

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

45th Legislative Day

05/01/07

Speaker Hannig: "The House will be in order. The Members will be in their seats. Members and guests are asked to refrain from starting their laptops. Turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Reverend Darrell Bendorf who is the Pastor of the Harvard Bible Church in Chemung, Illinois. Reverend Bendorf is the guest of Representative Franks."

Reverend Bendorf: "Oh Lord, our Lord, how excellent is Your name in all the earth who hath set Your glory above the heavens. We will tell of Your marvelous works and we will be glad and rejoice in You. We trust in Your mercy and we hope in Your salvation. You are worthy of our praise and You are accepting of our petitions, thus we petition You on behalf of the State of Illinois. Bless our citizens with quiet, peaceful, prosperous living. Protect our soldiers, sailors and airmen who are in harm's way. Strengthen our families, religious institutions, schools, businesses, and government. Grant that the Members of this Body will decide issues with justice and wisdom. Almighty God, we ask for Your guidance for this Session of the Illinois House of Representatives. And now, may to You, the only wise God, be glory forever through Jesus Christ. Amen."

Speaker Hannig: "Representative Jefferies, will you lead us in the Pledge?"

Jefferies - 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."

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Speaker Hannig: "Roll Call for Attendance. Representative Bost."

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

Speaker Hannig: "Representative Lang."

Lang: "Will announce that the Representatives Patterson and Mendoza are excused today, Mr. Speaker."

Speaker Hannig: "Thank you. Mr. Clerk, take the record. There are 116 Members answering the Roll Call. A quorum is present. Mr. Clerk, read the Committee Reports."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on April 30, 2007, reported the same back with the following recommendations: 'approved for floor consideration' is Amendment #3 to House Bill 146, Amendment #4 to House Bill 477, Amendment #3 to House Bill 818, Amendment #2 to House Bill 827, Amendment #2 to House Bill 1478, Amendment #3 to House Bill 1977, Amendment #1 to House Bill 2003, Amendment #2 to House Bill 3361, Amendment #1 to House Bill 3416, Amendment #3 to House Bill 3428, Amendment #1 to House Bill 3446; 'approved for consideration' is House Resolution 28... 'approved for consideration', referred to the Order of Third Reading is House Bill 2816; 'approved for consideration, recommend be adopted' is House Resolution 315."

Speaker Hannig: "We're going to start on the Order of Second Readings, do a few of those and then switch to Thirds. Starting in alphabetical order off the list that I have, and

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Representative Beaubien, you have the first one on my list which is House Bill 1622. Out of the record. Representative Boland on House Bill 2284. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2284, a Bill for an Act concerning regulation, has been read a second time, previously. No Committee Amendments. Floor Amendment #1 was adopted to the Bill. All note... No further Floor Amendments. All notes have been filed."

Speaker Hannig: "Do you wish us to move that to Third, Representative? Third Reading. Representative Chapa LaVia on House Bill 1977. Out of the record. Representative Coladipietro on House Bill 3767. Out of the record. Representative Dunn on House Bill 3388. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3388, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative D'Amico on House Bill 2749. Okay. Representative Dunkin on House Bill 1351. Out of the record. Representative Ford on House Bill 1360. Do you wish us to read this on Second, Representative Ford, and move it to Third? Mr. Clerk, read the Bill, 1360."

Clerk Mahoney: "House Bill 1360, a Bill for an Act concerning insurance. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

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Speaker Hannig: "Third Reading. Representative Golar on House Bill 1398. Do you wish us to read that Bill? No? Okay. So, out of the record. Representative Lyons on House Bill 1526. No? Okay. Out of the record. Representative Mautino on 380. Out of the record. Representative McCarthy on House Bill 2632. Out of the record. Representative McGuire on 3571. Out of the record. Representative Meyer on 3632. Out of the record. Representative Bill Mitchell on House Bill 308. Out of the record. Representative Mulligan, you have House Bill 1533. Do you wish us to read this on Second? Shall we read it? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1533, a Bill for an Act concerning insurance. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Munson on House Bill 3416. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3416, a Bill for an Act concerning criminal law, has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Munson, has been approved for consideration."

Speaker Hannig: "On the Amendment, Representative."

Munson: "Thank you, Mr. Speaker. The Amendment addresses the concerns of the Committee Chairman by changing a Class X to be changed to a Class I felony in the underlying Bill."

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

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

Speaker Hannig: "Third Reading. Representative Reboletti, you have House Bill 3662. Out of the record. We're going to move to Third Readings. I'll begin at the beginning of the alphabet again and work our way through. Representative Acevedo has House Bill 873. Out of the record. Representative Arroyo on 1078. Representative... Representative Sullivan, for what reason do you rise?"

Sullivan: "Thank you, Mr. Speaker. We were just going through the Order of Second Reading of Bill... moving Second to Thirds, and there was a Bill that, unfortunately I didn't get my button pushed in time to ask a question on, House Bill 1360. Can you ask the Clerk whether there's a secondary Amendment put on this Bill?"

Speaker Hannig: "Certainly. Let's... what was the Bill again, Representative, 1360?"

Sullivan: "1360."

Speaker Hannig: "Mr. Clerk, what is the status of that Bill? What are the status of the Amendments?"

Clerk Mahoney: "One Amendment has been adopted to the Bill. Amendment #1 was adopted in committee."

Speaker Hannig: "Are there any pending Amendments, Representative, in Rules? Repre... Mr. Clerk, are there any pending Amendments?"

Clerk Mahoney: "No further Amendments have been filed."

Speaker Hannig: "Oh... So, the..."

Sullivan: "Okay. So, at this point the Speaker... or the Representative that has the Bill has no further Amendments

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and it was moved to Third Reading. Is that the status of this Bill?"

Speaker Hannig: "That's what I think the Clerk indicated, yes."

Sullivan: "Thank you very much."

Speaker Hannig: "Representative Crespo, you have House Bill 1432. Do you wish to read that on Third Reading? Mr. Clerk, read the Bill, House Bill 1432."

Clerk Mahoney: "House Bill 1432, a Bill for an Act concerning insurance. Third Reading of this House Bill."

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

Crespo: "Thank you, Speaker, Members of the House. This Bill has to do with eating disorders. Currently... current law does not require insurance for health care coverage for the treatment of eating disorders in the state. The Bill makes eating disorders subject to the existing statutory framework of biologically related mater... mental illnesses. So eating disorders are subject to the same standards and procedures of governing coverage, including limits on the frequency of inpatient and outpatient care. This was brought to me by the Alexian Center for Behavioral Health in Hoffman Estates. And I'll entertain any questions."

Speaker Hannig: "Is... this is on the Order of Short Debate. Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

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

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Black: "Representative, do you have any idea how many mandates we put on insurance companies? Do you have a rough idea of the number, twenty (20), thirty (30), forty (40)?"

Crespo: "Representative, as far as total mandates, no, I do not. As far as mental illnesses, I know currently, there's like eight (8) or nine (9) illnesses that are covered and this particular one is excluded."

Black: "If you classify an eating disorder as a serious mental disorder and then my doctor diagnoses me with that and if you follow it through the logical conclusion, then I would have to surrender my FOID card and might be precluded from ever holding certain types of jobs, because I was designated by a doctor as suffering from a serious mental disorder."

Crespo: "First, Representative, I'm not sure right now if they are looking at mental illnesses as a means or ways of not allowing you to carry a FOID card. However, currently, there are other eight (8) or nine (9) illnesses under parity law insurance that are covered; schizophrenia being one (1) of them, others that probably would pose more of a risk than a mental eating disorder which includes anorexia and bulimia, for example. And also, just for the record, I should add that as far as anorexia is concerned, approximately 10 percent or more of the folks that are diagnosed with this end up dying because of related issues due to the illness."

Black: "But generally, in a disorder that is designated as a mental disorder there is a specific parameter. This appears to me to be very, very broad. And if I'm diagnosed with a severe or serious, as your Bill... as your Bill calls it. Let

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me see now, I don't want to make a mistake. Under the policy for a treatment of serious mental illness then you're subjecting that individual to potential impacts down the road that I don't think that individual would be fully aware of."

Crespo: "Actually, Representative, the eating disorders are already included under DSM, which is a manual that regulates all illnesses nationwide."

Black: "Okay."

Crespo: "So this one is included. The only difference in this state is it has not made it into the parity law in terms of illnesses that are covered by insurance. So, in other words, I guess that that would apply, the same thing would apply to all the other eight (8) or nine (9) illnesses from autism to schizophrenia to whatever's listed on the DSM."

Black: "If I worked for a company that is self-insured, does this mandate impact my health coverage?"

Crespo: "The same way it would mandate the other related illnesses included under the parity law, Representative."

Black: "You sure? Because I don't think it covers... I think if we're self-insured it doesn't cover us at all. We don't have to..."

Crespo: "Sure, if it doesn't cover the other illnesses, it wouldn't cover this one either."

Black: "No, we don't... if you're self-insured under the Federal ERISA Act, these mandates don't bother you at all. I mean, they're not enforceable."

Crespo: "Yeah, and unfortunately, Representative, that applies right now with the other mental illnesses covered under the

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parity law. So, if they're not covered right now, hence, neither would the eating disorders."

Black: "So, I just had a cheeseburger for lunch. It's probably not the most healthy thing I could have, and I like cheeseburgers. But, again, I know they're probably not something I should eat two (2) or three (3) times a week. Does that mean I have an eating disorder?"

Crespo: "I... Sounds like it, but I don't think under this law it would. Just to let you know, Representative, under bulimia nervosa, at a high level, just to let you know, the subject's engaged in a recurring binge eating followed by an intentional purging. And it's not just a one-time episode, but this is a continuous thing that happens for a while before they get treatment."

Black: "So..."

Crespo: "The same thing with anorexia nervosa. I guess someone could argue using the same line of reasoning that, if I don't like to eat or if I'm on a very strict diet, I am therefore anorexic, that is not the case."

Black: "Mr. Speaker, to the Bill."

Speaker Hannig: "Representative, your time is just about expired. How about if we just allow you to speak to the Bill?"

Black: "Fine."

Speaker Hannig: "We can give you an extra five (5) minutes if you need it."

Black: "No, no, that's fine. Thank you very much."

Speaker Hannig: "Okay. So, Proceed."

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Black: "Ladies and Gentlemen of the House, this Bill goes far beyond anorexia or any of the recognizable eating disorders. This creates a very broad spectrum of what would constitute an eating disorder and then mandate your insurance coverage to cover it. You know, I suppose since I weigh 205 pounds now and I weighed 149 when I came here 21 years ago, I have an eating disorder. This goes far beyond anorexia, binge eating and purging. This opens up the definition to what anybody wants to declare in my view as what an eating disorder is. And many eating disorders are that you just eat too much. And I don't know, I don't want to be in a category where I'm diagnosed as having a serious mental illness if I overeat. I'm certainly not anorexic. That's obvious by looking at me. This Bill has long-term implications that go far beyond what you would normally consider to be an eating disorder. And I think as Representative Mautino on the Democrat side of the aisle has pointed out many times, as a businessman, the more we mandate the less insurance he can afford to offer. This coverage will not be offered premium free. It's now opening up a completely new area of risk and the insurance companies will have to react accordingly with higher premiums. I don't think this Bill has been given the long range thought that it needs. I think the definition is far too broad and carries some implications that people are not going to know about until they enter the job market or try to get certain things done in their career and they're going to find out that they have been diagnosed as a... suffering from a serious mental illness. I would urge a 'no' vote on the Bill and,

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Mr. Speaker, would ask if it gets the requisite number for passage would seek a verification."

Speaker Hannig: "And you will be recognized at that point, Representative Black. Representative Osmond."

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

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

Osmond: "Could you tell me what eating disorders are included under the DSM?"

Crespo: "Under DSM you have, one (1) second, anorexia nervosa, bulimia nervosa and a term they use, EDNOS, which is a category that includes disorders that do not meet all of the specific criteria for any specific eating disorder. So in other words, anorexia, for example, it could include all of the attributes of anorexia. It might not have a menstrual cycle... the young lady might have a menstrual cycle which typically they don't. Pretty much it meets all the other... all the other criteria."

Osmond: "Does this mandate include obesity?"

Crespo: "No. There's just anorexia, bulimia and the EDNOS. I should add, too, the definitions are... actually definitions, they're out there by the American Psychiatric Association, and are also included in the most recent manual that includes all these disorders. So they're the ones that are actually identifying what the eating disorder is."

Osmond: "Does this mandate require payment for treatment of obesity at all, such as Weight Watchers or a health spa?"

Crespo: "Not the way I read it here. On the analysis it's not."

Osmond: "What about binge eating disorders?"

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Crespo: "Give me one second, Representative. Well, actually... well, as it's related to bulimia nervosa, yes."

Osmond: "It does?"

Crespo: "As it's related to bulimia nervosa."

Osmond: "Is your intent to only have binge eating with that coverage?"

Crespo: "The intent here is again just following the definitions under the DSM. And, again, I repeat, this includes anorexia nervosa, bulimia and the EDNOS."

Osmond: "Well, I think that there's some dispute about EDNOS covering this with the various binge eating disorders."

Crespo: "Well, you know, again, Representative, I would have to leave that to the psychologists or psychiatrists treating the person. EDNOS, as I understand it, has been explained to me pretty much it would cover any eating disorder in cases where most of the criteria is... is met, minus one (1) or two (2). So, in the minds of the psychiatrists or psychologists they pretty much fall in that category."

Osmond: "Does this include psychological services related to medical condition... medical conditions induced by eating disorders, such as high cholesterol, heart disease or diabetes?"

Crespo: "I think that's a by-product of the disorder to the extent that it has to be treated, will probably fall under some other insurance coverage. But it sounds to me what you're explaining there is mostly a by-product of the illness."

Osmond: "Well, I guess my problem here is that I think a lot of this has to do with how the treatment is to be given and I

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think it opens a very wide area to say that if you have high blood pressure they're going to ask you to take a certain medication and exercise and perhaps send them to a facility to, you know, exercise or that and that would make it under the Insurance Code that they would have to pay for it. And I think that there's a gap there that's not really being looked at in this Bill."

Crespo: "Representative, I appreciate your feedback. Again, I'm just going to have to rely on the American Psychiatric Association and the manual, the DSM that pretty much determines what these illnesses are."

Speaker Hannig: "Representative, your time is expired. Could you bring your remarks to a close, please."

Osmond: "Yes. I really do not believe that... I mean I... although the Sponsor's intentions are good, I really do not think that this should be the time that we're going to put this into the Insurance Code. Thank you very much. I request a 'no' vote."

Speaker Hannig: "So under the rules of Standard Debate we've now had one (1) in favor and two (2) in opposition. Representative Leitch, you're recognized in support or opposition?"

Leitch: "Opposition."

Speaker Hannig: "Okay, proceed."

Leitch: "Will the Gentleman yield?"

Speaker Hannig: "Indicates he'll yield."

Leitch: "My question is why don't you simply put in the category for bulimia or anorexia? I mean, why would you characterize this as serious mental illness?"

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Crespo: "Representative, I'm not the one categorizing this as a serious illness. The American Psychiatric Association is doing that and it's also disclosed in their DSM manual that it is a mental illness with biological implications as well."

Leitch: "Well, I... To the Bill. I would simply say anybody who's familiar with what schizophrenia or severe bipolar paranoia are would know that that is a far cry from what's being proposed here. And I agree with one of the former speakers that to label a person as having serious mental illness for bulimia or anorexia is something that makes absolutely no sense whatsoever. I don't care what the American Psychiatric Association definition is, this makes no common sense whatsoever. And I would urge a 'no' vote."

Speaker Hannig: "We've had one (1) in support and a full complement of three (3) in opposition. So the rule book provides that two (2) additional speakers can be in support. So, Representative Franks, are you in support?"

Franks: "I think so. I need to ask some questions, though."

Speaker Hannig: "In support. You're recognized for 5 minutes."

Franks: "Thank you. Representative, I'm reading our analysis here and does your Bill simply add eating disorders to the provisions of the Illinois Insurance Code that would be covered?"

Crespo: "That's basically what it does, yes."

Franks: "And do you specifically lay out each of the eating disorders that would be covered by insurance?"

Crespo: "Basically, Representative, all I'm asking to do is to make sure that all the illnesses, mental illnesses, which

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are included under the American Psychiatric Association in their Diagnostical (sic- Diagnostic) and Statistical Manual that includes schizophrenia, paranoia, bipolar disorders, manic depressive disorders, obsessive-compulsive disorders. It also includes eating disorders and verbatim including anorexia nervosa, bulimia nervosa and eating disorders not otherwise specified. So, all I'm saying or asking for is that it follows the same logic it does including all the other eating disorders that includes, not eating, mental disorders that includes this one as well."

Franks: "And this is based on the most recent Diagnostic and Statistical Manual which has been published by the American Psychiatric Association?"

Crespo: "That sure is and that's pretty much the bible of mental illnesses. I heard one of the other Representatives say that he didn't care what they have to say. I think I do and I think we should do as well."

Franks: "Is the American Psychiatric Association the preeminent association in dealing with eating disorders?"

Crespo: "Yes, they are."

Franks: "So you got this directly from their manual based on their science?"

Crespo: "You're correct."

Franks: "Okay. Is there anyone opposed to this Bill?"

Crespo: "Actually, well... well, needless to say, the insurers, insurers for the most part."

Franks: "Okay. 'Cause our analysis indicates there are two (2) opponents, the Illinois Manufacturers Association and the

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Illinois Chamber Health Care Council. Are those the only two (2) that you're aware of?"

Crespo: "Those are the only two (2), yes."

Franks: "Now let's talk about the proponents for a moment. Have you... Our analysis indicates that the Illinois Psychiatric Society, the Mental Health Association of Illinois and the Illinois Dietetic Association, the Community Behavioral Health Care Association. Are you aware of any others that are in support?"

Crespo: "Actually, yes, the Behavioral Health Center in... the St. Alexian Behavioral Health Center in Hoffman Estates. 'Cause they're the ones who brought it to my attention."

Franks: "Do you happen to know now how insurance companies treat these disorders? For instance, you would like to have anorexia nervosa and bulimia nervosa added for insurance coverage, how are those illnesses treated now?"

Crespo: "How... Yeah, I wish I could tell you, Representative. All I know is right now there's some insurance companies that do cover part of the cost, but they're not required to do so. So, obviously, the problem that we run into is some of these young folks, typically young girls who are afflicted by this illness might or might not have insurance, and if they do, it falls short of what's required and it falls short from all the other mental illnesses as well. And this... In certain emergencies, obviously, they'll cover that, but once it's identified as an eating disorder, insurance companies are not required."

Franks: "Do you know what the treatment modalities are for anorexia nervosa and bulimia nervosa?"

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Crespo: "Actually, it's a pretty comprehensive approach, Representative. I know there's some inpatient care that needs to take place. They deal with depression as well and other related illnesses."

Franks: "When you talk about the inpatient care, do we know how long the insurance companies will allow one to stay as an inpatient right now, to be treated for these illnesses?"

Crespo: "It varies by insurance companies, Representative. Some insurance companies don't cover it at all because it's not required. If they do, they do cover some of the days whether... What I've heard from the experts in the field, it's not adequate. And right now, all we're asking is we might not even need that threshold of adequacy, we just want to make sure it meets the threshold that's met by all the other mental disorders."

Franks: "Okay."

Crespo: "For example, most mental disorders might cover forty (40) days of inpatient care and this one..."

Speaker Hannig: "Representative Franks, your time has expired. Could you bring your remarks to a close?"

Franks: "Are there any fiscal notes attached to this Bill?"

Crespo: "Well, the only... None requested and filed."

Franks: "So we don't know whether there's any cost attached to the state or to the businesses."

Crespo: "Right."

Franks: "Okay. I appreciate you spending so much time clarifying this issue. To the Bill, shortly. I believe the Gentleman brings a very important Bill. I think there's been, by the insurance industry, a real stigma and

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predilection against covering mental illness. We wouldn't be having this discussion if someone had fallen down and broken a bone. But because this is a mental illness, there seems to be a real bias against covering people who need help. This is a commonsense solution where if we can treat these illnesses and have preventive measures, it would certainly save in the long run. But I think it's time that we put on parity physical ailments with mental ailments. And I think this is a good start in where we need to go and we cannot continue to discriminate against people with mental illness. This is a Bill that we should be voting for. Thank you."

Speaker Hannig: "We've had two (2) in support and three (3) in opposition. The rules provide for one (1) additional speaker in support. Representative Lang, are you in support?"

Lang: "Yes, but I have questions of the Sponsor."

Speaker Hannig: "You can ask your questions. You have 5 minutes."

Lang: "Thank you. Were other people limited by the clock? I'm just wondering."

Speaker Hannig: "Yes, we've been running the clock on everyone."

Lang: "All right. Thank you, Mr. Speaker. I'd hate to not get..."

Speaker Hannig: "Everyone, I would just..."

Lang: "...the same privilege that Mr. Franks got. Oops! I mentioned your name in debate."

Speaker Hannig: "He... We had the clock on him as well, Representative Lang."

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Lang: "All right. I think I may have mentioned Mr. Franks name in debate, twice. Representative, you may know that before you arrived on the scene here I sponsored the Bill that allowed for mental health parity. I'm glad to see that you want to add some provisions to the current law. Was there any testimony in committee that would have indicated that these mental disorders that you want to add are not psychiatric disorders?"

Crespo: "No, there's not."

Lang: "And was there any testimony in committee from anyone, even the opponents of the Bill that might have indicated that they're not disorders at all?"

Crespo: "No, there weren't any. No one showed up at the hearings either."

Lang: "No one was in committee on this?"

Crespo: "On the opponents' side, no."

Lang: "So no one testified against this Bill in committee? Nobody came to raise this mandate red herring?"

Crespo: "No."

Lang: "Strange. And yet those who seem to be opposed to it seem to want to talk about mandates. Don't you find that odd? Speak up, Representative."

Crespo: "Yes, Sir."

Lang: "All right. So, how's the Mental Health Parity Law working today in Illinois? Is it working pretty well? Are people getting coverage for the illnesses that are listed in the law?"

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Crespo: "Yeah, well, there seems to be. There hasn't been any attempt to repeal the laws as they are today, Representative."

Lang: "And you may not recall this, but I think when we passed the Mental Health Parity Law, while we... it certainly was not a unanimous vote, it got a very strong level of support because we have over the years on this House Floor, raised the awareness of Legislators to the importance of dealing with mental health issues. And I think you raise again today with your Bill, that the Mental Health Parity Law we passed previously was not perfect and it needs to be changed. So I... Would it be fair to say that you have some significant evidence that these two (2) issues that you want to add to the law are severe problems in our society today?"

Crespo: "Correct. Yes, Sir."

Lang: "You give very short answers, Representative. And so wouldn't it be also fair to say that there are some very famous people that have died from these diseases?"

Crespo: "Yeah, that's right."

Lang: "So, all you're really trying to do here is take a parity law that we passed, which was at the time kind of bare-bones, and you're trying to add things to the law to make sure that the law has teeth. Would that be fair to say?"

Crespo: "That's fair, Representative. And again, as I mentioned before, this is something that was brought to me by a local behavioral health center in my district. And also, you know, just for the record, I use to coach track and field and cross-country in junior high and unfortunately, a lot of these young girls were afflicted by this illness. I did

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take part in some of the support groups and I'll tell you, the toughest thing for me was to see some of these young girls have to leave treatment early because they did not have enough insurance to cover treatment. And as I'm sitting there in these support group meetings, you can visibly tell they're not ready to go. So, although it was brought to me by a local behavioral health center, I've had personal experience in dealing with some of the young... young girls who were afflicted by this illness as well."

Lang: "Thank you. Mr. Speaker, to the Bill. You know, the Mental Health Parity Law we passed was not perfect when we passed it, but it was all we could pass at the time. But I think in the passage of time and in the fact that we've now renewed the Mental Health Parity Law for an additional three (3) years, we have on this House Floor acknowledged the fact that serious mental illness is just as important to be covered in insurance policies as serious physical illness. We have, over a period of years, started to remove the stigma of this and we're willing to talk about it. There are Representatives on both sides of the aisle, I'm thinking now, particularly on the other side of the aisle, Representative Bellock, who's worked very hard on issues regarding mental illness, worked very hard to pass a Mental Health Parity Law and it would be a shame if anybody voted against the Bill that simply is designed to make the previous law that we passed better. We need to cover all mental illness if the parity law is to have any teeth at all, if it's to have any meaning at all. And I for one am

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pleased that the Sponsor's brought this Bill forward and I thank him very much."

Speaker Hannig: "We've now had three (3) speak in favor and three (3) in opposition. The rules of Standard Debate... Representative Mulligan, for what reason do you rise?"

Mulligan: "I'd like to take it off of Standard Debate."

Speaker Hannig: "You'd like to move it to unlimited or extended?"

Mulligan: "Extended."

Speaker Hannig: "Okay. So, we'll go to extended debate and Representative Mulligan, you're recognized for 5 minutes."

Mulligan: "Thank you, Mr. Speaker. I had turned off my light and not intended to speak, except in the questioning from several of the last two (2) Representatives and Representative Crespo, I felt that there was a misconception put out about what happened in committee. First of all, we repeatedly asked Representative Crespo to narrow the field because a lot of us do believe that anorexia and bulimia should be covered. The problem was he made the Bill so overly broad that it covers everything from soup to nuts. And although we pointed this out to him and asked him to bring the Bill back and then he came and he brought the Bill back, and then he said it was late and he's going to get it out no matter what. Well, you know, that's a misconception over what we support. Many of us were for mental health parity, many of us believe that these two (2) particular diseases should be covered, but the fact was there was a lot of discussion. This was slipped by people that were against the Bill, but it was ran through in rather a hasty measure

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and we've discussed it repeatedly. So, to give the impression from Legislators who were not in the committee and did not hear the debate, that many of us who do not care to support this in this form are against mental health or against supporting the two (2) main issues, which would be bulimia and anorexia, is wrong. And so I think what it does is it makes a Bill that is not particularly a good Bill that with a little fine tuning would have been all right, a bad Bill. And unfortunately, if you get up and you weren't in committee and you allude to something that is overly broad, the people that weren't in committee don't understand that. That's why there is debate in committee because that's where you're supposed to go over it a little stronger. This Bill needs to be narrowed. We've asked the Sponsor that over and over again. This covers everything from soup to nuts in an eating disorder. If you want to go in to a local hospital and go over nutrition, you need a prescription from a doctor, you have to go to the nutritionist, it's a hundred (100) plus dollars an hour if you're diabetic and you want them to go over what's, you know, how you should mention your diet. Binge eating, overeating, you know, binge and purge is bulimia. Binge is not. The discussion is you should have defined the Bill better. We asked him to do that. He did not do it. All he would have had to done is come back and limit it to those two (2) areas. Why he didn't, I don't know. The committee in general who is pretty disposed to supporting health care and a lot of us who are very disposed to supporting mental health, felt that that would have been the easy thing to do. And why he

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chose not to do it, I don't know. Can we assure that that's what's going to happen in the Senate? No, I don't think we can. If we should just go on passing Bills with whatever a Representative puts on a Bill, because they can get it out of committee, because they're in the Majority or people are in a hurry, when they claim they're going to make it better, it does not make us good Legislators. It makes us very imperfect Legislators. And I don't think it's fair when the committee discussed this over and over again and a lot of people assumed that he was going to make it better and he didn't, that we should vote for this. Thank you."

Speaker Hannig: "So under the rules of Extended Debate there could be two (2) additional speakers in favor and one (1) in response. Representative Washington, you're recognized for 5 minutes and which side would you like to speak on? Would you be like... would you like to be in favor or in opposition?"

Washington: "Yes, Sir."

Speaker Hannig: "In favor? Proceed."

Washington: "Yes."

Speaker Hannig: "Proceed."

Washington: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Washington: "Representative, what was the real reason why you wrote this Bill that in some ways seems bizarre to some people?"

Crespo: "I'm sorry, Representative..."

Washington: "What was the genesis of this Bill that some... that seems somewhat bizarre to some people?"

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Crespo: "Representative, you know what, I'm not sure what's so bizarre. I mean what I've heard today is from some Representatives, what they're giving me is a matter of opinion. This is not a matter of opinion, folks. These are the same criteria that we see in the Diagnostic Statistical Manual, which is also know as the DSM, published by the American Psychiatric Association which pretty much, pretty much dictates all the treatment and how the other mental illnesses are treated. So it's not a matter of what I think, not a matter... I'm trying to throw all these nuts and bolts into this thing. This is a very narrowly defined by the DSM. It's not a matter of opinion, Representative."

Washington: "Representative, I wouldn't... you know, I'm for the Bill. I was... I was just merely asking whether there was someone personally you knew or whether there was someone's child you know or someone in your family that that's the reason why you would come out with this particular disorder."

Crespo: "Representative, I apologize. I'm unable to hear. I couldn't hear you."

Washington: "Now I was saying, what was the genesis why you chose this particular issue? Was it someone in your family; was it someone you knew that's affected by this?"

Crespo: "Well, Representative, as I mentioned earlier we do have the St. Alexian Behavioral Health Center in my district. I did mention as well that I've met some young ladies that have been afflicted by this thing. If I've had a... you know, if I do have a relative, a daughter or something like that that's been afflicted by this thing, I'd rather not even

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talk about that, Representative. I don't think it gets to the issue. This is something that I've heard, something that I've seen. I've met some of these young ladies and it's a real problem. But then again, it's not a matter of what I think. It's not a matter of opinion; it's a matter of what's just, what's fair. And all I'm saying is that the eating disorders should be included under the parity law and should be included with the other mental illnesses which are currently included in the DSM."

Washington: "Well, Representative, I... you know, I concur that I think that this is a mental illness because I've known a few people who have suffered from this. I mean, I'm sure Lionel Richie would appreciate this Bill in its fullest, being that his daughter's been all in the news from suffering from this kind of mental illness. And then when you think about people who could take in the natural consumption of food and then turn around and regurgitate it up and constantly do that until they get a feeling of fullness and then turn around and every time they look in the mirror they look too fat, that is clearly a mental illness. I can't see how anybody would object to this. To the Bill. Mr. Speaker, I think this is good Bill. I intend to vote for it. I think it's an issue that's not talked about that often in the community because there's not too many people I think that you come across that's either affected by the mental illness that causes anorexia or bulimia, but I think it's something that really needs to be addressed and really needs to be included in coverage. And I urge an 'aye' vote."

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Speaker Hannig: "Representative Bellock, would you like to rise in support or in opposition?"

Bellock: "In opposition or concerns."

Speaker Hannig: "Proceed. Five (5) minutes."

Bellock: "Thank you very much, Mr. Speaker. To the Bill. I always usually sponsor mental health Bills, especially since I sponsored the parity Bill for mental illness. My concern with this Bill is that I have known several young people that have suffered from eating disorders but that were not seriously mentally ill, and that there are some people who do have eating disorders that do have serious problems. But I think in this Bill, especially in the part that I'm concerned about is the part that describes the EDNOS, the eating disorders not otherwise specified, and it seems so broad to be in this Bill. I think the anorexia and the bulimia is one thing, but the eating disorders not... not otherwise specified is extremely broad for a Bill to be considered under the Bill that we fought so hard for, for a couple of years of the mental health disparity because we know how important it is to treat people the same who have mental illness and have physical illness. But my concern with this Bill is that it's broad and it does not specify exactly some of the other illnesses that I think we'll be required to cover. Thank you."

Speaker Hannig: "Representative Crespo, you're recognized to close."

Crespo: "Thank you, Speaker. I want to thank all the Members for their input on this thing. As I mentioned earlier, this is not a matter of opinion, it is a fact. We do have the

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DSM; we do have the American Psychiatric Association saying this is an issue. All we're asking for is that under the parity law that insurers do cover this eating disorder like they cover other mental illnesses. On a personal note or matter of opinion, if you may, yes, I've had experience. I've known young ladies who've gone through this. Ten percent or more of folks that are afflicted by anorexia end up dying because of other related issues related to this illness. But it's a big problem. It keeps growing. And the toughest thing, folks, is when you see young girls or people who are afflicted by this thing cannot complete their treatment because insurance companies do not want to cover the illness. All I'm saying is, the insurance companies should be required to cover it and they should also be required to cover it at par with the other illnesses in the state. Again, I want to thank all of you. It is a matter that as I mentioned before it came to me by the Behavioral Health Center, and unfortunately I've had to work and meet a lot of the young girls who've been afflicted by this. So, I ask for 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? Representative Bost and Coulson, do you wish to be recorded? Mr. Clerk, take the record. Okay. Representative, would you like to put this on Postponed Consideration?"

Crespo: "Yeah."

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Speaker Hannig: "Okay. Let's put this on the Order of Postponed Consideration. Representative Stephens."

Stephens: "Inquiry of the Chair."

Speaker Hannig: "Sure, state your inquiry."

Stephens: "When a Bill loses by... gets more than 47 votes, 47 or more."

Speaker Hannig: "Right."

Stephens: "Such as just occurred. The Sponsor, if he wants further consideration of that Bill, can seek permission from the Body for Postponed Consideration?"

Speaker Hannig: "The rules provide that you can have Postponed Consideration, that's correct."

Stephens: "Which means that you would get another bite of the apple; you can vote on it later in this Session."

Speaker Hannig: "That's correct."

Stephens: "So if you care about that Motion that failed you can right at that moment say, you know what, I want another vote. If you fail to seek Postponed Consideration, the issue to me is presumed dead."

Speaker Hannig: "Well, you have that option, Representative. And for example, you might recall Representative Fritchey declined Postponed Consideration."

Stephens: "I understand. You know what, very good point. Thank you."

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

Black: "Inquiry of the Chair."

Speaker Hannig: "State your inquiry."

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Black: "Mr. Speaker, following up on Representative Stephens' inquiry, I think what is disturbing some of us, the Chair leads the Sponsor into seeking postponed. It's up to the Sponsor to request that and I can't find in the House Rules, nor in past practice, it's been a... and not just you. I'm not... I've noticed it more this year than ever in the past, where the Chair says do you want Postponed Consideration or I assume you want Postponed Consideration? If the Sponsor doesn't say it, I'm not sure the Speaker should lead the issue. So I'm admonishing the Chair to be neutral in such cases."

Speaker Hannig: "I appreciate your thought, Representative. The... Sometimes after we take the vote the microphones are not on, so I can't always hear what, yeah, what the Gentleman is trying to say, so we... I ask the question. So, in any case, that's on the Order of Postponed Consideration. And Representative Flowers, you have House Bill 1335. Would you like us to read that? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1335, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1335 would allow the children of the City of Chicago to have one ten-minute recess a day and I know of no opposition regarding to letting the children go out to play. Thank you. And I ask for the passage of House Bill 1335."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this

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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 Acevedo, Colvin, Dunn, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'yes', and 5 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Granberg, you have House Bill 1496. Out of the record. Representative Hamos, you have House Bill 1331. Out of the record. Representative Hernandez, you have House Bill 1641. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1641, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Hernandez."

Hernandez: "Thank you, Speaker. Members of the House, House Bill 1641 expands the definition of 'crime victim' within the Rights of Crime Victims and Witnesses Act to include both parents, legal guardians and foster parents of a child killed as a result of a violent crime perpetrated against the child or both parents, legal guardians and foster parents of a child victim who is physically or mentally incapable of exercising his or her rights. The Bill also amends the rights of crime victims' section of the Act. Under this legislation a crime victim will now have the right to be present at proceedings adjudicated under the Juvenile Court Act and to bring with them a victim witness specialist. And victim witness special advocate or other support person of the victim choice must abide by the rules

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of confidentiality governing such proceedings. This language is designed to clear up any confusion as to whether victim witnesses' specialists can be present at adjudications under the Juvenile Court Act. Finally, the Bill provides that a victim of a violent crime also has a right to put... to present a victim impact statement at any dispositional hearing which takes place pursuant to a trial or plea of delinquency. Current law provides that a victim of a violent crime has the right to present a victim impact statement at any dispositional hearing which takes place pursuant to an adjudication of delinquency. The additional language makes it clear that a victim impact statement can also be presented at a trial or plea. Victim... victim impact statements are an effective means of allowing the defendant to hear the impact of the crime and more importantly, for the victim to express how the crime has impacted her or his life. I ask for your 'aye' vote."

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

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

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

Black: "Representative, under the victims... Rights of Crime Victims and Witnesses Act is it possible... I thought there was a fund set up where those victims that were impacted by a crime could in some cases receive compensation for their discomfort, taking off work to testify. Am I wrong? I mean it's been a long time since I've dealt with this Act."

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Hernandez: "Basically, the goal of the Bill is to ensure that all those impacted by a violent crime are able to receive some compensations for various expenses."

Black: "Okay. Now, you're including both parents. Now what... what would happen in the case where a parent, either the mother or father, deserted the child at birth, hasn't seen the child in twenty (20) years; suddenly shows up after the murder claiming all of the rights of the victim, the right to make a victim impact statement, the right for reimbursement to fly in from the coast to make the victim's impact statement, but this parent has had nothing to do with this child since the day the child was born?"

Hernandez: "Representative, that's really not the gist of the Bill. I think that would be really like a judgment call."

Black: "Well, who would make the judgment? Your Act says... your Act clearly includes both parents and Ozzie and Harriet Nelson died a long time ago. And a lot of families in my district are one-parent families and the other parent may have abandoned that family, in some cases before the child was even born. Now, I don't want them coming back after the tragic death of the child and suddenly claiming all their rights under the victims law; compensation to fly in from the coast, giving an emotional victim's impact statement before the judge when by all rights, except it never happened in a court of law, that parent should have had their parental rights terminated."

Hernandez: "Well, currently, right now, we have either one parent or..."

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Black: "And I understand that. And that's generally the custodial parent."

Hernandez: "Right."

Black: "But now you're including both parents, both biological parents, foster parents, legal guardians, and some of these people have had nothing to do with this victim. In fact, may have abandoned the victim."

Hernandez: "I do know that the Bill will allow if a family member is not available that there is an adult representative such as a grandparent, an aunt or a cousin could be substituted."

Black: "Who makes the decision, since your Bill says both parents? And it may be well-known in the family and well-known to the State's Attorneys Office that one of the parents, one of the biological parents has been gone for years, abandoned the mother, let's say, even before the child was born. Now who makes the decision that the parent who abandoned the family suddenly shows up claiming all of his rights under the Victims Witness Act. Can the judge say, excuse me, excuse me, you've had nothing to do with this child, you abandoned the child's mother, I'm not recognizing you?"

Hernandez: "Representative, I believe that is so."

Black: "All right. So my staff feels that you are right, that the judge could make that decision..."

Hernandez: "That's correct."

Black: "...and just simply say, look, in my opinion..."

Speaker Hannig: "Representative, your 5 minutes have expired. Could you bring your remarks to a close?"

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Black: "Well, that's the only point I wanted to clarify. As long as there is some judicial review, then fine, I don't have any problem with that. Thank you very much."

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

Hernandez: "As I said before, the... basically, the goal of the Bill is to ensure that all those impacted by the violent crime are able to receive some compensations for various expenses. And I ask once again for your '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 Younge, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Pritchard, for what reason do you rise?"

Pritchard: "Point of personal privilege, Mr. Speaker."

Speaker Hannig: "State your point."

Pritchard: "I would ask the chamber today to help me welcome twenty-five (25) students from St. Mary's School who are down here to see the Legislature in action and to learn a little bit more about State Government. Thank you for joining us today."

Speaker Hannig: "Representative Jefferies... Excuse me, Representative Dunkin, for what reason do you rise?"

Dunkin: "Point of personal privilege, Mr. Speaker."

Speaker Hannig: "State your point."

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Dunkin: "I'd like to have the House recognize and give a warm welcome to two (2) of my constituents, Mr. Leonard Smith and Mrs. Leviticus Turner. Would you please rise and give them a warm welcome round of applause."

Speaker Hannig: "Mr. Clerk, read House Bill 2734."

Clerk Mahoney: "House Bill 2734, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Jefferies: "Thank you, Speaker and Members of the House. This is House Bill 2734 and it's the Smart Act Bill that allows for the creation of a statewide drug school program. This program will allow the state's attorneys in each county to establish drug schools. Drug schools are defined as drug intervention and education programs that serve as an alternative to traditional prosecution. Drug schools serve to divert those offenders involved in low-level drug possession away from incarceration and provide an opportunity to receive drug treatment. I'll accept any questions at this time or comments."

Speaker Hannig: "This is on the Order of Short Debate. And in response the Lady from Kane, Representative Lindner."

Lindner: "Will the Sponsor yield?"

Speaker Hannig: "Indicates she'll yield."

Lindner: "Yes. Can you tell me now how this is different than the drug court?"

Jefferies: "I don't understand. I mean..."

Lindner: "How is it different than the drug court? We already have drug courts in Illinois."

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Jefferies: "Okay. Because this is a school and it's for first-
or second-time offenders and it's an educational program."

Lindner: "Is this part of the drug court program, then?"

Jefferies: "No."

Lindner: "I mean how do you qualify for this?"

Jefferies: "This would be up to the discretion of the state's
attorney who established the program."

Lindner: "Okay. So, they're... this Bill does not establish
criteria to enter the program?"

Jefferies: "It has some minimum criteria to it, but it's still
up to the discretion of the state's attorney."

Lindner: "What are the criteria, then?"

Jefferies: "Okay. The eligibility..."

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

Jefferies: "Okay. The eligibility would be up to the state's
attorney's consideration of the crime that has been
committed."

Lindner: "All right. So, this cre..."

Jefferies: "The circumstances of the crime and the individual's
background."

Lindner: "Okay. So, this creates a Drug School Act and a Drug
School Fund but no criteria to... as how to use the funds or
how to actually get into the program."

Jefferies: "Everything is left to the discretion of the state's
attorney in each... in each county. They set their own."

Lindner: "Okay. So, this... so, this is basically just the name
of the program because then in 102 different counties we
could have 102 different types of drug school programs. Is
that correct?"

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Jefferies: "That's correct. And it will allow flexibility to each program that recognizes the difference."

Lindner: "And how... and how much money are we transferring from... This is from the General Revenue Fund?"

Jefferies: "Well, this will be subject to appropriations."

Lindner: "Okay. So, there's no appropriation for this yet?"

Jefferies: "Not in this Bill."

Lindner: "All right. Thank you."

Jefferies: "Mmm mmm."

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

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

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

Black: "Representative, we have a very successful drug court in one of my counties. Does the drug school replace the drug court?"

Jefferies: "No, it does not replace that."

Black: "All right. If the county or counties do not want to initiate a drug school, they don't have to. Your Bill's not a mandate, right?"

Jefferies: "No, there's nothing in this program that says that it will force them to do."

Black: "Okay."

Jefferies: "It's up to their discretion."

Black: "And your drug school is modeled after... Where has it been successful that you're familiar with?"

Jefferies: "There's a successful drug school that's in Cook County."

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Black: "Okay. So, if somebody wanted to do this, then a county could. If they would prefer to keep the drug court, which is... it's been around for many years in Vermilion County and the judges have a great deal of... to say about how that runs and it's been very successful, then they can continue that and don't have to get into a drug school if they don't want to, correct?"

Jefferies: "Sure."

Black: "Okay."

Jefferies: "It's up to the discretion..."

Black: "Okay."

Jefferies: "...of the state's attorney."

Black: "But when I first saw this I was concerned that..."

Jefferies: "And they can... the drug school and the court can work together."

Black: "...that the drug school would be mandated. But it's not mandated in any way? Not mandated?"

Jefferies: "No, it isn't."

Black: "Okay. Thank you."

Speaker Hannig: "Representative Molaro."

Molaro: "Thank you... thank you, Mr. Speaker. It's probably one of the best Bills we'll see all year. We talk about what we can do about first-time offenders. This is first of all, what Representative Black just said, is absolutely true. There's absolutely nothing in the Bill that considers it mandatory. Also, Representative Lindner is correct, there's no state money going to it, it's subject to appropriation. All this does is there's been a successful... a drug school in Cook County. Now there are drug courts in many, many

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counties and this will not do anything with that, 'cause drug courts handle all kinds of cases that involve drugs. All this is, is that the state's attorney at county sets the curriculum. So if I go there and I'm representing some nineteen year-old that has one (1) marijuana cigarette or one (1) small amount of drugs or residue on a pipe, if the state's attorney agrees and only the state's attorney can recommend drug court... drug school, only the state's attorney. So, they recommend drug school they continue the case. You go to drug school for the 20/30 hours and they would nolle pros the case, and basically what it does and it... it has a success rate in Cook County of almost about 70 or 80 percent. So there's no state money, subject to appropriation, it's not mandatory and it's worked wonderful in Cook County. So if anybody else or any other county would like to do this, this is the mechanism to do it. But again, for the third time, the state's attorney sets everything. So this is not, repeat not, a soft on crime Bill. No one gets drug school... no one gets drug school unless the state's attorney says so. They wrote this Bill. It's the state's attorney's initiative from Cook County. And it's a very good Bill. Thank you."

Speaker Hannig: "We've now had two (2) in support and two (2) in response. The rules would provide one (1) additional speaker on each side. Representative Mulligan, you're recognized next and which side would you like to be on?"

Mulligan: "I don't know 'til I ask a question."

Speaker Hannig: "Proceed."

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

Speaker Hannig: "Indicates she'll yield."

Mulligan: "Representative, I just want to get a couple of things straight. Is this a statewide program?"

Jefferies: "Yes, it is."

Mulligan: "All right. And how much money do you think it's going to cost?"

Jefferies: "It will be... it's subject to appropriations and..."

Mulligan: "But if the money were appropriated, what's the guestimate for this?"

Jefferies: "In the first year, approximately... maybe about 1.5 million (1,500,000)."

Mulligan: "And is it now supposedly coming out of the DASA budget?"

Jefferies: "No. It has its own appropriations."

Mulligan: "But it has to be in a line item somewhere in the budget. Where would it go?"

Jefferies: "It would be in contract with the State's Attorney's Office and DASA."

Mulligan: "Okay. So DASA, which is under the Department of Human Services, is probably where the funding would come from?"

Jefferies: "It would be a line item that would be directed... directed to DASA for the program."

Mulligan: "Okay. Because currently, and this is the problem I might have with this, currently, DASA is underfunded. I mean if you take a look at drug and alcohol substance abuse, mental health in a lot of communities around you cannot get

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a kid into a program. So, I'm trying to figure out what your program does. Does this give leeway for the judge or the state's attorney to say, like you would have to go to AA meetings, you would have to go to drug school?"

Jefferies: "It's... this is... this is a school and... This is more of a... This is an educational program, not so much a treatment. I mean there is some treatment, but it's school."

Mulligan: "But this is like a first-time offender. It is an offender; it's not someone that's just going to drug school. It's someone that has been picked up for a minor drug offense or..."

Jefferies: "Right. It's for a nonviolent first-time offender."

Mulligan: "Okay. So first-time offender could be anything and I think it's measured by either what you were doing or how much you were carrying. And I don't think it would be selling, I'm just guessing. But I don't want to put words in your mouth."

Jefferies: "Well, it would... it does include... It's selling a small... if you're caught with a small amount."

Mulligan: "Okay. So you're going to send kids to drug school on the state's attorney and some of them that you're sending are going to be people that sell."

Jefferies: "We don't know because the criteria will be set by the State's Attorneys Office."

Mulligan: "No, no. That's... what you're saying doesn't make sense. What it seems to me would be that, it would be someone that could be convicted of a small offense. I would have to go back and actually read the language of your Bill. I have two (2) problems with it: how you get to drug school

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and what's the obligation? Do you have to finish a course in order to have something removed from your record and the money is not going to DASA and that would help mental health programs that are grossly underfunded in this state?"

Jefferies: "You will complete ten (10) to twenty (20) hours of drug education."

Mulligan: "And so you'd have to show up and they'd check you off and it would go back to the state's attorney or the judge that you filled that... fulfilled..."

Jefferies: "No, if you don't complete, if you don't complete the program then you can be... you could be prosecuted for that offense."

Mulligan: "All right. I think the concept is good. I'm not sure what the Bill actually says and maybe it's a little better worked out than what we're getting at in this debate. My only problem is the appropriations, because I know from working Human Service Appropriations that currently the money for DASA for people that need treatment is grossly underfunded. So, it might be a good concept, it might be good on the books. I don't see the money going there."

Speaker Hannig: "We've had three (3) in response and two (2) in support. The rules would provide one additional speaker in support. Representative Rose, are you in support?"

Rose: "I think I am, but I have two (2) questions."

Speaker Hannig: "Okay. The Sponsor will yield."

Rose: "Representative, how are you today? I would like to see two Amendments to this as I read it; and, one, let me state on the outset, I think that it makes a certain degree of sense to hold the prosecution over the person's head to

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encourage them to successfully complete the drug treatment component. Okay? Holding that over their head could be no greater incentive, frankly, to successful completion. But I have two (2) issues with the Bill. The first is that it says it could take up to twenty (20) hours of drug treatment. That's in Section 10(1), line 13, on page 2. My concern is this, I don't think we as a Body should be legislating how much drug treatment the offender needs. I think what we need to do is leave that up to the provider, but we need... when I was in the State's Attorneys Office we did say a DUI case. We would resend that person for a DUI evaluation. The evaluator would come back with a recommended number of hours of clinical treatment and clinical intervention and it could be anything from ten (10) hours all the way up to residential inpatient treatment. That's my first concern. My second concern is the issue of waiving the prosecution in its totality and that's on page 6, line 7, Section 30. I would like to see, Representative, I guess I'm asking for your thoughts on this, I would like to see rather than the way it's currently drafted the ability for the state's attorney to reinstate the charges should that person additionally offend later down the line. I don't think it makes a whole lot of sense to put someone in a classroom for ten (10) to twenty (20) hours, expect them not to reoffend when maybe their evaluation said this person needs residential treatment, and then someone would reoffend and not be able to reinstate the underlying charge. So I guess, Representative, I'm asking two (2) very specific questions; one (1), would you change the first part of this

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as we talked about to be the amount of hours will be determined by the treatment provider and the court as regards to the individual's need; and two (2), would you allow the state to reinstate the charges at a later date if they were to reoffend?"

Jefferies: "Okay. I would be happy to talk..."

Rose: "Representative, and I'm not seriously..."

Jefferies: "Okay. I will be happy to work with the Sponsor in the Senate on this."

Rose: "Do we have that commitment, Representative, 'cause I'm not going to vote for this Bill, otherwise?"

Jefferies: "Yes."

Rose: "Okay. Thank you, Representative."

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

Jefferies: "Thank you for your time and I urge a 'yes' vote on House Bill 2734. 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? Representative Jefferies, do you wish to be recorded? Have all voted who wish? Representative Hassert, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 75 voting 'yes' and 40 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Myers, you have House Bill 2820. Do you wish us to read that? Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 2820, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from McDonough, Representative Myers."

Myers: "Thank you, Mr. Speaker. House Bill 2820 amends the Meat and Poultry Inspection Act; makes technical changes in the Act concerning the definitions. Floor Amendment #1 incorporates the findings of the Meat and Poultry Inspection Task Force that was created under House Joint Resolution 115 of the 94th General Assembly. It's an Amendment that makes changes and regulations between type II facilities and type I facilities. Type II facilities license slaughter plants that test... or that slaughter livestock and poultry. They are now required... under this law they would be required to test for E. coli. Amendment #2 just makes minor technical changes to the law. I just ask for a favorable vote and I'm available for questions."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Rita, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative McAuliffe, you have House Bill 2859. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2859, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

McAuliffe: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2859 amends the Criminal Code dealing with burglary tools. We define what lock bumping is and this is... this Bill is on behalf of a Chicago police officer in my district, where they're finding many people roaming around the streets possessing what they call a bump key, which is a key that has been shaved down in order to unlock... unlock a locked door. It's very prevalent on You Tube. And I'd be happy to answer any questions and ask for your passage and 'yes' votes on House Bill 2859."

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

Black: "Excuse me, Mr. Speaker. Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, I did get a call on this from a locksmith and I haven't had time to go through the computer. I assume that a locksmith is exempt under this, correct?"

McAuliffe: "I believe so, yes."

Black: "Yeah. 'Cause then... he wanted to make sure because sometimes he carries this tool in order to get into a lock where somebody's lost the key and then to make the impression or whatever it is they do. He says he always has one of these in his possession, but he would be exempt from prosecution for having that in his service truck or his shop, I would suppose, correct?"

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McAuliffe: "Yes, Representative."

Black: "All right, fine. Thank you."

McAuliffe: "If this Bill passes I'll check with the Senate Sponsor just to make sure."

Black: "Okay. Yeah. He would certainly like to make sure because he does have that device and uses it and he is licensed and meets all of the applicable House or excuse me, all of the State Laws. They said they do come in handy to get into a lock where someone has lost the key. And if you'll check on that in the Senate, I'd appreciate it. Thank you very much."

McAuliffe: "Thank you."

Speaker Hannig: "Representative Graham. Okay. She doesn't wish to speak. So, Representative McAuliffe to close."

McAuliffe: "I just ask for a favorable 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 116 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Meyer, you have House Bill 3671. Okay. So, let's take that out of the record for the moment. Representative Nekritz, you have House Bill 1071. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1071, a Bill for an Act concerning property. Third Reading of this House Bill."

Speaker Hannig: "Representative Nekritz."

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Nekritz: "Thank you, Mr. Speaker. House Bill 1071 is a... does two (2) things with regard to condominium property managers. Currently, there's no standards really set up or not even... not for condominium property managers but for community association property managers. Currently, there are no standards in Illinois law as to the knowledge base that these individuals have and any experience that they must have and also whether or not they have to have a bond to cover anything... any misfeasance that they might or malfeasance that they might have, that they might do if they abscond with some money from the community association. So this legislation sets forth some standards, some basic levels of expertise and knowledge and the fact that they have to be eighteen (18) years old and that kind of thing. And then also, most importantly, requires them to have a bond before they can hold themselves out as a property... a community association manager."

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

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

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

Bost: "Let me... I don't think... Have we done anything like this before as far as condo managers having to have a license?"

Nekritz: "This isn't a licensing. This is just setting some standards."

Bost: "Some standards. So exactly what, what can you expect from say in my area where people have, you know, two (2) or three (3) or four (4) condos and now they have to come to

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the state and make sure they meet all these standards before they can manage?"

Nekritz: "No, the... it's up to the board of the community association to determine whether the manager that's coming to them to... for employment would meet these standards. So the state is not involved in it."

Bost: "Well, okay, I'm trying to understand that. If the state's not even involved in it, why are we passing a State Law?"

Nekritz: "So that we could... so that boards have some parameters within which to operate and also those who come to them and seek employment with them know what those minimum standards will be as well. And I think it's the latter part that's the most important."

Bost: "And I'm trying to figure this out. Now, the condo board, per se, this is a private organization, correct? It's not an elected government."

Nekritz: "Correct, but it's... but it is... the condominiums and these community associations are a creation of State Law."

Bost: "Okay. I'm just... I'm just trying to... I, you know, being from southern Illinois as I am and understanding that these are privately-owned facilities, I'm just having trouble understanding why we set standards and if you have a group of people that came together and to coordinate and, you know, make sure that your condos are run a certain way, you should have that power as individuals not something given by the state. I'm really having trouble with this."

Nekritz: "Well, Representative, I... we have... we set all kinds of standards for condominiums. We say what must be in the

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declaration; we say, you know, how they are legally set up. You know, we... you know that... we've got thousands of pages of Condominium Act that says what these private individuals can and cannot do when they come together, how the board is operated, what the board's responsibilities are, what the manager's responsibilities are. We do lots of that under this... under the law."

Bost: "Well, do we do... In every county or just in Cook County?"

Nekritz: "No, this is a state... the Condominium Act is a statewide Act. This has not anything to do with the county level at all. The condominium is a creature of State Law."

Bost: "No, condo... condominiums are not a creature of State Law, they're buildings. Okay."

Nekritz: "Well, but the... but the relationships. You know, I mean a condominium is air space. So in order to create the relationships between the condominium owners and..."

Bost: "Okay. This is getting better. So now we control airspace too?"

Nekritz: "Yes, we do."

Bost: "Do you ever notice that government just kind of gets too big all the time?"

Nekritz: "Well, I think you can... I can think..."

Bost: "Have you noticed that?"

Nekritz: "I think you can thank Representative Levin for that."

Bost: "I'm just... I'm kind of amazed at this. I... I'll continue to listen to debate. Thank you."

Nekritz: "Thank you."

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

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Black: "Thank you. Thank you, Mr. Speaker. I poked the microphone in my nose. I apologize. If somebody will get me an antiseptic wipe I'll take care of that. Will the Sponsor yield?"

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

Black: "Representative..."

Nekritz: "Representative, as long as you don't do that to my microphone, it's just fine."

Black: "I didn't want to do it to mine. You mentioned a name that many here didn't recognize, but I do, I served with Ellis Levin."

Nekritz: "I may be sorry I said that."

Black: "Are you a lawyer?"

Nekritz: "Yes, Sir."

Black: "Do you practice with Ellis Levin?"

Nekritz: "No Sir. No, I don't practice at all."

Black: "Oh, okay. So you don't represent any condominium associations?"

Nekritz: "Not for many, many years."

Black: "Okay. I remember when former Representative Levin would always say I represent several condominium associations, but I will vote my conscience. But that was a long time ago. Who... My actual question is, you put these requirements in place, but then who determines whether or not the applicant or the existing manager in fact meets the requirements that you're outlining?"

Nekritz: "That would be the responsibility of the board."

Black: "Of the association board, correct?"

Nekritz: "Correct."

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Black: "Okay. You don't mention anything about mental illness. Can you serve as a condominium manager if you have been diagnosed with a serious mental illness?"

Nekritz: "Representative, I think that you're correct, that is not mentioned in the Bill, so, yes."

Black: "On purpose?"

Nekritz: "No, I think, it actually never came up in the discussions."

Black: "Well, you know, just to make sure you don't have somebody with an eating disorder because they may be designated as seriously mental ill... mentally ill. I'm just curious..."

Nekritz: "I'll consider that for my next Bill."

Black: "Thank you very much. How would a twenty-one-year-old, which is the minimum age requirement, have a working knowledge of the fundamentals of community association management? Is there a course of study that you can make, you know, take advantage of? I mean, I... and I'm not trying to be funny because it is complicated."

Nekritz: "It is, Representative, and that's... and I think a lot of that is gained through experience and whether a twenty-one-year-old could demonstrate that or not would be up to the board. But I think, you we don't... I don't know of any specific classes and certainly..."

Black: "Okay."

Nekritz: "...I don't think the state offers any, but you know many times this would happen by working through... for a management company and then you could dem..."

Black: "All right."

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Nekritz: "...learn ...learn the business and then go out on your own."

Black: "So, would you view this as an attempt to get away from someone who is... Excuse me just a moment. Mr. Speaker, tell the Senator to sit down. Thank you. She finally did."

Nekritz: "Yes, I'm having trouble seeing."

Black: "Now, I can see the Representative. Is this a movement to get away from... so many associations in the past hired someone who knew how to work on the mechanical systems of the association, could replace wiring, fix the air conditioning in the common areas. And evidently, that's no longer really enough to manage a large condominium complex, correct?"

Nekritz: "I think you're right, Representative. And really, the impetus behind this was because there were many folks who were holding themselves out as property managers even when they've stolen money from associations in the past."

Black: "Oh, yeah, okay."

Nekritz: "Have no dem... you're right, have no demonstrated knowledge in that. It's a very easy thing to just hang out your shingle and start operating in these cases."

Black: "Okay."

Nekritz: "And we're really trying to protect the condominium owners from those folks, those bad actors."

Black: "Okay. But there's no licensure."

Nekritz: "There's no licensure in this."

Black: "It simply sets up a standard and then the association board will have to meet the standard."

Nekritz: "Correct."

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Black: "And no punishment or..."

Nekritz: "No."

Black: "...if they don't meet..."

Nekritz: "If they fail to there is no fine or anything."

Black: "So that would be their problem."

Nekritz: "Correct. And that would be..."

Black: "All right, fine."

Nekritz: "...that would be the relationship between the owners and
the board then that..."

Black: "Right. Okay."

Nekritz: "...they could, the owners could look to the board on
that."

Black: "Well, I know it's different in your area. We have a few
condominiums in my area, but they generally only have six
(6), eight (8), ten (10) units, and up in your area they
have hundreds, so I can see the difference."

Nekritz: "And, Representative, this only applies to associations
that have six (6) or more units."

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

Speaker Hannig: "Representative Nekritz to close."

Nekritz: "Thank you. I think this is a good consumer protection
Bill for those who are purchasing, spending, using their
life savings to purchase into a condominium or community
home and I'd ask for your support."

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 Leitch, do you wish to be
recorded? Mr. Clerk, take the record. On this question,

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there are 115 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative May, for what reason do you rise?"

May: "For an announcement, Mr. Speaker."

Speaker Hannig: "Proceed."

May: "Yes, thank you. In the chamber, the gallery above the Republican side, we have Adam Schafer and Pan Godchaux from the National Caucus of Environmental Legislators. And they're here with Pat Hogan who is going to do an information only hearing at 4:00 p.m. in Room 118 on climate change. So we welcome our friends from the National Caucus of Environmental Legislators. And I'm so happy it happened on May Day. Thank you."

Speaker Hannig: "Representative... Representative Pritchard."

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

Speaker Hannig: "State your point."

Pritchard: "On your desk, Legislators, you'll see an invitation to a dinner and discussion tonight from the Joyce and Gates Foundations. I would encourage you to take a look at that and to join us for an important discussion about educational reform and funding. Thank you."

Speaker Hannig: "Representative Meyer, do you wish us to read House Bill 3671? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3671, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

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Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3671 establishes an expedited process for applicants seeking permits and licenses for oil refineries from the Department of Transportation, Natural Resources, State Fire Marshal, and Environmental Protection Act. Provides that they shall provide and develop a process for expediting the issuance of permits and licenses for oil refineries; provides that an applicant must request the use of the expedited process and also bear the additional cost for using that process."

Speaker Hannig: "This is on the Order of Short Debate. We're going to put it on Standard Debate. Representative Nekritz, you're recognized for 5 minutes."

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

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

Nekritz: "Representative, do you... when was the last time someone applied for one of these permits?"

Meyer: "There has not been an oil refinery built in the United States in the last thirty (30) years, Representative. As a matter of fact, the consumer in the United States, now based on the consumption of gasoline, has dictated that the result has been that a great amount of finished product gasoline is imported just to meet our daily usage. And of course, with the advent of weather conditions that have caused storms in the southern part of our country, in fact, shut down oil refineries for a period of time, it's exacerbated the cost of petroleum products and it increases the amount of money that we as consumers have to spend. This Bill is a preparatory Bill that we need to, as a nation, address this

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issue but we certainly, in Illinois, could use the jobs that a well managed refinery would bring to this state."

Nekritz: "And Representative, is there any reason to think that there's..."

Meyer: "I'm sorry, Representative, I can't hear you."

Nekritz: "Do you have any evidence that there is demand for this kind of thing? I mean, I understand what you said about... about consumers paying more for their gasoline, but is there any reason to think that an oil refinery is dying to come into Illinois but they won't do so because they can't get an expedited permit?"

Meyer: "Well, certainly, Representative, I believe that it's an opportunity that we should be looking at, encouraging an oil refinery here. First of all, strategically, we're away from the coastal lines and would not be impacted by those types of weather conditions, such as Hurricane Katrina. The other part is it brings good jobs. I would rather see us put effort into and establish an oil refinery, particularly in those areas where we have... we do not have area of high population and provide jobs that way instead of opening up another prison, quite frankly."

Nekritz: "It seems to me, Representative, in the in determined amount of times that we have not had any application for an oil refinery, we've had an explosion of ethanol plants. And the development of renewable resource... renewable fuels seems to be the future in this state and that oil refineries are in many ways the past. And so I'm concerned that we are asking the EPA to give a priority to issuing permits. First of all, when we haven't... we don't have any demand for it and

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we have no indication that there's going to be any demand for it, and we have state employees who are trying to meet the demands that are out there, and yet we're asking them to give this industry a special favor. And I have to tell you I just think that that's bad public policy for the State of Illinois to be encouraging an oil refinery when we've got other sources of fuel that are busting at the seams and where we've got people wanting to build ethanol plants, we've got people wanting to build wind energy plants, we've got all these... all this activity and energy going on and yet we're ask... we're looking for a solution to a problem that I think just doesn't exist. Thank you."

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

Black: "Thank you, Mr. Speaker. I rise in strong support of the Bill. All you have to do is look in or you can have your... many of you are computer literate enough to download gasoline prices every day as well as the reason for three dollar (\$3.00) gas. Three forty-five (\$3.45) was the high price in Chicago today. Two ninety-five (\$2.95), I think, or two ninety-eight (\$2.98) was the high in Springfield. Two ninety-five (\$2.95) in my hometown and I don't think we've seen the peak. There was an article, I believe, in the business section of the Springfield Journal-Register today. I may be wrong but I know I've seen this article and I clipped it. 'The existing oil refineries in the United States of America are old, rusty, decrepit and they break down with great frequency and they have safety problems because they're old.' We haven't built a refinery in the

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State of Illinois in more than 35 years. Now, I'll grant you and I'm looking for a flex fuel vehicle. I don't want to continue to be part of the problem and I can't afford three dollar (\$3.00) gasoline, but it's hard to find one out there that gets equivalent mileage to the car I'm driving now. Even though I could use an alternative fuel or a flex fuel and I've sponsored several Bills that would give tax credits to people who buy one, but the Democrats won't... you never let those Bills be called. It only stands to reason no matter how hard and how committed we are to alternative and renewable energy, for the foreseeable future crude oil and gasoline will continue to play a major role in commerce, trade and personal transportation. I would like to think ten (10) or fifteen (15) years down the road we could see a tremendous lessening in the number of millions of barrels of oil that this country consumes every day, but one of the mitigating factors right now in this sudden sky... peak in gasoline prices, and I don't think we've seen the top end yet, our refineries cannot meet the demand for gasoline. Now, if all of us stop driving that might have an impact, but there's no inner-city bus line between Danville and Springfield; there's no train between Danville and Springfield, so I have to drive. And what the Gentleman's Bill does is to recognize the real fact that we are faced with now. In the foreseeable future we must be able to make more gasoline available in the marketplace. Hopefully, and it isn't going to happen overnight and I think all of you know it isn't going to happen overnight, but if we could bring some new refineries with new technology online and

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meet the demand, then if you can meet the demand and you end up with a little bit of a surplus, if you remember Samuelson's Economics 101, then the price begins to come down. And the reason that we're being held hostage and it's very complicated and I'm oversimplifying it, but the reason many of us feel we're being held hostage by very high gasoline prices; number 1, we import 56 percent of the oil we use, but number 2, we are not able to keep up with the demand consumers, commerce and trade demand for gasoline and diesel fuel. Hopefully, that will begin to diminish. But in the meantime, we need more refinery capacity. And I know nobody wants one in their backyard, but I think Illinois could stand another refinery or two or reopen one that's closed and again using new technology, keeping sight of new EPA rules and regulations. I think what the Gentleman is saying is nobody is going to come into a state that says it'll take you five (5) years to get the necessary permits to build your refinery. We must expedite that and meet the current market as effectively as we're trying to meet what we all hope will be the market of tomorrow. I think the Gentleman has a good Bill. It's worthy of an 'aye' vote for the simple fact that his Bill deals with the real world problem of today. And many of us are working very hard to try and change that real world demand for fuel and change it to renewable sources, alternative energy. But that won't happen next year or the year after or even five (5) years from now. For that rea..."

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

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Black: "I think the Gentleman has a good Bill. I hope you'll vote 'aye'."

Speaker Hannig: "Representative May."

May: "Yes. Will the Sponsor yield?"

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

May: "Yes, thank you. Representative, how long do you think it would take for a permit to be issued in this state? I heard a remark of five (5) years. Have any of the state departments told you how long it would take?"

Meyer: "Well, my understanding is that that amount of time is pretty representative of constructing a new refinery. The debate has reminded me, though, of one thing. This not only allows for an expedited process for building a new... siting and building a new refinery, but it also affects the issue or it would affect the expansion of an existing refinery. Yet, I'm aware of at least three (3) refineries that have work being done on them right now to expand them. One of them is a four billion dollar (\$4,000,000,000) project here in the State of Illinois. And this type of thing would help us a great deal even within our own grouping of refineries that we have already in existence here."

May: "And I do understand that there was an expansion. And do you understand that they were satisfied with the expedited procedure that our state already gave them?"

Meyer: "Well, I'm glad to hear they gave an expedited procedure. That's what I'm asking for also and I'd like to see it effected into law."

May: "But I think it was expedited as much as they could. To the Bill. This Bill here, 3671, actually applies to the

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Department of Natural Resources, the Department of Transportation, the State Fire Marshal and the Environmental Protection Agency. And I guess my overall concern is one of fairness, fairness for a very long and complicated procedure, because many of our municipalities and many of our small businesses in the state also have to go in for permits. So, if a very large major company like Exxon/Mobil or someone comes in, does this mean that they get to cut in line in front of our municipalities or our small businesses that are the backbone of our state? And I do realize that there is a chance to charge the fees but that is a question of public policy and ethics. Do you cut in the front of the line only if you can afford to charge to pay the extra fees? My real concern with four (4) states is that under the current fiscal situation our DNR and EPA, both very fine agencies, have been asked to do more with less. The DNR frontline staff is down 25 percent since 2001 and EPA is 14 percent since 2001. We continually to ask them to do more with less and to put someone in front of line, I think might be problematic to the small business and the municipalities. So, while I appreciate your intention to look at the overall energy situation, I guess I just don't think this is good public policy at this time."

Speaker Hannig: "We've had two (2) in support and two (2) in opposition. The rules would provide one additional speaker on each side. Representative Fritchey, you're next on the list. Which side would you like to speak on?"

Fritchey: "In response, Speaker."

Speaker Hannig: "Proceed."

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Fritchey: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he will."

Fritchey: "Representative, it may have come up and if it did I apologize. Have the affected state departments taken a position on this legislation?"

Meyer: "I heard part of your question, not the last part. Have somebody taken..."

Fritchey: "Have the affected state agencies taken a position on the legislation?"

Meyer: "Certainly some of them have. I'm not sure if all of them have."

Fritchey: "What... Who was taking... I'm..."

Meyer: "The EPA is opposed to it because they're concerned about staffing issues. I'm concerned about staffing issues too. I think they ought to be staffed to do this work. First of all, they're supposed to be the ones that are providing the expertise on it, so I agree with them, they should be doing it."

Fritchey: "Do you have an idea of how long it takes to build an oil refinery?"

Meyer: "Oh, a considerable amount of time. As a matter of fact, as I indicated before, we're still expanding our existing refineries. So building a business is a process in motion and I've been told through sources that it takes up to five (5) years to get the permitting done and the refinery built. Probably longer than that, probably about ten (10)."

Fritchey: "You're right, it's a lengthy process and it's part of my point. There have been some interesting points brought up on both sides. To the Bill, Speaker. And the Gentleman

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from Vermilion brought up some interesting aspects of this as well. There is an issue with the distribution system. We do have an aging refinery system, not just in this state but in this country. We do need to take steps to modify that. The permit review process that we have, especially in this arena, is critical to public safety, to public health, to make sure that we have a refinery system that is going to be operable and sufficient to meet our needs. You know, oftentimes, people ask the question of what the problem is that we're trying to solve via a piece of legislation. Had you said that there was a refinery that was looking to come online in Illinois that needed this, perhaps I'd be swayed differently. But for us to, in a vacuum, seek to have an expedited process at a time when we show no pressing demand for one, I don't know if it serves anybody's purpose. Obviously, the Petroleum Marketers and Petroleum Council support this and conceptually I understand why they would support this. But as a practical, realistic matter, Ladies and Gentlemen, there is no need for this right now. The problems that we create vastly outweigh any problems which we seek to solve, because candidly there are no problems that we are seeking to solve right now. I think a vote in support of this is not helping to bring down gas prices. A vote in support of this legislation does not help the distribution system in the Midwest or in the country. A vote in support of this does not facilitate job development and economic growth in our state. A vote in support of this simply says that we are going to let a very critical piece of national infrastructure get by with an expedited process,

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even though there's no concrete reason for asking for one or for granting one right now. Please consider this vote carefully. I respect the Gentleman for bringing this Bill forward, but I just don't think that it's needed at this point. Thank you."

Speaker Hannig: "We've had three (3) in response and two (2) in support. The rules would provide one additional speaker in support. Representative Flider, would you like to speak in support? In support."

Flider: "Well, Representative, I think I am, but I want to ask some questions."

Speaker Hannig: "Okay. The Gentleman will yield."

Flider: "Will the Sponsor yield? Okay, he will."

Speaker Hannig: "Indicates he'll yield."

Flider: "Representative, do you believe that an expedited approach will result in a different decision that otherwise would be given in terms of siting?"

Meyer: "I don't believe that there'd be any difference in terms of siting; I don't think there'll be any difference in terms of good environmental protection. I don't think there'll be any... any difference in terms of safety. I think that it'll allow the business to be built on a quicker scale and thereby serve the needs of the public, and I do think it is good public policy because of that."

Flider: "Is the problem one of resources? Is it one of personnel? Do you know what the problem actually is that we're trying to resolve in terms of, you know, why it takes so long, why it can take up to five (5) years?"

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Meyer: "Well, they are just terms of the process itself, but then we have litigation and suits quite often. So it's just a whole lot of different things. And if you take out the permitting process and you still have the same litigation, which this does not seek to change, then you're still going to extend it out, but it won't be extended out, to ten (10) years, maybe it'll be something six (6) or seven(7)."

Flider: "And so really, you haven't really specified in your legislation what the time frame ought to be, you're just suggesting that there ought to be some rules for expediting the process."

Meyer: "That is correct. We should make... we should allow this business, this type of business to be built in a safe manner in our state; provide good jobs that you can earn a living wage, you can support a family, you don't need to have a college degree to do it. To me it makes all the sense in the world. We have Canadian oil, which we're close to the Canadian border. The Canadian oil is coming down this way now and we should have the processing ability for that raw product."

Flider: "Had you thought at all as you were drafting this legislation whether to include, for example, electric generation, power plants that would... that would produce electricity in your legislation?"

Meyer: "Well, quite honestly, Representative, I am a big supporter of base load electric producing plants. I also like a lot of the... Environmental issues have been raised here and other types of technology to provide power and energy. I support all of them, quite frankly. I support

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them wholeheartedly because we as a people use a lot of power and over the years we've certainly done work on base load plants or mine mouth plants. I've always supported that type of Bill that when it's come through here. This one deals with petroleum production, but I have no problem at all of supporting this for anything. I think in years past we've looked at some of it, too, Representative."

Flider: "We've had some testimony in some of our committees about the length of time it would take to build a power plant. So here we are in Illinois, nobody's building power plants except for these high-priced gas peakers and so at some time we're going to need a coal-fired power plant and if this process is not reviewed, you know, we could be in a situation where we're not going to be able to get something online. We'll end up with a crisis like they have in California. But of course, all our consumers know throughout Illinois about the prices of gasoline and what we face. And so one of the challenges, as has been mentioned by previous speakers, is we're finding that oil and getting it to market quickly. And while we presume that the sooner that we can get that market... that oil to market quickly then, you know, we'll be able to keep down the price of gasoline. I certainly don't see... well, we certainly would like to see more people be more conscious, you know, when it comes to some of the gas guzzlers and so on, but I think we need to kind of practice what we preach. We either need to get rid of the gas guzzlers or we need to be thinking about being more efficient in terms of bringing more capacity in to serve the needs of a growing economy. And if we want a

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growing economy, this is something that we need to take a strong look at. So, I want to thank you, Representative, for bringing this Bill forward and as long as it's not going to change any environmental decisions and, you know, the decisions are going to be good decisions, protecting the environment, we certainly need to do all we can to help a growing economy and at the same time make sure that if this results in good paying jobs for our area and keeps the price of gasoline down, we ought to be looking very closely at this. Thank you."

Speaker Hannig: "We've now had three (3) on each side and the rules would provide that Representative Meyer, you're recognized to close."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I encourage you to vote 'yes' on this Bill. We've heard about some of the environmental concerns and the need for clean energy, for renewable energy. I support all of those issues and I'd very much would like to see wind farms and solar and geo and other types of energies, ethanol. I voted for Bills that would allow that over the years. But Ladies and Gentlemen, today we're faced with an economy that runs on this kind of energy. We are importing about 25 percent of what we're using in terms of finished product. We should be doing or we should be finishing that product right here instead of adding into our deficit at the national level. Illinois is in a great position in terms of its geographic location to refine Canadian oil. It also has oil lines that bring oil up from the Gulf and we're away from the weather issues that the Gulf has with hurricanes

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and other types of things like that. And I think it's a good way for this state to grow jobs that are meaningful, that provide a living wage, that can be located in different parts of our state. Some are better equipped to handle those types of developments than others and I think it can be done in a safe and environmentally sound manner. I would encourage 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 Collins and Jakobsson, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 90 voting 'yes' and 26 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Osmond, you have House Bill 3441. Mr. Clerk, read the Bill. Excuse me. Representative Dunkin, for what reason do you rise?"

Dunkin: "Mr. Speaker, I would like to... I recorded a 'no' vote, but I would like to be recorded a 'yes' vote."

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

Dunkin: "Thank you."

Speaker Hannig: "And Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3441, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker and Members of the General Assembly. House Bill 3441 amends the Illinois Municipal Code. This will prohibit a municipality the ability to

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govern lake use unless the body of water is within the municipality limits. I'll be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Berrios, Burke, Mulligan, Rita, Arroyo, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 3 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Osterman, you have House Bill 1797. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1797, a Bill for an Act concerning property. Third Reading of this House Bill."

Speaker Hannig: "Representative Osterman."

Osterman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1797 deals with an issue of condominium conversions. In many communities in the Chicagoland area there is a large growth of condominium conversions. In some instances individual tenants who should have been required to be... receive notice of intent to convert a building to a condominium did not receive that. Current legislation, current laws on the books are silent on any penalties for not providing the notice. What House Bill 1797 will do is give relief to those tenants who do not receive notice of intent to convert a condominium, and hope is that they will

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be given those notices in the future. And I ask for an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? 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 Reitz on House Bill 282. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 282, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 282 allows private detectives to serve tax notices. Actually right now, and currently the... only the sheriff and the coroner can do that. This is agreeable with the Sheriffs' Association. I know of no opposition."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed."

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Representative Rita, you have House Bill 2241. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2241, a Bill for an Act concerning health. Third Reading of this House Bill."

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

Rita: "Thank you, Mr. Speaker. House Bill 2241, as amended, makes a simple change. It just changes the filing date, number of days to file a death certificate from seven (7) days to ten (10) days. I'd be happy ask... to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Graham and Osterman, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Ryg, you have House Bill 1560. Mr. Clerk, read the Bill. House Bill 1560."

Clerk Bolin: "House Bill 1560, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Hannig: "Representative Ryg."

Ryg: "Thank you, Mr. Speaker. House Bill 1560 requires coverage of amino acid-based formulas. These formulas are used to provide the life-sustaining nutrition for children and infants with severe multiple food allergies and related conditions. This legislation seeks to correct an imbalance

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in insurance coverage. And I'm happy to answer any questions."

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

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

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

Black: "Representative, it appears that the Democrat administration, Department of Healthcare and Family Services, oppose your Bill. Is that accurate?"

Ryg: "Yes, Representative, that's correct."

Black: "Okay. So, in effect, it's another unfunded insurance mandate, correct?"

Ryg: "It seeks to correct an imbalance. Currently, insurance companies will cover these formulas if they're administered surgically through a feeding tube. What this Bill does is suggest that coverage should be applied if they're taken orally. The department opposes it because of some language that required a prescription. We were unable to accommodate their request because the FDA has a gray area around these formulas because they do not contain pharmaceuticals, they do not require prescriptions."

Black: "Representative, and I'm not unsympathetic to this. I have a surgical procedure that causes me to wear, maintain and do all kinds of work on a surgical appliance that I would just as soon not do and if I were to ever change insurance carriers, obviously, they would not pick it up. It's a preexisting condition. But I also realize that the more of these we mandate, the less coverage we get. Self-

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insureds don't have to do this. I assume the state insurance does not have to follow this law, correct?"

Ryg: "The state insurance does not..."

Black: "State insurance plan."

Ryg: "...however, we do pay for it for public aid and WIC."

Black: "Okay. Well, only for Medicaid, where we're already a billion dollars (\$1,000,000,000) behind. Well, thank you, Representative. Mr. Speaker, to the Bill. Ya know, at some point we tend to take everything on this House Floor as a single package. And it's important to the Sponsor, it's important to me or whoever has the Bill, we tend to view that only as a piece, a small piece of a rather large puzzle. But at the end of the year when you put all of these pieces of the puzzle together, they can have a tremendous impact on cost, on availability of health care, on accessibility to health care. The self-insureds don't care, they don't follow these mandates. The state insurance plan will not follow this mandate under... regardless of what plan any of us are covered under through as a state employee, but Medicaid would have to follow the mandate and we continue to expand the mandates that are on Medicaid and we continue to fall further and further and further behind on payment to Medicaid providers. There's going to come a day of reckoning and I don't think it's too far in the future. There's a full column... full page column story in a newspaper in my district talking about a family that was so disillusioned with family care, they thought they were insured, they paid the modest premium and then found out that they couldn't... they couldn't avail themselves of dental

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services because there was no pedia dentist who would take their child's case. And the dentist simply said look, we get paid about 40 percent of our costs, we get paid anywhere from 90 to 130 days late and our own patient load is such that we aren't going to open this up. So that the headline on the article was False Promises and we continually do that. We tell people they're covered, they find out they aren't because the more we mandate the more money it costs. We are not keeping up with our Medicaid costs so we don't pay the bills, so fewer people take Medicaid. It's just a vicious, vicious cycle. It would be easier if somebody would just sponsor a Bill and say that health insurance will have to cover everything, everything we know now, everything we will know tomorrow, everything we will know in the future and there could be no exceptions. That might be an easier way than to just do this piece by piece by piece and watch Medicaid go further into bankruptcy."

Speaker Hannig: "Representative Fritchey."

Fritchey: "Thank you, Speaker. To the Bill. On the bigger policy questions there's little debate with the previous speaker that he's right on these things, but the fact of the matter is that we don't get legislation in one big piece like that and that these situations are brought by real people with real children, with real illnesses that could be prevented with the most minimal of treatment. One of the proponents of this legislation is Children's Memorial Hospital. I'm honored to have them in my district. I've met with people from Children's Memorial. I've talked to a doctor who treats these children. I've talked to parents of

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these children that are affected with PKU. Ladies and Gentlemen, we are talking about coverage to save the lives of little kids. We are not talking about outrageously expensive coverage; we are not talking about some unwarranted mandate; we are not talking about bankrupting the State of Illinois. We are talking about a recognized treatment to treat and help cure a very recognized, non-debatable but debilitating illness for little kids. This is something that we are down here to do. We fix problems when they get brought to us. Sometimes we don't take on the problems that we should, but when the problem is brought to us and we have it within our purview, the 118 of us over here, the 59 across the way, when we have it within our purview to do something that could ostensibly save the life of a young child, I don't know how any of us could look... can look at ourselves in the mirror and vote 'no' on a Bill like this. Please vote 'aye'. Thank you."

Speaker Hannig: "Representative Osmond."

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

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

Osmond: "Representative, on page 4 of your Bill, line 15 and 16, it has 'issue a written order'. If they were to get a written order is that not in a hospital confinement? And what I understand is that you want to be able to give this in the home. So wouldn't there be a difference between an order and a prescription?"

Ryg: "My understanding is that based on the FDA's gray area around these formulas because they do not contain pharmaceuticals, they are protein building blocks, they do

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not require a prescription. A written order would be the doctor probably writing on a prescription pad that the doctor is pres... or suggesting this treatment, writing it out as an order and that order has to be taken to the pharmacy. These are not available over the counter. They have to be provided with the written order because they require medical supervision."

Osmond: "So, I guess what you're saying is it's just terminology. He's still going to put it on a prescription pad and he's still going to take it to the pharmacist and the pharmacist is going to treat this as a prescription?"

Ryg: "Yes."

Osmond: "Can you tell me, does this still... does the mandates cover state employees benefits?"

Ryg: "I believe there's some confusion on that. In terms of where the State of Illinois has authority to issue this mandated coverage, it would apply. So it would be the same as our other requirements. So if the state employee insurance is affected by the other requirements, they would be affected by this as well."

Osmond: "Thank you very much."

Speaker Hannig: "We've now had two (2) on each side and Representative Miller you're recognized and which side would you like to speak on?"

Miller: "In favor. Will the Sponsor yield?"

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

Miller: "Representative, are these medications given intravenously or some other form right now, intramuscularly?"

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Ryg: "Typically, they are covered by insurance if they are administered through a surgically implanted feeding tube. What this legislation seeks to do is provide that if the patient, the child, is able to take the medication or the formula orally, that insurance should cover that."

Miller: "So, the difference is not really a new medication, it's just a way in which it is administered. Is that correct?"

Ryg: "Yes, yes."

Miller: "And usually, for young children and I've treated a few in my life, they usually would rather have a medication taken orally than intravenously or intramuscularly or any other injection. Is that... is that probably a correct statement?"

Ryg: "Yes."

Miller: "To the Bill. PKU is a very serious disease and I don't know if anyone knows here in the State of Illinois that we screen that for newborns. If you pick up a package of NutraSweet and read the back of it, you'll read the fact that children cannot have NutraSweet, Equal, those products, who are PKU. So it is a very serious concern. This is simply just trying to cover a medication that is already given in a different method of administration. This only makes sense, particularly, for our youngest of patients; it makes sense for our oldest of patients. Who likes an injection, who likes to be... who'd rather take oral medication in any other way, every... all of us? I would ask for favorable votes."

Speaker Hannig: "We've now had three (3) in support and two (2) in response. The rules would provide one additional speaker

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in response. Representative Jakobsson, do you wish to speak in response?"

Jakobsson: "In support."

Speaker Hannig: "In response. We've already had enough in support. Okay. So, Representative Ryg, you're recognized to close."

Ryg: "Thank you. Again, I would just like to reiterate that this Bill seeks to correct an imbalance in existing insurance coverage. Insurance companies in Illinois typically refuse to cover the cost of these formulas when taken orally, even when medically required. However, they will cover the cost under the tube feeding delivery. It only makes sense that this is a cost effective way that the children can get these specific formulas that they need to maintain their health. And I ask for your '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 Younge and Watson and Pritchard, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 86 voting 'yes' and 30 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Smith, you have House Bill 2106. Representative Mike Smith, 2106. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2106, a Bill for an Act concerning agriculture. Third Reading of this House Bill."

Speaker Hannig: "Representative Smith."

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Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen. This is the Illinois Farm Bureau's renewable fuels package, and this makes a number of changes to the Renewable Fuels Program Act. It would create the Renewable Fuels Development Program Fund in the State Treasury and this is the fund that would be used by the Department of Commerce and Economic Opportunity for purposes of promoting the construction of ethanol plants in the State of Illinois. It also establishes a grant fund for the... to assist retailers in adding more ethanol pumps in the state. It also creates a grant fund for ethanol plants to help with rail spur development on their projects. I know of no opposition to this legislation. It is an initiative of the Illinois Farm Bureau, also supported by the Illinois Corn Growers. It will combine many of the programs currently existing in the state into one initiative under the Department of Commerce and Economic Opportunity. Be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Sommer, you have House Bill 1877. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 1877, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Tazewell, Representative Sommer."

Sommer: "Thank you, Mr. Speaker. House Bill 1877 amends the School Code. And what it simply does is specify that adoption and placement for adoption as well as birth can be legitimate uses of sick leave. The Education Committee was very cooperative in this legislation and the end result is that this, as far as the particulars of such leave will be left to the local school board, any negotiating process there. Would ask for your support."

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

Eddy: "Thank you very much. Would the Sponsor yield?"

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

Eddy: "Representative, I just want to make sure we get the intent clear here."

Sommer: "Yes, Sir."

Eddy: "Your intent very simply is that if a school district has a local sick leave policy or agreement that allows teachers to use a certain number of days for birth that that same benefit is extended in the exact same manner to those who are seeking to adopt."

Sommer: "That's my intent, yes."

Eddy: "Okay. So you're not trying to change existing bargaining contracts in any way?"

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Sommer: "No, in no way. In fact, the original legislation did spell out some days that may have been in agreement or not in agreement with various contracts."

Eddy: "So, if any school district allows four (4), five (5), six (6), whatever the number of days or weeks, whatever, for a birth, your intention is that that would be the same and you're not allowing them to use any more than they normally would?"

Sommer: "No, we do nothing... we do not seek to extend it beyond any already negotiated contracts."

Eddy: "Thank you very much, Representative."

Sommer: "Thank you."

Speaker Hannig: "Any further discussion? Representative Sommer to close."

Sommer: "I'd appreciate your '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 Hoffman and Lyons, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Stephens, you have House Bill 617. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 617, a Bill for an Act concerning state Government. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Bond, Representative Stephens."

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Stephens: "Thank you, Mr. Speaker. House Bill 617, as amended, makes changes to the office of the Inspector General's Office of DCFS. It creates an error reduction team that allows the office of the Inspector General to make recommendations to the director in reference to agency staff; recommends that the office of the Inspector General operate fiscally independent from DCFS, as well as other changes. I could go on and talk, but maybe I'll just respond to questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Leitch and Mulligan, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Verschoore, you have House Bill 3382. Out of the record. Okay. Mr. Clerk, read House Bill 3382."

Clerk Bolin: "House Bill 3382, a Bill for an Act concerning offenders. Third Reading of this House Bill."

Speaker Hannig: "Representative Verschoore."

Verschoore: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is cleanup language from a Bill that Representative Fritchey passed last year, and in order to comply with the Federal Jacob Wetterling Act so that the state does not lose funding from the Federal Government. And I would ask be... for an 'aye' vote. And be glad to answer any questions."

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

Fritchey: "Thank you, Speaker. To the Bill. I want to thank Representative Verschoore for going out of his way to assist us with a very complicated issue. Just so everybody understands what we're doing here, last year we took the very appropriate step of taking nonviolent offend.. or nonsexually violent offenders, taking them off the sex offender registry, putting them on a different registry. That triggered a host of other ramifications and one of those was a technical mistake that I take responsibility for, that a number of agencies missed along the way, but it was found out, and what this Bill does is that we clean up that technical mistake so that we are not at risk of losing several millions of dollars in federal funding. It does nothing to change the underlying substantive Bill as far as we are aware. It was brought to us by the Criminal Information Authority and we.. or the Criminal Justice Information Authority, and we know of no opposition, nor any reason that there should be opposition. Thank you."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Chapa LaVia, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby

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declared passed. Representative Watson, you have House Bill 403. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 403, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Morgan, Representative Watson."

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 403 simply allows not-for-profit rural water co-ops to entitle them to the same property tax... or sales tax exemptions as those in... that municipalities enjoy. I would like to thank the staff members on our side and the Speaker's side that worked so hard for this. It's a good example of how this system should work. I'd be more than happy to answer any questions."

Speaker Hannig: "This is on Short Debate. And in response, the Gentleman from McHenry, Representative Franks."

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

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

Franks: "How do you define a not-for-profit water co-op?"

Watson: "Basically, it's when they, Representative Franks, when they formulate their co-ops they have to do that. And it's done through revenue, I believe."

Franks: "This would not apply to private water companies."

Watson: "No."

Franks: "It would only apply to co-ops?"

Watson: "Correct. And it also does not apply to... to any personal property, any piping that you would have to put on personal property. We know where that is because... because of the... there are certain links and setups that they have to

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have and it goes to a certain point, and when it hits your property none of that piping would be tax free. It's all... it's all for co-ops only."

Franks: "Thank you. It's a good Bill."

Watson: "Thank you, Sir."

Speaker Hannig: "Representative Rose."

Rose: "Thank you. In support of the Bill, Mr. Speaker. Ladies and Gentlemen, this is a very important piece of legislation to many of us in downstate Illinois. My district has had water service brought to areas that forever didn't have water, clean water. They might have had well water, but they now have water service because of rural water co-ops. This Bill and I salute the Sponsor who helped us expand that service even farther and serve more customers, to bring potable water and clean water. So, thank you, Mr. Watson, for bringing this Bill forward."

Speaker Hannig: "Any further discussion? Representative Watson to close."

Watson: "I would appreciate 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 Schmitz, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr... Representative Winters, you have House Bill 2920. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 2920, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2920 basically corrects an injustice in the Illinois Municipal Code that does not allow out-of-state time as a police officer or firefighter to work for the age determination... If you're over 35 you're not typically hired in Illinois unless you have previous municipal experience. This would allow municipal experience at a city outside of the State of Illinois to qualify. And be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative May, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3676."

Clerk Bolin: "House Bill 3676, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. On page 40 of the Calendar, under the Order of Senate Bills-Third Reading, is Senate Bill 500. Mr. Clerk, read the Bill."

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Clerk Bolin: "Senate Bill 500, a Bill for an Act concerning public health. Third Reading of this Senate Bill."

Speaker Hannig: "Representative... Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker and ...of the General Assembly. Today I bring before you Senate Bill 500 which will ban smoking in most public buildings and spaces across the state. Although we have been contacted by our constituents and visited by all kinds of organizations with enough money to fight, I think it is necessary that we talk about what this Bill is. First of all, this Bill is not about cigarette smokers; this Bill is not about smokers' rights. This Bill still allows them to smoke at home, in their vehicles and 15 feet away from buildings. Smokers have a right to smoke, but we as elected officials and parents have a right to limit where they do it. But what they should not have a right to do is force others to breathe their smoke and so, we regulate. I'm talkin' about the people that work in bars and restaurants and places where smoking is common. Those jobs are often low paying with zero (0) to minimal benefits. These people can't afford to miss a day of work for sickness and they shouldn't be forced to breathe secondhand smoke as a part of their job. Yet, there are some that would recommend that they find a job somewhere else. I think that most of us believe that government has a right to speak up and step in when the actions of one person harms another. We do it here every day. We don't need to talk here, I don't think, about the dangers of secondhand smoke because we all know that they are real and there's no doubt that the actions of smokers are harming nonsmokers.

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You also hear opponents with their plan at talking points about how smoking bans are bad for business. What we won't hear today is a specific study that proves this. I haven't seen one. The Sponsors of this Bill in the Senate said they haven't seen one. What does harm business is the patchwork of smoking bans across this state, thirty-six (36) counties and municipalities thus far. A driving force behind this Bill is the businesses in those towns that currently ban smoking. They are worried that smokers will patronize other towns. In densely populated areas like those that surround Chicago, this is a major concern. That is why we need this Bill to level the playing field. This Bill is fair to business. It contains very few exemptions and this was meant to be not only comprehensive but to be fair. I would ask you to consider the nonsmokers today. I can tell you that I know far more nonsmokers who have simply stopped going to restaurants and taverns because they can't stand the smoke and that sick feeling you can't shake the next day. If we keep smoking outdoors, I believe we'll see many families return to their favorite restaurants. Those who would stand up for nonsmokers have been drowned out for far too long by the outcry of the addicted. It's time we stopped listening to persons who can't look you in the eyes for a half hour conversation without that deep need to excuse themselves to have a smoke. It's time we listened to the vast majority of Illinoisans who do not smoke and set some boundaries for smoking. After this Bill is signed into law, smokers can smoke in their homes, in their cars, and outside or they can finally make a decision to decide to

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quit. But as I said before, this Bill is not about smokers or smoker's rights. It's about the rights of nonsmokers, of children, of the elderly, and the hardworking people who take our dinner orders and cook our food and clean our tables. I'm asking for your vote today, but I'm also asking for you to take a stand for public health. I'd be happy to answer any questions."

Speaker Hannig: "We're going to put this on the Order of Standard Debate. And Representative Froehlich, you're next on the list to be recognized. You have 5 minutes."

Froehlich: "Thank you, Mr. Speaker. The... As this Bill came up a couple of times now through the Environmental Health Committee, one argument that arises is, well, why don't we just ban cigarettes, if we're going to say you can't smoke indoors? And... and that's a fair question; I'd like to address it. The reason we don't ban cigarettes, same reason we don't ban firearms, we don't ban alcohol, we don't ban gaming, we don't ban prescription drugs. What we do is regulate those things to reduce the harm to public health and that's what we're doing here with cigarettes. There's no need to ban them. What we're doing is regulating 'em to protect public health in indoor public places. I've got every mayor in my district urging me to support this Bill. It's clearly a public health Bill. I think it's reasonable. We've got dozens of other states who are already there. I hope Illinois will be joining those other states today. Thank you."

Speaker Hannig: "We now have two (2) in support. Representative Black, you're recognized for 5 minutes."

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Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. And it's not going to make much difference what I say. I do agree with the Sponsor. This isn't about smokers' rights or nonsmokers' rights; it's about something that I believe in that I see is disappearing in this country and it's why many of us are the children, grandchildren, great-grandchildren of the immigrants. That's why people came to this country. They came because they had opportunity and there was a marketplace. They could start a little restaurant. They could start a little neighborhood bar or tavern. They could work their way up. Ladies and Gentlemen, I am a nonsmoker, a dedicated nonsmoker and I don't need to go over the personal and painful reasons why I am, but I'm a marketplace individual. The marketplace, if you'll leave it alone, will find its level. Most national restaurant chains are already smoke-free. The Marriott Corporation, probably has thousands of hotel rooms across the country, they are smoke-free, completely smoke-free. More and more businesses are going smoke-free. That is a decision they made and a decision that the marketplace made. I'm sure one of the things that influenced the Marriott Corporation is they found that they didn't have to shampoo their carpets as much. They found that they didn't have to wash the bedspreads as much. They found that they could attract customers who wanted nonsmoking rooms. I won't go to any place that allows smoking in a hotel room. I won't stay in one. I tend not to go to restaurants or bars that allow smoking unless their air separation is so superior that the cigarette smoke

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doesn't bother me. But what about somebody who has invested their life savings, borrowed against their insurance, borrowed against taking a second mortgage on their house and they open up a little neighborhood bar and grill. Now, if they think they can make a living by selling sandwiches, beer and other assorted items, why does the state have to tell them, no, no, you can't allow smoking in your restaurant. What ever happened to the marketplace? If that person can make a living by allowing smoking in his neighborhood bar or grill, fine, but I don't have to go there and I won't go there. I'll vote with my pocketbook on where I choose to spend my money. That's what the marketplace can do. That is what has made this country such a positive, economic force. The marketplace will find a level. If you can make a living by saying I don't allow any smoking in my restaurant or bar, good for you. That's where I'm going to go. I'm not going to go to a place where the food smells like tobacco smoke, the linens smell like tobacco smoke and the silver smells like a wet cigar that just got out of the shower. But that's my choice; that's my choice to exercise where I spend my money in the marketplace. I am not comfortable, and it's politically correct now, we're going to tell the owner of a small ma and pa restaurant who maybe thinks he or she can make a living by attracting smokers and nonsmokers, fine. Let's see if the marketplace will regulate that. I think it will. I think it already has. We don't need to pass this Bill. Two (2) years ago we were told if we said, make it local option, that's all we want. Make it local option. Well, two (2)

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years later they came back and what basically have we said, well, the local governments didn't act quick enough. And then we created pockets; some towns had no smoking, some towns didn't... had allowed smoking. So, the bar owners said my customers went to the next town where they could smoke. The marketplace is fully capable of taking care of this issue. Last but not least, is the hypocrisy of some of you who will vote for this. There are about ten (10) of you, most of you on that side of the aisle, who come back into an office area where my office is and smoke thirty (30), fifty (50), eighty (80), one hundred (100) cigarettes a day, even though I've asked you not to. That cigarette smoke bothers me and if I see some of you voting for this, I'm going to call you out, because you're hypocrites. You don't follow the Clean Air Indoor Act now, but you're perfectly willing to tell somebody who's trying to run a small neighborhood business what they can do. Let the marketplace prevail. Don't spend your money where they allow smoking. If they don't need your money, fine, but I don't go there."

Speaker Hannig: "Representative, your time has expired. Could you bring your remarks to a close?"

Black: "Thank you very much, Mr. Speaker. It simply bothers me and I realize that I am now a dinosaur, where we turn our back on the free marketplace, not only of ideas, but of personal behavior. I don't spend my money in places that allow smoke. I don't like the smell; I don't like what it does to my eyes; I don't like what it does to my nose; I don't like what it does to my throat. And I put up with enough cigarette smoke back in my office complex from

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lobbyists and about a dozen Legislators every day. The marketplace can't regulate that. That's already outlawed under the Clean Air Act, but it doesn't make any difference. They're going to smoke anyway and they'll probably smoke even if this Bill passes and I'm sure it will. But I don't know why we're so afraid to let what is the linchpin of this free enterprise, vibrant economy, work this out. It is working it out, quickly. The marketplace... you have to adjust to the marketplace and most restaurant owners are doing it. But it's the national chains; all you're doing is destroying the entrepreneur in your neighborhood who has a small restaurant, a small bar and grill, a small social club, not to mention what you're doing to World War II veterans, in VFW halls and American Legion posts. Let the marketplace work it and somebody said, well, the waitress. I'm going to tell ya something, the service industry is the place to be right now and if you want to find a job working as a service person in a nonsmoking environment, there are hundreds of 'em, thousands of 'em out there and they will bid for your services if you're a good server. I think this is heavy-handed, flies in the face of the free enterprise system, flies in the face of the free market system and even though I'm a dedicated nonsmoker, I've seen enough hypocrisy in this chamber on this issue over the years to say, shu... shame on some of you who will vote for this and then come back in my area and make me inhale your cigarette smoke which is in violation of the Illinois Clean Air Indoor Act."

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Speaker Hannig: "We've had two (2) in favor and one (1) in opposition. Representative Currie, you're recognized for 5-minutes."

Currie: "Thank you, Speaker. But first I have some questions for legislative intent. Representative, under this Bill, would smoking be permitted in a private office within a building that itself is open to the public?"

Yarbrough: "Yes, Representative, smoking would be permitted in a private office. The Bill defines 'a public... public place' as that portion of any building that is open and open to the public. Not every part of a building is used and open to the public."

Currie: "So, in the definition of 'public place' in your Bill, the definition includes offices. So, is it your intention to include only those offices that are open to the public in this Bill?"

Yarbrough: "Yes. The definition of 'public place' includes a long list of things like restaurants, and hospitals, and clubs and offices, but we're only talkin' about the portions of those places that are open to the public. A good example of this is a nursing home. Now, while nursing homes are included in the definition of 'public place', but private rooms in nursing homes are not subject to the smoking ban."

Currie: "So, this Bill would not cover, for example, a private office in a law firm or an accountant's firm?"

Yarbrough: "No. A private office in a law firm is not used by and open to the public."

Currie: "Sometimes a member of the public, a client for example, might be invited into a private office in a law firm, an

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accountancy firm and so forth, would you consider in that case then that that office is under your definition open to the public?"

Yarbrough: "No, I would not. Just because somebody's invited into the office doesn't make that office a private..."

Currie: "A public..."

Yarbrough: "...a public place. It's still a... a public place."

Currie: "A private office."

Yarbrough: "Private, I'm sorry. It's still a private place. Having a visitor that you invite into the office doesn't make that office open to the public at large."

Currie: "And how about a private office in a public building, like a town city hall? Would the mayor's private office in the city hall be covered by this Bill?"

Yarbrough: "My intention is to cover only those portions of the building where the public is generally allowed access and use. Just because the mayor might invite people into his office on occasion, it doesn't make it a public place. So, the answer is 'no'."

Currie: "Thank you very much, Representative. To the Bill. Secondhand smoke is bad for you. The scientists tell us they cannot measure an amount of secondhand... secondhand smoke that is not dangerous. It seems to me as a matter of public health we oughta be respectful of our citizens in whatever community they happen to live. Today, 44 communities in the State of Illinois have gone smoke-free. There are many others that have not. To protect the citizens in those establishments, those public places, I think Senate Bill 500 makes good sense. I also think from a

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policy perspective to have a uniform rule will be helpful to businesses, to consumers, and certainly, to the employees of those establishments. I urge your 'aye' vote."

Speaker Hannig: "We've had three (3) in support and one (1) in opposition. The rules would provide two (2) additional speakers in opposition. Representative Winters are you in opposition? Okay. Proceed. You have 5 minutes."

Winters: "Thank you, Mr. Speaker. I rise on this issue conflicted because I don't smoke and I don't like secondhand smoke. If I'm meeting with somebody that's smoking, I'd ask him to maybe we'll both step outdoors where I don't have to be subjected to it. But I do think that there are rights that we have that even the minority has rights in this... in this society. What I'm trying to raise is the fact that just because the vast majority of Americans don't smoke and don't like secondhand smoke should not give them the right to ban it from those who do choose to partake in this... in this activity. And I think the Bill is flawed in some... in certain ways. For instance, the definition of in nursing homes or hotels, it's permitted to have, in a private room in a nursing home or in hotel rooms, if there is no infiltration of smoke into the nonsmoking areas. And yet, we have no definition of what parts per million is considered infiltration. It is an absolute, says no infiltration. I, therefore, think that if the Department of Public Health gets excited enough, they can say, 'look, there are smoke particles throughout this nursing home. The only way to ban it, because we don't have 100 percent lack of infiltration, is to ban it from the entire facility.' I

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also rise, after hearing the testimony in committee from Springfield bars and restaurants who lost three hundred (300) jobs, who closed a number of establishments because there was a smoking ban in Springfield, the answer then is to make it statewide so Springfield's not hurt. Well, the problem is, my legislative district is on a border with Wisconsin. We have a city, Beloit, Wisconsin, it will open its arms to allow in smokers from Illinois. What you're doing is another signal to the Illinois retail establishment, we're not friendly; we don't want to let the marketplace determine whether or not you have smoking. We have restaurants in my district that have decided to be nonsmoking; they don't allow smoking. That's a market decision. They are marketing that as a way to attract a different clientele than they have had and it seems like it's working. There are also bars and restaurants that would like to emphasize that we now allow smoking... we still allow smoking. That's what we want to specialize in. Maybe even have a club that might like to try cigars from all over the world. This month we'll do Cuban cigars, the next one we'll do Filipino cigars. I don't know where they come from. But the right to association of like-minded people should not be ended in this state simply because we may have a personable... a personal animus against secondhand smoke. There is probably uncontroverted evidence that secondhand smoke is damaging. We don't know to what extent, but it probably is not good for us. But that doesn't mean that we should trample on the rights of the minority who choose to pollute their own lungs; it's their decision. If they want

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to meet with their compatriots, then I think that they oughta have some opportunity to do that and this Bill gives them no opportunity. The other issue is the fact that the Illinois prisons are, at this point, do allow smoking. AFSCME testified in committee that they were very fearful because this Governor has cut so many frontline staff in our prisons they barely have control of it now. One of the few tools that they have is to allow the prisoners to calm down a little bit, and have a cigarette, take a few minutes to think through the situation before you attack a guard. They are very afraid that given the price of cigarettes in prisons where they have tried in other states to ban it from prisons, the price has gone from a dollar (\$1) a cigarette, to twenty dollars (\$20) a cigarette, to fifty dollars (\$50) a cigarette. Now, you've introduced the possibility that the gangs can make untold profits by counterfeit... not counterfeit, excuse me, contraband cigarettes in our prison system, adding additional pressure on to our overloaded staff. This might be the straw that breaks the camel's back and we will lose control of our prisons simply for the feel good measure that our prisoners aren't going to be getting any secondhand smoke. I intend to vote against the Bill. I don't think it's proper for us, as Legislators, to tell the minority of our citizens who wish to smoke that they cannot congregate in a public place among all other smokers, nobody there can complain about secondhand smoke, I think they oughta be allowed that right."

Speaker Hannig: "We've had three (3) in support and two (2) in opposition. The rule provide one (1) additional speaker in

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opposition. Representative Bost, are you in opposition? Then you're recognized for 5 minutes."

Bost: "Thank... thank you, Mr. Speaker. To the Bill. I, myself, as many of us have talked about here, I'm not a smoker. Haven't smoked since the day after my son's birth and now he's twenty-six (26) years old and that was my choice. On occasion, I have a cigar, but as many have mentioned, really our vote is our dollar bill when it comes to the marketplace. And there are many places and businesses that condone smoking and have a lot of smokers there and I choose not to go, that's my choice. But the real problem I see with this Bill is kind of the process that takes place around here and I don't know how many others have had this happen, but three (3) years ago we voted for local control on this issue. And the lobbyists, they all came to me and the ones that supported the Bill and they said, 'now, Mike, we know that you support local control. We know that you want to vote for this Bill.' And I had trouble with the Bill even for the local control because I thought well, what about... what about private business, what are we doing to private business? But when they delivered the issue and it says, ya know what, our own communities can make these decisions. City councils can hear and believe and be concerned and make their decisions based on that. And I weighed that out and I voted for that Bill. But I also told them at the time that they were lobbying me on that issue, I said, whatever you do don't come back in a couple of years and say, now, all of a sudden I want it statewide when you just told me that it's because you believe in local control

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that you're going to vote for this. Well, folks, I still believe in local control. Now, maybe it is that local control didn't make a few of you happy because your particular areas didn't vote to ban smoking. So, now, all of a sudden, you no longer believe in local control, now you believe in a statewide ban because we know better than those locals who are elected just like you are. We had, in Carbondale, this come before the city council a couple times. Back and forth the arguments went on and they did do the ban. That's local control. That's the way government works best. You won't see me be vot... I'm voting 'no' and the reason I'm voting 'no' is, is because of this process, the way it's been handled. Those same people who got to have local control, now they don't want local control they want to statewide ban. Folks, this is a bad precedence. I don't... I don't think that... that smoking is... we all know it's not healthy. We all know it bothers you; it bothers me. If I'm in a room when someone is smoking, it... I've got allergies and all kinds of other problems and I will try to stay away from them. But this is just basic government... Once again, ya know, I said it last week. All these things we keep doing that shoves government into our lives, government keeps growing and the reality is if it... if you feel smoking is... is so bad and we need to do it at this level then let's go ahead and let's just put a prohibition on smoking. Go on. Let's go ahead and put a prohibition out there because these little steps, one right after another, because that's what we've... that's what we're doing here... I believe that a 'no' vote's proper. And Mr.

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Speaker, if this gets the required number of votes, I would ask for a verification."

Speaker Hannig: "There has been a request for a verification by Representative Bost. The rules provide that three (3) can speak on each side under the rules of Standard Debate and we've now had that. And so Representative Yarbrough, you're recognized for 5 minutes to close."

Yarbrough: "Thank you, Mr. Speaker and I want to thank all of the people who spoke. Certainly, two (2) years ago we... House Bill 672, I was the House speaker (sic-Sponsor) of that Bill. And I believe in local control. It was our intent with that Bill to allow municipalities all across the State of Illinois to have the opportunity to choose, if they wish, to regulate smoking in public places. We thought that that certainly was the right thing to do. We thought that why should only twenty-four (24) municipalities be allowed to do that, why not the entire state. So, we passed that legislation. Since that time, I've heard from a number of municipalities in my district and I've heard from many of you in this room from your municipalities who're asking for the floor. So, when you ask for the floor, the state comes up with that legislation and that's what we have before you. When I started out today, I told you that this was not really about smoking or nonsmoking; we're talking about a public health issue. Why should Illinois go smoke-free? According to the U. S. Surgeon General, there is no risk-free level of exposure to secondhand smoke. Secondhand smoke kills an estimated two thousand nine hundred (2,900) adults and children in this state each year. By creating a

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100 percent comprehensive clean air legislation, we can make sure that all workplaces, including bars and restaurants, will limit workers' exposure to secondhand smoke, creating a healthier environment that will ultimately save lives. People, that's what this is about. This is about public health. And while I've heard my colleagues here today talk about rights, everybody has the right to smoke, but when your rights stop where my rights begin. And I think that's what we're talking about today. So, I'm asking you for a favorable vote today. Do it for the children, do it for the elderly, do it for the people who work in these places and while some people will say, you can work somewhere else, well, maybe they can't work somewhere else. And why should they have to make that kind of choice. So, I ask you for a favorable vote today. Please vote 'aye'. 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? Representative Brady, Hassert, Leitch, do you wish to be recorded? Mr. Clerk, take the record. Representative Bost, do you withdraw your request? The Gentleman withdraws his request for a verification. On this question, there are 73 voting 'yes' and 42 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Molaro, do you wish us to read House Bill... Senate Bill 377? So, Mr. Clerk, read Senate Bill 377."

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Clerk Bolin: "Senate Bill 377, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Molaro."

Molaro: "Thank you. I want to say right up front that if I do pass this Bill, I don't want any hugs; I don't want anybody coming near me. I don't need applause. Anyway 377, we debated the, not debated, we talked about the Amendment. All this is, no state money, it has Cook County Pension Fund and all it does is if you resign within a certain period of time, you get one and a half times your contribution back. It's a plus for the fund and it's a plus for the pension system and it's also a plus for county corporate. And I'd ask for an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Representative Beiser. Representative Fritchey, in response."

Fritchey: "Thank you, Speaker, will the Sponsor yield?"

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

Fritchey: "Representative, everybody's kind of caught up in the aftermath here of the last Bill. Is this the legislation that we had debated that had, especially the window that's opening up, with a one and a half times payment? That's this Bill, right?"

Molaro: "Same Bill."

Fritchey: "Okay. That's all I want to know. Thank you."

Speaker Hannig: "Representative Pritchard. Okay. Representative Molaro to close."

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Molaro: "Thank you. We'd ask, as I said, no state money, no cost, it's a plus to the pension system but we did it for the state twice. And I ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall Senate Bill 377 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 Lang, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 86 voting 'yes' and 30 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. We're going to start at the beginning of the list. Representative Dugan, for what reason do you rise?"

Dugan: "Speaker, on that last Bill I should have been recorded as a 'no' and I was recorded as a 'yes'."

Speaker Hannig: "Okay. So the record will reflect your intentions. Representative Acevedo, you have House Bill 873. Do you wish us to read that Bill? Out of the record. Representative Arroyo on House Bill 1078. No? Okay. Out of the record. Representative Collins, you have House Bill 1050. Representative Collins. Representative Granberg, you're going to be next, so don't walk off. Representative Collins wishes us to read House Bill 1050. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1050, a Bill for an Act concerning courts. Third Reading of this House Bill."

Speaker Hannig: "Representative Collins."

Collins: "Thank you, Mr. Speaker. We're asking for the passage of House Bill 1050. Federal Law says that we can't hold

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juveniles in the detention center past twelve (12) hours and so we're just asking for them to comply with state... with Federal Law. And we added Amendment #1 to the Bill, which makes the sheriffs neutral to the Bill. So we're asking for an 'aye' vote."

Speaker Hannig: "This is on Short Debate. And in response, the Lady from Kane, Representative Lindner."

Lindner: "Yes. Representative Collins, would you tell us how this is going to work now in downstate jails maybe where they don't have the capacity to transfer someone, to transport somebody?"

Collins: "Well, with the Amendment that we offer, what's going to happen is that the Department of Human Services is going to come get the kids within those twelve (12) hours and then place the kids. So, they're going to be the ones responsible for calling around the state and finding an opening in a jail and then they're going to place the kids there."

Lindner: "All right. Now, in some of the, 'ya know, smaller towns downstate, though, how near is the Department of Human Services?"

Collins: "Well, it's the state human services."

Lindner: "Pardon?"

Collins: "It's the state department... it's the state Department..."

Linder: "Right."

Collins: "...of Human Services."

Lindner: "Right. But do they..."

Collins: "So they're all over."

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Lindner: "But they don't have departments in every town, so how would they gonna... what if they don't get there within six (6) hours? What's going to happen?"

Collins: "Well, most of the time the kids can go home. I mean, most of the time they're there for a misdemeanor anyway, so they just have to process the kids and then let them go."

Lindner: "But if it's a child who has committed a serious crime are they going to be let go within six (6) hours?"

Collins: "What... the whole thing is that they're going to be processed. So after the kids are processed, anyway, ya know, that if they... if they call their parents or whatever, then they're eligible to be let go. If this is a misdemeanor they can go home or if they wanted them to stay and they want to hold them over for court, then the Department of Human Services will be called. They've called around, found a detention center for them to go to and if it takes past that then, you know, they're not going to be penalized but this is going to be law. We want them to do it. There going to be so... I mean, they're going to be hoping that they do this within the twelve (12) hours."

Lindner: "So the Bill basically depends on the call to the Department of Human Services. So once you make that call, then if they don't get there within the six (6) hours that's all... they still will keep somebody who has committed a serious crime?'

Collins: "Oh, no. That would never prevent that from happening. If they don't want the kid to go, if the kid is not eligible to go past the six (6) hours, they're not going to just let them go. They still have to process them and then hold

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them. They'll still detain them if necessary, but then we're going to be trying to find a place to put them. So they're not just going to let them go, they'll just be... Well, they would have gone past the six (6) hours, which we don't want them to but if they have to, they can."

Lindner: "All right. So, if the transportation is not there on time, they can stay in jail?"

Collins: "Yes, yes, yes."

Lindner: "All right. And it's my understanding and I wanted to let Members on my side know now that both the state's attorney and the counties are not in objection to this Bill. I don't know..."

Collins: "That's correct."

Lindner: "I don't know if they're supporting it or if they're just neutral. Can you tell me that?"

Collins: "Well, they're neutral on the Bill and actually this is their Amendment. This is the Sheriffs' Department Amendment to the Bill."

Speaker Hannig: "Could we give the Lady some attention, please?"

Lindner: "All right. Thank you. I will support the Bill; you've worked hard on the Amendment."

Collins: "All right."

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

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

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

Black: "Representative, there are thousands of these cases a year. Have you talked to the Department of Human Services

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about how they're going to arrange pickup of these juveniles? We average, just in my home county of eighty some thousand (80,000+) people, we average thirty (30) cases a month. How is DHS going to pick up the thousands that would be statewide?"

Collins: "Well, there's a grant from the Federal Government and this is what they said they could do, so they're going to have... they have a bus and they're going to go around and they're going to arrange for them to do it with the grant. They get a big grant from the Federal Government to be able to do this."

Black: "Do you have any position statement from the Department of Human Services?"

Collins: "We had an Amendment for them."

Black: "I understand that. I'm asking you, do you have a position statement of compliance from the Department of Human Services?"

Collins: "No, we don't have that in our possession."

Black: "All right. Mr. Speaker, to the Bill. It'd probably be easier for me if I wanted to kill the Bill, I probably ought to speak in favor of it and that might do it. But I've heard again from the people who are on the front lines day after day after day enforcing the laws that we pass, year after year after year. Now, let me tell you what they're saying. I find it fascinating that the Department of Human Services hasn't said one word about how they're going to do this. They haven't said one word about where they're going to take them. Where are they going to take these juveniles? I... just put them in the back seat and drive them around

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until they get car sick? Where are they going to take them? We have no facilities for them. My juvenile detention center in Vermilion County has twenty-six (26) beds and our average monthly census is twenty-four point four (24.4). So where is DHS going to put them? They're going to put them in a car, that's all I know. I don't know where they're going to take them. I don't know how they're going to transport them. In my opinion the Department of Human Services will never promulgate rules to do this because the Bill defeats the whole purpose. It says if DHS doesn't show up, you keep the youngster in the adult jail. So if DHS doesn't show up for twenty-four (24) hours, forty-eight (48) hours, seventy-two (72) hours, the juvenile stays in the adult jail until DHS picks the juvenile up. Well, I know what DHS is going to do, they aren't going to show up. So instead of accomplishing something, we've taken a bad situation and we've simply made it worse. I intend to vote 'no'."

Speaker Hannig: "Representative Mulligan."

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

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

Mulligan: "I was not in the committee that this Bill came through and this has been a very difficult debate to follow. So, excuse me if I ask you some questions that were asked before."

Collins: "No problem."

Mulligan: "All right. The current Amendment is one that the state's attorneys wanted on, is that what you answered Representative Lindner."

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Collins: "The Sheriffs' Department."

Mulligan: "The Sheriffs' Department put the Amendment on? Okay."

Collins: "The Sheriffs' Association."

Mulligan: "All right. And the goal is to not keep juveniles mixed in with adult prisoners?"

Collins: "That's correct."

Mulligan: "Okay. So all of a sudden we've come up with a plan that DHS is suppose to transport them and DHS has not, obviously, made a statement here that we know about. But where are they going to get the money? Did you say it was from a federal grant?"

Collins: "There's a federal grant that even allows the Sheriffs' Department to transport. On any given day we have open bed spaces around the state in our juvenile detention centers. Now, maybe in Vermilion County there may not be an opening, but around the rest of the state there are openings. So before DHS leaves the office they're going to find out where the beds are and then take those kids to those particular beds where they are in different counties."

Mulligan: "All right. So, our staff said that there was some difficulty with the federal grant going to DHS as opposed to going to law enforcement."

Collins: "The grant goes to the... Actually, the Sheriffs' Department gets the grants right now and they still... We're talking about the sheriffs still would have the ability to take those kids to a different detention center. But a lot of times they don't want to do it and that's why they offered that Amendment and they're neutral on it. But they

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still can do it. So in those cases where it's too far or far away and they want to go to different parts of the state, then they can do that. Then the Department of Human Services will come in and take those kids there."

Mulligan: "All right. So, they're going... the Sheriffs' Department..."

Collins: "So they're just like helping them."

Mulligan: "...at least in Cook County is going to contract with DHS and pay them to do the movement of the juveniles within six (6) hours to a juvenile facility as opposed to an adult facility?"

Collins: "Did you say something about Cook County? I'm sorry."

Mulligan: "Well, I'm just saying..."

Collins: "Well, in Cook County our detention center is right there, so the kids will go there. And sometimes we have open bed spaces there so the kids will go around the state to the different detention centers wherever there is an opening. As the other Representative said, their county is always booked. Well, in many counties there are plenty of open beds in different parts of the county. A lot of times what happens is that the counties are too far and then the Sheriffs' Departments don't want to transport them and that's why the Department Human Services comes in and they're spread out across the state, which may be a little closer than somebody else."

Mulligan: "All right. So, I guess there's a number of questions. The one would be, if you're going to move them to an open bed, how far away can they move them from home

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and will DHS be responsible for locating that place or is it the Sheriffs' Office that locates it?"

Collins: "Well, there's a list that so the Sheriffs' Department... And we'll have to work out exactly how it's going to work, but there's a list of all the detention beds for any given date, where they are. And so that Sheriffs' Department will call the number, I guess it will be a centrally located number, they'll call and then they'll find out where the beds are and then they'll come get the kid and take him there if the Sheriffs' Department do not want to transport."

Mulligan: "I... I've tried to support most of the juvenile justice reform. I'm just a little concerned when you mix DHS and money in there as to how it's actually going to work and where they're going to go. And how long do they have to set up this program and what monitoring do they have on it in case it doesn't work?"

Collins: "We don't have a date at this point, so I don't... we don't have a date at this point, but I'm sure when I was talking to the juvenile justice initiative they said we're going to set it up and work out the protocol of how it's actually going to work with the department."

Mulligan: "Does this happen in other states in this way?"

Collins: "I'm not sure."

Mulligan: "Okay. So, who was the originator of the Bill, the Juvenile Justice Reform Task Force or whatever their name?"

Collins: "Yes."

Mulligan: "Okay. Thank you."

Speaker Hannig: "Are you completed..."

Mulligan: "I assumed my time was running out, so I quit."

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Speaker Hannig: "Your time has run out, Representative. So we've had three (3) in response and one (1) in support. The rules would provide two (2) additional speakers in support. Representative Durkin, are you in support?"

Durkin: "I'm getting there."

Speaker Hannig: "You might be?"

Durkin: "I'm more than 50 percent there."

Speaker Hannig: "Okay."

Durkin: "How... does that qualify as supportive?"

Speaker Hannig: "Well, we'll give it to you today."

Durkin: "All right. Thank you. Representative, I just want to make some... just clarify something. Right now, we're saying we can't hold them for more than six (6) hours, but the question is, if the investigation is conducted on this juvenile, at the end of six (6) hours it doesn't preclude the police or the state's attorney from continuing the investigation if they are transferred to the juvenile authority... juvenile detention center, correct?"

Collins: "No, they can still investigate."

Durkin: "All right. So, the six (6) hours is just for temporary residents."

Collins: "They just don't want them there. Right. In the jail."

Durkin: "All right. I just want to make that clear that this does not preclude the police from continuing and at some point communicating and discussing the... whatever charges that are pending against the juvenile."

Collins: "Right. It's just... Okay."

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Durkin: "Thank you very... Okay. All right. That's fine. And I rise in support and I appreciate you working hard on this. I understand you do have the sheriffs and the state's attorneys' support on this. So, I would recommend an 'aye' vote."

Collins: "Thank you."

Speaker Hannig: "Representative Molaro, do you rise in support? Okay. In support."

Molaro: "Yes. I'll be real quick 'cause hopefully everybody read this. The Bill talked about six (6) hours, but then they came up with a nice compromise where all the sheriffs and their associations throughout the counties. And if we read the Amendment it basically says they have up to six (6) hours. After six (6) hours they call a number and try to get DHS to pick them up. If DHS for whatever reason doesn't have the money, can't pick them up, then the sheriffs are off the hook and the kid stays there. So we're going to have to figure out a way for... to have DHS to be there. So as of right now the sheriffs are fine, they did a great job. These are for kids that are thirteen (13), fourteen (14) years old and there should be a way that they're not locked up with twenty-year-old hardened criminals. We are all for this and there should be 'yes' votes all around. Thank you."

Speaker Hannig: "Representative Collins to close."

Collins: "Thank you. This is to encourage the Sheriffs' Department and DHS and everyone to understand that we do not hold kids in the jail for... past six (6) hours. It's a Federal Law. We want them to... we want to encourage them to

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keep that in mind that we don't want to keep our juveniles in detention or in jail unnecessarily in the... with the adults. So we want to encourage them to do the process, process the paperwork, do the investigation right away and then transport them. So we ask for an 'aye' vote. We've worked very hard to get everybody to come up with some kind of an agreement and this is what it is. So, 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 63 voting 'yes' and 53 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1496."

Clerk Mahoney: "House Bill 1496, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1496 provides the opportunity for the Department of Commerce and Economic Opportunity to provide a statewide database containing economic information from municipalities and counties. We found that across the state a number of municipalities and counties simply don't have the ability to market their area. This database would provide economic development, opportunities, and information, taxes, labor, wage rates, that type of information. And I'd be happy to answer any questions."

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Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative May and Black, 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. Mr. Clerk, read House Bill 1627."

Clerk Mahoney: "House Bill 1627, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Hannig: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment 2 is the agreement between the IFT, IEA and the Retired Teachers Association. And the Amendment replaces the Bill and provides that the TRS board may annually provide annuitants an option of receiving information about a nonprofit organization whose membership consists of at least 50 percent TRS annuitants. Basically, this allows the IEA and the IFT members to receive a mailing with information for their retirees. It's all agreed. Appreciate the adoption of the Amendment and then an 'aye' vote on the Bill."

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Speaker Hannig: "And on the Amendment, the Gentleman from Cook, Representative Molaro. The Gentleman from Vermilion, Representative Black on the Amendment."

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

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

Black: "Representative, I find this fascinating unless the Amendment changes it. As I understand the original Bill, almost any organization would have access to a public mailing list. I don't think that's a very good idea. I mean, is that still in the Bill?"

Granberg: "I don't believe that's... that's still in the Bill. The... and I'll go ahead and check the language with staff here, but the language itself basically limited it and it was drafted by the IEA and IFT in conjunction to their... their membership."

Black: "So if... if they... what are the two (2) major political Parties in the state? Are they nonprofit organizations? I really don't know."

Granberg: "Some days. No, I don't believe so."

Black: "I would just be curious as to whether one or both would have access to that mailing to promote a candidate or a concept or..."

Granberg: "Why don't I do this. Allow me to take this out of the record. We'll get together with our staff right now and clear it up."

Black: "I'd appreciate that."

Granberg: "I don't believe that's the case and would be specifically excluded."

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Black: "Okay. Thank you very much."

Granberg: "Okay."

Speaker Hannig: "Out of the record at the request of the Sponsor. On the Supplemental Calendar #1, under the Order of Resolutions, is House Resolution 315. Representative Franks. Did you wish to say a few words before we adopt House Resolution 315? I'm sorry, Representative Franks, did you just wish us to adopt the Resolution? Representative Franks moves for the adoption of House Resolution 315. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Representative Jefferson, you're recognized on a Motion to suspend the posting requirements on Senate Bill 1395."

Jefferson: "That's exactly right, Mr. Speaker. I would request that posting... suspension of the posting so I can introduce Senate Bill 1395."

Speaker Hannig: "Are there any objections? Then the Gentleman's Motion to suspend the posting requirements is approved. We'll use the Attendance Roll Call and the posting requirement is suspended. Mr. Clerk, read the committee... the committees that will meet this afternoon when we adjourn."

Clerk Mahoney: "The following committees will meet at 4:00 p.m.: Environmental Health in Room 118; Electric Utility Oversight in Room 122B; Judiciary-Criminal Law in Room D1; Revenue in Room 115; Telecommunications in Room C1. At 4:30 p.m. Elementary & Secondary Education will meet in Room 114; Higher Education in Room 122B; Judiciary-Civil Law in Room C1; Elections and Campaign Reform in Room D1. Financial

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Institutions is... has been canceled for 114. Canceled is Financial Institutions."

Speaker Hannig: "Mr. Clerk... Mr. Clerk, would you read the Agreed Resolutions."

Clerk Mahoney: "Under the Order of Agreed Resolutions is House Resolution 354, offered by Representative Nekritz. House Resolution 355, offered by Representative Ryg. House Resolution 356, offered by Representative Gordon. House Resolution 357, offered by Representative Tracy. House Resolution 358, offered by Representative Tracy. House Resolution 359, offered by Representative Fortner. House Resolution 360, offered by Representative Cross. House Resolution 362, offered by Representative Meyer, and House Joint Resolution 56, offered by Representative Saviano."

Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Agreed Resolutions are adopted. Announcements. Representative Ryg."

Ryg: "Thank you, Mr. Speaker. On behalf of the Board of Directors of the Illinois Municipal League I've been asked to extend an invitation to all Members to attend their annual Legislative Day Reception tomorrow from 6:00 to 8:00 p.m. at the Illinois State Library. Thank you."

Speaker Hannig: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. I'd like to remind the Members of COWL and other performers of the Conference of Women Legislators - Capitol Capers, that this evening at 9:00 p.m. we are going to have a rehearsal in the auditorium of the Howlett Building. Please try to attend because this

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is one of the last rehearsals before the dress rehearsal. The dress rehearsal is scheduled for Monday, May 7th at the Crowne Plaza at 7:30 p.m. Thank you."

Speaker Hannig: "Representative Eddy."

Eddy: "Thank you, Mr. Speaker. One more time for Members. Tonight at 6:30 a very important forum sponsored by Bill and Melinda Gates Foundation, From Here to Excellence, at the Abraham Lincoln Presidential Library, 6:30 cocktail reception; 7:00 to 8:30 program and dinner. We sure hope to see a lot of you at that event. They're bringing in speakers from all over the country to talk about educational excellence and accountability."

Speaker Hannig: "Representative Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I'd just like to echo again what Representative Eddy said. This is a very highly regarded policy forum on education and since this is the year of education reform I think it would behoove you all to come and listen to these experts on this area. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Lyons. Nice hat."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen. As most of you know, a flyer was passed out with Luis Aparicio and Nellie Fox. For those of you who don't remember those, they are two of the most memorable White Sox in baseball history. Now I realize, I fully realize, that this is a Cub/Cardinal town, but I would invite all my Cub fans, all my Cardinal fans to join your White Sox fans for a little relaxing evening as the Sox play Seattle. Just a casual evening together over at Boone's after 9:00. Thank you, everyone."

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Speaker Hannig: "Are there any further announcements? Any further announcements? Then Representative Currie moves, that allowing perfunctory time for the Clerk that the House stand adjourned until tomorrow, Wednesday, May 2 at the hour of 10:00 a.m., 10:00 a.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted and the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measures were referred, action taken on May 1, 2007, reported the same back with the following recommendations: 'recommends be adopted' Floor Amendment #1 to House Bill 2008, Floor Amendment #1 to House Bill 2233. Representative Scully, Chairperson from the Committee on Electric Utility Oversight, to which the following measures were referred, action taken on May 1, 2007, reported the same back with the following recommendations: 'do pass Short Debate' is House Bill 3626; 'recommends be adopted' is Floor Amendment #1 to House Bill 2070, and Floor Amendment #1 to House 2072. Representative Nekritz, Chairperson from the Committee on Elections & Campaign Reform, to which the following measures were referred, action taken on May 1, 2007, reported the same back with the following recommendations: 'recommends be adopted' Floor Amendment #2 to House Bill 611, and Floor Amendment #1 to House Bill 2671. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measures were referred, action taken on May 1, 2007,

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reported the same back with the following recommendations: 'recommends be adopted' is Floor Amendment #3 to House Bill 230, and Floor Amendment #1 to House Bill 2758. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measures were referred, action taken on May 1, 2007, reported the same back with the following recommendations: 'recommends be adopted' Floor Amendment #2 to House Bill 227, and Floor Amendment #4 to House Bill 1747. Representative John Bradley, Chairperson from the Committee on Revenue, to which the following measures were referred, action taken on May 1, 2007, reported the same back with the following recommendations: 'recommends be adopted' Floor Amendment #2 to House Bill 410, Floor Amendment #2 to House Bill 2472; 'do pass Short Debate' House Bill 920; 'do pass as amended Short Debate' Senate Bill 1395. Representative Brosnahan, Chairperson from the Committee on Telecommunications, to which the following measures referred, action taken on May 1, 2007, reported the same back with the following recommendations: 'do pass Short Debate' is House Bill 1664; referred to the House Committee on Rules is House Resolution 361, offered by Representative Black; House Joint Resolution 55, offered by Representative Osterman. Introduction and reading of Senate Bills-First Reading. Senate Bill 113, offered by Representative Jefferson, a Bill for an Act concerning local government. Senate Bill 121, offered by Representative Fritchey, a Bill for an Act concerning criminal law. Senate Bill 124, offered by Representative Colvin, a Bill for an Act concerning public aid. Senate

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Bill 128, offered by Representative Saviano, a Bill for an Act concerning regulation. Senate Bill 135, offered by Representative Holbrook, a Bill for an Act concerning State Government. Senate Bill 148, offered by Representative Mathias, a Bill for an Act concerning courts. Senate Bill 155, offered by Representative Chapa LaVia, a Bill for an Act concerning regulation. Senate Bill 158, offered by Representative May, a Bill for an Act concerning liquor. Senate Bill 49, offered by Representative Acevedo, a Bill for an Act concerning vehicles. And Senate Bill 711, offered by Representative Durkin, a Bill for an Act concerning criminal law. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."