think they've tried very hard to make the Chicago pub.."

Speaker Hannig: "Representative, could you bring your remarks to a close?"

Black: "Yes, I will. Thank you very much for your indulgence, Mr. Speaker. Ladies and Gentlemen, this process is working. It has a success rate that is clearly available for those who want to find it. It has strong support within the Chicago community. I understand why it does not have strong support in the Chicago Teachers Union. I was a teacher. I belonged to a teachers union. I understand why they don't support it. But the figures are amazing. The parents think it.. think it must work, as they have ten thousand (10,000) children on a waiting list to get in a charter school. It's working. I don't think we need to stop the expansion. I certainly don't think we need to reduce the expansion. I urge a 'no' vote on this Bill. And I don't think we should be here dismantling Chicago public school reform one little piece at a time. I hope you can see your way clear to voting 'no'."

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Speaker Hannig: "Representative Fritchey."

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

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

Fritchey: "Representative, as I told you yesterday on another education Bill, I... I sincerely respect your history and your knowledge on education issues."

Davis, M.: "I... Ya know, I appreciate that because charter schools were not a part of school reform for Chicago. School reform had to do with the implementation of local school councils and the local school council selecting the principal, but it had absolutely nothing to do with charter schools. Charter schools are experimental and that's why they limited the charters to 30."

Fritchey: "Right... Right. Factually, I agree with you. You are... you are correct on everything you just said. But speaking of that experiment, the charter schools around me, they're doing great. They... they... they really are."

Davis, M.: "Well, 16... We have 16 who are on the academic watch list which means less than 50 percent of their children are making the annual yearly progress accepted by the Federal Government."

Fritchey: "But... but was the..."

Davis, M.: "So, we're not... I'm not arguing the merit of charter schools. I am arguing, Representative, the implementation of and adherence to the law. We just passed a Bill to say that immigrants had to have a certif... certificate and have to get insurance. If they don't, they're disobeying the law. These schools who are just popping up without a charter are violating our law."

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Fritchey: "But Representative, here... and... and... and I understand that, but what we are talking about charters with multiple campuses..."

Davis, M.: "Mmm hmm."

Fritchey: "...and talking about charters that are doing well, charters that are turning out well-rounded, well-educated kids that say we want to turn out more well-rounded, well-educated kids, I think that's a... that's a good thing. Folks, as... as I've been down here I learn to defer to people that know better in other areas. Representative, I do consider you to know a lot about this and... and I agree with that, but I'm going to tell you with reluctance both politically and personally... I don't like having you mad at me. I cannot agree with this Bill because when I look at my charters... When I say my charters, the charters that are serving kids in my area. I... I..."

Davis, M.: "So you... So you believe, Representative, that if you're a good driver and you're driving well, you don't need that certification that the law said you got to have?"

Fritchey: "Well, what... what I... what I believe is... is that quality draws quality. And people have different feelings here for different reasons on issues of voucher and school choice."

Davis, M.: "We're not going to close any existing..."

Fritchey: "No, no..."

Davis, M.: "...this will not close any existing schools."

Fritchey: "I... I understand that. Ya know, I don't believe the old adage that people have to be pro private or pro public. Ya know, I'm pro education. I'm pro child. I want that

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child and that child's family to have as many avenues and availabilities open to them to let their child get a good education in an increasingly competitive world that we find ourselves in. So, I have difficulty... I can't speak for anybody else obviously. But to limit the number of charter schools, the one's that are doing good things, to limit them..."

Davis, M.: "So, then we should change the law, Representative Fritchey. I understand your passion and I feel the same. I want children well-rounded, well-educated, just as the Illinois Federation of Teachers agrees with this Bill. Chicago Teachers Union, they agree with this Bill because we want to protect all the children. We know that we allowed 30 charters in Chicago. And the Bill states, it's not implied, it states specifically that each charter can open one campus. It is not... it isn't anything I'm making up. It's here in the law that we passed. We passed a law giving Chicago 30 charters. They are violating the law by having developed 72 schools. And if you have a product and eleven thousand (11,000) people are waiting to go to another school system, then maybe we should change that leadership."

Fritchey: "I... I... I... I under... I understand what you're saying. And... and I guess so, you'll... As... as I'm looking through this, if it was clearly a violation of the law, their redress would be in the courts to enforce law so, you can't open up another school because the law doesn't allow you to. The fact that we are in the Legislature rather than the courtroom seems to tell me that there is not a

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violation of the law but a difference of opinion in what that law should be and how it should read."

Davis, M.: "We don't want to close any existing schools, Representative."

Fritchey: "No, I understand. I understand."

Davis, M.: "Those that are open, that children are attending, we don't want to close those. But what we do want to say is you cannot open anymore..."

Speaker Hannig: "Representative Fritchey, your 5 minutes have expired. Could you bring your remarks to a close?"

Fritchey: "Now see that's not fair. She's smarter than I am and she takes up all my 5 minutes with her answers. I... I understand. Here, let... let me just say, I think this may be a case of people with equal passions may... may wind up disagreeing on... on similar issues though. I'll... I'll come by and see it. Thank you, Speaker."

Speaker Hannig: "Repre... Representative Jerry Mitchell."

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

Speaker Hannig: "Indicates..."

Davis, M.: "Yes."

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

Mitchell, J.: "Representative, you and I have a basic disagreement on the law. I don't think the Chicago charter system is breaking the law at all. Number one, do you know how many high schools there are in Rockford? I can see I've got your full attention."

Davis, M.: "I'm sorry, Sir. What did you say?"

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Mitchell, J.: "John, I appreciate you raising your hand, but you don't really have to anymore. If you want to speak to me just take her mike 'cause she's not paying any attention anyway."

Davis, M.: "Jerry, you..."

Mitchell, J.: "Number one..."

Davis, M.: "...you have my undivided attention."

Mitchell, J.: "Thank you. Do you know how many different campuses there are in Rockford?"

Davis, M.: "No, I don't."

Mitchell, J.: "For Rockf... Rockford public schools?"

Davis, M.: "Chuck Jefferson may know."

Mitchell, J.: "Chuck, knows. There are four, aren't there, Chuck? Okay."

Davis, M.: "Are they charters?"

Mitchell, J.: "Four schools."

Davis, M.: "Okay."

Mitchell, J.: "But there's only one school district. Charter schools... nowhere in the law does it say you cannot... you can only have one campus."

Davis, M.: "It does say so."

Mitchell, J.: "You can have satellite campuses in the public school system and it makes no difference how many campuses you have with a charter."

Davis, M.: "Jerry..."

Mitchell, J.: "We don't have to change the law, it's just how it's interpreted."

Davis, M.: "Jerry, there's no..."

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Mitchell, J.: "Now, your interpretation is that each campus is a charter and so we have too many charters."

Davis, M.: "Let me read the law to you."

Mitchell, J.: "That's not the way the law reads."

Davis, M.: "Can I read it?"

Mitchell, J.: "Your interpretation of the law is different than what the law is."

Davis, M.: "Beginning..."

Mitchell, J.: "Now, if we don't like the fact that we have more than one campus, then we need to change the law to say, 'Thou shalt not have more than one campus for each charter.' And it doesn't say that. The interpretation by the Chicago Teachers Union is that each campus is a charter. That's not what the law says. There's nothing wrong with what's happening. If a charter doesn't make it, we close it down."

Davis, M.: "We've done that. We've done that."

Mitchell, J.: "That seldom happens with public schools and we've got a lot of public schools that are not making AYP. We're working on it. I'm proud of the teachers that we have. I'm proud of our schools. But, folks, there is no violation of law and don't be confused by that. And Mr. Speaker, if this gets the requisite number of votes, I would ask for verification. Thank you."

Speaker Hannig: "You're recognized at that time, Representative. We've now had three speak in opposition. The rules would provide that two additional speakers could rise in support. Representative Sullivan, are you in support? Okay. Representative Monique Davis."

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Davis, M.: "Speaker, I just want to share with Jerry Mitchell..."

Speaker Hannig: "Representative, why... why don't you just close if that's what you wish."

Davis, M.: "I'm ask... No, I don't want to close unless you're... unless I have no more speakers."

Speaker Hannig: "We're done with this debate. You're recognized to close."

Davis, M.: "Okay, thank you. First of all, the 19... what was it? Which General Assembly was it? The 94th General Assembly? Here is the statement. The 93rd, very carefully, Jerry. The 93rd General Assembly states in the law, in the law it says, 'Beginning on the effective date of this Amendatory Act of the 93rd General Assembly in all new applications submitted to the state board or local school board to establish a charter school in a city having a population exceeding five hundred thousand (5000,000), which means Chicago, 'operation of the charter school shall be limited to one campus.' Now, that's the existing law, Jerry. It is limited to one campus. It's in the law, it's written, and it's clear. My Bill says we're not going to close any of those additional campuses that are open, but we're not going to allow any new ones until they come to the General Assembly and request more charters. And the reason for that is a charter school, according to our own definition, is to be experimental... experimental and exceptional. You can't have experimental in campus one, experimental in campus two. The purpose was to find those things that were working well and implement them in our traditional public school system. If we find in most cases

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that people are violating the law, we either ask that they be fined or we impose a criminal offense. But all we're asking is that we no... do not open anymore campuses until you have permission from the Legislature. A campus is not the same as a district. Jerry talked about Rockford having one school district and four schools, but this is different. A charter means you have stated implicitly what your charter is going to do and what your experiment is going to do. And for us to allow this continual growth is very detrimental to the whole process of what a charter school was supposed to be. We're not arguing the merits of whether they're good or whether they're bad because actually, they're taking the same students and their success rate is about equal. Their success rate is about equal based on the different school and the population from which they're drawn. I urge you, Ladies and Gentlemen, to ask people to respect the laws that we make. Respect the laws. Come back to the General Assembly and say, 'We'd like a hundred more charters. We would like a hundred charters.' And if this Body chooses to give a hundred charters, then that's what we should do. But until then, they should obey the law and not expand or open anymore campuses for which they do not have a charter. I beg for your support for the children of the City of Chicago."

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... Mr. Clerk, take the record. On this question, there are 32 voting 'yes' and 77 voting

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'no'. And this Bill fails. Representative Davis, for what reason do you rise?"

Davis, M.: "Can we put it on Postponed Consideration? No? Okay."

Speaker Hannig: "The rules... Representative, the rule requires 47 votes."

Davis, M.: "47?"

Speaker Hannig: "47. So..."

Davis, M.: "Okay, thanks."

Speaker Hannig: "Mr. Clerk, would you read House Bill 3730?"

Clerk Mahoney: "House Bill 3730, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. This is House Bill 3730. And it is a Bill that deals also with schools. It's relatively simple in concept. It is a Bill that allows... Currently under the School Code, we allow authorities to inspect and search places around schools such as lockers, desks, parking lots, and other school properties as well as personal effects. This would simply expand that to allow teachers to do it as well as the school authorities. It's supported by the IEA. It's supported by the IFT. The searches, obviously, that are under this Bill need to be... they have to have reasonable suspicion based on a teacher's professional experience and judgment. I'd appreciate an 'aye' vote."

Speaker Hannig: "Is there any discussion? The Gentleman from Cook, Representative Fritchey."

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

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Speaker Hannig: "Indicates he'll yield."

Fritchey: "Representative, what's the change... My understanding is that they can do this now. What's the change in the actual law?"

Cross: "The... the statute only allows for school authorities. This would expand it to include teachers. School authorities are not considered a... Teachers are not considered school authorities. This would expand the universe, if you will, to include teachers. It's the only change."

Fritchey: "Tom, I believe the last thing you said was that the IFT and IEA support this Bill?"

Cross: "Yep."

Fritchey: "Oh, 'cause they're listed... they're listed on our analysis as opponents. Was there an Amendment that..."

Cross: "I'm sorry. There was an Amendment that said that searches had to be conducted with making sure there was reasonable suspension. I thought I mentioned that, but with that... with that language they are supporters. I apologize if that was confusing."

Fritchey: "Is... is there any... is there any concern here, maybe... maybe the issue was raised about, ya know, a teacher with a vendetta against a student? Or maybe let's think of it from the flip side, maybe liability from a teacher. A teacher decides to check a locker, and the student says that I'm being harassed by that teacher, that the teacher's simply just trying to give me a hard time because of whatever reason it may be."

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Cross: "On... on the liability issue, John, it's a good question. There is immunity currently under the statute to protect them from that. I... I don't think any of us can outright block that prejudice a teacher might have or a vendetta. School authorities could have that same..."

Fritchey: "Okay."

Cross: "Ya know, you could have principal that has a vendetta. So, we've always got to, ya know, fight that and... and... and be aware of it, but I don't know how you stop that."

Fritchey: "No, I think that... I think it's a fair and a appropriate response. Last... last question just 'cause I... I... I don't know about the workings of this law in general. Are... are there... are there any requirements in there, there has to be more than one individual opening up a locker or opening up a desk or anything else because I can... I can obviously see that, ya know, the teacher's going to open it up, find contraban. The student's first response is going to be, 'They must've put it in there. I didn't put it in my locker. They must've done it.' And every case is going to wind up into a, ya know, he said, she said or whatever the case may be."

Cross: "There... there may be a policy that the school board or the local school wants to implement. In this Bill there's not a mandate for instance. And I understand your point. There's not a mandate that there has to be more than one person."

Fritchey: "Okay."

Cross: "But again, it... Yeah."

Fritchey: "Understood. Thank you."

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Speaker Hannig: "Representative Flowers."

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

Speaker Hannig: "Sponsor will yield."

Flowers: "Representative, my concern, if I may follow up behind the previous speaker, in regards to the child's right. Why is it that we should take the word of a teacher over a child? And do they not already have law enforcement in the school whereas if a teacher thought that there was something in this child's locker that that person that's in charge... At least there would be some control and there would be a witness to the fact that something has occurred or something is in the locker as opposed to a teacher that does have a vendetta against the child."

Cross: "Well, there's nothing that would prohibit somebody from calling law enforcement, Representative. And I've... I... I don't quarrel with the vendetta issue, but you could call law enforcement with a van... if you had a vendetta as well. We're talking primarily about illegal drugs, weapons, other substances or materials. And I think the belief is teachers are on the front line... not the belief, the teachers are on the front line. They're there. They're dealing with the students. Not every school, unfortunately or fortunately, has a law enforcement officer there. Some, I think, and maybe in the suburban area or in the city you'll see more of that. In some areas you do not, but I think the... it's a safety issue for students and teachers."

Flowers: "But I... I agree with you being a safety issue. And I think it's a safety is... issue, as you stated, for the teachers as well as the student. And since you made

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mention the fact of teachers dealing with students, you've seen and heard and read the headlines in regards to teachers and their association with students. So, once again, I have to ask the question, why would I, as a parent, believe the teacher over the child? If... if my son or daughter say they didn't put it there and the teacher was angered with them because maybe that student give... didn't give the teacher the necessary attention that he or she wanted, what is the recourse for the child?"

Cross: "I... I'm not sure, Representative, I'm following here. Is this the suggestion that a school teacher might plant something in a locker to get at a student?"

Flowers: "Is that impossible?"

Cross: "I... I... I'm just... I'm just curious if that was your suggestion."

Flowers: "Yes, it is."

Cross: "Okay."

Flowers: "Bec... because teachers..."

Cross: "Of course it's... it's... of course it's possible."

Flowers: "And teachers have been known to have relationships with the students that has been inappropriate."

Cross: "Sure. You're exactly right."

Flowers: "And so, as a... as a result of the inappropriate relationship that the teachers across this nation have been having with the students, why would I give all of this authority to the teachers when as a teacher, my boss is the principal. And if I'm suspicious of something, why should I not be able to go to my boss, the principal?"

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Cross: "Well, you could go to the boss... you could go to your principal. And that's within the law or the principal and the teacher, under this law doesn't change, has the right to call law enforcement. You also have a timing issue that he may need to act on something quickly to protect the other students. I'm... I'm not going to sit here and argue or disagree with you that a teacher could do something inappropriate, but I think that could happen... A teacher right now, under the current law, could plant something in a locker, could plant something in a... in a duffel bag, could plant something in a desk. If that happens, and I... and there are bad teachers, but are... there are also a large number of students, as we've unfortunately seen, that bring weapons to school, bring drugs to school, bring inappropriate material. And I think as a general rule, most teachers, if not all and I certainly would say not all but most, are going to do the right thing and aren't going to be in the process or in the business of holding a vendetta."

Flowers: "Representative, with all due respect, I'm sure that you've read the headlines about some teachers bringing drugs to school, bringing guns to school."

Cross: "Sure there... sure, there are."

Flowers: "And... and..."

Cross: "Yeah."

Flowers: "...some teachers have an interaction with the students and... and this Bill also talks about if a child drive the car, that that teacher could also go into the child's car

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that's on the parking lot. Now, I understand that is school property, but once again, who is the teacher..."

Speaker Hannig: "Representative Flowers, your 5 minutes have expired. Could you briefly bring your remarks to a close?"

Flowers: "Yes. Who is the teacher and what reason would there be there is a possibility that that teacher may have a vendetta against that child, maybe that young girl or young man. So, my point to you is that I think this is very unfair in regards to our children. I think our children are under enough stress. I think we should respect them, educate them, and have trust in them the same way we would want to trust the teachers. And the same way that the teachers have violated the parents' trust, our... our students have also. But there's a process. And for any teacher to have any access to a child's locker or a child's car, I think, we're setting a bad precedent. And I would urge a 'no' vote respectfully, Sir."

Speaker Hannig: "Repre..."

Flowers: "Thank you."

Speaker Hannig: "Representative Eddy."

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

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

Eddy: "Representative, under this legislation, if a teacher just happens to be walking down a hallway and wants to open a locker and rifle through the contents of the locker for no apparent reason, is there anything in this legislation that's giving the teacher that kind of a... a free reign?"

Cross: "That... that's a good question, Representative. The language is very clear at the suggestion, actually, of... at

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the committee and... and maybe even before, the... the teacher must be... the search must be conducted on a reasonable suspicion based on the teacher's professional experience and judgment. And they must be conducted to ensure that the school and the students remain free from the threat of drugs, weapons, and other dangerous weapons. And it must be reasonably related to the objects. So, it's without being excessively intrusive. So, there's got to be cause if that's what you're asking and I think that's a good question."

Eddy: "Now, I... I mean, we're not giving teachers the type of... And... and I respect the concern that the previous speaker had because I would not be interested, and I don't think you'd be interested, in giving anyone that kind of authority that would be freewheeling and... and laissez faire. They could go do what they wanted. What we're saying here is if they have reasonable suspicion, that's a... that's a standard. That... that's a very high standard that we have to have before we can search. And it goes on further to state that if... if the inspection or search is conducted to ensure classrooms, school buildings, and school property, and don't we want all of those things to be free from the threat of illegal drugs, weapons, and dangerous substances or materials? So, not only do we have to have a reasonable suspicion under this Bill, but we have to have a reasonable suspicion that what we're looking for has to do with illicit drugs, weapons, or other dangerous substances. So, we can't just go looking for any reason, and it's got to be specific to things that I think we would

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all agree should be concerns of school officials and teachers included."

Cross: "Did you just me ask a question, Roger?"

Eddy: "Well, I... I just wanted to make sure..."

Cross: "Or you making a statement? I apologize, I was talking to..."

Eddy: "...that your intent is clear to the Body because it... it really is specific in the Bill and it's specific to... to the safety of our children and... and I think it... it clarifies in a large degree the fact that teachers have a responsibility in loco parentis that includes if there is a... a reasonable suspicion that they should do these things. And some... sometimes teachers wonder about that authority. They... they're not sure. This clarifies it. It clarifies it in a narrow way to specific items, and I think that's your intentions."

Cross: "It's clearly my intention. And I... and I... and I, like you, have a respect for the previous speakers, but we also have a responsibility to all the other kids and I think that was your point, to make sure they're free from weapons, to make sure they're free from drugs, to make sure they're free from as much inappropriate behavior as... as we can and in the right... in the right context and making sure it's reasonably done, this seems highly appropriate. So, I appreciate your comments. Thanks."

Eddy: "And... and just, finally, school districts already have a responsibility if a teacher or any administrator has a vendetta, if they have something that, ya know, appears to be nothing more than harassment and... and... and they already

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have that responsibility to... to stop that. And... and I don't think that this legislation certainly creates that problem, but it does specify that... that a teacher's job responsibilities include helping to maintain that the... the campus is safe and that that includes some type of reasonable search with suspicion that that... that can be done. And... and I think it's an important clarification. And I'm happy that you brought it to the Body, and I strongly support this. I urge an 'aye' vote."

Speaker Hannig: "Now had two in favor and two in response. And Representative Franks, you're next."

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

Speaker Hannig: "Indicates he'll yield."

Franks: "Representative, our analysis indicates that the IFT if opposed. Can you let us know why?"

Cross: "I... I'm sorry. Representative Fritchey asked the same question. They're in favor of it. We've... we've... we have an Amendment."

Franks: "Thank you. Now, I'm reading the Bill as it's engrossed. And if can draw your attention to paragraph (e). It's on page 4, if that helps."

Cross: "Line 13 and 14? Lines 13 and 14?"

Franks: "Before we get there. Starting at line 5. Do you have it? Now, presently, the law in the state is that to maintain order and security in the schools, school authorities may inspect and search places, et cetera, et cetera, correct?"

Cross: "Yes."

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Franks: "Okay. I just wanted to make sure you're with me. Now, as this is drafted, when you make the change to this law on line 6 of paragraph (e), it now reads, 'To maintain order and security in the schools, school authorities and teachers acting on any reasonable suspicion based on professional experience and judgment, may inspect' et cetera, et cetera. Now, here's my question. Right now our school authorities can inspect, and there's no requirement for reasonable suspicion. So, I guess that would go if you bring a dog in or something and have a random search of lockers to see if there's drugs in the schools. But what I'm concerned is if I read this, you now require reasonable suspicion not only by the teachers, but by the school authorities, thereby taking away the ability to have a random search."

Cross: "I... I'm getting a little help over here. And he asked a... I understand your question and the random search is not, as... as I'm understanding from Representative Eddy, as to the school. The reasonable suspicion you're talking about, we believe, would be to the student specific. The... the random searches could still go on to the school itself. And I... And you... and you raise a good question, Representative."

Franks: "'Cause I'm... I'm concerned how this is written. And we all want to protect our kids, but what I think what we might have done with the way this was drafted is actually shackled the administration instead of freed them."

Cross: "I... I don't believe we... And again, I understand... could you make your... I understand your point. It's not our read..."

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it's not our read on it, Representative. And it's a fair question. And if... if assuming it passes and we go over to the Senate, if there's... if there's... if someone has... can convince us from case law or from reading this even better, we'll... we'll make that change. I don't believe that's the case."

Franks: "I... for... I guess for legislative intent, I want to make it crystal clear that's not the intent."

Cross: "That's fine. That makes some sense. It's not."

Franks: "Okay."

Cross: "I... I completely understand where you're going. It makes... Your observations are good."

Franks: "Well, thank you. I understand what you're trying to do, and I want to help you get there. And I'm... I'm not against the Bill I don't think. I just want to know how far... how much farther this might expand what we have now. Would it allow, for instance, a teacher on his or her own suspicion to search a child's car that's in the school parking lot?"

Cross: "We believe the answer is 'yes'."

Franks: "Okay. And right now a teacher can't do that, but a school authority can, correct?"

Cross: "That is... that is the law currently."

Franks: "Okay. How do we define 'school authority'? Is it just like the principal and superintendent?"

Cross: "School officials, administrators, and principals, Representative. School officials, administrators, and principals."

Franks: "Okay."

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Cross: "A dean of students would be a school authority."

Franks: "Okay. Well, I guess with the caveat and what we've talked about, I'd like to... to see that checked into, should it pass, on the... It... it may... we may require an Amendment there. So, thank you for your time. And I know it's a very serious issue, and I want to make sure if we're doing it, we're doing it right. So, thank you."

Speaker Hannig: "We'll have one additional speaker. Representative Monique Davis. So, after Representative Davis is finished, we'll go to Representative Cross to close. And then... Okay. Representative Davis."

Davis, M.: "Thank you so much, Mr. Speaker. Representative Cross, is this for public schools or charter schools?"

Cross: "It actually just applies to the School Code. So, any school in the State of Illinois that's subject to the School Code would... It would apply to them, Representative."

Davis, M.: "Do you have charter schools in your district?"

Cross: "Representative, I don't think so. I can't... I can't..."

Davis, M.: "You don't have any?"

Cross: "I don't think I do."

Davis, M.: "Okay."

Cross: "But I... but I... I wouldn't... Are we under oath? I'm not sure, but I... I don't think so."

Davis, M.: "Well, you're under oath depending on your own ethical standards."

Cross: "I... I was trying to be a little light. I... I don't believe I do. Sorry, if you took that the wrong way."

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Davis, M.: "This legislation is saying that if... if a teacher has a reasonable suspicion that a child is carrying something dangerous, is that the idea?"

Cross: "Drug, weapon, gun, marijuana, cocaine, any drug."

Davis, M.: "What would give the teacher the suspicion... what does 'reasonable' mean? 'Cause, you know, we've got teachers nowadays going with students."

Cross: "We have what?"

Davis, M.: "And that... We have teachers who are having relationships with students, and that is most unreasonable."

Cross: "Yes, it is. I couldn't agree more."

Davis, M.: "So, the point is teachers' judgment may not always be a hundred percent on the mark."

Cross: "You're right. I... I... Representative Flowers made that point earlier and she's right too. I agree."

Davis, M.: "So, do you believe that this particular type of legislation could lead to the harassment of students in any way or violation of their... what should we say? What is it a violation of if someone just comes and decides to search you because they have a reasonable suspicion? I want each of you to pretend there's a mirror in front of you, and someone just decides you look like you may have something on you that you shouldn't have. You may not be using it, you may never intend to use it, it may not even belong to you, but you want something drastic to happen if a teacher uses some kind of judgment or Houdini powers to suggest that a student may have something and need to be searched. You know what, to the Bill, Mr. Speaker."

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Speaker Hannig: "To the Bill."

Davis, M.: "This is a good lawyer Bill. As a parent, there will be a lot of lawsuits if this Bill passes because parents are not going to allow people to criminalize their children. When Johnny Mercavich comes home and says... and says, 'Mom, Dad, they went through my book case and my locker. I was so humiliated. Mom, they went through my gym bag. Mom, I was embarrassed. I'm never going back there again.' Mr. Mercavich will immediately call lawyer Lou Lang and say, 'Lou, they have violated my child's person and have made him never want to go to school again.' And Lou Lang will say, 'We'll take care of it. That's a hundred thousand dollar (\$100,000) suit.' So, then all of our education dollars will be spent to answer these lawsuits against teachers who use unreasonable judgment. It's a 'no' vote."

Speaker Hannig: "Representative Cross to close."

Cross: "We've had some very good observations made. I don't disagree with all of them, but I would point out a couple things. The courts have said right now, at least with respect to reasonableness, school officials must identify specific, articulated facts which when taken with their natural inferences, must make... make the intrusion reasonable. Currently, we allow school officials, we allow principals, we allow dean of students, it may be a school board member. I don't know, that may not be it, but we allow school officials and school authorities the right to do this now. I will not sit here and argue that there are teachers that have vendettas. I will not argue with you

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that there're teachers that have conducted themselves in an inappropriate way, but most teachers, just like most Legislators and most people in any profession, are good people, hardworking, and do their jobs very well. There are students and there are parents who expect their students will be safe at school, that they will be safe from drugs, that they will be safe from weapons, that they will be safe as the statute talks about rifles, shotguns, pistols. And if the teacher has the ability to protect the students in his or her classroom because they have a reasonable suspicion and conduct a search because it means their students will be safe in their classroom, or in the hallway, or in the locker room, or in a bathroom, then I don't why we would be objecting to that. It is a volatile world, as we all know. And when a teacher does their job right and doesn't do it in a way that reeks of vendettas or vendetta, then they're... then it's something that should be done and they should have the authority to do that. I would appreciate an 'aye' vote. I think this is about the safety of classrooms, the safety of students, and the safety of the teachers. Thank you, Mr. Speaker."

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 Burke and Dugan, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 91 voting 'yes' and 12 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed.

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Representative Nekritz, you're recognized for an announcement."

Nekritz: "Thank you, Mr. Speaker. I just wanted to... to announce that the Railroad Safety should've been Industry Committee has a hearing on April 9th at 10 a.m. at Bridgeview Village Hall. And we will be talking about some... some national issues with regard to rail, with the focus on the CREATE Program. But that's April 9th at 10. Thank you."

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

Bassi: "A point of personal privilege."

Speaker Hannig: "State your point."

Bassi: "Thank you, Mr. Speaker. In the balcony today, Ladies and Gentlemen, we have Mr. Sandy Sandquist and his family. And Sandy, Sandy's father, and grandfather were... were Members of the Legislature of this Body. His daughter Kara... Stand up, Kara... has been a Page for us today. Will you give them a warm Springfield welcome, please."

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

Franks: "A point of personal privilege."

Speaker Hannig: "State your point."

Franks: "I just want to let the Body know that our own George Scully will be running in the Boston Marathon on the 16th. And we want to wish him well, and we'll see him when he gets back here on the 17th." Speaker Hannig: "Rep... Representative Molaro."

Molaro: "Thank you. For an announcement. Chairman Hamos of the Mass Transit Committee would... would like me to announce

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that on April 16th the Audit Commissions is having a meeting at the JRTC at 9 a.m. in downtown Chicago to talk about the RTA plan. It's supposed to be a joint meeting between the Audit Commission and the Mass Transit Committee."

Speaker Hannig: "Mr. Clerk, would you... what's the status of House Bill 1529?"

Clerk Mahoney: "House Bill 1529's on the Order of Third Reading."

Speaker Hannig: "Return that to the Order of Second Reading at the request of the Sponsor. On page 41 of the Calendar, under the Order of Resolutions, Representative McGuire, you have House Resolution 28."

McGuire: "I'd like to acknowledge that I personally asked Gary Hannig about an hour ago to please pass this Resolution because it's a Resolution that honors the Irish in... in the month of March. And I said to Gary, 'The month of March is almost gone.' So, I really appreciate that, Gary. And I'll be very brief. We had a Resolution a couple weeks ago and I'll read it very expeditiously. Whereas, throughout our history, America has welcomed millions of Irish immigrants to its shores, and those proud people arrived seeking a better life for themselves, their families, and future generations; and whereas, many courageous individuals came during the terrible years of Ireland's Great Famine in the middle of the nineteenth century, and their road to prosperity was not easy; many faced significant obstacles, including discrimination and poverty; despite these challenges, Irish Americans have

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risen to success in every sector of our society; and whereas, many of the Irish immigrants migrated to Illinois and have played major roles in our state's commerce, industry, arts and sciences, and all levels of public and governmental service, including many teachers, firemen, and firefighters, policemen. Be it resolved, by the House of Representatives of the 95th General Assembly of the State of Illinois, that the month of March of 2007 is designated as Irish-American Heritage Month, and all Illinoisans are urged to observe this month by learning about and commemorating the contributions of Irish Americans to our nation, our state, and our local communities; and be it further... be it further resolved that we urge the Governor of Illinois to issue a suitable proclamation recognizing the contributions of Irish Americans to Illinois and to proclaim March of 2007 as Irish-American Heritage Month. Thank you very much."

Speaker Hannig: "So, Representative McGuire moves for the adoption of House Resolution 28. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. On page 43 and page 44 of the Calendar, you'll see a list of Motions in writing to table. We're going to take those all on one Roll Call. So, the question is, 'Shall these Bills be tabled?' All in favor say... vote 'aye'; opposed 'nay'. We'll take a Roll Call. 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? Okay. So, apparently there's been a... there's been a malfunction with the voting apparatus. And

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well, we're going to dump this Roll Call. Shall we dump the Roll Call, Mr. Clerk? So, just frozen forever? It's a good time to adjourn, I guess. So, we'll just dump the Roll Call. Is there... is there leave for the Attendance Roll Call? Okay. So, leave is granted. The Attendance Roll Call will be used and the Motions to Table are all adopted. I just would remind the Members that a few of the committees will be meeting during the spring break and that postings will be available as of Friday, March 30th. Mr. Clerk, can you read the Agreed Resolutions?"

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 259, offered by Representative Stephens. House Resolution 260, offered by Representative Stephens. House Resolution 261, offered by Representative Stephens. House Resolution 262, offered by Representative Stephens. House Resolution 263, offered by Representative Munson. House Resolution 264, offered by Representative Beiser. House Resolution 266, offered by Representative Hamos. And House Joint Resolution 44, offered by Representative Rita."

Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Agreed Resolutions are adopted. Representative Moffitt is recognized."

Moffitt: "Thank you, Mr. Speaker. I rise to a point of personal privilege."

Speaker Hannig: "State your point."

Moffitt: "Now, before everyone leaves, I have a large group from a grade school back in my home, Mable Woolsey

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Elementary School from Knoxville, Illinois, a large contingent. Would you make them welcome, please."

Speaker Hannig: "Welcome to Springfield. Mr. Clerk, read the Adjournment Resolution."

Clerk Mahoney: "House Joint Resolution 45, offered by Representative Currie.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Thursday, March 29, 2007, it stands adjourned until Monday, April 9, 2007, in Perfunctory Session, and when it adjourns on that day, it stands adjourned until Tuesday, April 17, 2007 at 12:00 noon; and when the Senate adjourns on Friday, March 30, 2007, it stands adjourned until April 18, 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. The Adjournment Resolution is adopted. Is there any further business to come before the chamber before we adjourn? Okay, there being none, Representative... Okay, there being... So, allowing perfunctory time for the Clerk, Representative McGuire moves that the House stand adjourned until Tuesday, April 17th, at the hour of 12 noon. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Resolution is adopted and the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of Senate Bills-First Reading. Senate Bill 244, offered by Representative Lang, a Bill for

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an Act concerning State Government. Senate Bill 253, offered by Representative Bost, a Bill for an Act concerning local government. Senate Bill 262, offered by Representative Verschoore, a Bill for an Act concerning gaming. Senate Bill 264, offered by Representative Hamos, a Bill for an Act concerning regulation. Senate Bill 266, offered by Representative Hoffman, a Bill for an Act in relation to education. Senate Bill 273, offered by Representative Mathias, a Bill for an Act concerning criminal law. Senate Bill 290, offered by Representative Phelps, a Bill for an Act concerning local government. Senate Bill 304, offered by Representative Franks, a Bill for an Act concerning revenue. Senate Bill 305, offered by Representative Franks, a Bill for an Act concerning finance. Senate Bill 307, offered by Representative Franks, a Bill for an Act concerning transportation. Senate Bill 308, offered by Representative Tracy, a Bill for an Act concerning State Government. Senate Bill 309, offered by Representative Reis, a Bill for an Act concerning rural technology. Senate Bill 340, offered by Representative Mathias, a Bill for an Act concerning aging. Senate Bill 345, offered by Representative Mathias, a Bill for an Act concerning local government. And Senate Bill 357, offered by Representative Beiser, a Bill for an Act concerning regulation. And Senate Bill 319, offered by Representative Mathias, a Bill for an Act concerning civil law. There being no further business, the House Perfunctory Session will stand adjourned."