

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

245th Legislative Day

4/2/2008

Speaker Hannig: "The hour of 11:00 having arrived, the House will be in order. So, Members will be in their seats. Members and guests are asked to refrain from starting their laptops, to turn off all cell phones and pagers, and to rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Reverend Cord Bear, who is the pastor at Fairview Christian Church in Wheeler. Reverend Bear is the guest of Representative Reis."

Reverend Bear: "Let's pray. Our Father in Heaven, hallowed be Your name. It's with an abundant amount of joy we come to You this day to ask Your blessing upon these men and women. God, we know You've ordained government and the workings of such, and we humbly ask for Your mercy as we daily serve each other. Father, this room of Your servants needs Your guidance to know direction, the direction to follow and issues to resolve. And we pray, God, that You would grant them wisdom to know the difference between right and wrong, between things that are selfish and those that are unselfish. And pray, God, that You would open their eyes to the plight of families and individuals who are in need, and give each person here the courage to stand up and be counted to serve this great State of Illinois. God, we will fail at times and we ask You to forgive us and grant us another opportunity to do it right the next time. We submit these prayers to You in Jesus' name, Amen."

Speaker Hannig: "Representative Ramey, will you lead us in the Pledge."

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

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

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

Currie: "Thank you, Speaker. Please let the record show that Representatives Osterman, Washington, and Rich Bradley are excused today."

Speaker Hannig: "Representative Bost."

Bost: "Thank you. Mr. Speaker. Let the record reflect that Representatives Black, Dunn, Fortner, Pihos, and Watson are excused on the Republican side of the aisle today."

Speaker Hannig: "Mr. Clerk, take the record. There are 109 Members answering the Roll Call, a quorum is present. Mr. Clerk, read the Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on April 02, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2405. Representative Holbrook, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on April 02, 2008, reported the same back with the following recommendations: 'recommends be adopted' is Floor Amendment #1 to House Bill 2170. Representative Jakobsson, Chairperson from the Committee on Human Services, to which the following measures were referred, action taken on April 02, 2008, reported the same back with the following recommendations:

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'recommends be adopted' is House Floor Amendment #1 to House Bill 3286. Representative Chapa LaVia, Chairperson from the Committee on Local Government, to which the following measures were referred, action taken on April 02, 2008, reported the same back with the following recommendations: 'do pass Short Debate' is House Bill 4577; 'recommends be adopted' is House Floor Amendment #1 to House Bill 5288. Representative Ryg, Chairperson from the Committee on Disability Services, to which the following measures were referred, action taken on April 02, 2008, reported the same back with the following recommendations: 'do pass Short Debate' is House Bill 5761."

Speaker Hannig: "We're going to start on the Order of House Bills-Third Reading. Representative Boland, you have House Bill 4687. Representative Brosnahan, you have House Bill 5983. Out of the record. Representative Crespo, you have House Bill 1432. Mr. Clerk, read the Bill."

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

Speaker Hannig: "We're going to use the rules of debate and we're going to run the clock. So, Representative Crespo, you have 5 minutes."

Crespo: "Thank you, Speaker. House Bill 1432 adds eating disorders to the list of serious mental illnesses currently referenced in the Mental Health Parity Law provision of the Illinois Insurance Code as recognized by the most current addition of the DSM or Diagnostics Statistical Manual published by the American Psychiatric Association. And basically what this does, Speaker, it makes eating

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disorders subject to the eating statutory frame work of other biologically-related 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 visits. Happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 1432. Is there any discussion? The Gentleman from Crawford, Representative Eddy."

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

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

Eddy: "Representative, basically, with the Amendment, this creates an insurance mandate?"

Crespo: "Yes, it does."

Eddy: "And can you very briefly give us a... a rundown of the opponents to this mandate?"

Crespo: "The opponents, I believe, we've had the insurance industry opposed to the Bill."

Eddy: "Our analysis shows that Blue Cross & Blue Shield, NFIB, the State Chamber of Commerce, IMA, the State Association of Health Underwriters are all opponents. Have you worked with them at all on any, beyond the Amendment, any other type of language changes to address their concerns?"

Crespo: "No. We... this Bill came before us again last year, Representative. And obviously, they have problems because of the mandate component of the Bill. We did have some discussions in committee, but the Bill is what it is. Obviously, they're opposed and... but on the other side of

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the coin we do have a lot of other folks who are in favor of the Bill as well."

Eddy: "Do you have any idea of what the fiscal impact will be?"

Crespo: "No. That was one of the issues, Representative. We did talk about at the committee. Even the insurance industry were not able to come up with a... with a dollar figure. And I think that is one of the concerns that they had. Notwithstanding that, I should add it is an issue that occurs frequently among young women, not only in the State of Illinois but in the country as well. It is something that I believe that we need to address."

Eddy: "Okay. But... but it's safe to say that there's a... there's a significant increase, a likely significant increase, in cost related to adding this?"

Crespo: "Whether this would be an increase in cost, I believe there will be. The insurance industry was unable to embrace what that cost would be."

Eddy: "Okay. Mr. Speaker, to the... to the Bill. Ladies and Gentlemen of the House, we are faced many times with dilemmas regarding what is proper coverage; what coverage should be extended, what coverage should be mandated. We have to balance that against the fact that at some point or another, because it drives the cost up to provide insurance and coverage to folks, that at the end of the day we may see people who are not able to afford insurance based on rising costs for coverage. So, while we add coverage and we're trying to expand into areas that... that obviously, everyone would like to see covered, we run a risk here. And that risk is that as we increase cost, we actually lose

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coverage, all coverage, for a large group of people. I would urge the Body to take a close look at this and understand that this is not just simply taking care of folks for an added type of treatment. This actually affects everyone else in cost and could result in the loss of insurance for people. Thank you."

Speaker Hannig: "Any further discussion? The Gentleman from Champaign, Representative Rose."

Rose: "Thank you. Will the Gentleman yield for some questions?"

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

Rose: "Our analysis indicates that you'd agreed to hold this on Second Reading and go back to committee with an Amendment to clarify. Did that take place?"

Crespo: "That took place. Yes, it did."

Rose: "What was the Amendment?"

Crespo: "This is the amended Bill. The amended Bill is pretty much what it did, Representative. It just narrowed the scope of what the Bill does. In the initial Bill it wasn't clear as far as the scope. This one, yes, talks specifically about eating disorders as identified by the Diagnostics Statistical Manual."

Rose: "And that went back to committee?"

Crespo: "Yes."

Rose: "Okay. Now, let's talk about the definition of serious mental illness, because that is a fairly, serious stigma. I mean it's a label that's applied. It's also a label that has implication beyond what you're trying to do here. As, I understand it, you can be disqualified from having a FOID

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card for having a serious mental illness. Would somebody with a eating disorder no longer be able to get a FOID card?"

Crespo: "Well, Representative, I'll tell you. Basically, what we're trying to do here is currently the Diagnostics Statistical Manual or DSM IV which pretty much governs all mental illnesses, identifies eating disorder as a mental illness. Unfortunately in the State of Illinois, we exclude mental illness as a... I'm sorry, eating disorders as a mental illness. And basically, what we're trying to do what I believe around twenty (20) other states are currently doing and that is basically, just making sure we're consistent with the DSM, which identifies all mental illnesses, and it includes eating disorders as a mental illness. And we just want to make sure that this included; it's for insurance purposes."

Rose: "Right, but twenty (20) other states don't have FOID cards. In fact, we're the only one that does. So, I assume your answer to this question is it's not your intention that this would prevent someone from getting a FOID card who has an eating disorder."

Crespo: "Well, you know, it was never my intention that... I actually never even thought about that until you brought it up, Representative. But again, if the law identifies that folks who have a mental illness are unable to obtain a FOID card and we in fact... currently, DSM identifies this as a mental illness. Independent of what we do today, this is considered a mental illness."

Rose: "Is it your intention or not, yes or no, to..."

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Crespo: "Not at all."

Rose: "Okay. Thank you. And I know Representative Eddy asked this but we don't have any idea of what the cost of this is?"

Crespo: "Again, we talked about this in committee, Representative, and we did ask the insurance company to give us some kind of ballpark and they were unable to do that. Keep in mind though, when we talk about the parity law here in the State of Illinois we perhaps have one of the weakest parity laws in the state. It only includes employers that have over fifty (50) employees. So, those who have less than fifty (50) are not included under the parity law. So this wouldn't even apply to them.

Rose: "Right. But..."

Crespo: "So, the..."

Rose: "OK... but you would agree... you would agree with Representative Eddy that at some point in time you've added so many mandates that insurance becomes unaffordable."

Crespo: "Absolutely. I mean, currently we have ten (10) mental illnesses under DSM. Each and every one of them there's a cost associated with that."

Rose: "Right."

Crespo: "If we're going to have a litmus test at... if an illness is so expensive, cancer, whatever it may be, we're not going to include that, we have a serious problem."

Rose: "Well, and again..."

Crespo: "And now keep in mind..."

Rose: "...I wish we had a little bit better understanding of what that cost is because it's just going to get... it's going to



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get passed along and somewhere along the lines, one more people isn't going to be able to afford insurance. But I'll listen to the rest of the debate. Thank you, Representative."

Crespo: "Thank you."

Speaker Hannig: "Is there any further discussion? Then Representative... Representative Crespo, you're recognized to close."

Crespo: "Thank you, Speaker. We attempted to pass this Bill last year. We missed by one (1) vote. In Hoffman Estates I have the St. Alexius Behavioral Health Center, which treats a lot of these young girls with eating disorders. I've had the opportunity to sit in some of these support groups. Some of these young girls I used to coach in cross country and track and field, for some reason had the disorder. And one of the toughest things I had to face was to see a young girl who had to leave treatment because the insurance company did not adequately fund the treatment. It's a big issue. It has one of the highest mortality rates in terms of mental illnesses if left untreated. And I think if we have the insurance companies treat this we can take more preventive measures and hopefully avoid some of the bigger problems. And I encourage you and ask you for an 'aye' vote."

Speaker Hannig: "So, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 66 voting 'yes', and 42 voting

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'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Moffitt, for what reason do you rise?"

Moffitt: "Rise to a point of personal privilege, Mr. Speaker."

Speaker Hannig: "State your point."

Moffitt: "If the Body would give its attention in the balcony over here on the east side, on the Democratic side, I have a group of students from Stark County. It's Bradford Junior High. Trish Brown the teacher with fifty-six (56) students and some parents. Would you stand to be recognized by the House."

Speaker Hannig: "And Representative Acevedo. Representative Acevedo, are you seeking recognition?"

Acevedo: "Thank you, Mr. Speaker. Yesterday I was recorded on voting 'yes' on House Bill 4232. I'd like to be recorded as 'no'."

Speaker Hannig: "The record will reflect your intentions, Representative. Representative Smith, for what reason do you rise?"

Smith: "Thank you, Mr. Speaker. Point of personal privilege."

Speaker Hannig: "State your point."

Smith: "I'd like to ask the Members to join me in welcoming in the gallery over here from Ingersoll Middle School in Canton, students here on their annual field trip. Welcome to Springfield."

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

Leitch: "Thank you, Mr. Speaker. A matter of personal privilege."

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Speaker Hannig: "State your point."

Leitch: "I'd like the Members to join me in welcoming Marsha Livers, Carol Hornickle, and Judy Dudek, and others with the Illinois Republican... Federation of Republican Women who are in the Speaker's Gallery. Would you stand and be recognized. Thank you."

Speaker Hannig: "On page 34 of the Calendar, under the Order of Constitutional Amendments, Representative Franks, you have House Joint Resolution Constitutional Amendment 28. I think you held an Amendment yesterday. Is that correct, Mr. Clerk? What is... are there any Amendments?"

Clerk Mahoney: "Floor Amendment #2, offered by Representative Franks, has been approved for consideration."

Speaker Hannig: "So, Representative Franks, would you like to explain your Amendment again briefly. Then we'll entertain questions."

Franks: "Thank you. I appreciate the opportunity and I hope everyone's had a chance to study it who had questions on it yesterday. And House Amendment #2 will permit the citizens of the state to initiate a recall election through the petition process for our Constitutional Officers and Members of the General Assembly. What it will no longer... my original Bill would have also allowed for the judiciary, this is taking them out. And this also has a simultaneous provision that it'd be two (2) questions on the ballot. Should the officeholder be recalled? And then you'd also have an election simultaneously if that first question was answered in the affirmative. So, if the citizens agreed that someone should be recalled, then you would also

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simultaneously have an election. I'd be glad to answer any questions."

Speaker Hannig: "So, on the Amendment, Representative Bost."

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

Speaker Hannig: "Indicates he'll yield."

Bost: "Representative, I have several questions. First off, you were just explaining the two (2) questions. Could you explain those again and... now this is the way they will appear on the ballot, and how will they appear?"

Franks: Well, initially, our intention was... what we did with the Amendment was to clarify, because it wasn't totally clear. So we wanted to have it just like what happened in 2003 in California when the question was, 'Should Governor Davis be recalled?' And since that was answered in the affirmative at the same time you would then vote for the successor. And I think at that time it was one hundred thirty-six (136) people on the ballot or something. So, simultaneously, with the Governor being recalled in California, there was also an election of his successor. And that's what we would do here."

Bost: "Okay. It is what we would do."

Franks: "Yes."

Bost: "And the limit... there would be no limit on the amount of people who could actually appear on that ballot?"

Franks: "No."

Bost: "Okay. Secondly, now it does reduce the amount of petitions that must be signed from 20 percent of those people voting to... in the prior election to 12 percent. Is that correct?"

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Franks: "I'm sorry. Could you repeat that?"

Bost: "There is a reduction in..."

Franks: "Yeah."

Bost: "... so, it meets California... it's similar to California law."

Franks: "Exactly."

Bost: "Originally it was proposed at 20 percent. Correct?"

Franks: "Yeah. And 12 percent is what California has."

Bost: "And it's 12 percent of the people who voted in the last general election. Is that correct?"

Franks: "Correct. For that specific office. So, if we use 2006 election as an example..."

Bost: "Okay."

Franks: "...the following numbers would represent 12 percent of the votes cast. For Governor it'd be four hundred and sixteen thousand and eighty-six (416,086). Attorney General would be four hundred and seventeen, five seventy-seven (417,577). Secretary of State would be four hundred and twenty-one thousand, one hundred and eighty-two (421,182). Comptroller would be four hundred and ten thousand, six hundred and fifty-five (410,655). And the Treasurer would be four hundred and eight thousand, nine hundred and fifty-four (408,954)."

Bost: "So... So, we're not setting an easy target there. That's... that's some pretty significant number of signatures."

Franks: "It's a very high number, because this is an extraordinary remedy that shouldn't be taken lightly."

Bost: "Correct."

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Franks: "This is not something that you do because you're unhappy with a certain vote or something. This is something that if an officeholder is unwillingly to perform, or unable to perform, or doesn't want to show up and doesn't do what he or she's supposed to be doing. This is really an extraordinary remedy that's only been used twice in the last century in the entire United States."

Bost: "Right, right. How many other states actually have recall?"

Franks: "There are eighteen (18) other states."

Bost: "Eighteen (18) other states. Now, I noticed that probably the most significant thing about this particular Amendment is we're removing judges."

Franks: "Yes."

Bost: "Okay. I... a reason?"

Franks: "I was concerned about the constitutionality. And I thought this was so important to be able to have the citizens with a say to be able to give them a say because right now, the only way to get an officeholder out of office besides election time is really the impeachment process."

Bost: "Correct."

Franks: "And this... this enables citizens, on their own initiative, to go forward and recall an elected official. And I didn't want it getting hung up in the courts because we're... we're only dealing with the Legislative..."

Bost: "Right."

Franks: "...Branch and the Executive. We're leaving the judiciary out. That might be a separate Bill."

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Bost: "Right."

Franks: "I want to... Rep"

Bost: "And I understand that. I wish we could include the...  
because they are elected originally."

Franks: "Right."

Bost: "And I think this is a concern that we could have and it  
would put the vote back in the people's hands to make a  
wise decision if necessary to remove someone who is not  
necessarily doing their job."

Franks: "Correct."

Bost: "I understand what we're trying to do. Quite often we  
have to, I hate to use the word... term but we bow to the  
Judicial Branch because they can make some judgment calls,  
maybe we don't agree with, but for their own benefit. And  
I hope that later on we'll carry a piece of language that  
we could send that way and that this one can go on cleanly.  
Thank you for answering your questions, but Mr. Speaker to  
the Amendment."

Speaker Hannig: "To the Amendment."

Bost: "Ladies and Gentlemen, the Sponsor, I think, is doing a  
good job in putting a Bill forward that is good, sensible  
government. I think that the voters of the State of  
Illinois, like eighteen (18) other states, should have the  
opportunity, if an elected official is truly negligent in  
the operation of the duty and duties of the job in which  
they have been elected to perform. They, the voters,  
should have the opportunity for recall. It makes sense. I  
think we're stepping in the right direction. My only hope  
is that this moves quickly to the Senate and then the

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Governor will sign it and we can have this in place in Illinois and actually provide an opportunity for the voters to if need be.."

Speaker Hannig: "Can you bring your remarks to a close, please?"

Bost: "...correct a mistake that maybe they've made. So, thank you."

Speaker Hannig: "Representative Eddy."

Eddy: "Thank you, Mr. Speaker. First, I'd like to thank Representative Franks. Yesterday we made a request that he give our staff an opportunity to look at the Amendment and you were gracious enough to do that. You're a Gentleman for that and I appreciate it and so does our staff. They did have a chance to go through it, so thank you. Could you kind of capsulize, obviously, the offices that we're going to... they're going to get the attention are the executive offices in this Amendment."

Franks: "Sure."

Eddy: "What additional offices or what additional public officials would be subject to recall based on this Amendment?"

Franks: "It wouldn't be additional. It would... our original Bill had the Members of the General Assembly as well as the Constitutional Officers. This Amendment would take... it also had the Judiciary Branch which this Amendment has taken out. And I also want to clarify one other thing. The previous Speaker had indicated that we should pass this in the House and pass it to the Senate and then it would go to the for Governor signature, because it's a



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Constitutional Amendment, once it passes the House, should it pass the House and go to the Senate, it goes to the people on the ballot in November and it wouldn't require the Governor's signature."

Eddy: "Now, I think that's an important point. And... so let's be clear on... on the... those office affected. The Executive Offices, Members of the House, Members of the Senate, and any additional?"

Franks: "No..."

Eddy: "That's it."

Franks: "...there's no local offices whatsoever."

Eddy: "Okay. Very good. That's one point... we're just dealing with the elected Members of the General Assembly and the Executive Branches. And you mentioned earlier that the reduction from 20 percent to 12 percent on petition signatures. And I think I heard you correctly though that would still take, based on '06, about four hundred thousand (400,000) plus signatures to begin this?"

Franks: "Correct."

Eddy: "Okay."

Franks: "For the Governor, for instance, it'd be four hundred and sixteen thousand and eighty-six (416,086)."

Eddy: "Okay. So, although it's been lowered, the percentage, it's still a significant number as the previous speaker said. This is not something to be taken lightly. Now, what about for a Senator or Representative? It would depend on the percentage that voted in the previous election?"

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Franks: "For the Senators or the Representatives, if it's equal to 20 percent of the votes cast for office in the last election. So, in a presidential year for instance in my district, we have over fifty thousand votes (50,000) for the State Representative position. So there would need to be in excess of ten thousand (10,000) signatures then for that."

Eddy: "Walk us through the timeline that it would take for a citizen basically to start the process of a recall until a vote would be taken for a recall."

Franks: "Well, the affidavit for recall, which would be filed with the Secretary of State's Office, that cannot be served on the Secretary of State until at least six (6) months into the officeholder's term."

Eddy: "After their inna... after they're sworn in."

Franks: "Correct."

Eddy: "Okay."

Franks: "So you have to have at least six (6) months. Then, after filing of the affidavit, the proponents have one hundred and sixty (160) days to circulate and file petitions. And then, the petitions are deemed valid unless there is an objection filed within forty-five (45) days thereafter. So, it's a pretty long period. It's almost a gestation period."

Eddy: "So... so for a two (2) year term for a two-year term it takes about the entire first year of a two-year term to go through the process."

Franks: "For the... for those for us in the House of Representatives, for those in the Senate, many of them

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have, you know, have staggered term. They have four-year terms and then all the Constitutional Officers have four-year terms as well."

Eddy: "Okay. Thank you again. I appreciate the clarifications and most especially I appreciate the fact that you were gracious enough to allow staff that time. Thank you, Representative."

Franks: "Thank you."

Speaker Hannig: "The Lady from Grundy, Representative Gordon."

Gordon: "Thank you. Thank you, Mr. Speaker. Inquiry of the Chair."

Speaker Hannig: "State your inquiry."

Gordon: "Can this Amendment be adopted by voice vote?"

Speaker Hannig: "Yes, Representative, we can adopt it and we would adopt it by a voice vote unless there's a request for a Roll Call."

Gordon: "Well, then I make a Motion for a Roll Call vote..."

Speaker Hannig: "Okay."

Gordon: "...on this Floor Amendment."

Speaker Hannig: "So there's been a request for a Roll Call vote and that will be granted."

Gordon: "Thank you."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker. It sounds like our microphones are actually working today."

Speaker Hannig: "Hey, you're back in business."

Winters: "My compliments to the sound staff. Also my compliments to the Sponsor of this Constitutional Amendment. Jack, I do really appreciate giving us some

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time to look over this and try to understand exactly all the fine details and the change that the Amendment brought. The one thing I wanted to highlight is how the process actually would work. If the requisite number of signatures are put on the ballot, most of us are familiar with California and the recall of the Governor, Gray Davis, there several years ago, where there were a large number of candidates, something in the order of two hundred (200), I think, that filed to be on the ballot. This does not limit... There's no primary. If the recall signatures, let's use a State House race, ten thousand (10,000) or so petitions are gathered, the recall is certified by the State Board of Elections then it opens up a window of, I think, forty (40) days to gather petitions. And any candidate would have to get the same number of petitions that we would normally have to run for State Rep., but we would not have a Party Primary. That would mean that anybody that gathered, I think it's what five hundred (500) for us to get on the ballot. You could have five (5) or ten (10) people that wanted to be State Representative or State Senator, whatever the number that we're required. You would then have a ballot that would.. asked the first question which 'Should this person be recalled?'

Franks: "Correct."

Winters: "If that passes with a majority of the vote of those voting on that question, then the highest number, even if it was 20 percent of those voting, the highest number of valid sign... or votes would be put into office."

Franks: "Correct."

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Winters: "And it could, in fact, be the person who had just been recalled. He would have the ability..."

Franks: "Yes."

Winters: "...to gather petitions, put his name back on the ballot..."

Franks: "Correct."

Winters: "...and be reelected even though the voters had recalled him. Now this... we're just playing this scenario out so everybody is aware..."

Franks: "Right."

Winters: "...of what may be an unrealistic, but... say 50 percent of the people are mad and recall him, but there are ten (10) opponents... or ten (10) other people running that he's got a hardcore backing of 20 percent of the electorate he could well get reelected..."

Franks: "Sure."

Winters: "...with a large minority. There's no runoff provision."

Franks: "Correct."

Winters: "Is there any thought that maybe we should as... as Representative Fortner on other Bills has pointed out, the legitimacy of an election is that a majority of somebody, whether it's the electoral college, whether it's the voters in a district, a majority should be voting for some candidate. I wonder if you've given any thought to that fact that maybe we... if there's not a minimum threshold, that we should have a runoff of the highest two (2) vote getters."

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Franks: "You know I haven't, but that's a good point. I think that's something that we could revisit if it was necessary. I could... 'cause it's only... the times that the recall provision has failed is much more than the times that it's actually passed."

Winters: "Right. I believe there's only two (2) Governors in history that have been recalled."

Franks: "Right. So that hasn't been that problem in the past. I think if we had something like that, then we could address that down the road. But historically, typically, the folks are not recalled."

Winters: "And this is a very high burden, 12 percent of those casting votes in the previous election. So, I think this... that your proposal is taking it seriously. It is an issue that our state is very interested in right now. The voters have expressed to me, and I'm sure to most other Members of this Body, that if there is an officeholder that is not carrying out the duties to which he was elected that they want some way to shorten that term. I think the proposal you have is a very good place to start. I would ask that we at least consider, if this moves over to the Senate, that we have some provision to possibly have a very quick runoff, so that we can legitimize the... the replacement for the recalled official. Because of that scenario that I laid out..."

Franks: "Right."

Winters: "...you could recall somebody and then with a quite small minority, he could be reelected. He or she to be..."

Franks: "Right."

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Winters: "...politically correct. So, if you would at least bring this up with the Senate Sponsor when you pass this. And I do encourage a vote for it. And I do appreciate very much your allowing us the time to review the Amendment before we adopted it."

Franks: "Thank you very much."

Winters: "Thank you."

Speaker Hannig: "Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Durkin: "Representative Franks, on the petition will there be some type of list of reasons for cause why this elected official should be recalled?"

Franks: "No. You don't have to have a reason for... you know, you would have... when you do the petition to the... and I misspoke before, I said the Secretary of State, I should have said the State Board of Elections. You would just be saying I would like to have, you know, individual 'X' recalled because they're not doing a good job. That's all. It's really not a reviewable question. If that's your question."

Durkin: "No. My question is, is that we're going to have people... if this does become the law of Illinois, people will be walking through the parking lots at Soldier Field on Sundays. Sign this petition. What is it? It's a recall of Attorney General or Secretary of State. And said, why? I don't know. Just sign it. I mean, don't you think it would be wise that there was some type of, at least, reasons in the petition why?"

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Franks: "Well, it'd be up to the circulator, the person who brings this forward. We're trying to empower the citizens. As an imposing..."

Durkin: "You know who the circulators are for these petitions..."

Franks: "Well, we hold all the cards here. And I think we should share the democracy, because we're the only ones who could recall someone. And we really need to empower the citizens. Let them decide how... what should be on the... on the petition. And if it's not valid people aren't going to sign it."

Durkin: "Now, if we're going to impeach a member of the... a Constitutional Officer, we have to list reasons for cause, don't we, under the Illinois Constitution? I just think that if we should... if we're going to do this right, we should at least to the pers... the group that's the proponent of this should at least line item some reasons in the petition of why this..."

Franks: "Well, they can, there not precluded from doing so. They..."

Durkin: "Well, does that state that in the..."

Franks: "Yeah. They can write... they can say the reason, but it's not a reviewable issue for cause, because then you're debating... you know, they might just say I don't like the color of his tie."

Durkin: "Sure."

Franks: "Some people aren't going to sign it."

Durkin: "You never know."

Franks: "Yeah."



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Durkin: "I'm looking at your tie right now and I can see a good reason for at least 117 votes in this chamber why we might want to challenge your status. But anyway..."

Franks: "It's not so bad."

Durkin: "Getting back to the Judiciary, why did we leave the Judiciary out of this?"

Franks: "I was concerned quite.. and I didn't want to get bogged down. I think it's... I think it's too important of an issue to get thrown out in court. And I think the Judiciary could have relevant arguments saying that we are not able to do this because of the separation of powers. So, if someone wants to file a separate Bill, I'd be happy to support that, but I don't think that we want to get into that fight. This is us, self-policing. We're policing the General Assembly and we're policing the Constitutional Officers."

Durkin: "Who are the people who are... would be eligible to sign the petition? Is it registered voters or residents of the State of Illinois?"

Franks: "You'd have to be a registered voter."

Durkin: "Does this..."

Franks: "Because that's how your going to have to... you have to get a certain number of valid signatures. If you're not registered, it's not a valid signature."

Durkin: "Well, don't you think a taxpayer who just decides they don't participate in the electoral process should have the right to sign a petition, because they are... maybe they are disgusted with the way a certain Constitutional Officer is spending their money, they should be able to participate?"

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Franks: "They can't sign a petition right now in your race and they might not like what you're doing, but they can't do anything about it if they're not registered to vote."

Durkin: "Well, I think it should be to residents... legal residents of the State of Illinois. I'm just making a suggestion to you. And I know you're probably not going to amend this again, but I appreciate your candor."

Speaker Hannig: "On the Amendment, any further discussion? Representative Reis. Representative Reis, you're recognized for 5 minutes on the Amendment."

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

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

Reis: "Representative Franks, I do want to thank you for all the thought and time you put into this issue and for giving us a little time to go over it, I got a few procedural questions. You mentioned other states have this. Is it for their Constitutional Officers as well as their Members of the Legislature, and what about their Judicial?"

Franks: "It depends. There's eighteen (18) different states."

Reis: "But do they have it for all three (3) branches? Just the Constitutional Off..."

Franks: "Alaska for instance has it for all but Judicial officers."

Reis: "What about California?"

Franks: "Idaho is all but Judicial officers. California has it for all."

Reis: "Okay."

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Franks: "Louisiana and Kansas all but Judicial officers; Michigan all but Judicial officers; Washington all but Judicial officers. So it runs the gamut."

Reis: "Okay. With that being said, it sounds like Legislatures are included in a lot of those states. And certainly, we should all be apprised to the fact that if voters want us to go home they have that right. But I guess from a procedural standpoint it says in our analysis that you can't institute a petition drive to remove a Member of the General Assembly until at least six (6) months into their office. Is that right?"

Franks: "It's any officer. For any elected official."

Reis: "But I'm talking specifically about Members of the General Assembly..."

Franks: "Sure."

Reis: "...that just have two-year terms."

Franks: "Right."

Reis: "And I want to make sure that your Bill's right. So, we're six (6) months into a term. They can trigger a petition drive to remove you. We're circulating petitions to run again. Is that the appropriate time, and are we going to be overlapping? So they turn in the petitions. When would they actually have the election to remove the Member of the General Assembly, the House particularly, if they got enough signatures? When would that election be held?"

Franks: "Well, it depends when they filed it. We don't know. I mean it could fit... it could dovetail with the municipal elections, as well. But what I didn't want to do is as

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soon as someone's elected then someone do a recall petition on them because that's, you know... that's sort of sour grapes."

Reis: "Yeah."

Franks: "So, a person has an opportunity to do their job for some time."

Reis: "And we all do that. And I don't think that... has any Member of a General Assembly ever been recalled?"

Franks: "I don't know. I'll give you the answer."

Reis: "I think only two (2) Governors have in a hundred and twenty years (120). So..."

Franks: "Right. It's a... as I said, it's an extraordinary remedy that's hardly ever been used."

Reis: "Okay."

Franks: "I think there... I can tell you in a minute on the... there has been three (3) State Senators and three (3) State Representatives. But there was... the most recent was a State Representative in Oregon in 1988, and a State Senator in Michigan in 1983."

Reis: "Now, was he recalled by his fellow members or by the people back home?"

Franks: "No. It'd be through the recall. It'd be either..."

Reis: "Okay. All right. So let's go back to the special election that's going to be held in conjunction perhaps as early as April with the municipality elections. What if that person truly was recalled? How would they go through the petition process to get on the ballot for the November election?"

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Franks: "You'd have to... you could do that again. There's no preclusion. I mean... it is America."

Reis: "I guess my point is... is we should..."

Franks: "You can run as much as you want in this country."

Reis: "And all of us work hard here, and I don't see this being a problem, but I just want to make sure your Bill is drafted right. Are we really going to be able to honestly say we're going to be able to remove a Member of the General Assembly..."

Franks: "Well it's worked..."

Reis: "...if so, why are we..."

Franks: "It has worked. We've copied... this is pretty much... it's not verbatim, but it's very similar to California's. In 2003..."

Reis: "When's their Primary, though?"

Franks: "I don't know."

Reis: "Is it as early as February 5?"

Franks: "But my point is, in 2003, they were able to accomplish that, and it's worked out very well for California. I'm trying to give the citizens of the State of Illinois those same rights."

Reis: "And I appreciate all your hard work and to the Bill, Mr. Speaker. You know, I know there's a lot of frustration when we're going back home. Is there any way to remove certain people from office? And we tell them that there's really only one way and that's through impeachment. So, I think offering this to the voters is a good thing. I just hope that it never happens or we don't get clogged down in the process if it ever happens to a Member of the General

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Assembly. So, I appreciate your efforts, Representative Franks, and will be supporting your Bill."

Speaker Hannig: "So this is still on the Amendment. And Representative Rose, did you wish to speak?"

Rose: "Just a question of the Sponsor."

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

Rose: "As the Amendment goes... Jack, if the Amendment goes through what would be the percentage basis for each office? And then compute it off of which election, total number of ballots cast in the entire election, or would it be total number of ballots cast for that office?"

Franks: "Total number of ballots cast for that office. In the previous..."

Rose: "For that office?"

Franks: "...for the prev... That's why there's different numbers."

Rose: "Okay."

Franks: "The Governor, for instance, would be four hundred and sixteen and change (416,000). The Attorney General is four hundred and seventeen and some (417,000)."

Rose: "Are these... are these..."

Franks: "The Secretary of State is four twenty one (421,000)."

Rose: "Do these reduce to percentage bases?"

Franks: "Yeah. This is looking at 12 percent of the votes cast for an office in an election. Okay."

Rose: "Twelve (12)?"

Franks: "Twelve (12) for the constitutionals."

Rose: "Okay."

Franks: "And 20 percent for the Members of the General Assembly."

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Rose: "Okay. All right. Thank you, Representative."

Speaker Hannig: "Representative Riley on the Amendment."

Riley: "Representative Franks, what would you say to those who would say that there is a recall provision that exists that's called 'an election', frankly, every four (4)... every two (2) or four (4) years. I mean there are... you know, I think that there's a lot of merit to... to this Amendment, but what would you say to someone that would pose that... that argument?"

Franks: "Well..."

Riley: "That the electorate should do their due diligence and that we should do... have our responsibilities to educate the electorate as to our positions prior to election."

Franks: "Well, some things change after an election. And obviously, elections are very important. But we... sometimes there's extraordinary times that call for extraordinary measures. And right now, we don't have the ability in the state to remedy an extraordinary problem if one should exist. Much like in 2003 in California, where they had the recall and it worked out very well for them. Sometimes situations change, and people shouldn't have to live with bad decisions when it's so detrimental to the state. The Chicago Tribune I thought did a very powerful editorial yesterday on this very issue. And it goes really beyond just one officeholder. I think it's of... talked about empowerment of our citizens. I think that's most important, because right now it's only the General Assembly who has the ability to remove someone from office through an impeachment measure. But unless there's high crimes and

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misdemeanors, you really can't go forward with that. And again, that's been done very rarely. I can tell you our... our Lieutenant Governor supports it. Our Governor has said he supports that as well. I just think it's a strong case for public policy to be able to protect... to give our citizens the ability to help protect themselves. Which, you know... Illinois has more federal agents here studying corruption in Illinois of elected officials than any other state. We've got a real problem in this state, and unfortunately, people think that's how business is supposed to be done. They think that their officials are supposed to be corrupt. They think that just how it's always going to be. And people don't have the ability to change it. Let's empower the people. Let's let them know they should expect more. And that we should be giving them more, and this is one way of doing it. We have to end the cycle of what's going on in this state. I mean... you look historically, our previous Governor is sitting in jail. Two (2) predecessors before him, Governor Walker was in jail. Two (2) predecessors before him, he was in jail. We've had a lot of problems. Right now, our current Governor has a multitude of investigations. I'm not saying... we don't know what's going on, but the fact of the matter is we have to let the people take their government back. And let them make those decisions. And this is the way to do it, because they don't have an opportunity any other way except to bear with it for another four (4) years. And that's just... you know what, sometimes you have



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to say enough is enough. And sometimes you've got to throw the bums out."

Riley: "Thank you, Representative."

Speaker Hannig: "We're trying to stay on the debate on the Amendment, if we can. So, Representative Hoffman, you're recognized for 5 minutes."

Hoffman: "Thank you, Mr. Speaker. I want to save the majority of comments for, I guess, next week when we will be debating this on Third Reading. I would just like to follow up on Representative Riley's comments. We do have recalls; it's called an election. We have already filed for the next election. When we make decisions here on the House Floor do we really want to always be looking over our shoulder and the chilling effect when Representative Harris has a Bill, do I have to worry every day about whether if I vote for his Bill, am I going to have a recall petition by somebody who feels differently in my district? We have a democracy, a republic, a representative government. We face the voters every two (2) years. You want to end the cycle. End the cycle of the press releases. End the cycle of this crap. End the cycle of saying, Oh my God, the sky is falling. End the cycle of finger-pointing. Pass a capital Bill. Put people to work. Pass health care. Give them health care. Pass a balanced budget and stop the bullshit."

Speaker Hannig: "Representative Reboletti, you're next."

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

Speaker Hannig: "Sponsor will yield."

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Reboletti: "Representative, if somebody was trying to call a State Representative, does the individual who circulates the petition, do they have to live within that person's district? And how long do they have to circulate?"

Franks: "The petitioner would have to abide by the same rules as a candidate for that office."

Reboletti: "So then, somebody if they wanted to recall me could say that... anybody from outside the district could circulate or from the county could circulate but only residents that were eligible to vote in that last election... or would new voters be allowed to recall me as they begin to register after the election cycle?"

Franks: "The affidavit... I mean, or the... or the petition would have to be signed by an eligible elector. That would be a registered voter. But like if... when your running for State Representative..."

Reboletti: "Speaker..."

Franks: "...you can have folks circulate your petition that don't live in your district. That's not... that's not improper."

Reboletti: "Do the residents have to sign? Only residents of the district have to sign... can sign the petition? Or can people outside the district sign the petition?"

Franks: "What was the question again?"

Reboletti: "Can residents outside the district sign the petition or only residents that are in the district can sign the petition?"

Franks: "Only residents within. Only the people who could be voting at the elections. Just like you're running for

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State Representative; you can't have someone vote from my district in yours."

Reboletti: "And it's one hundred and sixty (160) days that they would have to begin the circulation process?"

Franks: "Once the... once it's"

Reboletti: "Which is obviously a lot longer than running."

Franks: "...once it's... once the affidavit has been filed, they'd have one hundred and sixty (160) days to circulate and file the petitions."

Reboletti: "Is that filed with the Board of Elections of that county or filed with the state? Where's it filed at?"

Franks: "State Board of Elections."

Reboletti: "Thank you, Representative."

Speaker Hannig: "Representative Smith."

Smith: "Thank you, Mr. Speaker. I move the previous question."

Speaker Hannig: "Okay. We've had a long debate and the Gentleman's moved the previous question. The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The main question is put. Representative Franks, you're recognized to close."

Franks: "Thank you. Representative Lang reminds me to tell people it's just the Amendment and not the Bill. But I appreciate all the questions. And I appreciate working with Members and... and I think there were some good questions brought out which I look forward to discussing when... on Third Reading. I'd ask for your vote now. And I guess I'd have to ask what are we afraid of? How can we ever go wrong by giving people power to determine how our government is going to go forward? We have to always

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remember why we're here and who sent us here. And ultimately, who we have to answer to. There are eighteen (18) other states that have a recall provision. This is not something new, it is not something crazy. It is something that's desperately needed to instill confidence back in to the citizens, who frankly have lost confidence in us, and for good reason. And they ought to have the ability to take their government back. And I believe this is the first step. And I'd ask for an 'aye' vote."

Speaker Hannig: "There's been a request for a Roll Call vote on the Amendment. So the question is, 'Shall the Amendment be adopted?' All in favor vote 'aye'; opposed 'nay'. The voting is open. How all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hamos and Currie, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 80 voting 'yes', and 25 voting 'no'. And the Amendment is adopted. So, Mr. Clerk, let's hold this on the Order of Second Reading. Mr. Clerk, do you have a Committee Report?"

Clerk Mahoney: "Report from the Rules Committee. 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 02, 2008, reported the same back with the following recommendations: 'approved for floor consideration' is Amendment #1 to House Bill 796, Amendment #2 to House Bill 2518, Amendment #2 to House Bill 4291, Amendment #2 to House Bill 4379, Amendment #1 to House Bill

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4771, Amendment #2 to House Bill 4811, Amendment #2 to House Bill 4913, Amendment #3 to House Bill 4922, Amendment #2 to House Bill 4940, Amendment #2 to House Bill 4999, and Amendment #3 to House Bill 5000, Amendment #2 to House Bill 5006, Amendment #2 to House Bill 5093, Amendment 1 to House Bill 5195, Amendment 1 to House Bill 5230, and Amendment 1 to House Bill 5586."

Speaker Hannig: "Mr. Clerk, what is the status of House Bill 5125?"

Clerk Mahoney: "House Bill 5125 is on the Order of Third Reading."

Speaker Hannig: "Return that to the Order of Second Reading at the request of the Sponsor. Representative Bellock, are you prepared on House Bill 4867? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4867, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Hannig: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. I have House Bill 4867 which amends the Mental Health and Developmental Disabilities Confidentiality Act to allow therapists to disclose records and communication when the disclosure is absolutely necessary to initiate or continue involuntary treatment proceedings. I know of no opposition to the Bill. The Cook County State's Attorney was the one that brought this Bill to us and all of the mental health associations are for this Bill."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye';

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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 Patterson, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Turner, do you wish us to read House Bill 4793? On Third Reading. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4793, a Bill for an Act concerning economic development. Third Reading of this House Bill."

Turner: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the Assembly. House Bill 4793... thank you, Mark. But House Bill 4793, we refer to it as a New Markets Development Act. And what it does is it allow... it's just currently a federal program that provides tax breaks for investment made in low areas or depressed parts of this state. And so, if in fact, an investor now invests money in those areas for manufacturing jobs or whatever, they will get a federal credit. This Bill mirrors that federal legislation and would allow a state tax credit for those... for these same programs. The areas have been defined throughout the entire the state. So, it would pretty much cover any area that is in need... has high unemployment and other concerns. We put a ten million dollar (\$10,000,000) cap on this investment. Some of the other safeguards are is that once a... a company, in fact... once this investment is made that the company has to be in business for a minimum of three (3) years before any credits are dispensed. And so it's

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with that thinking in mind that we believe that this is good legislation and I move for the passage of House Bill 4793."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Biggins, you have House Bill 4877. Out of the record. Representative Boland on House Bill 4687. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4687, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Boland."

Boland: "Thank you, Mr. Speaker. House Bill 4687 allows a fire protection districts board of trustees, if they pass an ordinance, to establish a fire suppression grant program. And those eligible for these grants would be owners of single family residential properties who live within the fire protection district and who install and maintain approved sprinkler, or other fire suppression systems which meet national standards, and are certified by the district. This is an initiative of the Fire Caucus supported by Illinois Firefighters Association, Illinois Fire Safety Alliance, Illinois Chapter National Fire Sprinkler Association, Illinois Fire Chiefs, Illinois Fire

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Inspectors Association, and the Illinois Association of Fire Protection Districts. There are no opponents."

Speaker Hannig: "Is there any discussion? Then... The Gentleman from Jackson, Representative Bost."

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

Speaker Hannig: "Indicates he'll yield."

Bost: "Quite often I always have... I always ask these questions because I'm not looking at the full text here, but does this also include fire district... or fire... township fire departments?"

Boland: "Would you repeat that? The last..."

Bost: "Does the language that allows this to occur also included township fire departments?"

Boland: "Yes, I believe it does."

Bost: "Okay. We need to make sure, 'cause there's only two (2) in the state. And quite often it's forgot and if that's not the case we need to amend it in the Senate, if you would."

Boland: "That's very good. I will check on that. If they're not included, we'll try to 'git 'er done' in the Senate."

Bost: "Thank you very much. I appreciate it."

Boland: "Thank you."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Jefferies, Leitch, Turner, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 106 voting 'yes', and 0 voting 'no'. And this



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Bill, having received a Constitutional Majority, is hereby declared passed. Representative Brady, you have House Bill 4202. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4202, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Hannig: "Representative Brady."

Brady: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 4202 simply would amend the State Property Control Act and allow state agencies to sell or exchange, in particular, library materials that have been withdrawn from its library collection through a regular collection evaluation process. This legislation is particularly aimed at our state universities. Presently, when they rotate library materials and other reading materials out of their list that they have, they have to destroy those instead of possibly being able to sell those at book fairs or some other type of avenue that might raise revenue for that particular university. This would simply, as I said, amend that Act and allow them in which to instead of destroying some of these materials being able to possibly receive revenue for them at some type of sale. I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McAuliffe, Patterson, Saviano, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are

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109 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hernandez, for what reason do you rise?"

Hernandez: "Speaker, yesterday I voted for a House Bill 4232 as a 'yes'. I'd like to have that changed to a 'no'."

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

Hernandez: "Thank you."

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

Soto: "Speaker, I made an error, too. I also voted for House Bill 4232. If I can change my vote to a 'no' vote."

Speaker Hannig: "So, the record will reflect your intentions. Okay? Representative Biggins, did you wish us to read House Bill 4877? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4877, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Biggins."

Biggins: "Yes. It's a fine idea. Thank you, Mr. Speaker. House Bill 4877 is part of our Myspace2 crime package, the House Republicans. But I think it would be improved... it's a good Bill now, but we're going to ask to move this Bill back to Second for the purpose of amending it."

Speaker Hannig: "All right. Okay."

Biggins: "If you could help me with..."

Speaker Hannig: "So we'll... we'll re... Mr. Clerk, return this to the Order of Second Reading at the request of the Sponsor. Representative John Bradley. Do you wish us to read Senate

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Bill 1874? Out of the record. Representative Chapa LaVia, you have House Bill 4262. Out of the record. Representative D'Amico, you have House Bill 4387. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4387, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative D'Amico."

D'Amico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4387, what that does is it's going to require schools that have driver's education to buy automobiles that are made here in the U.S. I'll be free to answer any questions."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 4387. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106 voting 'yes', and 2 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Durkin, you have House Bill 4578. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4578, a Bill for an Act concerning children. Third Reading of this House Bill."

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

Durkin: "Mr. Speaker, can you return the Bill to Second Reading for purposes of an Amendment?"

Speaker Hannig: "Yes."

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Durkin: "Thank you."

Speaker Hannig: "We certainly will do that. So Mr. Clerk, let's return this Bill to the Order of Second Reading at the request of the Sponsor. Representative Fritchey, you have House Bill 4133. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4133, a Bill for an Act concerning recyclable materials. Third Reading of this House Bill."

Speaker Hannig: "Representative Fritchey."

Fritchey: "I request an 'aye' vote."

Speaker Hannig: "I didn't even have the clock on. The Gentleman has moved for the passage of House Bill 4133. Is there any discussion? The Gentleman from Crawford, Representative Eddy."

Eddy: "For no other reason than to not let him by that easy. I do... what's the purpose of this? Basically, you're changing the term, is that right? Scrap metal and you're using recyclable metals."

Fritchey: "Just for standing up and asking a question, I may not filibuster on this issue. No, this is actually just a cleanup of a Bill that was passed last year. There was a drafting error in the Bill. We're changing the word 'scrap' to 'recyclable' in certain provisions of the Bill. It's an initiative that actually affects a processor in my district. There is no objection to the Amendment... or to the change in the law. As a matter of fact, all the groups that were the proponent of the underlying law are also supportive of what we're doing here. It's really a technical matter but one that's important to one of my

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constituents and one that really still is in keeping with the spirit of the underlying law."

Eddy: "So, everything that was included as a scrap metal is also a recyclable metal? It's not a list or a definition. Everything's..."

Fritchey: "No. The problem is that they had referred to scrap metals in certain provisions of the Bill or of the law and recyclable metals in other provisions."

Eddy: "I see."

Fritchey: "And we needed to have a consistent terminology across the entire law."

Eddy: "Okay. It makes sense. Thank you."

Fritchey: "Thank you."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Okay. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Scully, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Golar, you have House Bill 5788. Do you wish us to read this Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5788, a Bill for an Act concerning foreclosures. Third Reading of this House Bill."

Speaker Hannig: "Representative Golar."

Golar: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 5788 amends the Illinois Housing

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Development Act by providing that IHDA shall establish and administer a foreclosure prevention counseling program and shall use moneys in the Foreclosure Prevention Counseling Fund and other funds appropriated for that purpose to make grants to HUD, certified counseling agencies for homeownership, and education. Just to give you some history and I'm sure all of my colleagues are aware of this that Illinois currently, has the ninth highest foreclosure rate in the country. In 2007 there were nearly ninety-one thousand (91,000) foreclosures filings statewide. Up 25 percent from 2006, and 94 percent from 2005. This Foreclosure Prevention Fund will help in terms of foreclosure prevention, awareness, post pre-purchase, and counseling. I am prepared to take any questions and I urge an 'aye' vote."

Speaker Hannig: "Is there any discussion? Representative Eddy."

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

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

Eddy: "Representative, first this... this is an increase in the annual license application fee for brokers. Correct?"

Golar: "That is correct."

Eddy: "And it increases the fee from twenty-seven hundred (\$2,700) to three thousand dollars (\$3,000) annually."

Golar: "That is correct."

Eddy: "And then it takes that three hundred dollar (\$300) surcharge, the additional amount as a surcharge, and it deposits it into a fund that sets up this foreclosure education, or this consumer education."

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Golar: "Correct, Sir."

Eddy: "And so your intent is for that money to educate folks regarding housing issues. And especially those related to their mortgage."

Golar: "Yes, Representative."

Eddy: "Okay. The fund that you set up, where is that fund housed?"

Golar: "It's housed under... in IHDA."

Eddy: "So, the Housing Development Authority has the fund?"

Golar: "That is correct."

Eddy: "I hesitate to ask this question, but I really am kind of concerned. It looks like you're doing something here because you want to educate people. And obviously, it's a good idea, especially in this current climate, but have you protected that fund in this legislation?"

Golar: "Well, presently, it's already in place, Representative. There are programs right now called the HOPI Program that neighborhood housing and other agencies are already involved in. I'm only just going after additional funds."

Eddy: "I understand that, but you're creating the Foreclosure Prevention Counseling Fund, I think?"

Golar: "Correct. That's correct."

Eddy: "So you are creating a fund. My question is, as you know, funds have been swept."

Golar: "That is correct."

Eddy: "Money has been taken from dedicated funds for other purposes, for budget reasons. Whether... whether or not the fund is protected may make a difference as to whether or not your intention is carried out. So my question is, in

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this language do you have anything in there that protects the funds from being swept?"

Golar: "Well, in the text... in the text, 25 percent, if I can remember correctly, 25 percent for the first day of each calendar month, will be deposited by grants for IHDA."

Eddy: "Okay."

Golar: "And the remaining of those funds will be at the discretion of IHDA to take care of those specific counseling issues that are in the Bill."

Eddy: "Representative, I guess my question is, can this fund be swept?"

Golar: "Well..."

Eddy: "The way the legislation is written, can this fund be swept?"

Golar: "I would say yes and no, Representative. I can't say for sure. I will try to at least..."

Eddy: "I would just suggest that as you move this along..."

Golar: "Mmm mmm."

Eddy: "...that if your intention here... obvious this is a fee increase Bill."

Golar: "Correct."

Eddy: "You're doing it for a specific purpose. And..."

Golar: "And it's for three (3) years. This'll sunset in three (3) years."

Eddy: "Right, but you don't want to see that money swept for general revenue purposes if you're going through all the trouble setting this up. And right now, there's nothing in the legislation that protects this from those sweeps. And I would suggest, as you move this along, you might want to



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consider putting that language in this Bill, maybe in the Senate. Otherwise... or trying to get it amended. Otherwise, this money could go for whatever the Office of Management Budget might want it to go for, if they sweep them. Okay. That's my main concern."

Golar: "I appreciate that."

Eddy: "All right. Thank you."

Golar: "I appreciate that."

Speaker Hannig: "Representative Mulligan."

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

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

Mulligan: "Representative, who appoints the... the board?"

Golar: "The Governor. What you mean? The board of what?"

Mulligan: "The Illinois Housing Development Authority. I..."

Golar: "I would think it would be under the Governor, Representative."

Mulligan: "Does someone on your staff know?"

Golar: "I really..."

Mulligan: "Our staff says he appoints the executive director, but I'm... I'm just curious as to who appoints the board. Considering a lot of things that have been going on, particularly with real estate and people who are involved in real estate, I was just curious as to who appointed the board. Also, did I get the question... an answer... did Representative Eddy get a question on whether the funds would be able to be swept?"

Golar: "Yes. I told him that yes and no, but he suggested that I put more language into the Bill to protect it and make sure that these funds are not swept."

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Mulligan: "Well, once it's gone out of here I don't think it..."

Golar: "And the Governor does appoint. That's my question... my answer was correct."

Mulligan: "The Governor does appoint the board?"

Golar: "That is correct."

Mulligan: "And currently, do you know where the residence are of the members on the board?"

Golar: "No, I do not."

Mulligan: "I'm just wondering if it's statewide or..."

Golar: "It is statewide, Representative. Do you mean the board or this funding?"

Mulligan: "Well, both. I mean, you know, part of..."

Golar: "The funding is statewide, Representative."

Mulligan: "And don't HUD applications for mortgages usually go under larger scrutiny, so that there is more care as to predatory lending because they're going through HUD?"

Golar: "I would think so."

Mulligan: "So, then where are we going with your legislation?"

Golar: "Well, I hope that were going the right way, Representative, based on what has happened with the dismal outlook on what has happened with foreclosures. And I hope that this piece of legislation would help in terms of awareness, prevention, post-purchase counseling."

Mulligan: "So, how would you qualify for the counseling?"

Golar: "Well, any... I would imagine that right now HOPI is set up in the City of Chicago. I don't know... it doesn't say in the language as to how it would be set up statewide, but I would imagine that... I would think that it would be set up the same way. You would call 311 or whatever number is

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given and those interested parties would be able to be a part of it. There are other agencies besides..."

Mulligan: "So, would it be fair to say that if you're from East St. Louis or Peoria, your chances for counseling are less than if you live in the City of Chicago? And our staff tells us, the majority of the members on that board are from Chicago."

Golar: "I wouldn't say that, Representative. I would think that based on this Bill being in affect July 1, 2008 it would give me an opportunity to in fact work with the people that actually brought this Bill to me and make it a hotline number where people would be aware of this support for people that are in foreclosure."

Mulligan: "My last question and then I'll make a little statement on this is... my last question is, I sit on JCAR and I totally disagree with the Amendment we're putting on all the Bills. And when something like this that relates to boards that need rules that may change as we go on periodically, the fact that this Amendment is on here makes it a real problem. I don't understand why an internal feud creates a problem that the people of Illinois should pay for in what I assume to be making a situation that administers this legislation untenable. And I'd like the Bill to be a little more ecumenical statewide than what it currently appears. And although I think some of this is a good idea, I'm not certainly... I'm not certain whether the way it's drafted now and how it would be statewide for other people would accomplish what a lot of us would like to see happen with foreclosures."

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Golar: "There was a concern about that, Representative, in the committee. And if I would be able to work with you, if you have any suggestions and..."

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

Mulligan: "Right. Representative, with all due respect, once we pass it out of here it goes to the Senate and it is then pretty much, unless it goes to conference committee which we haven't done much of in the last couple of years, out of our control."

Speaker Hannig: "Representative Golar to close."

Golar: "Mr. Speaker, I would like to thank the comments of Representative Eddy and Mulligan in regards to this Bill. We have had a lot of questions in regards to it. I think that this is good legislation, and it will take care of some of the most problematic issues regarding foreclosures. And I urge an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Kosel, Mitchell, and Rita. Last call. Mr. Clerk, take the record. Representative, do you wish Postponed Consideration? Okay. So, this will be on the Order of Postponed Consideration. Representative Gordon, you have House Bill 4968. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4968, a Bill for an Act concerning public health. Third Reading of this House Bill."

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Speaker Hannig: "Representative Gordon."

Gordon: "Thank you, Mr. Speaker. House Bill 4968 amends the Lead Poisoning Prevention Act. Right now, the Act requires the Attorney General's Office, the State's Attorneys Offices, and the Department of Public Health to report to the General Assembly annually the number of lead poisoning cases that have been referred by the department for enforcement due to violations of the Act. What's interesting about that is that the Attorney General's Office and the State's Attorneys Office are getting the information from the Department of Public Health and this is redundant and everybody is doing the same work over and over again. So this takes out the requirement that the State's Attorneys Office and the Attorney General's Office are going to have to do the work that the department is already doing and doing a very good job at. So I would ask for your 'aye' vote to streamline government and help out the State's Attorneys and the Attorney General Offices. Thank you."

Speaker Hannig: "This is on 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 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Arroyo, for what reason do you rise?"

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Arroyo: "Yes, Mr. Speaker. I wanted to change my vote and record that House Bill 4232 be a 'no' instead of a 'yes'."

Speaker Hannig: "The record will so indicate your desire, Representative."

Arroyo: "Thank you."

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

Berrios: "Thank you, Mr. Speaker. Yesterday we voted on House Bill 4232. I'd like that to also reflect a 'no'. Thank you."

Speaker Hannig: "The record will so reflect, Representative. Representative Graham, you have House Bill 4278. Out of the record. Representative Jefferies. Okay. Representative Jefferies has House Bill 4513. And Mr. Clerk, she requests that that be returned to the Order of Second Reading. So, we'll return that to the Order of Second Reading. Representative Jefferson, you have House Bill 5285. Do you wish us to read that on Third? Out of the record. Representative Joyce, on House Bill 5579. Do you wish us to read that on Third? Out of the record. Representative Kosel, on House Bill 4736. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4736, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Kosel."

Kosel: "Thank you very much. This amends the Roadside Memorial Act and provides that a marker can be placed when a qualifying relative requests the local jurisdiction to

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place that. Changes the date from 2003 to 1990. It makes more people eligible to apply for roadside markers."

Speaker Hannig: "This is on Short Debate. Does anyone stand 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: "Representative, do other states have similar to this?"

Kosel: "The Bill is already in place. All I'm doing is changing the number of people that are eligible for it. So, the original Bill was passed last year by..."

Bost: "That's what I was remembering."

Kosel: "Yeah. Yeah."

Bost: "I thought we already had done this."

Kosel: "Yes. We've already done it when the original Bill was passed the cutoff date for people to be able to be eligible was 2003. We're moving it back to 1990."

Bost: "Okay. Thank you."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lindner, you have House Bill 4294. Shall we read that Bill, Representative Lindner? Shall we read that Bill on Third? Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 4294, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. This Bill passed the House last year and also passed the Senate and the Governor vetoed the Bill. As you may recall there, it is the initiative of the originally five (5) counties: Kendall, Boone, Lake, DeKalb, and Grundy County. To... who are the high-growth area counties to see what they can do to keep up with their infrastructure. So they want to be added to the statute for the County Motor Fuel Tax Law, which already authorizes DuPage, Kane, and McHenry to do this tax. They just want the right to put this on the ballot for a front door referendum to ask their citizens whether or not they want this extra tax to keep up with the infrastructure."

Speaker Hannig: "The Lady has moved for the passage of House Bill 4294. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Saviano, Graham, Colvin. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 63 voting 'yes' and 46 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lyons, you have House Bill 5961. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5961, a Bill for an Act concerning regulation. Third Reading of this House Bill."



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Speaker Hannig: "Representative Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5961 proposes to exempt payphone lines from the monthly 911 surcharges. As most of us know, payphones certainly provide an essential link for emergency services all across the State of Illinois. Some interesting facts: 20 percent of Americans don't own cell phones which of course, have been such a proliferation over the last twenty (20) years, and have actually made payphones on the endangered species list. Five percent of Illinois residents have neither a landline nor a cell phone. In fact, from March of 1999 to March of 2006, Illinois lost 60 percent of its payphones. The phone booth that used to be on every corner is... has vanished. Actually, this year in 2006, Illinois had a combined sixteen million (16,000,000) landline and cellular phones and only forty-five thousand (45,000) were payphones. That number has been reduced now to less than thirty thousand (30,000). So, we're looking to exempt payphone operators from the surcharge, which would hopefully provide them with enough of a benefit to stay in business for as long as they can possibly stay in business. For anybody who's ever had a cell phone run out of a battery and needed a telephone, a pay telephone, without this needed service, I don't think it's a situation where any of us want to be at. So I'd appreciate your 'aye' vote on behalf on the payphone telephone operators in Illinois."

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

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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 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4278."

Clerk Bolin: "House Bill 4278, a Bill for an Act concerning state services. Third Reading of this House Bill."

Speaker Hannig: "Representative Graham."

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is regarding state accountability when a... when there has been a work stoppage. It is asking that the agencies be held off on payment to guarantee that the work is being performed... being performed. In the past, when there has been a work stoppage and various agencies have been continued to be paid, and when the agencies find out... when DHS finds out that they haven't been performing the services, it has been a problem for them to go back and recoup the money. So I ask for an 'aye' vote in the piece of legislation."

Speaker Hannig: "So, the Lady has moved for the passage of House Bill 4278. We're going to put this on Standard Debate. And Representative Winters, you're recognized for 5 minutes."

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

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

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Winters: "Representative, one of the concerns that we expressed in committee was that this I believe has the potential for abuse. That a contractor that is doing work for the state, and is already probably receiving their payments way beyond... way behind schedule because of the state's severe cash flow crunch. They may have done work six (6) months ago, eight (8) months ago, and by the time it gets vetted through the agency, it gets to the Comptroller's Office, it gets approved by them and to the Treasurer. Suddenly, there's no money. And we may be looking at bills that were incurred by the state nine (9) months before. And then suddenly a... an unfair labor practice complaint comes in, that would freeze all state payments at that point. Is that a fair reading of this?"

Graham: "No. Any piece... any payments that are a back payment, those agencies would receive that payment. It's just the payments that go from the point of the work stoppage forward. So, if a agency is experiencing lack of payment for work that has already been performed, they would be paid those payments."

Winters: "So, the work stoppage would basically put a bright line in only those payments that are moving forward from that point would be affected?"

Graham: "Yes. Only those payments, but if the agency could show proof that they have actually performed those services, they would, in fact, be paid. But if they cannot show that the services have been provided, then the money would need to be recouped or needed... would need to be stopped. Yes."

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Winters: "Could you give us an example, a real life example, of this problem occurring and any of the details that you might have on that?"

Graham: "To my understanding, this is such a rare situation, but I do know that it happened in one of the agencies in downstate Illinois, that maybe about three million dollars (\$3,000,000) had been paid out and when the Department of Human Services went back to get the money the agency said that they didn't have the money. And the work had not been performed."

Winters: "What agency was it?"

Graham: "I'm not... DHS."

Winters: "And what kind of services were being provided, that were not being provided adequately or within the terms of the contract?"

Graham: "I don't have those details specifically with me, Representative Winters."

Winters: "Well, it sounds like we have a single case where this legislation is trying to fix a problem that may well have been that the agency wasn't monitoring the situation properly on the way through the payment cycle. If they... the agency has to certify that the work is done before they approve payment. So obviously, they had certified that the work was done if... I guess, it looks to me like the agency itself is at fault for not catching the problem before they approved payment."

Graham: "Representative, sometimes it often happens that they spot the problem after the work stoppage. And then they have to go back and recoup the funds and find out that the

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services hadn't been provided. So this wouldn't be something that would just, you know, just run rampant. This is in rare occasions that when this happens... because you know that as a state that we're in a tight for money and we need those services to be provided for the people who need them. And when we as a agency or we... the department pays out money we need to make sure those moneys... that money is being properly spent."

Winters: "It's never been clear to me, though, why the agency wouldn't normally catch this in the process of vetting the work that's done by the agency. Why... why are they not... our current administrative rules catching the fact that the agency is not doing the work before they approve it for... for payment? It seems like we already have adequate regulations to make sure the work was actually done before you pay them. So, what is the need for this legislation? I still don't get it."

Graham: "That's what this legislation is trying to address, Representative. In those rare occasions when a work stoppage takes place and..."

Winters: "When the agency screws up. It's where the agency screws up and doesn't do its due diligence in making sure that the work was adequately done is to my understanding."

Graham: "Say it again, Representative."

Winters: "It's where the agency itself is not adequately checking on the quality or quantity of work done, but approves payment. We already have the regulations in place that should have caught this beforehand."

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Speaker Hannig: "Representative Winters, your time has expired. Would you bring your remarks to a close, please. So Representative Winters has finished. That's one on each side. Representative Eddy, you're recognized for 5 minutes."

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

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

Eddy: "Representative, I want to make sure I understand this. I didn't maybe understand it correctly in committee and I didn't vote for it, but that doesn't mean I might not change my mind if I get to understand it a little bit better. Currently, when a complaint that services are not being provided comes in, IDHS conducts an investigation, right? And then based on that investigation... based on that investigation, they either stop providing grant money, or the problem is resolved. And there was an instance that that didn't happen? Is that..."

Graham: "Representative, currently, it is at year's end when an investigation takes place as to whether or not a service has been provided. This piece of legislation would say that once the agency has been notified that there has been a work stoppage, that they go out then to make that investigation."

Eddy: "What... what stops them from doing that now? Does the law as written require the grant funds to be at the end of the year?"

Graham: "The way it's written now just as I just stated... the way it's done now is at the end of a year. So if a stoppage had taken place somewhere in the beginning or the

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middle of the year, that investigation would not have taken place until the very end of the year."

Eddy: "Okay. So, really it's an issue related to the agency, not at this time having statutory authority to step in before the year is over with."

Graham: "Yes."

Eddy: "So that's all you're... you're speeding up the time to which they can do what they would do later."

Graham: "Right. Because in the past, what... they would determine that three or four million dollars (\$3,000,000 or \$4,000,000) has been paid out to the agency, and when they say that the people who were on strike are the people who provide the services. Who provided the services? So, it's been found that maybe the agency used the money to do something else, maybe in court cases, or what have you. And it wasn't spent per se on the services."

Eddy: "So, that investigation takes place much faster then it would because..."

Graham: "Yes."

Eddy: "...you're kicking that date up. Now, then what happens when the investigation is... is complete? The... the grant payment is then made based on..."

Graham: "Yes. Yes. Once the agency shows proof that they've actually provided the services, then they would be paid."

Eddy: "Okay. So this would... would stop grant payment until there is sufficient evidence that there have been no violations..."

Graham: "Absolutely."

Eddy: "...and then they would immediately start."

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Graham: "Yes."

Eddy: "Okay. And there's nothing that allows this to happen and that's all this is doing is speeding up that process?"

Graham: "Absolutely."

Eddy: "Thank you very much. I appreciate the explanation. I do understand it better now that... but hold on just a second, I see if there's... do we have another? Okay. Well, the only thing we wanted to add is the fact that in the case that kind of spurred this our understanding is that the services had not diminished. So after the investigation, it was not found to be a violation. So, in that one case that we're citing there wasn't really the need to... to have this, but if that were to happen in the future and there was a finding, that's what you're aiming at here. Is to allow them to get in there sooner. But in the one case there was a complaint, there was not a finding."

Graham: "Yes."

Eddy: "Is that..."

Graham: "Yes."

Eddy: "Is that your understanding, as well?"

Graham: "Yes."

Eddy: "Okay. All right. Thank you again for your... Yeah. The only... it appears as if there wasn't a problem because there wasn't a finding, but you're anticipating if there is an instance where there could have been a finding, this might be necessary."

Graham: "Representative, Representative, I don't have that with me specifically, but I do recall that they did cite a case



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in which this did happen. Yes. There was a case where that did happen, but I don't have the material right here."

Eddy: "Okay. Well, obviously, our information is that that was different... is different. We feel like it was settled and that there wasn't a finding. However, I understand what you're trying to do. I do want to remind folks that there are a couple of groups that are opposed to this. The State Chamber of Commerce is opposed. Did they give you specific reasons as to their opposition?"

Graham: "No."

Eddy: "Were they concerned about the fact that this would give some advantage to unions in any type of a situation that they now don't have an advantage in bargaining or any... was there an indication of that?"

Graham: "No. I don't recall any opposition to the effect of that. No."

Eddy: "Okay. Thank you very much."

Speaker Hannig: "Representative Pritchard."

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

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

Pritchard: "Representative, you indicated the nature of the genesis of this Bill. Doesn't it though deal with the delivery of human service grants to communities that are on a fee-for-service basis?"

Graham: "Can you repeat the question, Representative?"

Pritchard: "So, aren't we dealing with claims on the state that are for services delivered under a fee-for-service basis?"

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Graham: "It could be... it could be fee-for-service, and it could be some other... any agency that experiences a work stoppage. So there may be some agencies that are out there that are not under the fee-for-service plan."

Pritchard: "So, I thought this pertained just to the Department of Human Service?"

Graham: "If it pertain... it does pertain to the Department of Human... some of them... if there are some agencies out there that are not under the fee-for-service model, yes, it.. Yeah."

Pritchard: "But it's my understanding that the Department of Human Services is moving to that model."

Graham: "Mmm mmm."

Pritchard: "And that we're all going to be under it, and that we don't get paid. Our agencies, and our districts don't get paid unless there is sufficient justification that services have been delivered."

Graham: "Well, Representative... Representative, we're just trying to make sure that there's not an abuse of funds being put out there after there has been a work stoppage. Of course, I believe in the services that Human Services provide, and we know that they are vital agencies and people need those services out there. So this is not an attempt to hinder any agency from receiving their just due payment for services that had been provided, but in cases where there has been a work stoppage, and the agency cannot provide sufficient information that those services can't have been provided, they would not be paid. If those serv... if those agencies provide sufficient information that they

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had in fact not missed a beat during their work stoppage, they would not be affected."

Pritchard: "But as I understand this, the department's going to withhold funds until the provider justifies that services had been delivered. Is that correct?"

Graham: "And that could be quickly... that could be quickly if the agency has their paperwork in order. It can go out and show proof again that they've... that they've provided the services. That would happen. Currently, that would not... that investigation would not take place until the end of the year and this would speed that process up and make sure it's done right away."

Pritchard: "So, we would have speedy payments like we do right now for our doctors and our hospitals, and our druggists, and our nursing homes?"

Graham: "This piece of legislation does not address back payments. It addresses when there has been a work stoppage, to address that."

Pritchard: "But it deals with the issue that this state has a poor record of prompt payment to those that provide services in good faith to the State of Illinois."

Graham: "Mmm mmm."

Pritchard: "And what I am concerned that is this legislation seems to set up a framework, where there can be justified delay of payment. And our agencies..."

Graham: "This would be addressing those agencies."

Pritchard: "...the agencies in my district are fighting day-to-day just to keep their doors open."

Graham: "Yeah."

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Pritchard: "And anything in this Bill that's going to delay the payment, is a payment that's going to stop services to citizens that need them. That's what I'm concerned about this Bill. And I would ask that you might hold this 'til we can clarify this issue."

Graham: "Representative, this is for services that have been stopped, not for agencies currently providing the services or proving... can provide proof that they've provided the services. This is for people who say that they've provided the services after the Department of Human Services has paid it, and go back at the end of the year and find out you did not provide those services. What do we do then?"

Pritchard: "So why don't we just accelerate this fee-for-service system and get every agency in the state to comply? The ones in my district are all complying right now."

Graham: "Sounds like a piece of legislation I can support."

Pritchard: "Pardon?"

Graham: "That sounds like a piece of legislation that I can support."

Pritchard: "Well, we just need to encourage the agency to enforce its policy. So this seems to be an issue for a labor negotiations. Is this giving benefit to a labor union that would take away... that should be pursued through the negotiating process?"

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

Pritchard: "I said this seems to be giving a benefit that might be possible through a labor negotiation. Is this avoiding the normal negotiating process with this Bill?"

Graham: "I don't think that this is. No."

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Pritchard: "Okay. Thank you, Mr...."

Speaker Hannig: "Okay. So we've now had three (3) speak in response. The rules would provide for two (2) additional speakers in support. Representative, do we have any speakers that would like to... Representative Mulligan, would you like to speak in support? Not? The rules would provide, Representative Mulligan, that one (1)... that two (2) speakers could speak in support. Would you like to speak in support of the Bill?"

Mulligan: "No. I just have a question."

Speaker Hannig: "All right. Well, why don't... we'll bend the..."

Mulligan: "That's fine."

Speaker Hannig: "...rules a little and allow you one (1) question."

Mulligan: "All right."

Speaker Hannig: "Representative Mulligan."

Mulligan: "Thank you. Representative, how far does this go for grants? Does it go past where there is union labor into grants where local community providers are not providing the services, but just paying money to like an executive director as opposed to actually providing the services that they have the grant for?"

Graham: "I think it sticks to providing the services, Representative."

Mulligan: "Pardon me?"

Graham: "This is for reimbursement for services that have been provided."

Mulligan: "All right. So, we're only looking at an area that says there's labor... a labor dispute involved as opposed to

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a local agency that receives a grant that says there going to provide services for A, B, and Z and then, they're paying only staff, but they're never providing any services to the community and they've gotten their funds, and been audited? Will they be asked for them back, or does it only go to a labor dispute?"

Graham: "This is for specific services that DHS provides. I think the grants may fit outside of the spectrum of what this piece of legislation is focusing on."

Mulligan: "All right. So, I don't find this to be all that bad, but I think it should go a little further."

Speaker Hannig: "Representative Graham to close."

Graham: "Thank you, Mr. Speaker. I just urge 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? Representative Yarbrough, Krause, Bassi, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 85 voting 'yes' and 23 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative McCarthy, you have House Bill 5707. Out of the record. Representative McGuire, you have House Bill 1223. Representative McGuire, 1223? Do you wish us to read this Bill? Do you wish us to read this Bill on Third? Out of the record. Representative Mendoza, you have House Bill 5326. Okay. So, out of the record. Representative Meyer on House Bill 4402. Representative Meyer. Out of

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the record. Representative Mulligan, I know you're here. Representative Mulligan has House Bill 4660. Shall we read that Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4660, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. House Bill 4660 creates the Legislative Oversight Council on Cost Feasibility for Health Care Plan Implementation. It's an outgrowth of the Health Care Justice Act, and it would create a new council that would take a look at how we can fund health care in the State of Illinois in different parts. We passed this similar Bill last Session with most everyone voting for it and it got stalled in the Senate. It allows for Members from each caucus to be appointed, it puts the departments involved, lets the Leaders also appoint two (2) public members, which we hope will be from business, labor, insurance; things that would definitely be a way of trying to expand health care in Illinois through coalitions and looking at a sensible way of funding. And I would hope for a vote and will answer questions."

Speaker Hannig: "Is there any discussion? Representative Brauer."

Brauer: "Thank you, Mr. Speaker. If the House record could reflect that I wanted to vote 'yes' on House Bill 4278."

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

Poe: "Same thing. I would like the record to show that I would have voted 'for' House Bill 4278."

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Speaker Hannig: "Okay. The record will reflect your intentions. Now, Representative Mulligan has moved for the passage of House Bill 4660. Is there any discussion? Then 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 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Molaro, you have House Bill 4383. Representative Molaro, do you wish us to read that Bill? Out of the record. Representative Nekritz on House Bill 4757. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4757, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. House Bill 4757 applies to two (2) grant programs that are administrated... administrated... administered, excuse me, through the Illinois Department of Transportation. That would be the Transportation Enhancements Program and the Safe Routes to School Program. This would... this legislation would establish for both of those grant programs a committee that would establish criteria by which all the applications would be measured. And that criteria would be sub... would be available publicly and it would also allow the committees to accept the applications, review the applications in light of the criteria, and make awards all in... and the legislation again requires all that to be done



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in a transparent and open public process. Ask for your support."

Speaker Hannig: "The Lady has moved for the passage of House Bill 4757. Is there any discussion? The Gentleman from Crawford, Representative Eddy."

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

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

Eddy: "Representative, this program has been in existence... have there been problems? Is there trouble with the way it's being run right now?"

Nekritz: "Well, that has been the exp... yes. These are both, the ITEP Program and the Safe Routes to School Program are existing programs. They're, in fact, federal pots of money that come to the state and then are doled out by the state. The experience has been that it's been very difficult to get information about the criteria by which the applications are reviewed and information on even who's applied, when those awards will be made. They're made in sort of in an irregular fashion and this would just make sure that they happen regularly and that it's a transparent process."

Eddy: "Okay. So, the... are there any substantive changes in how the funds would be dispersed? Are there not rules now that set forth those criteria?"

Nekritz: "We don't know."

Eddy: "Or a scoring rubric of some type or another for the grant?"

Nekritz: "If I was able to say 'yes' to you, I'm not sure I would be standing here."

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Eddy: "So, in other words... in other words, that type of uncertainty has prompted you to put together legislation that establishes the criteria and the cycle so that it's subject to something specific rather than whatever the Department of Transportation wants at the time?"

Nekritz: "Yes."

Eddy: "Have you heard from the Department of Transportation regarding this legislation?"

Nekritz: "Yes."

Eddy: "And what's their... what's their take?"

Nekritz: "They are concerned that there are a lot of applications and that the committee that would be selected might not have the expertise to go through those. I guess I would beg to differ, given that the composition of the committee, it's include... it includes folks from other metropolitan planning organizations, municipalities, other relevant agencies like maybe DNR. I think there are people who are capable of establishing criteria and reviewing the applications in light of that criteria."

Eddy: "Based on the history of grants that have been awarded under these programs, based on that history, does your criteria kind of match up with the intent that has been shown through past grant awards?"

Nekritz: "The legislation does not establish the criteria, that would be up to the committee..."

Eddy: "Okay."

Nekritz: "to do that in a public process."

Eddy: "And there's a rulemaking Amendment on this legislation."

Nekritz: "Oh yes, Sir."

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Eddy: "So, if that committee meets and comes up with a process including criteria, will all of that have to come in the form of legislation because of that rulemaking Amendment?"

Nekritz: "With that Amendment on the Bill, I believe that it would."

Eddy: "Okay. So for this Body, at some point or another, we will have the opportunity to see specifically what the criteria, the selection process, any rubrics, all of that type of information would be part of legislation later after this committee meets?"

Nekritz: "As I assume will be the case with thousands of other rulemaking processes that will be proceeding."

Eddy: "Okay. Thank you, Representative. I appreciate the time you took to answer the questions and... and actually this has been a program that's provided funding for some very, very good alternate routes for schools, safe routes for schools and hopefully, your changes will make it better and allow our schools to understand better what they're applying for, what the cycle is, and how they can write a good grant. I think that's what you're intending to do."

Nekritz: "I hope so, Sir. The... we were one of the last seven (7) states to actually award the grants under the Safe Routes to School Program. I'm hoping that we can have a better track record."

Eddy: "Thank you."

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

Nekritz: "Your support."

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Speaker Hannig: "Okay, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Osmond, you have House Bill 4207. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4207, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. Members of the General Assembly, House Bill 4207 was filed at the request of the Mayor of Zion. He brought to our attention that this Bill is needed to have restrictions on renting property owned by a registered child sex offender where he... he or she resides to rent to a couple with children. And I would be happy to answer any questions."

Speaker Hannig: "This is on Short Debate. Does anyone stand in response? Then the question is... excuse me, Representative Fritchey, in response."

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

Speaker Hannig: "Indicates she'll yield."

Fritchey: "I'm not sure I have an issue, it just seems to be significant enough that it deserves more than two (2) seconds up on the board. Can you explain again what this does?"

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Osmond: "What happened in the City of Zion is that a registered child sex offender owned property, a duplex, and he resides on one side and he rented the other side with three (3) small children. And when the mayor found out about this he felt that perhaps this was in violation. And when he checked the law it was not and that's what we're doing to try correct it. We just don't want him... I mean, I'm not trying to prohibit him from being able to rent his property."

Fritchey: "Well, sure you are."

Osmond: "It just shouldn't be with small children."

Fritchey: "But you're essentially penalizing not the lessor, but the family looking to rent the apartment. So, in this situation, a family would go to rent an apartment, and this individual would say I'm precluded by law from renting this to you. Right?"

Osmond: "Yes."

Fritchey: "And they would ask why, and he'd say, I'm a registered sex offender, which I would imagine would be sufficient to get them not to rent there anyway. No?"

Osmond: "Correct. Hopefully. But I don't know that he'd be that honest, but I understand what you're saying. I am here to protect the children."

Fritchey: "The concern is... as... you know, as is all of ours. But the concern, I think I have is this. He has to disclose, because if he simply says I'm not going to rent to you, he's begging for a lawsuit by somebody who's saying we were discriminated against for who knows what reason. He refused to rent an apartment to us. The apartment is

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advertised for lease and we came there wanting to sign a lease and he said no. So, he's going to have to disclose why he would do that. Let me ask you a question, I guess. You know, it's very easy for us to pile on these individuals, and for very understandable reasons, but do we do anything in here, or should we have something in here that would immunize them from liability for refusal to rent?"

Osmond: "I'm not sure I understand your question. Could you repeat it, please?"

Fritchey: "Well, yeah. The question I have is this, and if you could help me or staff can help me, and I'm truly not trying to be difficult. I just... I want to make sure that we understand what we're doing here. The question is that if an individual refuses to rent an apartment to a family because this becomes law. That family says he didn't rent it to us because we have kids, because we're minorities, whatever it may be. He may be subject to civil litigation as a result of us telling... precluding... as a result of him following the law that we passed. Do you guys follow what I'm trying to get at here?"

Osmond: "Not really."

Fritchey: "Can you do me... can you do me a favor? If you'd indulge me. Can you take it out of the record for a second? I'm really not trying to screw this up, but I think there may be an issue here."

Osmond: "If you wouldn't mind to take it out of the record for a short time. Thank you."

Speaker Hannig: "Okay. We'll take..."

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Fritchey: "Speaker, I'd appreciate it."

Speaker Hannig: "Yeah. We'll take it out of the record at the request of the Sponsor. Representative Poe, you have House Bill 4178. Representative Poe, would you like us to read that Bill? It looks like Representative Poe is busy. Representative Reboletti, House Bill 4868? Out of the record. Representative Reis on House Bill 4137. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4137, a Bill for an Act concerning land. Third Reading of this House Bill."

Speaker Hannig: "Representative Reis."

Reis: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 4137 conveys the land that was originally going to be used for the prison site at Grayville, Illinois and conveys that property to the City of Grayville. I'd be happy to answer any questions."

Speaker Hannig: "This is on Short Debate. Does anyone stand in response? Representative Sullivan, do you stand in response? No? Okay. 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... okay. Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Rita, you have House Bill 5022. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5022, a Bill for an Act concerning local government. Third Reading of this House Bill."

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Speaker Hannig: "Representative Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5022 is an initiative of the Township Officials of Illinois and what it is does is basically gives the authority to township boards, the authority to raise the salaries to township cemetery trustees. Currently, the maximum amount they can receive is five hundred dollars (\$500). This increases it to a thousand (1,000). I'd be happy to answer any questions."

Speaker Hannig: "This is on Short Debate. Does anyone stand in response? The Gentleman from DuPage, Representative Ramey."

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

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

Ramey: "A quick question, are you going to put this in front of the voters of the township, or are we just going to do it automatically here today?"

Rita: "What it does is it gives the authority to the township board and the township board would have to do the increase as if they wished to. So, it's not actually raising it, it just gives the authority to... to the boards to raise their salaries. It hasn't been raised in over 20 years."

Ramey: "Right. Okay. Thank you."

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

Rita: "I ask for a favorable vote. Thank you."

Speaker Hannig: "And the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish?"



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Have all voted who wish? Representative Collins and Colvin, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 67 voting 'yes' and 41 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Rose, you have House Bill 4556. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4556, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Rose."

Rose: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill does two (2) things. It allows a court to discretionary double a sentence in the following circumstances. And I'll tell you just briefly where this came from. I represent a gentleman named Matt Iverson who is a Champaign Police Department officer. He effected a traffic stop. On his way to approach the vehicle on that stop, the driver of the vehicle spun out, turned around and ran him down. Officer Iverson thankfully was not killed, but he was seriously injured. Spent quite a bit of time recuperating. He still, years later, is still dealing with injuries from this. The second issue is from a shaken baby case, which came out of Representative Black's district. An unfortunate circumstance where a young ten-month-old child was shaken, and in that case the offender was out of jail in a year and a half. This does not mandate. It does not require. It allows the court to discretionary double where the circumstances may be appropriate. And I'd ask for favorable consideration."

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Speaker Hannig: "Is there any discussion? Representative Gordon."

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

Speaker Hannig: "Indicates he'll yield."

Gordon: "Representative, aren't there certain instances in the statute under the... what you can take... take into consideration for under the mitigation statutes, or the enhancement statutes, where this would already be available to the judge at sentencing? For example, under great bodily harm situation... we discussed this in committee. So..."

Rose: "Well, no, not necessarily, because it based on the charge and the great bodily harm enhancement is... goes from a Class II to a Class I, if that's... that it doesn't allow the judge to enhance. It's a charge enhancement."

Gordon: "But if the prosecutor can prove up great bodily harm... in the instance that you have specifically..."

Rose: "Yes. It's a Class I rather than a Class II."

Gordon: "...the case law's clear. You could prove of great bodily harm in that situation. And so then you can bump it up to a higher class felony. Correct?"

Rose: "Yes."

Gordon: "All right. And so then in the instance that you're having here it would be some cases where you would have doubling... it would be the difference potentially between twenty-eight (28) year and thirty (30) years? If you had a doubling of a..."

Rose: "No, because it's double..."

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Gordon: "...of a three (3) to fourteen (14) or a six (6) to thirty (30) penalty in different... for different felonies, correct? For different classes."

Rose: "I'm not sure I understand your question, Representative. What we're referring to is on the front end when the charging decision is made. A great bodily harm goes to a Class I whereas a bodily harm is a Class II whereas aggravated battery of peace officer is a Class III. Which, that does not, including the situation of shaken baby syndrome, which is also included in this legislation. But presuming then you're in a Class I, it would be discretionary double that, or discretionary double the Class II, however it's charged."

Gordon: "And did you ever check with your state's attorney on why they didn't charge attempted murder in this case? Did we ever ask them?"

Rose: "I talked to the officer and he did not have that answer, but he also told me that as of yesterday he's back on light duty because of these injuries."

Gordon: "Okay. Well, to the Bill, Mr. Speaker. Ladies and Gentlemen, we went round and round about this in committee and I've talked to the Sponsor of this Bill several times about this. This sounds like a very good idea and we all want to be tough on crime, but what in actuality is already there in the statutes, this can already be done. It can be taken into consideration by the sentencing judge at the aggravation stage, at the sentencing stage. And if it makes someone mad that the judge is not going to give the maximum penalty, that's something that we're all going to

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have to live with. You're not going to get the maximum penalty every single time that you are in front of a judge and something bad happens to someone. It's happened to me when I've prosecuted cases. It's happened to the Sponsor of this legislation. There's no question about that, but what is most important is that this legislation is redundant. It makes the sentencing code more difficult to understand. It makes a difference, potentially, between twenty-eight (28) years versus thirty (30) years, and it already gives options to the judges that already exist. So there's no reason to make the sentencing code any more difficult than it already is because this option is already there. I would ask for your 'no' vote just out of... just to keep it streamlined and to keep the sentencing code as clear as it can possibly be at the moment and to work on this a little bit further. Not because we don't care about victims of these crimes, we absolutely do. Not because we're soft on crime in this chamber because we're absolutely not, but because this is absolutely unnecessary to do to the Criminal Code at this time. Thank you."

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

Molaro: "Thank you, Mr. Speaker. First of all, let me say hello to David Reis. Representative Reis, welcome to the House of Representatives. Oh, and your mother, too. Welcome her also. I was... I was about to talk about some of your bad Bills, but with your mother here, there's no way. You're a great Representative. We're proud to have you here, Representative Reis. Now, to the Bill. You know,

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the only problem we're having with this Bill if you look at it, it doubles the penalties. Okay. No one wants to look soft on crime so everybody's going to have to vote for it. What we're doing in the State of Illinois, Representative Rose picks two (2) classes of criminals or two (2) statutes that we feel we should double the penalty. Well, that's the problem here in Illinois that we always have. We get somebody that is a constituent, maybe it does need to... deserve to be doubled, we don't know. But what we should be doing in this building is not taking piecemeal every type of criminal law that we have doubling this, tripling that, enhancing this. We should do this in the way that it should be done. Whereby, let's look at all the laws and see what should be doubled, what should be enhanced. Let's just not call a Bill and say, okay, if you run down a police officer you could double it. What if you run down a fireman? What if you run down an ambulance worker? I mean, if you prick them do they not bleed? I mean, shouldn't they have the same protection? But in this Bill we're just picking out two (2). I'm not saying he's wrong. I'm not saying that what he picked out is wrong. I'm just saying the way we do it just doesn't make any sense. Now after I said that, do I have a way of doing it? No. I don't know what we're going to do. I've been driving nuts on the... I just don't like this way. So, unfortunately, Representative Rose, and you did get it out of committee, there's no way I could ask anybody to vote 'no' on the Bill, except if you want to do it out of protest, and that's probably what I'm going to do. So, thank you."

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Speaker Hannig: "Representative Sacia."

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

Speaker Hannig: "Indicates he'll yield."

Sacia: "Ladies and Gentlemen of the House, the gentle Lady on the other side of the aisle who I think every one of us here recognizes as an exceptional attorney and a great prosecutor. I guess if I were to make a comment on her comments about Representative Rose's Bill, it would be that she speaks about his efforts in a negative sense. In that, doubling we may only be going from twenty-eight years (28) to thirty years (30). Well then, by God, sobeit. Here you have someone who has brought great bodily harm on a person doing their civic duty as a law enforcement officer. There's a great deal of sense to what Representative Rose is doing. Representative Molaro made a good comment. Maybe you feel you need to vote against this in protest, but in concept, how can you vote against a Bill that takes on individuals that flaunt our public safety, and literally make a mockery of our judicial system and certainly, our law enforcement officials. I applaud Representative Rose for bringing this Bill forward. It's good legislation. We need it. It sends a signal to the criminal and I strongly encourage you to vote 'aye'. Thank you."

Speaker Hannig: "So, we've had two (2) on each side and under the rules of debate we'll have three (3) on each side as a maximum. So, Representative Monique Davis, you're recognized next."

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

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

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Davis, M.: "Representative, could you elaborate on the shaken baby syndrome punishment that you're proposing?"

Rose: "Sure, Representative. What... first of all, there was a notion suggested earlier that this is only a difference between twenty-eight (28) and thirty (30) years, and that in fact is not true because this is a discretionary doubling after a charge is made. So, if the charge was to a Class II, it would allow discretionary doubling to twenty (20) years, but if the original charge was to a Class I, it would discretionary double to thirty (30) years, but that's based on the charging decision. Obviously, you're never presented with a case where you've got I and II. So, this is actually a very significant piece of legislation, and it's not redundant. But as to your specific question, it involves a case of involuntary manslaughter, in which the victim was age twelve (12) years or younger at the time of the victim's death. In the case that I'm speaking of, out of Bill Black's district, it was a ten-month-old baby who was the victim of a shaken baby syndrome. Now..."

Davis, M.: "And here's the question I have. Did the person who shook the baby realize, that many times that a person who has had absolutely no training in child care, or not any knowledge of child care, they believe that if they shake the baby it will serve to comfort the baby. Some people do not realize or know that that cradle cap is still loose and that you can cause great damage. But my question to you is, where would the person get that knowledge?"

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Rose: "Well, Representative, let me suggest two (2) things. First of all as you remember, last year you and I cosponsored an educational piece on shaken baby syndrome..."

Davis, M.: "Because we realized that everyone doesn't have the knowledge."

Rose: "Right. And we did that together. What I'm suggesting here is this is not mandatory. I've tried over the years to listen to concerns that you've presented, others have presented, about the mandatory nature of imposing sentence. This is discretionary. So the fact circumstance that you just suggested could be presented to the court and say, I've never hurt anybody, I certainly didn't mean to do it. And then the court would take that into consideration. On the other hand, if you have somebody with fifteen (15) previous crimes, the court could take that into consideration too, in the court's discretion. And that's the key difference."

Davis, M.: "Well, thank you. Thank you so much."

Rose: "We're allowing the flexibility for what you're asking for."

Davis, M.: "I appreciate that. I appreciate that, and I do understand what your perhaps intent might be. But to the Bill, Mr. Speaker. I have to concur with my two (2) learned colleagues, Representative Molaro and Representative Gordon. Gordon, herself, who was a prosecutor, who realized sometimes a judge's discretion sometime is blinded by his prejudicial feelings against people or groups. And his discretion many times, means that all people will not be given the equality of the law."



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Now, I know that we have enough... enough legislation on the books extending sentences, but you're speaking of doubling... doubling... doubling the sentence. And as we seek to do that, we must realize we're also seeking to double the cost to the taxpayer. So, if a per... I just believe all life is precious. I believe that that mother of four (4) children, her life to me is just as precious as a police officer's life. That grandfather who is ninety (90) years old, who's crossing the street, is just as valuable and precious to me as any police officer. So we must learn, I think, Representative, in this Body that all lives are prec... They're valuable and precious. We cannot continue to say, because you're a police officer here, you're more valuable or because you're a peace officer, you're more valuable. We're all valuable. People under twelve (12) are valuable. And people a hundred and twelve (112) are valuable. And when we make these distinctions, and we want to leave it up to a judge's discretion, we are really inviting prejudicial treatment... what is it, prejudicial treatment? That's it, thanks... to other people. I believe Representative Molaro's argument was succinct, valuable..."

Speaker Hannig: "Representative, could you bring your remarks to a close? Your time is expired."

Davis, M.: "...and I also think that Representative Gordon, a former prosecutor herself, knows we should not clutter up our Legislative Code, singling out little pieces to address little... little problems. And I respect you, Representative. I urge a 'no' vote"

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

Fritchey: "Maybe?"

Speaker Hannig: "We'll give you a few minutes then."

Fritchey: "I appreciate it. Real quickly, we... we had gone through this in committee and I appreciate the time. I've got just a couple questions, briefly."

Rose: "I don't think you're on the committee, Representative."

Fritchey: "Isn't this the issue that we had dealt with... maybe I was in the committee hearing at that... Didn't it go through Bobby's committee, through Representative Molaro's committee?"

Rose: "It went through Bobby's committee. Yes, Sir."

Fritchey: "All right. Then I was in there on the day because I remember the debate on this. I don't see a knowing provision in here for the situation in which the victim is a peace officer or a fireman. So what happens in the situation..."

Rose: "No, no, no. Representative, you're on a totally different Bill. The fireman? That's a separate Bill that I have this year."

Fritchey: "I'm looking on page 12 of the Bill, lines 2 through 5. If the individual harmed is a peace officer or fireman the court may impose a term..."

Rose: "Okay. So, the aggravated... okay. I'm sorry. You're looking at the aggravated battery provision. All right. Go ahead."

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Fritchey: "So, that would... it would allow for a permissive doubling of the sentence, but I don't see a knowing provision in there. And so would you intend that this applies if there is an altercation between two (2) individuals in a public park, and it turns out that one of those individuals, unbeknownst to the assailant, is an off-duty peace officer. Is that assailant then subject to a permissive doubling of the offense... of the sentence?"

Rose: "Representative, for an answer to that question, I would refer you back to the definition of the offense itself, where you talk about in the official capacity as a police officer, et cetera, et cetera."

Fritchey: "Representative, where are you?"

Rose: "Where am I? I'm going back to charging decisions from seven (7) years ago in the State's Attorneys Office. That's where I am."

Fritchey: "All right. So, you're saying the..."

Rose: "If you look at Section 3..."

Fritchey: "...you're saying..."

Rose: "...you get down here, engaged in the execution of official duties, arrest, attempted arrest... et cetera, et cetera. Engaged in official duties."

Fritchey: "Okay. So, there is a knowing provision in here then."

Rose: "And further I would suggest that the point of this being discretionary doubling is to allow the court flexibility to say, you know, to address just that circumstance, but I would... my ultimate answer would be that it's already included in the definition of the offense."

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Fritchey: "Okay. I appreciate that. I'll leave you, I guess, with this. And my concern is this, the language that you have in there right now refers to a discretionary doubling in the event that the victim is a peace officer or fireman. I assure you that next Session or the Session after that and/or the Session after that this will be expanded to not only peace officers and fireman, EMTs, state safety workers, CAPS members, nurses, referees, on and on and on. Just look at the underlying aggravated battery statute."

Rose: "Can I address that, Representative, very directly?"

Fritchey: "No, I want you to. That's why I'm raising the issue."

Rose: "Very directly."

Fritchey: "Some people haven't been down here long enough to know..."

Rose: "Sure."

Fritchey: "...what the history of that was. And that, you know, you'd think that we're creating this for a small subset, and then we've seen aggravated battery statutes get expanded to... from police officers and firemen to taxi drivers and referees."

Rose: "Let me address it directly, head-on. John, last year I brought this Bill in the spring. I had Officer Iverson come over and testify. I also had Joanie Markov, the aunt of the ten-month-old baby who died, come testify. The will of the committee was that the CLEAR Commission was working to clean up the Criminal Code and the thought was that it would be better placed to let them do their work and out of respect for that process that I support, because I agree

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with what you just said, we held the Bill. The... the bottom line is a year later the CLEAR Commission has not addressed any of the problems that you just suggested, problems that I agree with, problems with what previous speakers brought up. But I can't continue to, you know, hope that some day we'll have a CLEAR Commission and not bring legislation on behalf of constituents who are seriously aggrieved. In one case, dead. That's my answer."

Fritchey: "Understood. But you know, I would say but the problem is not with the CLEAR Commission, the problem is with this Legislative Body. You know, through... despite the best of intentions, you know, these things get expanded and expanded almost to the point of irrelevance. I've taken enough time. Speaker, thank you for hearing me out. Representative, thank you for answering it."

Rose: "Thank you, Representative."

Fritchey: "My concern isn't obviously with the intent, but really with, I think, the door that this opens up. And I don't know if it's one that we want to open again. Thank you, though."

Speaker Hannig: "We've now had three (3) on each side and the rules would provide that Representative Rose can now close."

Rose: "Thank you, Mr. Speaker. Ladies and Gentlemen, I... the previous speaker said that we should be concerned about the cost to the taxpayers of a possible discretionary double sentence. Who do you think paid for Matt Iverson's hospital bills, his physical therapy, all the things that he had to go through just to become a police officer again?"

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How do you repay the family of a ten-month-old baby who's now dead? I'm concerned about them, Ladies and Gentlemen. I have extreme respect for all those who've spoken. And particularly on the issue of the CLEAR Commission cause I believe in the CLEAR Commission, but this Bill's been a year in the making because of the CLEAR Commission and the CLEAR Commission is no clearer. And I'd ask for favorable consideration. Thank you, Mr. Speaker."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hoffman, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 88 voting 'yes' and 19 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Sacia, you have House Bill 4229. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4229, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, a very simple and straightforward Bill brought to me by the Regional Office of Education in Jo Daviess County. Right now Regional Offices of Education and school districts are required to send mail registered which is very expensive. What the Bill does is it allows school districts and ROEs to send their mail certified. There is no loss at all in the security of sending it certified."

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It's a huge cost saving measure for the education community, and accordingly the State of Illinois. Be more than happy to answer any questions."

Speaker Hannig: "This is on 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 Ryg, Moffitt, Mathias, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Saviano, you have House Bill 5066. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5066, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 5066 simply allows Illinois optometrists to dispense and sell contact lenses with... with a prescription, which would include antibiotics in those contact lenses. This is simply a new trend in the practice. I know of no opposition to the Bill, and I would ask for its approval. Thank you."

Speaker Hannig: "This is on 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... Mr. Clerk, take

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the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Smith, you have House Bill 4696. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4696, a Bill for an act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is legislation that would amend the Renewable Fuels Development Program. This is a program, as many of you know, that has been in place for a number of years to help the ethanol industry in the State of Illinois. For the first time we were able to provide money in the Renewable Fuels Grant program. This would make a number of changes to that program. And this is in anticipation of... hopefully, of some type of capital budget this year, which would allow us to put additional funds into the grant program. It would also allow for money to be used for rail infrastructure for the development of the plants. It would also provide a grant program for E-85 infrastructure to assist service stations in the installation of E-85 pumps, to increase the number of E-85 pump locations, to help local governments also in bringing their vehicles into E-85 compliance. In addition, it also would provide money to continue commercialization research among various state facilities that are doing this research currently. And I would be happy to answer any questions. This is an initiative of the Illinois Corn Growers, and of the



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Illinois Farm Bureau. And I would be happy to answer any questions at this time."

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

Boland: "Yes. Thank you, Mr. Speaker. I rise in strong support of this. Currently, I'm driving a flex fuel vehicle, and one of the problems that you find, is that there just aren't enough of the E-85 pumps available. Now, the state, thanks to Representative Eddy, has put forth a map that gives the location of the E-85 pumps, but even there they're fairly rare. I believe if I'm not correct, there are less than two hundred (200) of them through out the State of Illinois. And so, if we're really going to make renewable fuels a practical thing, we've got to increase the number of pumps available. And that's why this Bill is so crucial. And I would hope that a lot of our communities across the state would copy what the... the City of Moline is planning and that is, their own E-85 pump at their... at their garage to take care of their vehicles of which they're buying all their new police cars are flexible fuel vehicles. So, we want more and more and not only gas stations to put in the E-85 pumps, but it would really help the entire issue of renewable fuels if more and more cities, municipalities, and counties would also put in their own pump for their own vehicles and purchase the flex fuel vehicles. So, this Bill is really crucial to getting us off the mark. Right now we're sort of like we're... we're just taking tiny baby steps. This will give us a great leap forward in providing money to encourage the... the

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number of E-85 pumps which if we're going to make the renewable fuel reality, if we're going to get off of dependence upon foreign oil, if we're going to lower the cost of gasoline which is atrocious and racing toward four dollars (\$4.00) a gallon, the only way to do it really is to have alternatives, and to have those alternatives available to the general public and to all governmental bodies. So, I urge a 'yes' vote. This is a great leap forward. I commend Representative Smith for bringing this up."

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 Jakobsson, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Beaubien, for what reason do you rise?"

Beaubien: "Yes, Mr. Speaker. I was recorded as voting 'no' on House Bill 5022, but I intended to vote 'yes'. I'd like the record to so reflect."

Speaker Hannig: "So the record will so reflect, Representative. Representative Soto... Representative Soto, you have House Bill 2210. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2210, a Bill for an act concerning education. Third Reading of this House Bill."

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Speaker Hannig: "Okay. So, Representative Soto indicates she wishes to move that back to the Order of..."

Soto: "To Second for an Amendment."

Speaker Hannig: "...Second Reading."

Soto: "Thank you."

Speaker Hannig: "Okay, so... so Representative Soto, the Clerk advises me that the Amendment is out on the floor. So, Mr. Clerk, are there any Amendments pending?"

Clerk Bolin: "House Bill 2210, a Bill for an Act concerning education. No Committee Amendments. Floor Amendment #1, offered by Representative Soto, has been approved for consideration."

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

Soto: "Thank you, Speaker. The Amendment amends the School Code, makes it a technical change in the section concerning school district financial oversight panels."

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

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

Speaker Hannig: "Third Reading. Do you wish us to call the Bill, Representative? Okay. Mr. Clerk, read the Bill on Third."

Clerk Bolin: "House Bill 2210, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Soto."

Soto: "Thank you, Speaker. Let me just arrow down. Okay. House Amendment will create the education of homeless

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children, a new state grant program, which would parallel the supplement but operate independently..."

Speaker Hannig: "Representative... Representative, can we take this out of the record a moment?"

Soto: "Okay."

Speaker Hannig: "Okay. So, why don't we take this out of the record."

Soto: "Okay."

Speaker Hannig: "Representative Sullivan, you have House Bill 4318. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4318, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. Ladies and Gentlemen, last year we passed legislation creating three (3) Internet gang units throughout the state. What this Bill does is amend that underlying legislation by: 1) extending the sunset date by one (1) year; and 2) changing one of the units from Round Lake Heights Police Department to Lake County MEG. Thank you very much."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Myers, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Soto, I think we've cleared up the

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problem on your Amendment. So, Mr. Clerk, we'd like to return to House Bill 2210. I believe that's been read a third time, previously. And so Representative Soto, you're recognized to present the Bill."

Soto: "Thank you, Speaker. Okay. Sorry. Okay. Currently, ISBE receives funding for homeless education through the Title X education in homeless children under the No Child Left Behind. In the FY08 the agency received a grant in the amount of two-million eight hundred and forty-one (2,000,841) to serve this population. And this is a... a homeless Bill. And I urge an 'aye' vote. Yes. I'm done. I'm open for questions if any Member has any questions."

Speaker Hannig: "All right. So the Lady has moved for the passage of House Bill 2210. And on that question, the Gentleman from Crawford, Representative Eddy."

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

Speaker Hannig: "Indicates she'll yield."

Eddy: "Thank you. Representative, this is subject to appropriation, correct?"

Soto: "Yes. Subject to appropriations."

Eddy: "And this year the ISBE budget had a three million dollar (\$3,000,000) allocation for that?"

Soto: "Yep."

Eddy: "And there's a three million dollar (\$3,000,000) allocation recommended for next year?"

Soto: "Yes. That's correct."

Eddy: "All you're doing is setting up the... the implementation language if there is ever an appropriation made to that line item through the budget process?"

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Soto: "That is correct."

Eddy: "You're setting that up. This is no way does anything with the federal money that we already get? That distribution will remain exactly the same? This is not going to change that in any way?"

Soto: "That is correct."

Eddy: "Okay. Thank you very much."

Soto: "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 Fritchey, Hoffman, and Patterson, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bassi, for what reason do you rise? Representative Bassi, were you seeking recognition? No. Representative... Representative May, for what reason do you rise?"

May: "Yes. Mr. Speaker, I'd like to introduce in the gallery, right behind me, if you will stand please, the Montessori School from Lake Forest. You want to stand? The eighth graders from the Montessori School. They are here with two (2) teachers. One of the teachers is Representative Jakobsson's daughter. And I must tell you I am so impressed. They know my Bill numbers. They are following the process. They went to the committee and they really

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are learning about government in Springfield. Let's welcome them. Thank you."

Speaker Hannig: "Welcome to Springfield. Representative Wait, you have House Bill 4477. Out of the record. Representative Winters, you have House Bill 5760. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5760, a Bill for an Act concerning Civil Air Patrol leave from employment. Third Reading of this House Bill."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker. House Bill 5760 requires that employers of fifteen (15) or more employees grant unpaid leave to any employee who is a member of the Civil Air Patrol and deployed on Civil Air Patrol duties. Would be happy to entertain any questions on the Bill, but I believe there's no opposition, and urge its adoption."

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

Bost: "Thank you, Mr. Speaker. I just stand in support of the Gentleman's Bill. Basically, this is the same thing that we do do for... do in regards to volunteer firefighters. With Civil Air Patrol and emergency services such as that, this is a positive step."

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 Lindner and Patterson, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting

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'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Younge, you have House Bill 5209. Out of the record. We're going to go back now to some of the Bills that were out of the record earlier. Representative Bradley, John Bradley, you have House... Senate Bill 1874. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1874, a Bill for an Act concerning appropriations. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Bradley."

Bradley, J.: "Thank you, Mr. Speaker. This is the identical Bill that we passed out of here last year that would fill the hole created by the issue with the special education hold harmless funding. As you know we passed a special education hold harmless. We also passed this. It died in the Senate last year. The Senate now has passed the identical thing that we had passed, back to us and it's our opportunity to pass this again, send it to the Governor and hopefully, he'll sign it this time and get this... this hole plugged and fix this problem. I ask for an 'aye' vote."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Tryon and Mitchell, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Chapa LaVia, you have



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House Bill 4262. Do you wish us to read this Bill? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4262, a Bill for an Act concerning animals. Third Reading of this House Bill."

Speaker Hannig: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. This Bill was brought to me by the aldermen there in Aurora that we were having issues with our passenger pigeon issue and not being able to... they weren't able to write an ordinance because of the way we have the State Law as far as population showed. This just changes it down so they have the ability to enforce an ordinance as far as pigeons (imitates pigeon call) in the local area. So, being a birdwatcher, I just wanted to adhere to them. So, I'll take any questions."

Speaker Hannig: "Is there any discussion? Representative Franks."

Franks: "Representative, could you do a pigeon call for us?"

Chapa LaVia: "Yes, I am a bird watcher and I'll promote bird watching. I have no problem with that. It goes something like (imitates pigeon call) it's a rock dove, it's not a pigeon. It's a rock dove."

Franks: "You know, now, I've always wondered because, you know, I'm from the country, and I don't get to the city much, and I know you have pigeons in the city, but I've never seen a baby pigeon. Can you tell us where they are?"

Chapa LaVia: "There's one in Harris's alley that his sister is raising in Chicago."

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Franks: "I know. I'm just wondering maybe we should do a plebiscite on this to see how many people have actually seen a baby pigeon."

Chapa LaVia: "Okay. Sit down."

Franks: "No. But wait a second. This only deals with... now, what does this Bill do?"

Chapa LaVia: "It allows the City of Aurora to write an ordinance so it can restrict or enforce a person having 'X' amount of pigeons with 'X' amount of acreage. It just gives them the ability to enforce that, or to make sure that you can't allow that because of the health and safety of the neighbors as far as pigeon dropping, things like that. And the carrier pigeon people in the state, which is a phenomenal program, are 100 percent with this Bill. They're okay with it because you have to be licensed through them to actually to be a certified pigeon carrier person."

Franks: "Is that what... does carrier, is that synonymous with homing pigeon?"

Chapa LaVia: "Yes."

Franks: "Okay. I wasn't sure."

Chapa LaVia: "A homing pigeon?"

Franks: "Now, one time I can tell you, in the Country of Morocco, a pigeon is considered a delicacy, and it's served with cinnamon. Does this have anything to do..."

Chapa LaVia: "Has nothing to do with that."

Franks: "Okay. All right. Well, thanks for answering my questions."

Chapa LaVia: "Thank you."

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Speaker Hannig: "Representative Fritchey."

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

Speaker Hannig: "Indicates he'll yield."

Fritchey: "Representative, the City of Chicago dealt with this issue a year or two (2) ago..."

Chapa LaVia: "They're still excluded. They still have the right to do what they need to do. They're okay with it."

Fritchey: "So this has no impact for the city, correct?"

Chapa LaVia: "Yes. They're okay with this."

Fritchey: "The city has taken no position on this?"

Chapa LaVia: "The city... we won't fool around with that. Yeah."

Fritchey: "That's all I got. Thank you."

Chapa LaVia: "Thank you."

Speaker Hannig: "Representative Stephens."

Stephens: "I was wondering if the Lady would yield?"

Speaker Hannig: "Indicates she'll yield."

Stephens: "Many of you have been contacted by someone who claims to be from my district, who actually lives in Representative's Granberg's district, about skunks. I wonder if... did this gentleman approach you as to using this Bill as a vehicle for an Amendment to domestic... for domestic skunks?"

Chapa LaVia: "For domestic skunks? No, I'm not dealing with domestic skunks."

Stephens: "Would you... would you be willing..."

Chapa LaVia: "Not flying domestic skunks either. Or sky carp."

Stephens: "Would you be willing to consider that?"

Chapa LaVia: "No, Sir."

Stephens: "No?"

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Chapa LaVia: "No. I said no, Sir."

Stephens: "I was just wondering."

Chapa LaVia: "Is this comic relief?"

Speaker Hannig: "Representative Winters."

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

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

Winters: "Has the Department of Agriculture taken any position on this Bill? I don't see anything in our analysis that they have signed in... in favor or against this Bill."

Chapa LaVia: "No. No. Representative Winters, this has really nothing to do with that because it's generic to the city council having the ability to write ordinances, either in favor or you know, as far as square footage of how much acreage you need to have homing pigeons. Things like that. So, they haven't contacted me at all on this Bill. It's been out there for a while so, no."

Winters: "This is basically..."

Chapa LaVia: "It's the local health agencies, too."

Winters: "It prohibits those municipalities from banning these pigeons... these specific..."

Chapa LaVia: "No. No. It actually gives them the ability to encourage it, or them giving the scope in which someone can have homing pigeons, or passenger pigeons within their municipality."

Winters: "Does this cover squab?"

Chapa LaVia: "No."

Winters: "That is a form of pigeon, isn't it?"

Chapa LaVia: "No."

Winters: "It is."

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Chapa LaVia: "It's a form... it is a member of the pigeon family?"

Winters: "Right."

Chapa LaVia: "Well, it has to be licensed underneath the homing pigeons certificate association for..."

Winters: "I'm just wondering if you're..."

Chapa LaVia: "So, if the squab falls under that as a pigeon then, yes, it adheres to that. But if it doesn't then, it doesn't."

Winters: "Well, it's not a carrier pigeon, it's not a racing pigeon, it's not a hobby pigeon, and it's not a show pigeon. It's an edible pigeon. So, are you going to now come back to us... does this give the authority to the municipality to either ban or to encourage pigeon slaughter plants? Are we looking at an additional food animal in the state that we might develop a little bit of agriculture?"

Chapa LaVia: "No. Not right... or a transport of pigeons Bill?"

Winters: "Right. We want to make sure it's only on single level trailers. That we don't have multiple level trailers."

Chapa LaVia: "Very short, small trailers."

Winters: "Yeah. So, many, many layers of pigeons on one of these semi-trailers."

Chapa LaVia: "No, but we're thinking about renaming a stadium Pigeon Stadium in Chicago."

Winters: "I missed that one. Sorry."

Chapa LaVia: "And will they be able to have slot machines?"

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Winters: "Well, I just... I would encourage you over in the Senate to see if you might be able to add squab on as one of the permitted pigeons. There are people who do..."

Chapa LaVia: "You know, I'll think about it if the Bill flies."

Winters: "We're going to try to shoot it down. I'm sorry."

Chapa LaVia: "Oh. You're foul."

Speaker Hannig: "Representative Froehlich."

Froehlich: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

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

Froehlich: "Yes. Representative, I'm just looking at the full text. It's not a very long Bill. And I want to make sure I understand. If a municipality now bans homing pigeons, you call them carrier, racing, homing, if they ban pigeons of any kind being kept, would your Bill invalidate those local ordinances?"

Chapa LaVia: "No. If they're able to do it now it stays in eff... they can keep doing it, but it... but this is for any legislation from here on."

Froehlich: "I see. So, this would pro..."

Chapa LaVia: "It removes the Home Rule preemption."

Froehlich: "It does? Okay."

Chapa LaVia: "Yes."

Froehlich: "Thank you. I just wanted to be clear. Thanks."

Chapa LaVia: "Thank you. Sit down."

Speaker Hannig: "Representative Chapa LaVia to close."

Chapa LaVia: "I'd appreciate a 'yes' vote. Thank you very much, everyone."

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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 Wait, Mitchell, Colvin, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2825."

Clerk Bolin: "House Bill 2825, a Bill for an Act concerning wildlife. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Beaubien, has been approved for consideration."

Speaker Hannig: "Representative Beaubien, you're recognized on the Amendment."

Beaubien: "Yes. The Amendment becomes the Bill. This is a simple addition to the code dealing with the DNR. We're adding language under the Apprentice License Bill that not only includes residents of Illinois but nonresidents of Illinois. That's the only change. Adding nonresident as qualifying for the apprentice hunter's license."

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

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

Speaker Hannig: "Third Reading. Representative Mendoza, you have House Bill 5326. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5326, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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Speaker Hannig: "Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. This House Bill provides that any person who's incarcerated in a facility of the Illinois Department of Corrections or the Illinois Department of Juvenile Justice on or after August 22 of 2002, whether for a term of years, natural life, or a sentence of death, who has not yet submitted a sample of blood, saliva, or tissue to the Department of State Police, for a DNA grouping analysis, they shall be required to submit this sample prior to his or her final discharge or within six (6) months from the effective date of this Amendatory Act, whichever is sooner. All this does is basically ensure that we have collected a sample of all people who have already been convicted, and are currently serving a term... a long term of incarceration within either the Department of Corrections or the Juvenile Justice Corrections Department. It's a very cleanup Bill. I don't know of anyone who's opposed to it, and I would ask for your support."

Speaker Hannig: "This is on 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 Howard, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lyons, did you



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wish to do your Resolution at this time? Representative Lyons."

Lyons: "Mr. Speaker, Ladies and Gentlemen of the House I'd really like to, if I may, grab your attention for just a few moments. I have a Resolution that's been on our Calendar now for several weeks. I've been holding it for this date for a very special reason. And I guess I will ask the Clerk at this time to read the Resolution and then we'll introduce our honored guest who is up in the Speaker's Gallery."

Clerk Mahoney: "House Resolution 1021.

WHEREAS, Richard "Dick" Lockhart formed the governmental consulting and lobbying firm, Social Engineering Associates, Inc., (SEA) in 1958, and that company has remained in continuous operation for the last 50 years; and WHEREAS, SEA has provided lobbying and other governmental consulting services to a wide-range of non-profit interests, currently representing 15 such organizations; and

WHEREAS, SEA published the nonpartisan newsletter, "THE ILLINOIS POLITICAL REPORTER" for 25 years from 1961 until 1986, and conducted Lobbying Seminars during the 1970s and 1980s; during the 1960s, SEA moderated "Metropolitan Report" on WTTW Channel 11 in Chicago; and

WHEREAS, Dick Lockhart, as President of SEA, was named by the Chicago Sun-Times as one of the "10 Best Lobbyists in Illinois", wrote the 10,000-word article on Illinois for the Encyclopedia Britannica, and served as Special Consultant to the President of the Constitutional

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Convention in 1970; in 1981, he was selected as Speaker of the Illinois Third House; in 2004, he was the recipient of Illinois Third House's Lifetime Achievement Award; and

WHEREAS, Mr. Lockhart, now 84 years old, continues to serve his clients and provide members of the Illinois General Assembly with accurate information on legislative issues; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Richard Lockhart and Social Engineering Associates on 50 years of providing effective governmental consulting services; and be it further

RESOLVED, That a suitable copy of this Resolution be presented to Richard Lockhart, President of Social Engineering Associates, Inc., as an expression of our esteem."

Speaker Turner: "Representative Turner in the Chair. The Gentleman from Cook, Representative Lyons."

Lyons: "Thank you, Mr. Speaker. Thank you, Mr. Clerk, for reading that Resolution. Ladies and Gentlemen, I think all of us have received the invitation that we got this week or last week to attend Dick's 50th anniversary party which will be held tonight of course over at the Sangamo Club from 5 to 7. I'm sure it's all on our calendars. There's lots of things to do, but I think it's something special and I'd love to have you all stop in between 5 and 7 to pay our personal respects to Dick. On the bottom of the invitation is clever. It says, 'Not a retirement party'. So this is not to be considered any type of retirement party, just recognition for a job well done for fifty (50)

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years. Also on the bottom of the invitation, was the actual copy of the Clerk of the Court of Cook County back in 1958 giving Dick Lockhart the right to be called Social Engineering signed by then Edward J. Barrett, Clerk of the County of Cook. Which few of us remember Eddie Barrett, but he was county clerk for many, many years. A beautiful way to do this invitation. I think also all of us as freshmen, this has been hanging in my office since my first several months down here, eleven and a half years ago, and I think all of us have this beautiful poem that was given to us by Dick. And just for the record, records room, Mud, make sure we get this perfectly, the Legislator's Lament. Maybe we should memorize this thing or all have it on our desk. It goes the following: 'We the willing, led by the unknowing, are doing the impossible for the ungrateful. We have done so much, with so little, for so long, that we are now qualified to do anything with nothing.' Those are the words that Dick put together for all of us and I don't think this man needs any introduction to anybody. He's been on a lot of good issues over his many, many years down here. But just to let you know something else about Dick Lockhart that you may not know. Today is April 2. We're running this Resolution honoring him and Social Engineering for a very special purpose. Sixty-three (63) years ago today, on April 2, 1945, listen up folks, Dick Lockhart was released after being a prisoner of war at the Battle of the Bulge. We have amongst us a living hero, somebody the State of Illinois should be so very proud of. Please join me in paying homage to one great Illinoisan, one great

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American, one great friend to everybody in this Body, Dick Lockhart."

Speaker Turner: "The Gentleman from Cook, Representative Lyons, for what reas..."

Lyons: "Speaker, with leave of the Body, I'd like everybody's name from the Gen... from the Illinois House to be added to that Resolution."

Speaker Turner: "Representative Currie moves for the adoption of House Resolution 1021. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution passes with all Members added as cosponsors to the Resolution. And Dick, if you were on the floor, we'd let you bring words to this group, but those are the rules. The Gentleman from Will, Representative McGuire, for what reason do you rise?"

McGuire: "Thank you, Mr. Speaker. I just wanted to echo the comments of Representative Joe Lyons. And I'll be very brief. When I came down here to Springfield many years ago, I think it was 1991 or somewhere along there, one of the first gentlemen that I met was Dick Lockhart. And he gave me that same plaque that Joe read and I can't... I can't describe what a great guy Dick Lockhart is, and has been for all these years. And Joe, you did an excellent job. And I want to remind Uncle Dick that he's one of the first men down here that introduced me to green ties. He took a green tie off when I first met him and gave it to me. And I've been wearing green ties ever since. Good luck, Dick."

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Speaker Turner: "On the Order of Third Readings, page 26 of the Calendar, we have House Bill 4992. Representative Hannig. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4992, a Bill for an Act concerning local government. Third Reading of this House Bill."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This Bill came to me from the County Clerks Association and it's an effort to try to clarify and update some language that currently exists. Today we have language that speaks of defraying the cost of converting and maintaining the county clerk's office and what we had intended originally was to help the county clerks with this fee, modernize the technology. Well, today with computers, there seems to be some question as to whether or not this fee actually can apply. And so what we want to do is just clarify the language and say that they can use the fee that they already collect to develop and maintain an improved technology in the office of the County Clerk. That's all the Bill does. And I'd be happy to answer any questions and I'd ask for your 'yes' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4992?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 109 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Second Readings, we have House Bill 5215. The

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Gentleman from Montgomery, Representative Hannig. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5215, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Hannig: "Yes, thank you, Mr... Mr. Speaker and Members of the House. When I came to committee and presented this Bill that dealt with the autoimmune disease, it came right after a Bill that Representative Krause had presented dealing with arthritis, which is an autoimmune disease. And so the committee, the Human Services Appropriations Committee, simply asked us to combine these two (2) Bills. And so all this Amendment does is take what was Representative Krause's appropriation Bill, add it to mine, I've added her as a cosponsor with others, and then we'll move the Bill with approval of this Body, forward. So, that's what the Amendment does. I'd move for its adoption."

Speaker Turner: "Being no questions, the question is, 'Shall the House adopt Amendment #1 to House Bill 5215? All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment passes. Further Amendments?"

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

Speaker Turner: "Third Reading. On the Order of Third Readings, we have House Bill 4207, Representative Osmond. Page 21 of the Calendar. Out of the record.

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Representative Poe, on House Bill 4170... 4178. It's on the Order of Third Readings, on page 21 of the Calendar. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4178, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Sangamon, Representative Poe."

Poe: "Yeah. Mr. Speaker, there is a concern and I think we will amend it in the Senate. But we passed this Bill a year ago and what happens whenever a family or someone signs up for an Internet game for their children, you can sign right up that day and you continue to get those bills. But we just want to make sure it's as easy cancel that game that your children are playing as it is to subscribe to it. And basically, that's what we're doing with this Bill."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4178?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 109 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, Representative Reboletti, we have House Bill 4868. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4868, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

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Reboletti: "Mr. Speaker, would you move that back to the Order of Second Readings. There's going to be an Amendment from the Veterans' Department."

Speaker Turner: "The Gentleman requests that the Bill be moved from Third to Second. All those... With leave of the Body, the Bill will be moved back to Second Reading. On the Order of Second Readings, we have House Bill 4625, Representative Stephens. It's on page 7 of the Calendar. Out of the record. Representative Wait, on House Bill 4477. On the Order of Third Readings, page 23 of the Calendar. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4477, a Bill for an Act concerning minors. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Bond (sic-Boone), Representative Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Yes, House Bill 4477 is a Bill that we've passed out of here overwhelmingly two (2) or three(3) times. Simply, all it would say is for minors not only do they... it's illegal to buy and sell tobacco, it would be illegal to possess tobacco. The City of Chicago already has this law and seventy-nine (79) municipalities have it. I'd be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4477?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bost, Hannig. The Clerk shall take the record. On this question, there are



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109 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Second Readings, we have House Bill 5343. Representative Collins, Annazette Collins, House Bill 5343. Out of the record. Representative Monique Davis, on House Bill 4668 on the Order of Second Readings. Out of the record. Representative Flowers, on House Bill 4223 on the Order of Second Readings. Mary Flowers. Out of the record. Representative Hernandez, on House Bill 5230 on the Order of Second Readings. 5230? Out of the record. On the Order of Second Reading, Representative Yarbrough. House Bill 4369 on the Order of Second Readings, Representative Yarbrough. Out of the record. The Gentleman from Cook, Representative Riley, for what reason do you rise? Close. Representative Brauer. Representative Coladipietro. Representative Cultra, on House Bill 5243 on the Order of Second Readings. Read the Bill, Mr. Clerk.

Clerk Bolin: "House Bill 5243, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 4206, Representative Pritchard, it's on Second Reading. The record.. The Gentleman from Cook, Representative Riley. You're back, for what reason do you rise?"

Riley: "A point of personal privilege, Mr. Speaker."

Speaker Turner: "Point."

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Riley: "Somewhere, and I think they may be coming up the stairs, they were here. But here they are here. These kids from Ross School from the Village of Markham that I share with Representative Davis. I want to have the House give them... the House of Representatives greeting. They're all the way down here from Markham. There they are, right here. Ross School."

Speaker Turner: "Welcome to Springfield, Ross. Representative Froehlich, on House Bill 5101. Froehlich, 5101? Out of the record. Representative Mautino, on House Bill 5647. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5647, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Mautino: "Thank you. House Bill 5647 would allow the Veterans Service Organizations to receive reimbursements on a monthly basis. It would allow the department to transfer a million dollars (\$1,000,000) of the money appropriated from the Veterans Service Organization Reimbursement Fund to the Veterans Service Assistant Fund. Currently, that fund has no money in it, and it doesn't have a funding mechanism. This is going to be set up so that if we provide or appropriate the dollars to it, that fund is in place. It's an initiative of the department and Director Duckworth to make these changes and they're requesting the monthly payments so that their staff, as opposed to making one payment in a four-month time period, can split it out. So it's their requests and all these service organizations are in favor of it. I know of no opposition. Appreciate an 'aye' vote."

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Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5647?' All those in favor should vote 'aye'; all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, 109 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ford, on House Bill 4195. It's on the Order of Second Reading. Representative Ford? It's on the Order of Second Reading. Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4195, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Ladies and Gentleman, we're going to go through our Order of Second Readings. These are Bills that are on Second Reading. I will call your name first, and then proceed with the Bill number. Please be prepared to let us know whether you want to move it to Third or not. So, this Order we will be doing is Second Readings only. On the Order of Second Readings, we have House Bill 4454, Representative Beaubien. Out of the record. Representative Biggins, on House Bill 4699. Out of the record. Representative Brady, on House Bill 4252. Out of the record. Representative Burke, on House Bill 4732. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4732, a Bill for an Act concerning revenue. Second Reading of this House Bill. Amendment #1

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was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Collins, Annazette Collins on House Bill 1518. Out of the record. Coulson on House Bill 3286. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3286, a Bill for an Act concerning education. The Bill has read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Coulson, has been approved for consideration."

Speaker Turner: "Third Reading. No. I'm sorry... Representative Coulson, on Amendment #1."

Coulson: "Thank you, Mr. Speaker. Floor Amendment #1 becomes the Bill. Creates the Illinois Health Policy Center within the University of Illinois, including both the University of Illinois College of Medicine as well as the Institute of Government and Public Affairs. And provides that the goals of the center are to support Legislators and other governmental officials in developing and implementing health policy to address critical issues facing the State of Illinois. And to focus on identifying best practices appropriate for Illinois, throughout careful and objective review of the latest scientific research. And I would encourage an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Amendment #1 to House Bill 3286?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is... All those in favor say 'aye'; all those

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opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment passes. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Colvin, on House Bill 4379. Read the Bill Mr. Clerk."

Clerk Bolin: "House Bill 4379, a Bill for an Act concerning insurance. The Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Colvin, has been approved for consideration."

Speaker Turner: "Representative Colvin on Amendment #2."

Colvin: "Thank you, Mr. Speaker. Amendment #2 to a Bill that changes several rules with respect to insurance licensing, will add the additional provision. And it reads and I quote, 'Seven and a half hours of pre-licensing course must be completed in a classroom setting except motor vehicle, which will require five hours in a classroom setting. So it's just one more additional rule change that's in it. The Department of Insurance has reviewed this Amendment and they're okay with it. I ask for adoption of the Amendment."

Speaker Turner: "Representative Colvin moves for the adoption of Amendment #2 to House Bill 4379. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment's adopted. Further Amendments?"

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

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Speaker Turner: "Third Reading. Representative Crespo, on House Bill 5731. Out of the record. Representative D'Amico, on House Bill 5093. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5093, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative D'Amico, has been approved for consideration."

Speaker Turner: "The Gentleman from Cook, Representative D'Amico on Amendment #2."

D'Amico: "Thank you, Mr. Speaker. This Amendment is purely technical. I wish to have it adopted."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment #2 to House Bill 5093?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Monique Davis, on House Bill 5729. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5729, 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 Turner: "Third Reading. Representative Dugan, on House Bill 4471. Read the Bill, Mr. Clerk. Out of the record. Representative Feigenholtz, on House Bill 4571. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 4571, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Feigenholtz, has been approved for consideration."

Speaker Turner: "Representative Feigenholtz on Amendment #2. Representative Feigenholtz moves..."

Feigenholtz: "Thank you, Representative..."

Speaker Turner: "...for the adoption of Floor Amendment #2 to House Bill 4571. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Hernandez, on House Bill 5230. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5230, a Bill for an Act concerning criminal law. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hernandez, has been approved for consideration."

Speaker Turner: "From Cook, Representative Hernandez."

Hernandez: "Yes. The Amendment just makes a technical change, so I'm just looking to move it to Third."

Speaker Turner: "The Lady moves for the adoption of Amendment #1 to House Bill 5230. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Bill... the Amendment passes. Further Amendments?"

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Clerk Bolin. "No further Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Flider, on House Bill 5142. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5142, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. Amendment # 1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Ford, on House Bill 4612. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4612, a Bill for an Act concerning state employment. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Franks, on House Bill 5049. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5049, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Fritchey, on House Bill 4844. Out of the record. Representative Eddy, on House Bill 4505. Out of the record. Representative Fortner, on House Bill 5186. Out of the record. Representative Kosel, on House Bill 4737. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4737, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."



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Speaker Turner: "Third Reading. Representative Linder, on House Bill 4291. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4291, a Bill for an Act concerning public aid. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted. Floor Amendment #2, offered by Representative Linder, has been approved for consideration."

Speaker Turner: "The Lady from Kane, Representative Linder on Floor Amendment #2."

Linder: "Yes. Floor Amendment #2 is an agreement with the Healthcare and Family Services Department and becomes the Bill."

Speaker Turner: "Moves for the adoption of Floor Amendment #2 to House Bill 4291. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Meyer, on House Bill 4629. Out of the record. Representative Moffitt, on House Bill 5546. Out of... out of the record. ...Mulligan, on House Bill 5928. Representative Mulligan? Out of the record. Representative Munson, on House Bill 5586. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5586, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered

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Representative Munson, has been approved for consideration."

Speaker Turner: "The Lady from Cook, Representative Munson, on Amendment #1."

Munson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House."

Speaker Turner: "Representative Munson moves for the adoption of Amendment #1 to House Bill 5586. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Osmond, on House Bill 4157. Out of the record. Representative Golar, on House Bill 5019. Out of the record. Representative Graham, on House Bill 5750. Out of the record. Representative Harris, on House Bill 4731. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4731, a Bill for an Act in relation to public employee benefits. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Hernandez, on House Bill 5231. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5231, a Bill for an Act concerning public aid. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. A fiscal note has been requested on the Bill as amended and has not been filed."

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Speaker Turner: "The Bill shall remain on Second Reading. Representative Howard, on House Bill 5516. Out of the record. Representative Jakobsson, on House Bill 4903. Out of the record. Representative Jefferson, on House Bill 5288. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5288, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Jefferson, has been approved for consideration."

Speaker Turner: "The Gentleman from Winnebago, Representative Jefferson on Amendment #1."

Jefferson: "Yes, Mr. Speaker. I move for the adoption of Amendment #1."

Speaker Turner: "The Gentleman moves for the adoption of Amendment #1 to House Bill 5288. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Joyce, on House Bill 4651. Out of the record. Representative Saviano. Out of the record. Representative Stephens, on House Bill 5904. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5904, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. Representative Saviano, on House Bill 5503. Read the Bill, Mr. Clerk.

Clerk Bolin: "House Bill 5503, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Stephens, on House Bill 4625. Stephens? Representative Stephens, on 4625. Out of the record. Representative Lyons, on House Bill 4582. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4582, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner. "Third Reading. Representative Sullivan, on House Bill 5543. Sullivan, 5543. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5543, a Bill for an Act concerning regulations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Wait, on 5944. Read the Bill, Mr. Clerk. 5954."

Clerk Bolin: "House Bill 5954, a Bill for an Act concerning regulations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative McCarthy, on House Bill 4694. Out of the record. Representative

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Mendoza, on House Bill 4943. Out of the record.  
Representative Miller, on House Bill 5213. Dave Miller,  
5213. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5213, a Bill for an Act concerning  
regulations. Second Reading of this House Bill. Amendment  
#1 was adopted in committee. No Floor Amendments. A state  
mandates note has been requested on the Bill as amended and  
has not been filed."

Speaker Turner: "Shall remain on Second. Representative  
Molaro, on House Bill 5088. Read the Bill, Mr. Clerk."

Clerk Bolin: House Bill 5088, a Bill for an Act concerning  
public employee benefits. Second Reading of this House  
Bill. No Committee Amendments. No Floor Amendments. No  
Motions filed."

Speaker Turner: "Third Reading. Representative Phelps, on  
House Bill 5204. Out of the record. Representative Rita,  
on House Bill 5307. Bob Rita, 5307. Read the Bill, Mr.  
Clerk."

Clerk Bolin: "House Bill 5307, a Bill for an Act concerning  
regulations. Second Reading of this House Bill. Amendment  
#1 was adopted in committee. No Floor Amendments. No  
Motions filed."

Speaker Turner: "Third Reading. Representative Soto, on House  
Bill 5000. Out of the record. Representative Verschoore,  
on House Bill 5399. Verschoore? Out of the record.  
...sentative Yarborough, on House Bill 4826. Read the Bill,  
Mr. Clerk."

Clerk Bolin: "House Bill 4826, a Bill for an Act concerning  
appropriations. Second Reading of this House Bill.

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Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Younge, on House Bill 4922. Out of the record. We're going to go to the Order of Third Readings. Representative Tracy, on House Bill 5942. Representative Tracy. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5942, a Bill for an Act making appropriations. Third Reading of this House Bill."

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

Tracy: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. This Bill would appropriate two hundred and fifty thousand dollars (\$250,000) from General Revenue Fund for Fiscal Year '09 to the Department of Agriculture for grants through the Anhydrous Ammonia Security Grant Program. And it would become effective July 1, 2008. As you will recall, this pre... fund... this program had previously been funded, has been very successful in implementation and preventing anhydrous theft. And I would like to see it extended and I believe this amount of the money would allow furtherance of the program. I would entertain an 'aye' vote and I would also entertain any question."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5942?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Riley, Patterson, Gordon. The Clerk shall take the record. On this question, 109 voting 'aye', 1 'nay', 0 'presents'. And this Bill, having

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received the Constitutional Majority, is hereby declared passed. Representative Tryon, on House Bill 4367. Read the Bill... out of the record. Are you sure? Out of the record. Representative May, on House Bill 4830. Karen May? Oh... Read the Bill, Mr. Clerk. House Bill 4830."

Clerk Bolin: "House Bill 4830, a Bill for an Act concerning insurance. Third Reading of this House Bill."

May: "Thank you, Speaker, Ladies and Gentlemen of the House. This really is a gem of a Bill to help people. At the insurance round table in my district, several of the agents suggested we needed to clarify the rules in Illinois Continued. Illinois Continued is for small businesses under twenty (20). When people leave, either through attrition or retirement, it allows them to continue their major medical and hospital insurance. The rules for COBRA are for eighteen (18) months. So this mirrors that and also clarifies that the notice be given in writing or by certified mail. So, with uncertainty in the economy, this would mean that citizens of the state could continue their major medical insurance."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4830?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 109 voting 'aye', 1 'no', 1 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The

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Gentleman from Bond, Representative Stephens, for what reason do you rise?"

Stephens: "Mr. Speaker, there's been breach of decorum on the Republican side. I call for an immediate two hour caucus."

Speaker Turner: "How about just cleaning it up? Representative McGuire, we have House Bill 4725, on the Order of Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4725, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Will, Representative McGuire."

McGuire: "Thank you, Mr. Speaker. House Bill 4725 is a Bill that's an initiative of the Metro Counties. That would be in the Chicagoland-Joliet area. And what it basically provides is the 9-1-1 emergency phone system, allows... would like to allow people to serve also on the county board, and also on the 9-1-1 board. That's basically what the Bill is all about and I will try to answer any questions. If not, I certainly appreciate your 'aye' vote. Thank you."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 74... 4725?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Nekritz, on House Bill 4451. Read the Bill, Mr. Clerk."



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Clerk Bolin: "House Bill 4451, a Bill for an Act concerning the lottery. Third Reading of this House Bill."

Speaker Turner: "The Lady from Cook, Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. House Bill 4451 would require that the Illinois Department of Revenue do... Revenue to do a scientific survey of those... of who plays the lottery, and how it gets played in the State of Illinois. The State of Texas does this and it's given some not necessarily surprising results, but some really solid data from which policymakers in the State of Texas have made some changes to the way that their lottery system is run. And I think that that would be enlightening information for those... for us as well."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4451?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Randolph, Representative Reitz, on House Bill 4549. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4549, a Bill for an Act concerning conservation. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Randolph, Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 4549 is an initiative of the Illinois Forestry Development Council."

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It extends the sunset on this... on the council from December 31 of 2007, until 2018. And it also adds five (5) new members to help develop the forestry management plans for the State of Illinois. And I'd be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4549?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ryg, on House Bill 4583. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4583, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Turner: "The Lady from Lake, Representative Ryg."

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4583 addresses an inequity in the minimum wage law. Current law provides that day camp counselors who are employees of not-for-profit organizations are exempt from the adult minimum wage when they meet the conditions that are including seasonal and part-time work. This Bill just attempts to include for profit private day camps in that same exemption."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4583?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish?"

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Representative Biggins, Representative Fortner. The Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Clerk... Representative Burke, on House Bill 4485. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4485, 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 Turner: "Third Reading. Representative Phelps, on Senate Bill 782. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 782, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. We're going to move to the Order of Third Readings, Ladies and Gentlemen. Third Reading. These Bills are on a Short Debate. We'll start at the top of the alphabet with Mr. Beiser, on House Bill 4692. Out of the record. Representative Bellock, on House Bill 5256. Representative Bellock? Read the Bill, Mr. Clerk. House Bill 5256."

Clerk Bolin: "House Bill 5256, a Bill for an Act concerning waterways. Third Reading of this House Bill."

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

Bellock: "Thank you very much, Mr. Speaker. This is House Bill 5256 and what this is is it was in reaction to the Resolution that we did last year keeping Lake Michigan

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clean. And this requires the director of the EPA to seek negotiations with each state that borders Lake Michigan to establish a notification policy under which the states will notify one another when permitting new sources of water pollution, or increased levels of pollution. In essence, this is so... to allow that when a state is going to add pollution into Lake Michigan they must notify the other states that are adjacent. I don't know of any opposition."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5256?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 0 'presents". And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Biggins, on House Bill 5069. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5069, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins. Representative Biggins?"

Biggins: "Yes."

Speaker Turner: "How are you?"

Biggins: "Thank you, I'm just fine. Thank you, Mr. Speaker. And thanks for letting me present House Bill 5069. Does the Amend... I mean, a question, does the Bill have an Amendment attached to it yet? Mr. Speaker, could you help me? There is a Committee Amendment on the Bill, right?"

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

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Clerk Bolin: "Committee Amendment #1 was adopted by the Revenue Committee."

Biggins: "All right. Well, the Bill only changes... makes a slight change in current language and changes a 'shall' instead of the word 'may'. Received taxes on part... any part of any particular charge with taxes when a particular... a particular specification on the part is furnished and the Bill won't become effective until January 1 of next year, if it passes the House. I'd be glad to answer any questions. It's... it takes an option away from the county chair... treasurers. A county treasurer did make an objection to it, but overall it's a very friendly... taxpayer friendly Bill. I'd be glad to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5069?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Sommer, Mulligan. The Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Boland, on House Bill 5113. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5113, a Bill for an Act concerning state buildings. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Rock Island, Representative Boland."

Boland: "Thank you, Mr. Speaker. House Bill 5113 creates the Green Building Act. This Act would require that all new,

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state-funded building construction and major renovation projects of state-owned buildings to seek LEED or green globe or equivalent certification. This legislation is supported by the Illinois Environmental Council, Lieutenant Governor, the Chemical Industry Council, Chicago Lumber Trade Association, and the American Forest and Paper Association."

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

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

Speaker Turner: "Indicates he will."

Eddy: "Representative, this is for state-owned buildings only? This doesn't include grant programs; for example, school construction grant programs? This is only for state-owned buildings?"

Boland: "All new state-funded building construction. So, it may..."

Eddy: "So..."

Boland: "...well present lia..."

Eddy: "...this would effect buildings... school buildings built under the school construction grant program eventually, if there's money ever appropriated for a capital program."

Boland: "Right. I have a school in my district, for example, that unfortunately the Governor hasn't followed through on and provided the money. But if the money would be there, I would think that that would cover, since the entire cost I believe. So, it would cover it."

Eddy: "Well, in a... in a school construction program, there's a local match."

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Boland: "Oh, okay."

Eddy: "So my question then is, in a situation where there's a local match, does this apply?"

Boland: "My thinking is probably not."

Eddy: "Okay. And the other concern that I have related to it is, an example, the... Do you have any idea of what the increase... the average increased cost at... and I understand you get the money back later, but at construction, do you have an idea what the average increased cost is?"

Boland: "Yes. If it's LEED Silver Certified, it probably increases the cost by an amount between 2 and 6 percent. Now, I might add though, that an average LEED building commercial... that commercial business does, usually ends up saving 20 percent on utility costs."

Eddy: "I understand that, and that's not my conc... I think it's a good idea to do this. Here's the issue. We have 23 schools who've not received funding for (6) or seven (7) years now. They're probably facing increased costs already because of the six (6) years. If we add a 5 or 6 percent additional cost, many of them may have problems with that program. Now, I do... there is something in the Bill, though, that allows you to, in cases where finances is a problem, what do you have do to..."

Boland: "Right. There... it has to be within the... within the project budget. So, if due to the certification, this would increase it over whatever the budget is. For example, in my district I think the school is like twelve million (12,000,000)-something. If that were to increase

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it, then they could have an exemption out. There's some other exemptions as well, but cost is one of them."

Eddy: "Who... who has to approve the exemption?"

Boland: "The Capital Development Board."

Eddy: "Do they have to approve it just based on that one criteria you mentioned? And that is, look, here's our budget, for the program, this..."

Boland: "They... they can re... they can have an exemption due to if the standards present an unreasonable financial burden, or there's an unreasonable impediment to construction; for whatever reason, terrain or whatever, or if it interferes with the function of the building, or if it compromises the historical nature of the building."

Eddy: "Okay. So, I just want to... for purposes of your intent, especially related to those twenty-three (23) schools, would it be your intent that those schools, those twenty-three (23) in the situation, that they would be, if they applied for an exemption based on increased costs and this increase... that they should be exempt from this?"

Boland: "Very definitely, sure. I mean that's..."

Eddy: "Okay."

Boland: "...that's why the exemption's there."

Eddy: "Okay. So in your opinion that's a perfect example for the exemption. And in the case of the school construction grant program, your intention is, since it's local funds, and it's not 100 percent paid by the schools anyway, that this not apply."

Boland: "Right, right."

Eddy: "Okay. Thank you."



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Boland: "Mmm mmm."

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

Stephens: "We're trying to find Representative Reboletti, have you seen him?"

Speaker Turner: "We had an APB out on him earlier, I believe the State Police has located him. They should be bringing him back to the chambers shortly."

Stephens: "There's a rumor that he might be on your side of the aisle."

Speaker Turner: "That's why the police are so slow. The Gentleman from Winnebago, Representative Winters, for what reason do you rise?"

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

Speaker Turner: "Indicates he will."

Winters: "The basic question I have is, for the LEED Certification is there any requirement in that that the projected energy savings, when capitalized, will actually pay for the additional construction costs? You talked about a 6 percent higher construction cost..."

Boland: "Two to six, two to six."

Winters: "Two to six percent higher. Is there any requirement, by the Green Buildings Council, when they're setting up the performance standards that the projected energy savings will, in fact, pay back that higher construction cost? Or is it a possibility, that somebody building a building like the state, would put in the additional investment, and then not see the energy savings that would... would repay it? Do you know if that's the case with the LEED program?"

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Boland: "There... as far as I know, that is not the case. That in all instances, it's actually saved money in the long run. That's... that's one reason that, not only businesses are moving in this direction, a private business, as well as, hopefully government will move in this direction. Private's already there; they're ahead of us in the LEED Certification arena. We're playing catch-up here."

Winters: "I've also heard that in many... it's not directly applicable, but something..."

Boland: "Yeah."

Winters: "...to this Bill, and new buildings. This also deals with reconstruction of state buildings, or is it only new construction?"

Boland: "No, it is also renovation, if it's... if the budget equals 40 percent or more of the building's replacement costs."

Winters: "Okay. Well, one of the arguments I've heard against this, on a... in a personal home building, you know, a much smaller scale building. But that you can end up creating a building envelope through insulation so tight that, in fact, you then have to increase the outside ventilation artificially to not trap inside the indoor pollutants. Do you feel that ade... that question is adequately answered in the LEED program to make sure that we have fresh air, and that toxic chemicals that may be in carpeting and paints, and other interior finish are, in fact, not held. It's almost like... it's almost like a VFW building where the smoke is there, and there's no way to get rid of all that smoke, so you breathe it four (4) times; whereas if we had

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a leaky building, the smoke would be out of the building quickly enough that you'd only breathe it one time."

Boland: "Yeah, one of the... you know, that, I think, was in some early conservation efforts in the home building problems. But LEED, one of the things that LEED does is actually try to make the environment of the building healthier and safer for the occupants."

Winters: "They're using low-volatile chemicals, I know, in the paints and the carpeting and things like that, but I want to make sure that we're not building a building that becomes one of those sick buildings."

Boland: "Right, right."

Winters: "The sick building syndrome, where you close it in so tightly that there isn't fresh air available to the occupants and, in fact, they end up sicker."

Boland: "Right."

Winters: "Even though we're saving some energy, we then end up with a work force that's working there that can't... can't do their work because they're ill."

Boland: "Yeah. No. One of the savings actually is the fact that employees in these buildings, this is what the private industry has found already, is that it's healthier, more comfortable, more inductive, so that they have less days lost to sick days, people staying home on purpose and so forth 'cause they don't want to go there, that type of thing 'cause of the environment. So, what LEED and Green Globe and the other standards do is to actually enhance the healthier working conditions."

Winters: "Okay. Thank you very much."

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Speaker Turner: "The Lady from Cook, Representative Cole. I mean, from Lake."

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

Speaker Turner: "Indicates he will."

Cole: "I have a small question. I've been reading through the analysis, and I didn't see that historic preservation buildings were exempt from this. Is that the intent?"

Boland: "Yes. The standards can be exempted out due to the historical nature of the building."

Cole: "Okay. Thank you."

Speaker Turner: "Representative May, the Lady from Lake, for what reason do you rise?"

May: "Yes. I stand in strong support of this Bill. Representative, this is just an excellent idea. You've made some of the points already about the savings of energy costs that are so important. And also, you mentioned, somewhat, about the health nature of it. But I think, if I'm recalling correctly, that it's up to a 20 percent reduction in absenteeism; it's really astronomical. The... a school district in my district, the Lake Bluff School District, has decided this is the right thing to do and they are very thoughtful and very careful with their expenses. But the parents got involved, they had a Green team, they are doing this because it is so healthy, and they will save money in the long run. So, the fact that we are doing this for state buildings, I hope we can do the Stratton Building, with talk about sick building syndrome that I've heard mentioned. So, this is cost effective; it's good for health. And I really salute you and think

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everyone will want to vote 'yes' for this Bill. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 5113?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? The Clerk shall take the record. On this question, there are 103 voting 'aye', 6 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative John Bradley, on House Bill 4131. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4131, a Bill for an Act regarding transportation, which may be referred to as Shib's Law. Third Reading of this House Bill."

Bradley, J.: "Thank you, Mr. Speaker. Last year we had a tragedy in southern Illinois where a firefighter, a first responder, was killed on an interstate highway in response to a traffic situation. This Bill would simply.. and it's agreed by all parties, of which I'm aware, would allow the firefighters, when no one else is there with authority, to close a lane of traffic.. to close a lane of traffic in order to ensure the safety of those first responders and firefighters. This is named after my friend, the deceased firefighter, Jim 'Schib' Miller. His family was here in Springfield earlier today. And they very much appreciate your support on this and I would too. And I'd ask for an 'aye' vote."

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

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Brady: "Will the Sponsor yield, Mr. Speaker?"

Speaker Turner: "Indicates he will."

Brady: "Thank you very much. Representative, just a quick question. If you could, can you tell me what precipitated this? Certainly, my sympathy to the family of the lost firefighter, but was there some type of problem that occurs..."

Bradley, J.: "Yeah."

Brady: "...that law enforcement, or excuse me, that fire officials can't block the road?"

Bradley, J.: "Well, and I think it was surprising me and to many others, that if firefighters, prior to this Bill before its passage and becomes law, firefighters are the first on the scene of an accident or on the scene of some kind of fire, whatever on a highway, they do not currently have the power to close lanes of traffic in order to protect themselves or the people involved. That those can only be accomplished by the Department of Transportation, or by the Illinois State Police. So, we negotiated and worked with the Illinois State Police, the Fire Marshals, fire departments, and the Illinois Department of Transportation. They agreed that when a fire department is the first on the scene, they should have the ability to close a lane of traffic. And I commend all the parties for working together and dealing with this in a reasonable manner."

Brady: "And I certainly do, too. And all parties agreed, and I appreciate your work on this. But there's still... it would just seemed to me if the fire officials are the first to

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arrive on the scene, in my years and experience as county corner, I've always protected a crime scene, protected a scene, and blocked off for the safety and benefit of those EMS, first responders, but we actually need legislation now to..."

Bradley, J.: "Yeah. You would hope we wouldn't, but we do."

Brady: "Okay. All right. Thank you very much."

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

Moffitt: "Thank you, Mr. Speaker. Just to the Bill. I just want to commend Representative Bradley for working hard on this legislation. It did not start out as an agreed Bill. It is an agreed Bill. It's too bad we didn't have this before we had a tragedy, but this will help address that problem. It's to pro... first and foremost to protect the... to help to protect the lives of those responding to an emergency. Secondly, to try to help protect the equipment, and when we protect lives, anyone at that scene. So, it will address the problem. There had been a serious question whether or not the firefighters could block a lane of traffic and direct traffic. This clears it up. It's a safety issue, and I commend him for his efforts. It's a good Bill, needs to pass."

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

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

Speaker Turner: "Indicates he will."

Bost: "Yeah. For... John for... for clearing, you know, just for clarity with the other Members here. We passed several

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years ago, Scott's Law. And that basically gave the opportunity for what?"

Bradley, J.: "Well, that... my understanding was it created penalties for people that don't move over when there is someone on the side of a road working on a situation. This would actually give fire departments the power that when there's not another agency there i.e., IDOT or the State Police, with the power currently to close a lane of traffic, to close a lane of traffic on temporary basis in order to respond to a emergency."

Bost: "And when you and I first started talking about this Bill, even as a firefighter, I thought we had that power."

Bradley, J.: "Most people did, and when I was talking to people they'd say we already got that, right? And then no, we didn't and some departments were doing it. Other departments, unfortunately, had been threatened that if they tried to close lanes of traffic, that they could be held liable for that. So, this is to fix it."

Bost: "So, it's my understanding that what we do have in the fire service, when a fire chief or whoever the person is that's in charge of the scene from the fire department gets a hold of something like a house fire or something like that, they actually have legal control of the scene, but for some reason, they did not have legal control in this..."

Bradley, J.: "Of the road."

Bost: "...of the road. Okay. And I..."

Bradley, J.: "Yeah. And this would give them control of the road 'til such time as someone else who would normally have control of the road could get there and close the lane."



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Bost: "Okay. And I just think that this clears this up. And I thank you for your hard work on it and all the parties involved."

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

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

Speaker Turner: "He indicates he will."

Molaro: "Well, the only thing I've seen in the Bill which is, makes some sense to me is that, we will have the firefighters..."

Speaker Turner: "Rep... Representative Molaro, he refuses to answer any questions."

Molaro: "Well, then, I'm done."

Speaker Turner: "Seeing no other questions, the question is, 'Shall House Bill 4131 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Patterson. The Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brady, on House Bill 5102. Representative Brady. ...Bill Mr. Clerk."

Clerk Bolin: "House Bill 5102, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from McLean, Representative Brady."

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Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5102 simply is a provision for oversight ability for the Division of Insurance that is necessary for Illinois to have the provision to continue in its proposal no later than January 1, 2010, to maintain the accredited (sic-accredited) status the Division of Insurance needs with the National Association of Insurance Commissioners. It is an actuarial change. It was approved through committee. And I'd be happy to answer any questions regarding the legislation and ask for an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5102?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Feigenholtz. The Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brauer, on House Bill 5764. Out of the record. Representative Brosnahan, on House Bill 5082. Out of the record. Representative Burke on House Bill 4732. Out of the record. Representative Colvin. Out of the record. Representative Chapa LaVia, on House Bill 4926. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4926, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Chapa LaVia: "Thank you, Speaker and Members of the House. This appropriation Bill has to do with funding for the

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Illinois Poison Centers for the State of Illinois, and it's asking for 2.6 million (2,600,000) to be appropriated to IPC for the year 2009."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4926?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Gordon. The Clerk shall take the record. On this question, there are 109 voting 'aye', 1 'nay', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Coulson, on House Bill 5596. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5596, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Turner: "The Lady from Cook, Representative Coulson."

Coulson: "Thank you, Mr. Chairman. House Bill 5596 amends the state's Commemorative Dates Act, designating each February as Women's Heart Disease Awareness Month. And we're doing this because heart disease is the number one killer of women today and we want to make sure that we can do more prevention and intervention every year instead of each year trying to pass a Resolution. And I'd appreciate your support."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5596?' All those in favor should vote 'aye'; all those opposed should vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Jerry Mitchell. The Clerk

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shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Colvin, on House Bill 5312. Marlow Colvin? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5312, a Bill for an Act concerning capital development. Third Reading of this House Bill."

Colvin: "Thank you, Mr. Speaker. House Bill 5312 simply amends the Capital Development Board Act, that would extend the repeal date in regarding a section of contract administration fees of the state... in the State Finance Act. These are the fees that architectures... architects, engineers and designs pay to the Capital Development Board when they're doing work for them. This fee is very important. It's not an increase in the fee, it just extends the deadline of the fee. This fee is very important because it actually funds those activities of the architects and the engineers working with the Capital Development Board. It passed out of committee unanimously, there were no known opposition. I'd be happy to answer any questions about it"

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 5312 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby

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declared passed. Representative Burke, on House Bill 4732.  
Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4732, a Bill for an Act concerning  
revenue. Third Reading of this House Bill."

Speaker Turner: "Out of the record. The Bill was just moved to  
Third today. It's got to rest for a minute. So do you.  
Representative Durkin, House Bill 5891. Read the Bill, Mr.  
Clerk."

Clerk Bolin: "House Bill 5891, a Bill for an Act concerning  
finance. Third Reading of this House Bill."

Durkin: "Thank you, Mr. Speaker. House Bill 5891 is very  
similar to a Bill that was passed out of this House this  
Session by Representative Linder, which speaks of having  
our Member initiative projects, capital projects, must be  
line itemed in our budget. But I also amend... put further  
language in the Bill based on just general frustration that  
we've had over the years that when we do see that these  
projects are signed into law, none of them... some of them  
tend to be released, some of them do not tend to be  
released. So, what I'm doing is that, and this Bill is  
stating that, after a budget has been signed into law, that  
the projects must be funded and released as a matter of  
law. And if they aren't it will give a Member of the  
General Assembly, or the recipient of the grant the ability  
to obtain mandamus relief to force the release of the money  
to the recipient. So, I... you know, we've over the years  
we've seen there's still money out there that hasn't been  
released from Illinois FIRST, a number of us from last year  
have not seen money released, and I think that the fact

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that we continue on this process, I think it's wrong. I don't think that the administration has the inherent authority to decide which projects are more deserving, one over the other. And I think that this is a sound way of going about business. If we're going to appropriate money, and we're going to have it a part of the budget, it should be released. And this gives our Members the ability to force the release of that money, if the administration or the Comptroller decides they're not going to write the check."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5891?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 109 voting 'aye', 1 voting 'present'... 1 voting 'no', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, we have Representative Will Davis on House Bill 4622. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4622, a Bill for an Act concerning safety. Third Reading of this House Bill."

Davis, W.: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4622 makes clear that the term 'recyclable general construction and demolition debris' includes clean wood that is segregated from the general construction and demolition debris and that it is processed for use as a fuel for combustion and energy

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generation. I'd be more than happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4622?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Representative Franks. The Clerk shall take the record. On this question, there are 94 voting 'aye', 16 voting 'no' 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dugan, on House Bill 5661. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5661, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Turner: "The Lady from Kankakee."

Dugan: "Thank you, Speaker, Members of the General Assembly. House Bill 5661 creates the new Act called the State Facilities Overtime Act, that states the director of state agencies shall not require an employee under a collective bargaining contract to accept work in excess of an agreed upon, predetermined, and regularly scheduled daily work shift, not to exceed forty (40) hours per week. This does affect the state agencies in Illinois and I believe the intent of this is because we find that years of staff cuts at state prisons, developmental and mental health centers, youth centers, and veterans' homes have created deplorable working conditions, including excessive overtime. I believe many of the state agencies use mandatory overtime to cover staff vacancies. In this House, we have passed

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legislation and certainly put into place positions to be filled in vacancies that we know are affecting the services that we provide to the people in the state facilities. And unfortunately, those vacancies are not filled, but yet in 2007 alone, there was about seventy million dollars (\$70,000,000) in overtime paid to employees. This is not good for the employees. It's also certainly not good to the people that they serve, when someone's required to work sixteen- and eighteen-hour shifts just because we don't have enough people in the state agency in order to cover the staff issues that we have. So, I will be certainly happy to answer any questions."

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

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

Speaker Turner: "Indicates she will."

Eddy: "Representative, I have in my Legislative District, two (2) facilities, one in Robinson, and one in Lawrence County. And I get calls from folks who work there constantly regarding the head count, the number of guards there are, and the amount of overtime that's necessary. Is that, obviously, one of the things you're trying to address here? And my only concern is, and this has come from them as well, if someone has the option always of turning down overtime, how then can, in the case where overtime is necessary, the facility operate if the workers can turn it down?"

Dugan: "Well, in this legislation, and I certainly understand your concern, Representative, 'cause I've had some of the



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people that work there that have had the same concern. It does state in the Bill that of course in state of an emergency, and issues where we don't want to, nor do I believe the employees do, do we want to put it in a position where people refuse to work overtime, so therefore there's no one there to cover the shift. In cases of an emergency, those things would not take place. Now, I believe, since there has been some concern as to what we mean by a 'state emergency', I would certainly be willing to talk to the Senate as we pass this over if we need to detail a little bit more what we mean by 'state emergency'."

Eddy: "Okay. So, your intent is, really, to not allow the continuance of a policy where overtime almost replaces people."

Dugan: "Correct."

Eddy: "That's really your intent. You want the definition of an 'emergency' to be more than just not having enough people hired."

Dugan: "Correct. Just not filling vacancies that we need to fill. Correct."

Eddy: "And to get to the root of the emergency, how would you expect that to be defined, based on the management, the administration, coming up with a formula of number of people, guards per prisoners? I mean, how do you do that?"

Dugan: "I think that there's been, and we've heard this, you know, throughout the last couple of years from agencies as far as studies that show in the Department of Corrections, let's say, some studies that have shown the amount of

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people that should be there to certainly make it safe. I think a good example that I, of course, am very familiar with is the veterans' homes, where we actually have not been able to admit veterans into the veterans' home in Manteno because of the nursing staff shortage. So, I think there's certainly some details and some rules that will have to be worked out to determine what that number should be. I believe we've cut twelve thousand (12,000) jobs is number that I was given. I'm not in any way, shape, or form, saying that we need to replace twelve thousand (12,000) people on the state payroll, but what I am saying, and I think we all agreed when we passed legislation for three thousand (3000) positions, through all the studies that have been done I think that can be determined what would be needed to safely serve of the people that we serve."

Eddy: "Well, I... I would appreciate a closer look at the exceptions language. Because as I read it, it reads simply 'the exceptance by any employee of work in excess of an agreed upon predetermined, and regularly scheduled daily work shift, not to exceed forty (40) hours per week', and this is the part, 'shall be strictly voluntary and the refusal of any employee to accept such overtime work shall not be grounds for dris...' and I understand that. Then it says, 'this Act shall not apply in the event of any declared national or state emergency or disaster, or any other catastrophic event, that substantially affects or increas...' What about the fact that there is a maybe, not enough guards because of a flu epidemic?"

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Dugan: "Correct."

Eddy: "That... that's not covered by this."

Dugan: "Correct."

Eddy: "And the... you know, if everybody said no, then you'd have a facility that could be understaffed and it's not because of a declared emergency."

Dugan: "Correct. And I certainly... I certainly agree with you, Representative. Like I said, that concern was brought to me also..."

Eddy: "Okay."

Dugan: "...and as I talked to those... what I'm willing to do, and certainly as we send it over to the Senate, I think this concern is there. We're not trying to say, that we don't want, or to be put in a position where people refuse to work and then we can't service the people we need to. However, I think what we've seen is that unfortunately, we're using overtime instead of hiring people."

Eddy: "Yeah. There's a fine... there's a balance there that needs to be struck..."

Dugan: "Correct."

Eddy: "...and I understand that. I appreciate that and I in no way think that that's what AFSCME is interested in either. They want a safe work environment as well..."

Dugan: "Correct."

Eddy: "...and they want to work on that. I just think that needs to be tightened up, and with your pledge that that will get some attention as it moves through to the Senate, I certainly want to support it."

Dugan: "Yes, I will certainly..."

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Eddy: "Okay."

Dugan: "...address that. Thank you."

Eddy: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 5661?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Representative Cultra? The Clerk shall take the Record. On this question, there are 108 voting 'aye', 2 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brauer, on House Bill 5764. Read the Bill, Mr. Clerk. 5764."

Clerk Bolin: "House Bill 5764, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Brauer: "Thank you, Mr. Speaker, Ladies and Gentlemen of House. This appropriates four hundred thousand dollars (\$400,000) from the General Revenue Fund for school psychology internships. And these internships will help identify autism. And last year this passed in the form of House Bill 1363, signed into law, but was never funded. About 50 percent of our school psychologists right now, when they do their internship, they will leave Illinois to where they can go and get paid and only about 27 percent return back to Illinois. So this is a program that's going to bring our interns in, identify autism, and hopefully, help a lot of young people. I'll answer all questions."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House Pass House Bill 4764?' All those in favor

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should vote 'aye'... 5764?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Joe Lyons, McAuliffe and Saviano. ...shall take the record. On this question, there are 108 voting 'aye', 2 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Peoria, Representative Leitch, for what reason do you rise?"

Leitch: "Thank you, Mr. Speaker. I'd like to be recorded as 'yes' on House Bill 5891."

Speaker Turner: "The record will so reflect. Representative Feigenholtz, on House Bill 5076. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5076, a Bill for an Act concerning animals. Third Reading of this House Bill."

Feigenholtz: "Thank you very much, Mr. Speaker. House Bill 5076 is a good Samaritan Bill for people who are aiding pets. The Bill provides that any person including a vet, who in good faith provides emergency care or treatment without fee to an injured animal, or an animal separated from its owner due to an emergency, not be liable for civil damages as a result of his or her acts or omissions. I'd be glad to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5076?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there

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are 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Flider, on House Bill 4537. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4537, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "The Gentleman for Macon, Representative Flider."

Flider: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Bill has a goal of raising awareness about the legacy of people with disabilities. A disability is a natural part of life, and all individuals with disabilities should be treated with civil, legal, and human rights. And effectively what it does, is it ensures that there would be some disability awareness education in our schools. And I want to thank, in particular, Representative Eddy for working with us. It was brought to me by Illinois Voices. And this legislation came out of the House Elementary Secondary Education Committee unanimously. I ask for your support."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4537 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 109 voting 'aye', 1 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Patterson, for what reason do you rise?"

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Patterson: "Mr. Speaker, on the last Bill, I accidentally voted 'no'; I wanted to vote 'yes'."

Speaker Turner: "And the record will so reflect that... your wishes in terms of wanting to vote 'yes' on the Bill. So, your button's not working right, huh? We'll have someone come down and check right away. Representative Fritchey, on House Bill 5141. Not today. Out of the record. Representative Kosel, on House Bill 4720. House Bill 4720. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4720, a Bill for an Act concerning government. Third Reading of this House Bill."

Kosel: "Thank you, Mr. Speaker. I would ask for the approval of this Bill. This sets a state commemorative date for Parkinson's disease in February, which will match the National Parkinson's Disease Month. And I would ask for your approval."

Speaker Turner: "Seeing no questions, the question is 'Shall the House pass House Bill 4720?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Acevedo, Hernandez? The Clerk shall take the record. There are 110 voting 'aye', 0 'noes' 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mathias, on House Bill 4754. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4754, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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Speaker Turner: "The Gentleman from Lake, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. House Bill 4754 is identical to a previous House Bill we had here last year. That was House Bill 896, which passed out of this chamber with 107 votes. Basically, what this Bill does is add an additional penalty to those people who are convicted of driving their vehicles and stopping on railroad tracks. These are the cars stopping on the tracks, not the trains. So, basically, it adds a one month mandatory suspension to the existing penalty. Unfortunately, we've seen too many accidents in our area. People getting killed because they don't take that extra time to wait until the tracks are clear, and unfortunately, stop on the tracks and sometimes are caught because the car in front of them is stopped. So, we need to really send a message that this could really lead to injury or death and it has in the past. And I ask for your 'aye' vote."

Speaker Turner: "Seeing no questions, the question is 'Shall the House pass House Bill 4754?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Hernandez, Hoffman? The Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'nays', 0 'presents'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Meyer, on House Bill 5013. Out of the record. Representative Froehlich, on House Bill 5101. Read the Bill, Mr. Clerk."



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Clerk Bolin: "House Bill 5101, a Bill for an Act concerning victim notification. Third Reading of this House Bill."

Froehlich: "Thank you, Mr. Speaker. The purpose of this Bill is to provide victims who want notification before the release of a sex offender to receive that notification thirty (30) days before release instead of seven (7) days. I've worked with both the Prisoner Review Board and the Sheriffs Association. I added changes they requested to make the Bill workable. I know of no opposition. I'll be happy to entertain questions."

Speaker Turner: "Seeing no questions... Representative Reboletti. The Gentleman from DuPage."

Reboletti: "Mr. Speaker, will the Sponsor yield for a question?"

Speaker Turner: "He indicates he will."

Reboletti: "Representative, when you say released from custody, are you talking about physical custody from the Illinois Department of Corrections, or from... or if they're on parole, is parole count as being... 'cause technically you're in the custody of the DOC at that time."

Froehlich: "It's physical custody, I believe."

Reboletti: "And what was it that you said the... it was a constituent that brought this to you, or was it one of the agencies that brought it to you?"

Froehlich: "Neither, really."

Reboletti: "What was the genesis of the Bill?"

Froehlich: "This was a staff idea."

Reboletti: "Thank you, Representative."

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Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 5101 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the Record. There are 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Graham, on House Bill 4866. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4866, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4866 amends the State Treasurer's Act to authorize the Treasurer to create the Treasurer's Financial Education and Savings, a non-for-profit corporation. The purpose of this corporation will be to promote financial literacy and savings among Illinois residents; to issue grants and scholarships for educational purposes and to engage in the endeavors that are consistent with these purposes. I'll answer any questions at this time."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4866 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the

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Order of Third Readings, we have House Bill 4449, Representative Franks. Read the Bill, Mr. Clerk."

Clerk Mahoney: House Bill 4449, a Bill for an Act concerning aging. Third Reading of this House Bill."

Franks: "Thank you, Mr. Speaker. This Bill came out of committee unanimously, and I appreciate the committee's input on this. And what it would do is it would ensure that all Medicare beneficiaries under the existing income eligibility standard would receive the same benefit and would receive the same assistance with all the drugs that are on the coordinating Medicare Part D plan's formulary. Illinois Care Rx program provides varying levels of assistance for persons who are eligible for Medicare and this would make it uniform. I'd be glad to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4449 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Cultra. The Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 0 'presents'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, Representative Harris, we have House Bill 5192. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5192, a Bill for an Act concerning health, which may be referred to as the Reducing Breast Cancer Disparities Act. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Cook."

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Harris: "Thank you... Thank you, Mr. Speaker. This Bill was brought to me by the Chicago Metropolitan Area Breast Cancer Task Force after studies that showed that in Chicago and in other cities across the country the rate of breast cancer mortality for black women, minority women, immigrant women and women on Medicaid were 63 percent higher than privately insured women. This Bill makes several Amendments to the Medicaid and Insurance Code following the recommendations of the task force to begin to address the root causes of the mortality disparity. And I'd be happy to answer any questions."

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

Miller: "To the Bill."

Speaker Turner: "To the Bill."

Miller: "Recently, Representative Will Davis and I attended a meeting regarding the disparities in which women of color, primarily from the City of Chicago, are able to... or have breast cancer. And there are several factors that was alluded to during the course of the meeting that we had. One was, the type of inequality of equipment that was issued between those in more affluent areas and those of more poor area. The explanation of those women to those explaining to breast cancer to women of color were overall different than those who are not women of color. In addition to those who diagnose the radiographs, where women... where those technicians might not be proficient in a field of reading radiographs versus in areas of people of color versus as not. Representative Harris's Bill is a

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attempt to correct some of these problems that deal with this... these major issues head-on. It is a crying shame when we talk about health care coverage and universal coverage in a state that somebody born with more melanin in their skin... a woman born with more melanin in her skin may gain or may have the issue of having cancer over twice the rate of women of color. It's more than just an issue of knowledge and early detection of mammograms, it's more than just an issue of telling people that they have breast cancer, but it's an issue of treatment and access to care and this is a step in a right direction. If we're ever going to talk about universal health care, we want to make sure that women, regardless of the City of Chicago, regardless of Cook County, regardless of economic income, regardless of color, regardless of where they live, have equal access to health care, equal access to the type of quality of high standard of care dealing with breast cancer which is a devastating disease. I ask all Members of the General Assembly to support this legislation."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 5192 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Fritchey? The Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Hamos, on House Bill 5321. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 5321, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Hamos: "Thank you. Ladies and Gentlemen, this is an appropriation Bill of two million dollars (\$2,000,000) for Illinois's Universal Newborn Hearing Screening Program. This is a program that we developed as one of the first Bills I called ten (10) years ago and passed. And it now requires that we screen every newborn in the hospital at the time of birth to see if there is hearing loss. That technology now exists, and I'm proud to tell you that that has been in place now for quite a few years. Well, it turns out that about 4 percent or seven thousand (7000) babies every year are found to have potentially hearing loss. What we have never established in all these years in Illinois is a mechanism for follow-up and referral and to be able to really make sure that if there is hearing loss, that they go in for that second hearing screening, and to have a discussion of all the possibilities for dealing with the hearing loss. Very important to catch hearing loss in the early months of life. If we can do that, these children have a chance to be fully integrated and functioning children and adults and to have a successful life. So, this is a way that we can start our early intervention in a very successful way by making sure the mechanism is in place to do this early follow-up, and work with parents, and to do the diagnostics. Thank you and I'm open for questions."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 5321?' All those in favor

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should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 108 voting 'aye', 2 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hernandez, on House Bill 5242. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5242, a Bill for an Act concerning health. Third Reading of this House Bill."

Hernandez: "Thank you, Speaker. Members of the General Assembly, House Bill 5242 simply asks that food banks must register with your local jurisdictions... Oh, I'm sorry, local health departments and that have jurisdiction on an annual basis. This is just to try to register their feeding programs. It's a straightforward Bill. I ask for your 'aye' vote."

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

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

Speaker Turner: "Indicates he will."

Fritchey: "Given, that the enforcement that would be handled at the county level, why wouldn't we leave it up to the counties to decide whether or not they need to register, and how they should register, rather than try to do this at the state level?"

Hernandez: "All we're trying to do is just based on the, you know, just when it comes to recalling, it's just an easier way to notify food pantries. These... these..."

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Fritchey: "Well, no. And again, I'm not tryin to trip you up here, but here it says that it's an initiative of the Cook County Department of Public Health, and they've got some good people over there, and they want food pantries to register with the department, so that the department can notify them when there are food recalls."

Hernandez: "Actually, with the food banks who had requested if they can submit the lists of their feeding programs to the various health... local departments in this."

Fritchey: "But why... but why couldn't Cook County then just ask the food banks in Cook County to register, or to say if you register with us, we can notify you of recalls or other issues? I mean, it seems that there's a very specific, and voluntary issue that they're trying to address."

Hernandez: "I think all they're trying to do is just have a basis of alerting when there is... it's just simple, they're just trying to notify in case there are any kind of recalls."

Fritchey: "Okay. Thank you."

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

Rose: "A question of the speaker, please."

Speaker Turner: "State you question."

Rose: "Sponsor. A question of the Sponsor, please. Who qualifies as a food bank? Because I have a number of charitable religious organizations that do this just sort of as needed and I don't think that they necessarily need to run out and register every time they want to help somebody out on, you know, at a time of need. I guess, I'm



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just... is this limited only to Cook County, or is this for the whole state?"

Hernandez: "I believe this is for the whole state."

Rose: "Well, can you tell me what... how are you defining what a food bank is? I mean, is there, you know, a serv... minimum service load, number of people that they're going to help?"

Hernandez: "Sir, the food banks that are established will provide a list of member food pantries, soup kitchens, hunger relief centers, or other feeding programs to the local health department that has jurisdiction on an annual basis."

Rose: "But who... food banks that are established, but what constitutes a food bank? I mean, again, you know, I've got, you know, a couple of friends in a church in Newman who might, you know, make a couple of shipments, you know, one weekend a month to perhaps shut-ins of the church. Are they going to have to register with the state?"

Hernandez: "No, that... this would not apply to them."

Rose: "Okay. What's your definition of 'food bank'? That's what I'm asking."

Hernandez: "Those who are listed with, I guess, with the... those who... well..."

Rose: "Representative, I'm not, I'm... if you're an established food bank, I've, you know, that's up and running, serving hundreds of people, I don't have any problem with this. But in my world, we might have a town that may only have two hundred (200) people in it, and if somebody's got a charitable organization that's trying to help their

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neighbors, they could easily come in, you know, be out of compliance with the law, and not even know it."

Hernandez: "The food bank means 'a public or charitable institution that maintains an established operation involving the provision of food or edible commodities to food pantries, soup kitchens, hunger relief centers, or other feeding programs, that as in integral part of their normal activities provide meals to... provide meals or food to needy persons.'"

Rose: "Okay. So, then, a church that runs a food bank out of its basement would not qualify?"

Hernandez: "Not... not if they're... if it's part of their..."

Rose: "An integral part of their normal activities?"

Hernandez: "Yes, thank you."

Rose: "But I guess, I mean, okay. If a church does it on a regular basis, that's a normal activity, but it may not be an integral part of their... I mean, it may only represent 5 percent of their total mission. What's the penalty if they don't comply? That's a better question."

Hernandez: "I would really have to look into that 'cause I don't think there is."

Rose: "Okay. I think... Representative, I... and I'm not trying to... I would suggest humbly that maybe you might want to pull this. We can talk about it, see if maybe we can clarify it a little bit. It concerns me... the definition concerns me a little bit, although you cited the definition, I still have some concerns, but I'm actually a little bit happier now than I was earlier. But I do have concerns about what the penalty portion of this is because

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has that been left up to the local public health departments, or who would decide the penalty? And that worries me. So, I guess I'd ask you to maybe consider pulling it until we can get a better handle on it, and then hopefully, we can bring it back tomorrow and run it."

Hernandez: "There is no penalty. I really understand your concern, but..."

Rose: "Okay. So, there is no penalty, but the local public health departments would have jurisdiction. So are you... I mean, here's my question. If you can guarantee me 100 percent in this Bill that the local public health department could not take punitive action against that food bank, I'll vote for the Bill. If you can't unequivocally guarantee that, I'm going to vote 'no'."

Hernandez: "If there's local... if there's local penalties that could apply, but based on the language here, there is nothing."

Rose: "Okay. I just... that concerns me, Representative. I would like to make sure that that's set in stone, because I could see a number of my local folks trying to do good, and do the right thing and end up getting caught in something and having, you know, their local public health department come down on them. So, I'm actually only concerned about one of my five (5) counties. The rest of them take care of themselves, but... Okay. Thank you."

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

Riley: "Will the Sponsor please yield?"

Speaker Turner: "Indicates she will."

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Riley: "Representative, when the idea of this Bill was first... first coined, do you think that the idea was to deal with churches or maybe small groups, the Boy Scouts, or someone that would have a food drive, collecting food for people or were they talking about recognized food depositories?"

Hernandez: "Established food depositories."

Riley: "Right. You've heard of the Chicago Food Depository?"

Hernandez: "Yes."

Riley: "And you're probably also aware that many townships have food banks, food programs, and things of that nature?"

Hernandez: "Yes."

Riley: "Because I know the one in my area, Rich Township, has one of the biggest food banks in the metropolitan area, and they receive that food from participation with the Chicago Food Depository. They collected a lot of the food on their own, and internally, many of these large established food banks have ways of notifying people when there might be a recall. They also get that notification from the food depository and this would be another way of just adding another modicum of safety, and of notification to these food banks. Isn't that correct?"

Hernandez: "That's correct."

Riley: "Mr. Speaker, to the Bill. This is a good Bill, and I know that there's nothing in this Bill that was really looking to... to be punitive, but more to serve as another means of notifying food banks when there is a problem with food. We've seen them on TV, we've seen where, you know, the date code of a particular item has been released to the public so they know. This is nothing but an effort to

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further notify the public to these organization that do a tremendous job of stewardship providing food to people, another way of notifying the public when there's problems. This is good Bill. I'm going to vote 'aye'."

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

Jefferies: "Thank you. In the City of Chicago, when you have a business license, these businesses are generally registered. So therefore, when they register with the Department of Revenue, then they have to register with the Department of Health because they're dealing with food. Whereas probably all counties don't operate that way which would mean that it would be difficult to properly expand this Bill throughout every county because they all might not have to have a license. You know, every county might not require these type of businesses to operate with a license. So, unless they have a license, then it's really hard for them to register."

Hernandez: "Is that a question?"

Jefferies: "No, I was saying, would this pertain to all counties?"

Hernandez: "Yes, it will."

Jefferies: "If they're not registered with the Health Department, how would you trace them?"

Hernandez: "Well, this... this would make them register with the department."

Jefferies: "Okay. So, in some counties you will register with the Health Department, whereas you wouldn't have to

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register as a regular business license. So you just register with the Health Department?"

Hernandez: "Correct."

Jefferies: "Okay."

Hernandez: "Correct."

Speaker Turner: "I'd like to remind the Members that this Bill was on Short Debate. The Gentleman from DuPage, Representative Reboletti, for what reason do you rise?"

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

Speaker Turner: "Indicates she will."

Reboletti: "Representative, how does my county of DuPage find out there's a food recall? Where do they get this information from?"

Hernandez: "It would be from the Department... the State Department of Health."

Reboletti: "So, the State of Illinois would notify the DuPage County Health Department, who would then notify my Addison Township food pantry that there's been a food recall? That would..."

Hernandez: "That would be correct."

Reboletti: "But I see what you're trying to do, but I'm not really sure why the county would need to take on this additional burden. They have other things they need to be attending to and this is just notification. Why couldn't the state just put out a notification to the different townships and churches or whatever, and let them know through the local media? Why do we need legislation to accomplish this?"

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Hernandez: "From my understanding, the local departments have the requirement to notify, but they just have to have the know how."

Reboletti: "Representative, I appreciate what you're doing, and I understand that we all want to make sure that the food that is given out to our... the families in our communities is safe, but I'm just not sure if this is going to add another level of protection. But I thank you for yielding."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 5242?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Representative Mulligan. The Clerk... the Clerk shall take the record. On this question, there are 91 voting 'aye', 19 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative McCarthy, on House Bill 4694. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4694, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Turner: "Third Reading. Representative Moffitt, on House Bill 5978. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5978, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This legislation is to help ethanol plants become

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even more energy efficient themselves. They produce green energy and this chamber, this Legislature, has been very good about promoting biofuels, especially ethanol. This legislation would provide for grants so they could be applied for through DCEO that would adopt technology to make the plant itself, that's producing that green energy, even greener as a plant. There's no opposition that I'm aware of. It's subject to appropriation, supported by the Farm Bureau, and the Illinois Corn Growers. But it helps that plant become greener to adopt technology such as water recycling. Be happy to entertain any questions."

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

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

Speaker Turner: "Indicates he will."

McCarthy: "Representative, after I hit my light, I... you might have answered the question. You said that it's subject to appropriation."

Moffitt: "It is subj..."

McCarthy: "Is there a program right now that is giving out these million dollar grants?"

Moffitt: "Not that I'm aware of for the adoption of technologies that will improve the efficiency, make them more energy efficient. I'm not aware of that. This... there are grants for a lot of different things. There's a renewable fuels program... renewable fuels development program is really to... and we heard some other Bills today. I think Representative Boland had one. I know there was one of two (2) others that... to encourage more use of



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biofuels. This is to make directly help the plant become more energy efficient. As one example was to adopt technology that would maybe, actually, encourage or be able to recycle the water rather than use, you know, more water."

McCarthy: "So, when the analysis says that changes it from one million (1,000,000) to four million (4,000,000), there wasn't an existing program at the one million (1,000,000), was there?"

Moffitt: "Not when we... when we added the grant for the adoption of the plants, that's when we added the four million (4,000,000). So, it's..."

McCarthy: "And this is open to many biofuels, not just corn, correct?"

Moffitt: "Correct. That's my understanding. That it would be any renewable fuel."

McCarthy: "Okay. Thank you."

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

Howard: "Thank you, Mr. Speaker. Will the Sponsor yield? He will. Thank you. Representative Moffitt, I am assuming that we are very seriously attempting to get to a point in this country where we don't have to be as dependent on foreign fuel. Is that one of the purposes of this program?"

Moffitt: "In the big picture, that would be correct. I mean, as we encourage the use of biofuels, renewable fuels, domestic and renewable energy, that is a way that we reduce that dependence on foreign energy. That is our objective.

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This legislation is to help the very plants that produce that renewable fuel such as ethanol or biofuels, to help them become more energy efficient to use... reduce their carbon footprint, to reduce the demands on resources. So, yes, in the big picture, this is even helping reduce the demand for the traditional sources of energy that produce the biofuels."

Howard: "And... so, we're helping them to do better what they are supposed to be doing."

Moffitt: "Right. To be more efficient, use less energy, use less carbon energy, as they produce that green energy that we know as... such as ethanol."

Howard: "My concern, when I hear about programs having to deal with this issue, is always why do we not see any light at the end of the tunnel? I have heard about programs that where we're trying to get to be self-sufficient in some areas. And it just seems that they just go on, and on, and on. We continue to research, we continue to test, but I have not heard anyone say, by the year whatever, we're going to be able to be much more able to not have to be dependent on other countries. Can you tell me, has there been any kind of timetable? Are we closer, are we just feeling our way? Are we just not... do we just not know what we're doing?"

Moffitt: "Excellent questions, Representative, I have not seen any estimates or timetables as to when we would be there. Our demand for energy continues to increase, so we continue to look for ways to be more efficient, use those that are not dependent on foreign sources of energy. You know, we

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see it in vehicles, we see it in... I mean, I'll just use one personal example if that's all right. We recently remodeled our home, added on to it. It was time for a new heating system, heating cooling. We thought it over and we went with geothermal heating and cooling to drastically reduce our use of traditional energy, of gas to heat our home. We're using, you know, really the Earth, the temperature... the natural temperature of the Earth to be able to do that. That's the kind of thing we need to encourage. In terms of a timetable, and that's what you asked, I have not seen one. But I think each of these things we do, each one, is a... even though it's sometimes it's a small step, at least it's a step in the right direction; the direction that we should be going to reduce that dependence on foreign energy. So, it's another step, how many more steps? I don't know; it'll probably be quite a few, but it's the direction... at least it's going the right direction."

Howard: "I appreciate your answers. Thank you."

Moffitt: "Thank you."

Speaker Turner: "From Lake, Representative May, for what reason do you rise?"

May: "I rise for a question please of the Sponsor. Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

May: "Yes. Representative, I just trying to find out. This is just to give... they already can get up to twenty million dollars (\$20,000,000) per plant. Is that right?"

Moffitt: "That is correct."

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May: "And so this adds a million dollars (\$1,000,000) for water recycling, or saving water. Is that right? Is it cleaning up the water, or just saving the amount of water?"

Moffitt: "Well, it's potentially for several things... to adopt and install advanced technology for wastewater or water usage, so that perhaps they can recycle rather... in other words reduce the amount of water; they could adopt technology for that. For other improvements and actually blending the product designed to optimize the process so that they reduce the amount of energy that they're using in producing biofuels."

May: "Right. And that's a laudable goal. I think we're beginning to hear a lot more about ethanol and the amount of energy it uses. Do you know, will we save a million dollars (\$1,000,000) in energy or water? Is this cost cost-effective? I mean, you know, I think I'm very supportive of your concept, I'm just trying to understand it a little bit better."

Moffitt: "I believe that it will be cost-effective, and a lot of these things it's how do you put a value on them. I believe the estimate or rule of thumb is that it takes four (4) gallons of water to produce a gallon of ethanol now. As we adopt technology to recycle, you know, we can drastically reduce that, reduce the demands of the usage of water that is out there. I believe it will be cost-effective. It will move us closer to that direction, and in the meantime, every step that we adopt, every technology that we adopt, is improving... reducing our demands on our currently energy usage."

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May: "But we don't have any studies to show that or..."

Moffitt: "I have no study. If you'd asked me ahead of time, I sure would have tried to find that."

May: "And I'm sorry..."

Moffitt: "It's an excellent question."

May: "...I'm just, you know, I'm just trying to... you know we had another Bill in committee today that talked a lot about... about the water and whether we allow state grants... whether the amount of water and all. So I was just trying to get a handle on it. I think they were testifying, just the number of plants and that for one plant, it's only three (3) gallons, you know, of water per one gallon of ethanol. But I just think that there's a new concern about the energy costs and all, so this could help that."

Moffitt: "This... right. This could take us that direction of reducing that usage, reducing the demands on our resources, whether they be water, whether they be energy. And of course once we put this in place, then we have a chance to evaluate the cost-effectiveness of it, how much it has reduced that demand. It's... the other grants have been to get the plants built. Now, we're saying we're building those plants, let's make the plant itself more energy efficient. That's the intent of the grants."

May: "And what's the total cost of this?"

Moffitt: "Well, it's subject to appropriation."

May: "Okay."

Moffitt: "And the way it reads, it's up to four million dollar (\$4,000,000) grant for the technology."

May: "Okay."

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Moffitt: "But that that would be set by the department."

May: "And do you think that we could put in the Bill, or maybe it's already there. Can you tell me, if there will be some sort of an analysis of how much water they saved, how much energy they saved in all?"

Moffitt: "I'll certainly make that commitment to you that we will get that."

May: "I think that that would be a great idea as we're beginning to... to look at this. Thank you so much. I'm sorry that I didn't ask you these questions ahead of time."

Moffitt: "Excellent questions."

May: "But, yeah. Okay. Thank you."

Moffitt: "I'd like to have had the answer ready for you."

Speaker Turner: Seeing no further questions, the question is, 'Shall the House pass House Bill 5978?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 109 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order... House Bills on Third Reading, Representative Eddy, on House Bill 4700. Mr. Clerk, what's the status of the Bill?"

Clerk Mahoney: "House Bill 4700 is on the Order of Third Reading."

Speaker Turner: "The Gentleman wants it moved back to Second. With leave of the Body, the Bill will be moved back to

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Second. Representative Munson, on House Bill 4879. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 4879's on the Order of House Bills-Second Reading."

Speaker Turner: "It's on Second Reading?"

Clerk Mahoney: "Second Reading."

Speaker Turner: "The Bill shall remain on Second. How about House Bill 4890, Mr. Clerk? Representative Myers."

Clerk Mahoney: "House Bill 4890 is on the Order of House Bills-Third Reading."

Speaker Turner: "The Gentleman asks leave to bring the Bill back to Second. Representative Myers, would you like to adopt the Amendment at this time? Representative Myers? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4890's been read a second time, previously. A Bill for an Act concerning education. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Hannig, has been approved for consideration."

Speaker Turner: "Representative Myers on Amendment #2."

Myers: "Amendment #2 just adds some clarifying language to the Bill, and it's been approved by the Rules Committee. So, I request adoption."

Speaker Turner: "Moves for the adoption of Amendment #2 to House Bill 4890. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

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Speaker Turner: "Third Reading. What's the status of House Bill 4383, Mr. Clerk?"

Clerk Mahoney: "House Bill 4383 is on the Order of House Bills- Third Reading."

Speaker Turner: "The Gentleman asks leave to move that Bill back to Second Reading. And with leave of the Body, the Bill will be moved back to Second Reading. The Gentleman from Randolph, Representative Reitz, for what reason do you rise?"

Reitz: "An announcement, please, Mr. Speaker. I would just like to invite everyone out and remind them that we have the Legislative Sportsmen's Caucus tonight. It will be held at the DNR building from 6:00 it starts to 7:00 the live auction starts. But come out, we should have some good food. We have a number of items for people to bid on. As in past years, the proceeds from this will go to the Illinois Conservation Foundation to help with youth and handicapped hunts. So, I appreciate your support. Just go down Sixth Street and go in gate 7 to the DNR building. Thank you."

Speaker Turner: "Representative Rose, we have House Resolution 1009, page 39 of the Calendar. Read the Resolution, Mr. Clerk."

Clerk Mahoney: "House Resolution 1009 urges the U.S. Congress and the U.S. Department of Energy to make any changes necessary to reverse the decision that resulted in the dismantling, and the abandonment of the FutureGen project."

Speaker Turner: "Representative Rose."



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Rose: "Thank you, Mr. Speaker. At the outset, I want to say how much I appreciate Speaker Madigan's allowing me to present this Resolution on his behalf. I also want to say how much I appreciate his help, and this whole Body's help. In fact, if you look back on last year, the one area we did have some really true, and in my short time here, unprecedented bipartisan cooperation was in landing the FutureGen plant. Everyone from the Governor's Office down, as I mentioned, the Speaker's Leadership, everyone worked together. The State of Illinois won FutureGen fair and square. I think everybody here knows what FutureGen is. It would be the first of its kind prototype of coal burning power plant. It would allow us to take the so called bad coal, which we have an abundance of here in Illinois, and burn it in an environmentally responsible way. My two (2) communities, Tuscola and Mattoon, gave their all to try to bring this to our state. Other communities in our state bid, and they the put together wonderful bids originally. Ultimately, through a level of cooperation, I've never seen in six (6) years here, we won this project fair and square. It was and has been wrested from us by the Bush administration, and by the Secretary of Energy. He has canceled it. They are reformulating it, accordingly. And I guess my request here on this Resolution is that we once again speak with a single voice, that they need to honor their commitment. They need to do what they said they were going to do. It's funny, Congressman Johnson has a letter from them, from a couple weeks prior to when they canceled it, basically telling Congressman Johnson, who represents

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our two (2) sites, Tuscola and Mattoon, that oh yes, everything's on track, as soon as the FutureGen Alliance makes its record decision, we'll go ahead and issue the final sitings, and we'll go ahead and get this product under way and get to breaking ground in early 2008. And then suddenly, suddenly, when Illinois won it fair and square, oh my goodness, said the Department of Energy, all kinds of problems. Problems weren't noted in the letter from two and a half weeks prior to Congressman Johnson, but suddenly there were problems. Ladies and Gentlemen, I'll be... I know everyone wants to go home, but I will conclude the hours, the blood, sweat, tears that were poured into this by Mattoon, Tuscola, the other sites that bid, the Members of this Body, and again, the Speaker, the cooperation of the Governor. We need to speak again with one voice to bring this back to Illinois. We rightfully won it and it needs to come to Illinois. Thank you, Mr. Speaker."

Speaker Turner: "Seeing no questions, Representative Rose moves that we adopt House Resolution 1009. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution's adopted. Mr. Clerk, we have House Resolution 988, Barbara Flynn Currie. The Lady from Cook."

Currie: "Thank you, Speaker. As everybody knows, the state has been very slow, very low, and very unwilling, to keep up with its responsibilities to the people who provide services to our vulnerable populations: to the mentally ill, to the developmentally disabled, to the people who are

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in the community. This Resolution, would ask the Governor to take prompt, effective steps to make sure that we can find a way to pay these people promptly, since our vulnerable citizens depend upon the services they provide. And also, to report to the Speaker and this House on what steps the Governor is taking. I'd urge your support for House Resolution 988."

Speaker Turner: "Seeing no questions, the Lady moves for the adoption of House Resolution 988. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution's adopted. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions, is House Resolution 1115, offered by Representative Reitz. House Resolution 1116, offered by Representative Sacia. House Resolution 1118, offered by Representative Monique Davis. House Resolution 1120, offered by Representative Winters. And House Resolution 1121, offered by Representative May."

Speaker Turner: "Representative Currie moves for the adoption of the Agreed Resolutions. All those in favor say 'no'... all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolutions are adopted. The Gentleman from Fulton, Representative Smith, for what reason do you rise?"

Smith: "Thank you, Mr. Speaker. For an announcement. The Elementary & Secondary Education Committee will not meet today. That meeting is canceled."

Speaker Turner: "Mr. Clerk, could you read the Committee Report, or I should say committee schedule."

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Clerk Mahoney: "Immediately following Session, Judiciary-Civil Law, Jud I, will meet in Room D-1. Railroad Industry will meet in Room 115, Public Utilities will meet in Room 118, Consumer Protection will meet in Room C-1. The Revenue Committee was canceled. The Telecommunications Committee was canceled, and Elementary & Secondary Education was just canceled."

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

Reis: "Thank you, Mr. Speaker. Rise for a point of personal privilege."

Speaker Turner: "State your point."

Reis: "As everyone may know, the administration has yet to release the funding for the important soil and water conservation districts throughout our state. And we are having a press conference tomorrow, in conjunction with the breakfast that they're having, bringing in all their county officials. It'll be at 10:00 tomorrow in the Blue Room. It's a bipartisan, bichamber press conference. And I encourage you to sign on to House Resolution 1127, as well, to urge the Governor to release these important funds for our soil and water conservation districts. Tomorrow at 10:00, Blue Room."

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

McAuliffe: "An announcement. Tomorrow at 9 a.m., the Veterans' Caucus will meet in Room 122B. Veterans' Caucus Room 122B, at 9 a.m."

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

Bellock: "Thank you very much, Mr. Speaker. For any of the people who are on Conference of Women Legislators who are going to meet in my office on the New Leadership Institute, it's still meeting, but about at 5:10. Thank you very much."

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

Molaro: "Thank you, Mr. Speaker. Judiciary II-Criminal Law Committee is meeting at 8:30 tomorrow morning. And if we can get there at 8:30 and all the Members get there on time, we get the Bills out, 'cause as you can see, there's some meetings and caucuses at 10:00, and we go in at... right after that press conference. So 8:30 tomorrow morning, and if we get there on time, it's very appreciated. Thank you."

Speaker Turner: "Any further announcements, statements, questions, comments? Thank you. Thank you. Thank you. Representative Currie now moves the House stands adjourned 'til Thursday, April 3, at 10 a.m., allowing perfunctory time for the Clerk. The House now stands adjourned 'til Thursday, April 3, the hour of 10 a.m. And the House is officially adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Referred to the House Committee on Rules is House Resolution 1117, offered by Representative Brauer, House Resolution 1122, offered by Representative Mulligan, House Joint Resolution 117, offered by Representative Dan Reitz,

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and House Joint Resolution 118, offered by Representative Wait, and Senate Joint Resolution 29, offered by Representative Riley. Introduction and reading of Senate Bills-First Reading. Senate Bill 1927, offered by Representative Reitz, a Bill for an Act concerning agriculture. Senate Bill 2015, offered by Representative Turner, a Bill for an Act concerning economic development. Senate Bill 2017, offered by Representative Mautino, a Bill for an Act concerning environmental safety. Senate Bill 2044, offered by Representative Bellock, a Bill for an Act concerning civil law. Senate Bill 2053, offered by Representative Howard, a Bill for an Act concerning courts. Senate Bill 2070, offered by Representative McCarthy, a Bill for an Act concerning local government. Senate Bill 2135, offered by Representative Ramey, a Bill for an Act concerning criminal law. Senate Bill 2157, offered by Representative Leitch, a Bill for an Act concerning environmental safety. Senate Bill 2159, offered by Representative Poe, a Bill for an Act concerning criminal law. Senate Bill 2162, offered by Representative Beiser, a Bill for an Act concerning local government. Senate Bill 2187, offered by Representative Reitz, a Bill for an Act concerning regulation. Senate Bill 2239, offered by Representative Burke, a Bill for an Act concerning special districts. Senate Bill 2252, offered by Representative Burke, a Bill for an Act concerning burn injury reporting. Senate Bill 2294, offered by Representative Gordon, a Bill for an Act concerning criminal law. Senate Bill 2298, offered by Representative Verschoore, a Bill for an Act

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concerning local government. Senate Bill 2387, offered by Representative Yarborough, a Bill for an Act concerning education. And Senate Bill 2404, offered by Representative Riley, a Bill for an Act concerning finance. Senate Bill 2488, offered by Representative Bradley, a Bill for an Act concerning transportation, which may be referred to as the James 'Shib' Miller and William Grant's law. Senate Bill 2489, offered by Representative Chapa LaVia, a Bill for an Act concerning certain individuals killed in the line of duty. Senate Bill 2494, offered by Representative Froehlich, a Bill for an Act concerning transportation. Senate Bill 2500, offered by Representative Watson, a Bill for an Act concerning education. Senate Bill 2509, offered by Representative Mendoza, a Bill for an Act concerning criminal law. Committee Reports. Representative Fritchey, Chairperson from the Committee on Judiciary-Civil Law, to which the following measures were referred, action taken on April 2, 2008 reported the following back for the same recommendations: 'recommends be adopted' Floor Amendment #1 to House Bill 4869. Representative Collins, Chairperson from the Committee on Public Utilities, to which the following measures were referred, action taken on April 2, 2008, reported the same back for the following recommendations: 'recommends be adopted' Floor Amendment #1 to House Bill 2971. Representative Colvin, Chairperson from the Committee on Consumer Protection, to which the following measures were referred to action taken April 2, 2008, reported the same back with the following recommendation: 'recommends be

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adopted' Floor Amendment #1 to House Bill 5383... 5363. This has been the First Reading of Senate... of House Joint Resolution Constitutional Amendment 28 as amended and offered by Representative Franks. There being no further business, the House Perfunctory Session will stand adjourned."