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Clerk Mahoney: "House Perfunctory Session will come to order. Representative Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on April 07, 2008, reported the same back with the following recommendation/s: 'approved for floor consideration', referred to the Order of Second Reading House Bill 2308, House Bill 2332, House Bill 2392, House Bill 2467, House Bill 2673, House Bill 2747, House Bill 2862, House Bill 2916, and House Bill 3038; 'approved for consideration' is Amendment #2 to House Bill 2405; 'recommends be adopted' Amendment #2 to House Bill 2757, Amendment #2 to House Bill 2769, Amendment #1 to House Bill 4157, Amendment #2 to House Bill 4198, Amendment #2 to House Bill 4206, Amendment #2 to House Bill 4352, Amendment #2 to House Bill 4369, Amendment #2 to House Bill 4513, Amendment #1 to House Bill 4577, Amendment #2 to House Bill 4692, Amendment #1 to House Bill 4700, Amendment #2 to House Bill 4791, Amendment #2 to House Bill 4877, Amendment #3 to House Bill 4879, Amendments 3 and 4 to House Bill 5343, Amendment #3 to House Bill 5359, Amendment #2 to House Bill 5536, Amendment #3 to House Bill 5731, Amendment #1 to House Bill 5761, Amendment #4 to House Bill 5773, Amendment #2 to House Bill 5865, and Amendment #1 to House Bill 5905, and Amendment #1 to House Joint Resolution 108."

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off laptop computers, cell phones, and pagers. We ask our guests in the gallery to

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rise and join us for the invocation. We shall be led in prayer today by Shaun Lewis, who is ministering with the Capital Ministries in Springfield, Illinois. Mr. Lewis is the guest of Representative Aaron Schock."

- Shaun Lewis: "Thank you. Father in Heaven, You are the one who spoke our world into existence. And it's by Your utterance that nations have risen and nations have fallen. And thus, we acknowledge our dependence upon You. We are but frail men and women and our wisdom, even cumulatively, does not compare with Yours. Lord, we come before Your throne asking for help this day. The interests of millions in the State of Illinois are represented here. Give each Representative Your wisdom so that the efficacy of their labors may be seen and appreciated throughout the state. May they accomplish much and for the sake of Your honor and Your glory may You be pleased as they convene today. We ask these things in Your name, Amen."
- Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Harris."
- Harris et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."
- Speaker Madigan: "Roll Call for Attendance. Representative Currie."
- Currie: "Thank you, Speaker. Please let the record reflect the excused absences of Representatives Feigenholtz, Hamos, Riley, Washington and Rich Bradley."
- Speaker Madigan: "Mr. Bost."

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- Bost: "Thank you, Mr. Spirit. Let the record... Mr. Speaker. Please let the record reflect that Representative Watson is excused today. He is with us, I'm sure, in spirit, but has other duties he's doing."
- Speaker Madigan: "The Clerk shall take the record. There being 110 Members responding to the Attendance Roll Call there is a quorum present. Mr. Clerk... Representative Osmond, do you wish to call House Bill 4157? 4157. Mr. Clerk, what is the status of the Bill?"
- Clerk Mahoney: "House Bill 4157, a Bill for an Act concerning local government. It's on the Order of Second Reading. No Committee Amendments. Floor Amendment #1, offered by Representative Osmond, has been approved for consideration."
- Speaker Madigan: "Representative Osmond on the Amendment."
- Osmond: "Thank you, Mr. Speaker. The Amendment just takes out Cook County out of the Bill."
- Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"
- Clerk Mahoney: "No further Amendments. No Motions filed."
- Speaker Madigan: "Third Reading. Representative Pihos, do you wish to call 5240? Mr. Clerk, what is the status of the Bill?"
- Clerk Mahoney: "House Bill 5240, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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- Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time. The Clerk advises that the Bill had not been read for a second time prior to today. Mr. Clerk, have you read the Bill for a second time?"
- Clerk Mahoney: "House Bill 5240 has been read a second time only."
- Speaker Madigan: "Put the Bill on the Order of Third Reading.

  Mr. Pritchard, do you wish to call 4206? Mr. Clerk, what is the status of 4206?"
- Clerk Mahoney: "House Bill 4206, 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 Pritchard, has been approved for consideration."
- Speaker Madigan: "Mr. Pritchard on the Amendment."
- Pritchard: "Yes, Mr. Speaker, I'd like to move the Amendment and add this to our Bill. The Amendment..."
- Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Did you wish to offer an explanation as to what's in the Amendment?"
- Pritchard: "Yes, if the Speaker pleases. This Amendment comes with us from language from the State Police that helps define what a 'billy club' is and also sets out language that prohibits certain weapons that are also stated in our law from being brought into a public building. Our biggest concern is our courtrooms where we don't have the authority at the present time to keep out some of these weapons. And

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- we're seeking that it comes at the request of our state's attorney. I'd be happy to answer questions."
- Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"
- Clerk Mahoney: "No further Amendments. No Motions filed."
- Speaker Madigan: "Put the Bill on the Order of Third Reading.

  Mr. Clerk, was the Bill read for a second time prior to today?"
- Clerk Mahoney: "It was not read prior to today."
- Speaker Madigan: "Did you read it for a second time today?"
- Clerk Mahoney: "House Bill 4206 has been read a second time only."
- Speaker Madigan: "All right. Put the Bill on the Order of Third Reading. Representative Golar, do you wish to call House Bill 3653? 3653. Mr. Clerk, what is the status of the Bill?"
- Clerk Mahoney: "House Bill 3653 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 was adopted to the Bill. Floor Amendment #3, offered by Representative Golar, has been approved for consideration."
- Speaker Madigan: "Representative Golar."
- Golar: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3653 is a Bill that creates the Medical Malpractice Liability Insurance Premium Assistance Fund Program. It provides for a Medical Malpractice Liability Insurance Premium Assistance Fund to be created as a

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special fund in the State Treasury to be used by the of Insurance to provide assistance for Divisions payment of medical malpractice liability insurance premiums to physicians in the state and who maintain their practice in low-income areas. This Bill, primarily, is set up to draw physicians that would not come into underserved communities and actually give them ten thousand dollars (\$10,000) per year if they will serve in an underserved community off of their student loan and that service could be from two (2) to three (3) years or from two (2) to five (5) years. And many of our... because of the malpractice issues that are going on across the nation and of course, in the underserved communities, to draw these physicians this Bill was put... was written for that purpose and that purpose only. I also added in... the rural states that have a population of twenty thousand (20,000). I had talked to Representative Rose last year when I brought this Bill into committee and then I added in the rural states. think that this would really help many of our hospitals that need good physicians and for some reason or another they're not coming into our areas. And I would be happy to take any questions."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Flider?"

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

Speaker Madigan: "On this Bill?"

Flider: "No."

Speaker Madigan: "Could you wait just one second, please? Mr. Clerk, is the Bill prepared to be moved to Third Reading?"

Clerk Mahoney: "The Bill has been read a second time, previously."

Speaker Madigan: "Put the Bill on the Order of Third Reading.

The Chair recognizes Mr. Flider."

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

Speaker Madigan: "State your point."

Flider: "Yes. Mr. Speaker, Ladies and Gentlemen of the House, we... I have with me here today, in our gallery to my left, some of the finest students that we have in Eisenhower High School in Decatur. They're here on a field trip to learn about student government. I wish you'd give them a warm welcome to Springfield today."

Speaker Madigan: "Mr. Black, are you prepared to call House Bill 4297? Mr. Black? Mr. Clerk, read the Bill for a third time."

Clerk Mahoney: "House Bill 4297, a Bill for an Act concerning license plates. Third Reading of this House Bill."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Always good to see you again. This is an initiative that cleans up a Bill I had passed about two (2) of three (3) years ago. It's an Illinois Hospice and Palliative Care Organization initiative. The Department of Public Health is a

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proponent. It's the money in the hospice license plate will… if I can make sure this is right. Of the twenty-five dollar (\$25) renewal fee, twenty-three dollars (\$23) will be distributed to the hospice fund and two dollars (\$2) is distributed to the administrative costs of said plate. It… money will now go to the hospice fund… excuse me, be transferred out of the hospice fund and shall be paid as grants to a statewide organization whose primary membership consists of hospice programs for specified purposes. And that a statewide organization whose primary membership consists of hospice programs shall distribute the grant moneys through a standing committee that will review such funding solicitations. I'll be glad to answer any questions that you have."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Fortner, did you wish to call House Bill 5263? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5263, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Madigan: "Mr. Fortner."

Fortner: "Thank you, Mr. Speaker, Members of the House. House Bill 5263 changes the Election Code. Provides that in the

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event that there is a unfilled Primary place from one of the major Parties that Party may still go ahead and slate a candidate; however, that candidate would be required to get signatures in the same fashion that we all have to get signatures for those who filed for the Primary. That person would follow the schedule of an Independent running in that position. And I would be happy to answer any questions."

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

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

Speaker Madigan: "Sponsor yields."

Fritchey: "What's the intention that you're trying to accomplish by doing this?"

Fortner: "The intention is to recognize that in general to have access to the ballot one needs to file a number of signatures that could be... whether it's for the primary, whether you're an Independent running in the General Election. Right now, there is one category where a Party candidate did not have to get signatures and that's in the case where there was no candidate at all who ran there. It's simply making the field even for all the candidates in that respect."

Fritchey: "But from that standpoint, the reason there would be a vacancy is because nobody decided to avail themselves of the opportunity to circulate petitions to run for office, isn't that correct?"

Fortner: "That... that's correct. And all this says is that that person can still avail themselves after the Primary, they

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just would have to then still go ahead and circulate those petitions."

Fritchey: "But this would be the candidate that was nominated by the Party to circulate. So, you're really circulating knowing that nobody else can circulate against you. So, it seems to be almost an exercise in futility from that standpoint. Do you see where I'm going?"

Fortner: "I'm not sure I do understand where you're going. I don't think it's an exercise in futility. Clearly, a person who is an Independent could be... circulate petitions at that same period. In this case, there would be no one running against them from that party, but after the Primary the purpose is to establish those candidates that will appear on the General Election ballot. Some of those may have already approved... been approved through the Primary process. Others, like Independents, circulate petitions. All this says is that all candidates would have at some point circulated petitions."

Fritchey: "Well, here let's just... let's just take a real world example here. A number of people got appointed to fill vacancies on the ballot yesterday. So, you're saying that when those individuals would be appointed to fill that vacancy, they would still need to go and circulate petitions?"

Fortner: "That is correct. This Bill would provide a mechanism for them to go ahead and circulate petitions, establish that they have the support of the public through the petition process as do other candidates right now."

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Fritchey: "But understood... but what you're saying... so let's just say that they're taking a fictional John Doe gets appointed to run in the General Election in one of these races. You would require him to circulate petitions even though he's been appointed and even though nobody else could circulate to run against him in his stead as the Party nominee, is that correct?"

Fortner: "As the Party nominee, yes, but recall that this is generally the case where someone has already circulated petitions to be on the general ballot because they circulate in order to run for the Primary to then get on by winning the nomination in that fashion to get on the General Election ballot."

Fritchey: "Well, with all… with all due respect, it… it just strikes me as somewhat… and… and again, I mean no disrespect, but an exercise in futility to say that you are going to have only one potential candidate and that that candidate would still need to file petitions to run, even though they've already been appointed to the ballot. I appreciate you answering my questions. I just disagree with the Bill. Thank you."

Speaker Madigan: "Mr. Froehlich."

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

Speaker Madigan: "Sponsor yields."

Froehlich: "Representative, would... would your requirement apply if a Primary candidate is nominated, but then resigns from the ballot before the election?"

Fortner: "No, it would not in that case."

Froehlich: "Why not?"

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Fortner: "Because in that case the Party has established that they were able to collect signatures to put a candidate on that ballot for the General Election. Whether that person resigns, whether there's a... a medical event, whether a person leaves the district, there are a lot of things that could happen after a Party has nominated someone. So, in that case the Party has established that they have candidates that can meet the signature requirement."

Froehlich: "I see. Well, in... in either case you'd have a... a candidate who did not collect signatures on his or her own behalf on the ballot, under your Bill."

Fortner: "But this is about a Party's nominee..."

Froehlich: "Right."

Fortner: "...and whether or not the Party at some point had to establish, whether through the Primary process or as my Bill suggests, like an Independent after the Primary process, that they're able to fulfill the signature requirements."

Froehlich: "Do you think the likely effect of your Bill, were it to become law, would be to reduce the amount of competition in legislative races?"

Fortner: "I would hope that it doesn't. What I would hope it would do is encourage candidates who are interested to, in fact, seek the nomination through the Primary process. That people who are interested would avail themselves of that process, really expose themselves to the voters so that they would... the voters would have a chance to get to know those candidates."

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Froehlich: "Well, I... I'm sure you're aware, right now, in the General Elections, about half of legislative seats are uncontested by the two (2) Parties. And my concern is by making it harder for either Party to fill a vacancy, you're going to have even less competition than we have now and right now, we don't have a whole lot. I... I'm sure you'd agree."

Fortner: "What I would say is if you look back over the last three (3) election cycles, it's not clear how much competition was created by slating a candidate who really didn't have the opportunity to go and... go to the public and get those signatures. I'm not aware that in the last three (3) election cycles that any candidate so slated has won the election, certainly not at the legislative end."

Froehlich: "Well, I... I'm afraid... a foreseeable effect of your Bill would be to have fewer candidates on the ballot because you're... you're erecting now another hurdle that candidates would have to jump. And again, when we have half of the seats uncontested, I... I don't think it's appropriate to make it even harder to have competition. Thank you."

Speaker Madigan: "Mr. Ramey."

Ramey: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Ramey: "Thank you, Mr. Speaker. Representative, since my name is on the Bill, I think I agree with your position here. Do you think there's really a vacancy when they just throw these names out as they did the other day to fill vacancies?"

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Fortner: "Well, there is certainly a vacancy in the sense that the Party had no one that appeared on the Primary ballot. If you look at the record again over the last few election cycles, what you would find is that it's not that there was a vacancy in the General Election ballot, there were... I believe every case, certainly at the legislative level, there was a candidate who had gone to the public, gotten signatures and put themselves before the public to serve and be available for election on the General Election ballot."

Ramey: "Exactly. And... and I think that's what we're really looking at, is that people want certain positions, they should really work at it and let the people know that they want that position. Wouldn't you think that'd be a correct statement?"

Fortner: "I completely agree with your assessment on that point."

Ramey: "Thank you, Representative, for introducing this Bill.

I... I urge everyone to vote 'aye' on it."

Speaker Madigan: "Mr. Lang."

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

Speaker Madigan: "Sponsor yields."

Lang: "Thank you. Representative, can we agree that in the initial stages of a Primary campaign where we don't have a vacancy, just a regular election where you and I... you would have an opponent and everyone files petitions, can we agree that the petition process is so that people can go... that that process has been created so people can go get their

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support and everybody files their petitions, and you find out who your opponent is at that time in your Primary?"

Fortner: "I don't see it as... I would agree with the first half of your statement. I'm not sure I agree with the second half of your statement. I think it is important that you've demonstrated public support. Whether you're running for... from the lowest local office to the Governor of the state, in many cases one runs not necessarily expecting that there be an opponent or maybe you do expect an opponent. In either case, the purpose as I understand the petition process, it was to establish your credible support with the public that you seek to represent."

Lang: "Right. But then you determine whether there's a Primary... where there's more than one person has filed their petitions for that office and then there's a Primary, correct?"

Fortner: "There is. There's also a process to determine challengers for the General Election. We have a process for independents who did not go through the Primary process, who seek to challenge and they also go through a petition process to establish their credible support with the public."

Lang: "Now, all of this is set up by a process in the statute, the process designed to get us our candidates for public office, correct?"

Fortner: "That is correct."

Lang: "All right. So, we created a process years ago whereby if no one files petitions for an office, the local Party

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machinery gets to appoint. And you're not proposing to change that, is that correct?"

Fortner: "I am not changing that in my proposed Bill."

Lang: "But it seems that that's the part you don't like. So, my question now would be, why don't you propose to change that?"

Fortner: "I don't object to the idea that the Party is saying, well, nobody stepped forward. But if we're going to have that mechanism... and I can understand given how early our Primary is compared to the General Election, that there might be a need for that step. However, I think that there is still a responsibility to have that person get signatures from the public."

Lang: "So, would it not be better then to require that that local political Party machinery have a period of time where they have to vet candidates who will then go out and get their petitions before the filing process? In other words, to what benefit is there when there's only one candidate chosen, that person is going to be on the ballot as soon as they go out and do all this busy work that you propose, so they can get enough signatures to get on the ballot after they're really already on the ballot. Wouldn't it be better to do it in front and to say to these political Parties filling these openings, go make sure these people get the petitions and file them by a given date so they can be on the ballot, rather than do it afterwards?"

Fortner: "Well, I... I would not agree with your characterization that getting petitions filed and filled is busy work. I would also point out that those same local parties, they

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all know the calendar for the election and if they're interested in seeing multiple candidates step forward then they should be encouraging those candidates to run in the Primary, filing at the same time that those candidates who file for the Primary positions, such as I believe everyone here most likely has."

"Right. But failing to do that, now you want to put a Lang: these folks after they're basically requirement on appointed to the ballot to fill this position, go out and get these signatures. Would it not be better and would we not perhaps get more interest drummed up for candidates if the local political machinery were required to say to somebody, well, we want you to be our candidate but you better these petitions first? I'm not objecting to the petitions, I'm objecting to where in the process that you want to require it."

Fortner: "One of the concerns I had and I understand that... I understand the point that you raise there, Representative. The concern that I see with that is, given the process, I wanted to do this in a way that as best as possible matched existing parts of our election cycle. We have clerks and election commissions that have a process. I... I worked hard to try and make this match with an existing process. So, we were not adding additional new tasks that we were going to have to do, but fit it into the... the framework that existed. I understand the point you make, but I think that that would cause other disruptions to the framework of election that we have right now."

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"Thank you. Mr. Speaker, Ladies and Gentlemen, to the Lang: I don't have any real objection to the notion that these folks that we're going put on the ballot to fill these open nominations have to go get signatures. probably be convinced that they don't need them, but I... I don't really have a problem conceptually with that. What my problem with the Representative's Bill is the order he wants to do this in. So, the local Party machinery picks somebody at random, at least from the outside world it looks like at random. They say, you're running. And they basically appoint them to the ballot as they do now but then they have to go get signatures so they can remain on the ballot. It seems to me, the Representative would have a far better Bill if he said that these folks to prove that they have some kind of support beyond the Party apparatus, if they were required to get these signatures as a precondition to being appointed to fill this slot by the local political Party. That would make much more sense. And if I'd had had the opportunity I would have filed an Amendment to your Bill, Representative, to do that. Since I don't have time to do that, I'm just simply going to recommend 'no' votes at this time."

Speaker Madigan: "Mr. Joe Lyons."

Lyons: "Thank you, Speaker, Ladies and Gentlemen of the House.

I do rise in support of Mike Fortner's Bill. My... my basic question to my Members would be this, why would we want to make it any easier for somebody to be appointed to run against us than to not make them jump through the same hoops that we have to? Now, Representative Lang may be

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onto a good idea which could make a good Bill even better. I don't want to suggest things, as it's Representative Fortner's Bill, but if he wants to make that change to make it better that's up to him or we can do trailer legislation to follow it. But to make it easier for an appointed candidate to run against us, than that the obligations that we have as... as slated candidates through the regular Primary process, makes absolutely no sense. So, I strongly support this effort. Would hope Members on my side of the aisle would certainly join Representative Fortner and support this Bill. Thank you."

Speaker Madigan: "Mr. Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. What I was going to say was... was simply said by the last speaker. And I agree wholeheartedly with Representative Lyons on what he said. Basically, we're at a point now where we must go out get petition signatures and then wait for a time when someone can be appointed by four (4) or five (5) people and they don't have to go out and show their sincerity to the people of their district by getting to know them, talk to them, discuss the issues and pick up those same signatures. I... I wholeheartedly support the Bill. I could support it either way, before or after. I'm afraid we might run into a time crunch if they have to do it before, but I could... I could vote for the Bill either way. I certainly see a lot of merit in it. I think it gives the people of the district more of a chance to be a part of the political process than it is right now. So, I support the Bill. Thank you."

Speaker Madigan: "Mr. Winters."

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Winters: "Thank you, Mr. Speaker. I rise, also, in support of And I am echoing the comments made by this Bill. Representative Lyons. I think they were very well-taken. That part of the legitimacy of serving the public as we do, is by talking to our neighbors and having them vet our candidacies. To simply have Party leaders pull a name out of the hat, meet in closed doors... and I... I daresay that even in Illinois under the Smoke Free Illinois Act that might have some cigars lit in that room making it a smokefilled room. I think that the idea that everybody appearing on the ballot needs to have demonstrated widespread community support, maybe not majority support, but at least a network of people throughout his district that certify him or her as being an appropriate candidate, is a step that we should make in this state. I... I wholeheartedly applaud the effort of the Sponsor and urge a 'yes' vote."

- Speaker Madigan: "The question is, 'Shall this Bill pass?'
  Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 97 people voting 'yes', 13 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Committee Report."
- Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on April 08, 2008, reported the same back with the following recommendation/s:

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'approved for floor consideration', referred to the Order of House Bills-Second Reading is House Bill 2094. On the Order of Resolutions 'recommends be adopted' is House Resolution 944."

Speaker Madigan: "Mr. Moffitt."

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

Speaker Madigan: "State your point."

Moffitt: "If the Body would give their attention up in the balcony, I think a lot of you have members of the Associated Firefighters in town. They're here for their annual conference. They have a reception tonight. Would all the Associated Firefighters stand up to be recognized. They keep us safe and protect us, we appreciate you."

Speaker Madigan: "Mr. Dunkin."

Dunkin: "Thank you, Mr. Speaker and Members of the House. A point of personal privilege."

Speaker Madigan: "State your point."

Dunkin: "Today, we have visiting us students from my district.

They happen to be from one of the top schools in the State of Illinois, the new and improved and very, very talented student body of the Jones College Prep from my district. If you please could stand. Give them a warm Springfield welcome. Welcome to Springfield."

Speaker Madigan: "House Bill 4723. Mr. Hannig. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4723, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Madigan: "Mr. Hannig."

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Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is an initiative that comes to us from the Procurement Policy Board, which is a legislative branch agency that oversees the contracts in part that the State of Illinois enters into. It's the watchdog agency that keeps an eye on CMS and... and other state agencies. At the time that this Bill was introduced, there was some question as to the duration of a state contract. And the language that currently exists when they talk about leases, says leases shall be for a term not to exceed ten (10) years and shall include a termination option in favor of the state after five (5) years. And so, there was some dispute as to what that meant. This year that dispute arose because the Department of Central Management Services believed that they could do extensions of the lease beyond ten (10) years. So, that's a change in the practice that we've had in the past. And this Bill would say that the leases shall be for a term not to exceed ten (10) years, inclusive of the proposed contract renewals. Now, CMS has changed their position and now agrees with this Bill. But I think it's important that we ao forward, because the administration may come back to the position where they try to extend leases beyond ten (10) years. So, that's what the Bill does. I'd be happy to answer any questions. I'd ask for your 'yes' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Representative Mulligan."

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

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- Mulligan: "Representative, in listening to you and looking at the analysis, I'm still trying to figure out, is it a... is it ten (10) years total including renewal? So that, if you have a contract for five (5) years and a five-year renewal that would be it? Or if you have a contract for ten (10) years there would be no renewal?"
- Hannig: "Yes, ten (10) years, Representative. That's what we feel is the maximum duration. And this... the language... all this says is inclusive of proposed contract renewals. So, it's spells that out."
- Mulligan: "All right. That's what I thought it meant. So, it's a total of ten (10) years no matter how you do it?"

Hannig: "Yes."

Mulligan: "Thank you."

- Speaker Madigan: "The question is, 'Shall this Bill pass?'
  Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 110 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jakobsson on House Resolution 1016."
- Jakobsson: "Thank you, Mr. Speaker. I have House Resolution 1016 which honors... well, congratulates Angela and Pat Devaney of Champaign on the birth of their first son, Martin Raymond Devaney. He was born January 28 at Carle Hospital. Pat Devaney is a member of the Associated Firefighters of Illinois Executive Board and lieutenant with the Champaign Fire Department. I believe he's here today. He's currently president of the Champaign

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- Firefighters. And the Resolution was passed and I want everyone to join in with me congratulating Pat and Angela on the birth of their first son. Thank you."
- Speaker Hannig: "Representative Hannig is in the Chair. Is there any discussion? So, Representative Beiser, you're recognized on House Bill 4692. Out of the record. Representative... Representative D'Amico, you have House Bill 5093. Out of the record. Representative Monique Davis on House Bill 4160. Representative Davis, do you wish us to read that Bill? Read the Bill, Mr. Clerk."
- Clerk Mahoney: "House Bill 4160, a Bill for an Act concerning regulation. Third Reading of this House Bill."
- Speaker Hannig: "The Lady from Cook, Representative Monique Davis."
- Davis, M.: "Thank you, Mr. Speaker. House Bill 4160 amends the Elevator Safety and Regulation Act to require a conspicuous notice to be placed in an elevator that malfunctioned in a manner that required a fire department to respond to the malfunction. And it provides that only an elevator mechanic may remove the sticker. And it allows the State Fire Marshal to adopt the rules."
- Speaker Hannig: "Is there any discussion? The Gentleman from Cook, Representative Fritchey."
- Fritchey: "Thank you, Speaker. And I... I understand what you're trying to do, I believe, which is notify the public that there was a problem with this elevator. So, the sticker would stay on for how long?"

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Davis, M.: "The sticker would stay on it until there was a need to remove it, I don't know. There doesn't seem to be any notice for removal."

Fritchey: "So, is it your intention that..."

Davis, M.: "I mean the..."

Fritchey: "...that if an elevator malfunctions..."

Davis, M.: "...the mechanic can remove it. Once it's repaired, the elevator mechanic can remove it."

Fritchey: "Well, it... it says that only a mechanic can remove it, but it doesn't say when the mechanic can remove it. So, I mean can they... can he put it up and take it down the same day?"

Davis, M.: "If he repairs it."

Fritchey: "I... I'm not trying to be difficult, I just... you know, what you're doing is giving the responsibility to the elevator mechanic. You're giving him the responsibility to remove the sticker, but not telling him whether it needs to be up there for a day, a week, a month, until the problem is fixed?"

Davis, M.: "Well, once the elevator has been repaired... you know, what's... what's the problem? If it's repaired, what's the problem? You see, part of the problem was some people were using unqualified janitors to so call repair an elevator and the elevator was not repaired. So, this is an elevator mechanic has to repair it and then he places a sticker on it that he repaired it."

Fritchey: "Actually, it... it doesn't say anything about the fact that the mechanic has to repair it. This only talks about the sticker and that a sticker should be placed. And a...

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- again, Representative, I... I'm not trying to derail you here. I'm just trying to say that, what the Bill says and what you want it to do may be two different things."
- Davis, M.: "It says that... here's what it says. It's on line 16. A sticker placed within a malfunctioning elevator may be removed only by an elevator mechanic licensed under the Act."
- Fritchey: "Correct. But it doesn't say when they should remove it. It doesn't say that he can remove it before the elevator is fixed."
- Davis, M.: "I'm sure he'll make that intelligent determination."
- Fritchey: "He... he's going to be bound... he or she's going to be bound to follow the law, but the law... we're not giving... we're..."
- Davis, M.: "Well, I mean if there's no law that says you remove it a week later or two (2) weeks later, then the elevator mechanic will decide when to remove it."

Fritchey: "Okay."

Davis, M.: "Thank you."

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

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

Speaker Hannig: "Indicates she'll yield."

Black: "Representative, I... I, somewhat like the previous speaker, I think understand what you're doing. I have been stuck on an elevator in the Capitol, the... the old hydraulic out here in the back hall of the Speaker's corridor. Let... let me just ask you a question. Wouldn't it be... I guess

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this would give me constructive notice if... if I saw the sticker before I got on and the door closed, but I may not, because I often don't look, I just hit the right button. Wouldn't it make more sense to say that you have to take it out of service until it's properly inspected? In other words, shut it down?"

Davis, M.: "Well, I believe if an elevator is stuck… and I, too, was stuck on an elevator. And…"

Black: "I think we were stuck together as I recall?"

Davis, M.: "No, this..."

Black: "Oh."

Davis, M.: "...I was stuck in Chicago."

Black: "Oh. Well, you know, at my age memory plays tricks on me, Representative."

Davis, M.: "Well, I... mine does, too. But in this particular case, the fire department was dispatched and this Bill says, once the fire department has been dispatched because of a malfunctioning elevator that the... a sticker stating that an elevator mechanic has looked at the elevator and it can only be removed by an elevator mechanic who is licensed under the Act. And the administrator may adopt rules necessary for the implementation and enforcement of the Act."

Black: "And this... this would apply to any elevator, correct?" Davis, M.: "Yes."

Black: "Commercial, residential, private? If the fire department was dispatched then that elevator will be stickered that it had a malfunction on that date... the date I'm sure will be what, written on the sticker?"

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Davis, M.: "Well, however they choose to..."

Black: "Okay."

Davis, M.: "...develop the form. I think we've seen some of those on... say when a fire department has been called in a building and then there's a fire department sticker that may be left on the building."

Black: "All right."

Davis, M.: "Or when an inspection took place. But the purpose, of course, is to provide safety."

Black: "Okay. That... and I... I certainly don't disagree with... with your intent. I... I wonder if at some point we wouldn't want to require that the elevator be taken out of service. I don't know how quickly elevator mechanics are dispatched. I mean there are... you have certainly more elevators probably in your legislative district than I... certainly that I do. I mean, can they... can they usually respond to a malfunction in a reasonable period of time?"

Davis, M.: "I believe so."

Black: "Okay. Fine."

Davis, M.: "Yes."

Black: "Thank... thank you."

Speaker Hannig: "Representative Davis to close."

Davis, M.: "I just... I think this is legislation just intended to provide a... a satisfaction of safety for people who use elevators and the elevator mechanic would simply put a sticker on when the fire department has been called to state that that elevator has been checked and is in good working order. And I ask for a favorable vote."

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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 Black, 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 Beiser, do you wish us to read House Bill 4692? Mr. Clerk, read the Bill."
- Clerk Mahoney: "House Bill 4692 is on the Order of House Bills-Third Reading."
- Speaker Hannig: "Mr. Clerk, return this to the Order of Second Reading at the request of the Sponsor. Are there any Amendments?"
- Clerk Mahoney: "On House Bill 4692, Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Beiser, has been approved for consideration."
- Speaker Hannig: "Representative Beiser."
- Beiser: "Yes, House... Thank you, Mr. Speaker. House Bill 4692 is a victim's notification. Basically, what we're trying to do is get... make sure as much as possible that the victims are notified of any parole hearing. And that's what this does. I'd be happy to answer any questions. But I'd request an 'aye' vote."
- Speaker Hannig: "Is there 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 Mahoney: "No further Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. Representative Durkin, you have House Bill 5513. Do you wish us to read this Bill? Out of the record. Representative Ford, you have House Bill 4612. Representative Ford? Out of the record. Representative Fritchey, you have House Bill 5141. Do you wish us to read this Bill? Okay. Out of the record. Representative Froehlich on House Bill 4303. Out of the record. Representative Hernandez, you have House Bill 5230. Do you wish us to read that Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5230, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Hernandez."

Hernandez: "Thank you, Speaker. Ladies and Gentlemen of the House, House Bill 5230 does two (2) things. The Bill clarifies that the escape statute applies to both adults and juveniles who commit the offenses of escape or aiding escape. Currently, the statute refers to a person convicted of a felony and because juveniles are adjudicated, not convicted, the plain language of the statute does not include juveniles. This simply fixes a tech... a technical loophole. The second part of the Bill distinguishes the penalties for aiding and escape... aiding an escape while armed with a dangerous weapon. I ask for your 'aye' vote."

Speaker Hannig: "Is there any discussion? The Gentleman from DuPage, Representative Reboletti."

Reboletti: "Thank you, Mr. Speaker. Will the Sponsor yield?" Speaker Hannig: "Indicates she'll yield."

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- Reboletti: "Representative, I... I remember voting on this Bill in committee. And I didn't have an issue with it then, but as I see there was an Amendment that removes the part of mandatory prison out of the Bill if you escape from custody. One of the issues I have with that is if you're escaping from custody the odds of you have... being a... a good candidate... of being on bond or on probation or conditional discharge are extremely poor. Why did you amend that and do you foresee what as an issue?"
- Hernandez: "We did add an Amendment and what the Amendment did was actually... it does increase the penalty, but it's not... it... it had included non-probational, we have taken that out of lang... the language."
- Reboletti: "Well, I... I understand that you took it out. But, if you're locked up in custody and you're in jail and you escape, I can't imagine that somebody should have the option... some judge should have the option to give you probation so that you can spend time out of jail when you spend most of your time trying to get out of jail when you're actually in custody. I think it should be mandatory prison offense that if you're escaping from a facility. So, I would ask that you take it out of the record and... and... and leave the Bill as it was. I can't imagine that probation is an appropriate disposition when you escape from custody. Would you consider that, Representative?"
- Hernandez: "Yes. The purpose behind increasing the penalty and... and leaving that, I mean, it... currently, it wasn't doing anything. So, at least we are trying to increase the penalty by... if the... the person should escape."

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- Reboletti: "Well, I... I appreciate you... you doing that as far as increasing the penalties, but I still think it was a better Bill when you left it than it was a non-probationable offense, but thank you, Representative."
- Speaker Hannig: "Is there any further discussion?

  Representative Hernandez you're recognized to close. To close, Representative."
- Hernandez: "I ask for your 'aye' vote."
- Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representatives Lyons, Granberg, Golar and Dugan, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Holbrook, you have House Bill 4710. Read the Bill, Mr. Clerk."
- Clerk Mahoney: "House Bill 4710, a Bill for an Act concerning environmental safety. Third Reading of this House Bill."

Speaker Hannig: "Representative Holbrook."

Holbrook: "Thank you. House Bill 4710 is just a cleanup as recommended by the IEPA. It eliminates some programs that have been declared unconstitutional and some of those are obsolete and haven't been used in years. And it amends the Alternate Fuels Act, which allows a greater period of time for our people in the State of Illinois to receive a rebate for a conversion program if they did it on their vehicles. I know of no opposition to the Bill."

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- 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 Ryg, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Eddy, for what reason do you rise?"
- Eddy: "Thank you, Mr. Speaker. A point of personal privilege." Speaker Hannig: "State your point."
- Eddy: "Ladies and Gentlemen of the House, if you would join me today in welcoming a group of superintendents from around the state who are here for some academy training through the Illinois Association of School Administrators. If those folks would wave to the General Assembly, let's give them a Springfield welcome."
- Speaker Hannig: "Representative... Representative Cole, for what reason do you rise?"
- Cole: "Thank you, Mr. Speaker. I... on the last Bill, House Bill 4710, I inadvertently hit my red button. Could you change that to a 'yes', please?"
- Speaker Hannig: "Yes, the record will reflect your intentions, Representative. Representative Jakobsson, you have House Bill 5348. Mr. Clerk, read the Bill."
- Clerk Mahoney: "House Bill 5348, a Bill for an Act concerning environmental safety. Third Reading of this House Bill."
- Speaker Hannig: "Representative Jakobsson."

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Jakobsson: "Thank you, Mr. Speaker. House Bill 5348 is a Bill that creates the Mercury Thermostat Collection Act. Bill requires that thermostat manufacturers create and maintain a program aimed at the collection and recycling of thermo... mercury thermostats. The Bill would apply to products that use a mercury switch to sense and control room temperature in residential, commercial, industrial and other buildings, exempting thermostats that are used as part of a manufacturing or industrial application. vast majority... oh, okay. The vast majority of mercury thermostats that are taken out of service are disposed of in the regular trash. And once these are in the trash, the glass vile in the thermostat which holds three (3) grams of mercury is very likely to break on route to the transfer station or landfill allowing the mercury to escape into the environment. So, this would be a very good Bill to pass. It's patterned on the one that we did for collecting car thermostats."

Speaker Hannig: "The Lady moves for the passage of House Bill 5348. 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 110 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Joyce, you have House Bill 5579. Out of the record. Representative Lyons, you have House Bill 4582. Out of the record. Representative McCarthy, you have House

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Bill 5707. Out of the record. Representative McGuire, you have House Bill 4813. Do you wish us to read that Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4813, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Speaker Hannig: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker. House Bill 4813 is an appropriation Bill for the Trinity Services of Will County and it's for fetal alcohol syndrome. The money is subject to appropriation in the Bill and I would appreciate any consideration for this Bill. Thank you."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Saviano and Will Davis, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 3 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Meyer, you have House Bill 5013. Do you wish us to read that on Third? Jim Meyer. Out of the record. Representative Osmond on House Bill 4162. Okay. She's... she's indicating out of the record. Representative Reis on House Bill 4843. Do you wish to read this Bill? Okay. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4843, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Reis."

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- Reis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4843, as amended, creates a Veterinary Student Loan Repayment Program through the University of Illinois. It's subject to appropriation and it sets up scholarships to encourage students to get into the large animal veterinary school and then practice in Illinois in areas of... areas of need. And the program sunsets in 2018. Be happy to answer any questions. And I ask for your support."
- 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 Younge, Mautino, Crespo, do you wish 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 Sacia, you have House Bill 4811. Do you wish us to read that Bill? Mr. Clerk, read the Bill."
- Clerk Mahoney: "House Bill 4811, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Sacia: "Would you take it out of the record."

Speaker Hannig: "Okay. Out of the record. Representative Saviano on House Bill 5503. Out of the record. Representative Smith on House Bill 5325. Representative Smith, do you wish us to read this Bill? Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 5325, a Bill for an Act concerning

education. Third Reading of this House Bill."

Speaker Hannig: "Representative Smith."

"Thank you, Mr. Speaker, Ladies and Gentlemen. Smith: legislation would establish a continuing reading improvement grant program for grades 7 through 12 to be administered by the State Board of Education. You may be aware there is currently a reading improvement block grant that is for the lower grades, grades 1 through 6. This would establish a reading program for middle schools and for high schools. So, for the first time high schools would be able to access those funds. At the same time, though, we would not be taking away money that is currently going to the to the smaller grades. In the proposed budget for ISBE there is money in the amount of seventy-six million (76,000,000) for reading improvement grant program. And it's our hope that through a three million dollar (\$3,000,000) request we can accomplish this goal. I'll be happy to answer any questions, Mr. Speaker."

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

Eddy: "Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Eddy: "Ladies and Gentlemen of the House, I stand in strong support of the Representative's Bill. This is a... a theory that has long been supported in the education community that that reading improvement block grant has been good. It's accomplished some... some laudable goals and helps

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students with achievement at the grade levels that it's been implemented. This legislation simply sets up an extension for when funds become available. It's long overdue and I urge a 'yes' vote."

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? Representative Wyvetter Younge and Jerry Mitchell, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 110 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Soto, you have House Bill 5000. Representative Soto. Do... read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5000, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Soto."

Soto: "Thank you, Speaker and Members of the House. House Bill 5000 has House Amendment #3, which is a gut and replace. And the Amendment reads that the... House Amendment #1 removes ISBE's rulemaking authority in regards to a new Act and inserts a new rulemaking. Sorry. Okay. Creates a Children's Low-cost Laptop Act, requires that the State Board of Education to establish a procedure and develop criteria for the administration of low-cost laptops pilot program. And I urge an 'aye' vote. And I'm open for questions."

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

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

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

Eddy: "Representative, now this... this is subject to appropriation?"

Soto: "Yes, it is."

Eddy: "So, basically, what you're doing here is you're setting as a priority the idea that we should have a program with rules and regulations related to a laptop computer program that hopefully will allow for first through six graders to all have a laptop computer in the State of Illinois at some point?"

Soto: "Yes. Yes, Representative."

Eddy: "Okay. And... and the rules that might be promulgated or written by the State Board of Education related to this program... it's your intention that they come back and have to be passed in legislative form?"

Soto: "Yes."

Eddy: "Okay. Thank you."

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 Nekritz, Mitchell, Jefferies, Crespo, Collins, Black, do you wish to be recorded? Have all voted who wish? Mr. Clerk. Okay. Representative... Mr. Clerk,

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Representative Crespo is having trouble with his switch. Okay. Mr. Clerk, take the record. On this question, there are 110 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4811."

Clerk Mahoney: "House Bill 4811, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Sacia."

Sacia: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4811 is a simple Bill initiated by the Illinois State Police, which simply is a fee structure change for the escort... the escorting of overweight and over width loads. It's a simple Bill, completely agreed upon by all of the interested parties. I know of no opposition. I'd be happy to answer any questions."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 81 voting 'yes' and 28 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Sullivan, you have House Bill 5543. Do you wish us to read... read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5543, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Gent... the Gentleman from Lake, Representative Sullivan."

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- Sullivan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5543 basically closes a loophole in current animal protection laws. What is says is if you're in an animal shelter or you have an animal being released from an animal shelter they are going to be required to be spayed or neutered. This is currently done in the Animal Welfare Act under animal control facilities. We're just tying the two (2) together and making sure it's one cohesive Act. I'll be happy to answer any questions."
- Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall...

  Excuse me. The Gentleman from Vermilion, Representative Black."
- Black: "Thank you, Mr. Speaker. I apologize for the late... I was trying to push the 'yes' button. I'll have to get reacclimated here. Will the Sponsor yield?"

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

Black: "Representative, I certainly don't stand in opposition to the Bill. I have had a... some people who work for various humane shelters ask me, how... how is this going to be paid for. I mean, they try to recover these fees when they adopt out an animal. But the fee is not... I can't remember, quite frankly, what she told me they're paying now. It could be upwards of fifty-five (\$55), sixty-five dollars (\$65)."

Sullivan: "Right."

Black: "Her concern was that if you tack that on to the adoption fee it might price some families out of... of adopting a dog or a cat. Then the shelter some weeks later

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is faced with a decision, well, if they can't adopt the animal out do they have to euthanize the animal? And she was only concerned about the cost factor and how that cost may be recovered. And I... I told her I would ask you because I knew you would know."

Sullivan: "Certainly. What... what this is going to do is force the person that is going to adopt the animal to within a specified time frame, short of reasons why you wouldn't want to have a dog or cat neutered within that time frame, too young, too sick, those types of things. So, if within that time frame the owner has entered into an agreement to have that cost factored on their adoption. And so, yes, there certainly could be an instance where a family member might be too poor, too whatever and they would not be able to afford this. My father is a veterinarian and I know there's a lot of veterinarians throughout the state that will do these services for free at the... and they work with the different animal shelters. And so, there are ways to have this... this done for you. But I think the underlying idea here is... here you have an agency that their whole idea is to adopt out animals and if we keep sending out animals that can keep procreating, their mission gets challenged more and more and more. So, this is why they want this to happen."

Black: "All right. Now, it's my understanding that the State
Animal Control Act already requires this of count... countyowned animal shelters, right?"

Sullivan: "That... that is correct."

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Black: "So, we're... we're... you're covering humane societies, dog or cat rescue facilities, whatever that might be."

Sullivan: "Right."

Black: "Right?"

Sullivan: "The... the two (2) separate entities are in two (2) separate sections of the law."

Black: "Okay."

Sullivan: "And so we're just making one section of the law conform with the other section of the law, closing a loophole."

Black: "All right. But if I understand your… your… your Bill, the animal shelter would not be able to adopt out a pet unless the pet had already been spayed or neutered? They… they wouldn't adopt out on the promise that the owner would do that, correct?"

Sullivan: "No, they... they have a specified time frame where they would have to have this done at the owner's expense."

Black: "Okay. Thank you very much."

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

Sullivan: "Thank you. I just look for an affirmative vote."

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

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is hereby declared passed. Mr. Clerk, read House Bill 4162."

Clerk Mahoney: "House Bill 4162, a Bill for an Act concerning animals. Third Reading of this House Bill."

Speaker Hannig: "Representative Osmond."

"Thank you, Mr. Speaker. House Bill 4162 addresses a situation that happened in my district, the transportation of horses in a double-deck trailer. The accident occurred on October 27 where fifty-nine (59) horses were placed in a trailer for transport. These were Belgium draft horses. As a result of this accident, nineteen (19) horses were killed. One of my main concerns in taking this Bill was the fact that it turned out to be such a public safety issue. We had men and women in the fire department and the EMTs for the first responders having to go into this trailer that was totally unsafe to get the horses out. believe that this transportation situation has happened in eight (8) different... I'm sorry, in eight (8) different times in the last five (5) years. I think it's something we need to address. And I would appreciate answering any questions."

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

Black: "Thank you very much, Mr. Speaker. I certainly won't need 5 minutes. Will the Sponsor yield?"

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

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Black: "Representative, just for legislative intent and for the record, if a horse trainer uses a double-decker configured trailer, but the horses are only in the lower portion and he hauls tack or sulkies or equipment on the top level, which was never designed to haul horses... I had a breeder just want to make sure that that would be all right?"

Osmond: "Yes. Yes, Sir. It's only for the transportation..."

Black: "Right."

Osmond: "...of horses on both decks of the trailer."

Black: "And does the Bill specify the minimum height requirement where the horses would be transported? I mean, I... it doesn't take a double-decker. I've seen some horses being hauled one or two (2) at a time in a regular horse trailer, where I thought it was a little cramped in there. It... so, there isn't any specific height requirement that the horses would require?"

Osmond: "No, I don't believe so, Sir."

Black: "Okay. Thank you very much."

Speaker Hannig: "Representative Sacia, you're recognized for 5 minutes."

Sacia: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I don't think there's anyone in the General Assembly that doesn't realize that the genesis of this Bill goes directly to the heart of horse slaughter. Horse slaughter in Illinois has become something that is looked upon as a terrible situation. We had a plant, there were three (3) plants in the nation: one at DeKalb, Illinois and two (2) in the State of Texas. Individuals are concerned that people are going to be transporting horses for

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slaughter in double-decker trailers. But let's look at the rest of the story, because just a year ago, Ladies and Gentlemen, you outlawed... this state outlawed Cavel to slaughter horses in the State of Illinois. So, did that mean no more horses were killed? Absolutely not. We now stuff them into trailers, send them thousands of miles into the great country of Mexico where they are terminated and it is not a humane end of death... end of life, I'm sorry. When we had our plant open in Illinois, we didn't have to worry about double-decker horse transportation, because they could be taken right down the road to Cavel. thousand (40,000) more horses were slaughtered in Mexico in 2007 than in 2006. Forty thousand (40,000) more horses. How anyone from the Humane Society or the Society for the Prevention of Cruelty to Animals who will come into committee and say, we believe in responsible ownership, when the reality is, Ladies and Gentlemen, we are now stuffing them into double-decker trailers and sending them to the country of Mexico. This is a travesty. And anyone who calls themself a lover of companion animals and of horses is doing a tremendous disservice. Initially, I was a cosponsor of the Lady's Bill. We are unable to get the Lady to take from her Bill the importance of future construction of double-decker trailers in the State of may be needed for Illinois that other types transportation. You've all passed semitrailers, doubledecker types, cattle on the bottom, hogs on the top, hogs on the bottom, hogs on the top. We really need that Amendment. This is not a good piece of legislation the way

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it is written, Ladies and Gentlemen. It needs to be amended. I have great respect for the Sponsor. I know what she's trying to do. But at the heart of all of this, Ladies and Gentlemen, is the slaughter of these wonderful animals who are now being transported into the Country of Mexico and rather than being humanely terminated with a bolt to the head as they were in Cavel International in DeKalb, they are now stabbed with a spear into their spine while they are alive. A hook comes down, grabs a hind leg, pulls it into the air and the animal's throat is cut. And yet, there are individuals who profess to love animals who now think it's okay to send forty thousand (40,000) a year into the Country of Mexico. What a travesty, Ladies and Gentlemen, what a travesty. They are going to Mexico to be terminated and their end of life is anything but humane. I encourage you to vote 'no' on this legislation. Thank you."

Speaker Hannig: "Representative Reis. Representative Reis, you have 5 minutes."

Reis: "Thank you, Mr. Speaker. Will the Sponsor yield?" Speaker Hannig: "She indicates she'll yield."

Reis: "Representative, I spoke with you about this Bill early on when you introduced it. And one of my concerns is in playing off of what Representative Sacia said, we cannot slaughter horses here in the United States. So, we're going to have to take these animals to farther distances. And the reason they double stack these... these trailers is so that the semis can haul eighty thousand (80,000) pounds. And I was just wondering if you had the time to research

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how much less these semis could haul with just single... single decking as opposed to double?"

Osmond: "No, Sir."

Reis: "So... okay. So, you're just going to make a blanket law? And I think this is one of the concerns about Farm Bureau and why they're opposed to this Bill. Is if they were hauling eighty thousand (80,000) pounds, double-decked, it's obvious that they're going to be having to make twice as many trips if they're only single deck. I spoke with my folks at home and the costs of... of just hauling hogs now from our area in southeastern Illinois to Beardstown is seven hundred and fifty dollars (\$750). Sometimes those hogs are triple stacked. They've got to haul eighty thousand (80,000) pounds to be efficient. And I'm just wondering, with your legislation, how... it's going to cost hundreds of dollars to haul each one of these horses to Canada, if they can only single... single deck them. you giving that any concern when there's so many ag groups that are opposed to this, but yet you're coming in and trying to implement this law?"

Osmond: "This... my intention in taking this Bill was basically because it's a public safety issue. When you put fiftyeight (58), fifty-nine (59) horses in a double stacked trailer..."

Reis: "It still weighs eighty thousand (80,000)."

Osmond: "...it's top-heavy."

Reis: "Well, we can double stack steers and heifers taking cattle to market. They have to do that to get the eighty thousand (80,000) pounds. And it's just going to cost so

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much more to ship these animals that it's not going to be feasible. In southern Illinois we have 'em turning 'em loose on the interstates. In Kentucky, when you go to Kentucky Lake, they take an inventory of the number of horses going in and you better have that many horses when you come out. This is a problem and we're just adding... we're throwing fuel on the fire by saying it's going to cost you twice as much to haul your horses now because you're only going to allow sin... single deck. It can't be a public safety issue if we're still allowing double-deckers for steers and heifers to be hauled to market."

Osmond: "But what happens when you have fifty-nine (59) horses shoved in a trailer, it goes on it's side? You have first responders coming there and they have to remove those horses. That puts a threat on their lives."

Reis: "That's a very tragic accident that happened. And perhaps the guy was even overloaded, which means he was against the law. Perhaps his trailer wasn't right, didn't meet DOT standards. That's already a criminal law. But you're going to have the same situation, Representative, if you have fifty-nine (59) steers on a semi. But this law doesn't affect that."

Osmond: "No, it doesn't, Sir."

Reis: "So, why are we singling out horses?"

Osmond: "Because we think it... the way that they were transporting was inhumane."

Reis: "To the Bill. I appreciate the Representative at least listening to us on this. The Farm Bureau had some good Amendments that would have maybe made this a little more

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palatable. But folks, we are quite honestly fed up with so many people trying to tell agriculture how to do their work. If this comes down to a, I feel good about horses, it just doesn't make common sense. You have to have eighty thousand (80,000) pounds on your load to be efficient. you're over that, you're illegal. But it makes no sense to... to do this just because of feelings towards horses when we're going it for steers, we're doing it for other livestock. Enforce the laws that are in place. these trucks are... are safe, their brakes work, that they're not taking turns too fast, all the things that we already have laws to do, but not... let's not single out something and make it so terribly inefficient that they can't even haul these animals anymore. I ask everybody to vote 'no' on this legislation and we'll bring it back and try to make it a little better."

Speaker Hannig: "We've had one in support and three (3) in response. And Representative Molaro, you're recognized in..."

Molaro: "Yes, thank you."

Speaker Hannig: "...in support, is that correct?"

Molaro: "Support."

Speaker Hannig: "You have 5 minutes."

Molaro: "Okay. Thank you. Hopefully, I won't take that long. This seems... you know, that's the problem with all these Bills, they seem to be so straightforward. And then when we talk about them, we talk about a bunch of things that have nothing to do with the Bill. The Bill is pretty simple. We had a State Representative, that in her

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district there was an accident with one of these doubledecker trailers that were built for cattle that they put horses in. And as you know, we've been over this a thousand times, horses are considered flight animals. They're like dogs when you... you have them on a leash they're ready to take off as soon as you unleash them, unlike cattle or sheep. So, when you have horses and you transport them there's accident that way it's a very, very, very unsafe problem. Very unsafe. People get hurt, people This is senseless. Now, will it cost a few will die. dollars for them to do it the regular way, just put them on a horse trailer, yes, it might cost some companies a few dollars. This is not the horse slaughter Bill. We're not putting anybody out of business, we're not changing the way things are done. All we're saying is, let's be safe. This is a little bit to humaneness, which is actually true. You're not supposed to shove horses into these things, but way beyond that, it's a safety issue. This has nothing to do with the horse slaughter Bill or any other Bill. It's strictly a safety issue to save lives on the highway. There is no reason to have these flight animals if there is another accident and there will be... accidents do happen. And when another accident occurs, we don't want these horses all on the highway and police officers, EMT workers being trampled on and hurt because we said, let's save a few dollars and shove these horses into a double-decker situation when they weren't built for double-deckers. all you have to do is vote 'yes'. It's a safety issue.

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And everything in the State of Illinois will be fine. Thank you."

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

Biggins: "Well, not exactly, Mr. Speaker. But I'm not necessarily sure how I'm going to vote on it. But may I ask one question of the Sponsor?"

Speaker Hannig: "All right. So, we'll give you an opportunity to ask a question."

Biggins: "Thank you."

Speaker Hannig: "The Lady will yield."

Biggins: "Thank you. I appreciate that. And the horses appreciate it I think too. Representative, does... does a horse know what deck he's on? The first deck or the second deck?"

Osmond: "Does the horse know?"

Biggins: "Does the horse know he's in the upper... second deck or the first deck?"

Osmond: "I don't believe so."

Biggins: "Well, do you think the horse cares if he's on the first deck or the second? He doesn't even know what deck he's on."

Osmond: "I'm not sure I understand your question, Sir."

Biggins: "If... we're trying to get the horse... the Bill does not let them be carried upstairs, is that right?"

Osmond: "The transportation of equine, yes."

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- Biggins: "Yes. Well, then... but, if the horse doesn't know it's on the second... upstairs what's... what... what difference does it make?"
- Osmond: "I'm not sure that that is irrelevant."
- Biggins: "That's why I haven't… that's why I haven't made up my mind yet. Thank you for the clarity. Thank you, Mr. Speaker."
- Speaker Hannig: "Representative Osmond, you're recognized to close."
- Osmond: "Thank you. I do believe that this Bill is a good public safety Bill. I believe that the transportation of horses should be in a trailer that is designed for the transportation of horses, not transporting horses in a hog or a beef trailer. This has nothing to do with transportation of beef, hog or any other thing but equine. And I would appreciate 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 Schock, Poe, Mitchell, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 80 voting 'yes' and 29 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Verschoore, you have House Bill 5534. Do you wish us to read that Bill? Representative Verschoore? Okay. Out of the record. Representative... Representative Wait, you have House Bill 5954. 5954? Out

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of the record. Representative Yarbrough, you have House Bill 5164. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5164, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker, Members of the House. House Bill 5164, as amended, amends the Public Community College Act by providing that buildings of community colleges are to be made available for emergency purposes rather than as civil defense shelters. In addition, this Bill provides that colleges must cooperate with the Illinois Emergency Management Agency, local emergency management agencies, state certified and local public health departments and federal agencies concerned with emergency preparedness and response. Be happy to answer any questions."

Speaker Hannig: "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 110 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 5534."

Clerk Mahoney: "House Bill 5534, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Verschoore."

Verschoore: "Thank you, Mr. Speaker, Ladies and Gentlemen. What House Bill 5534 does... this... last year I ran this Bill,

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it passed both the House and the Senate and then was vetoed. We overrode the Veto in the House with 107 votes and the… the Senate President decided not hear it over there. But what it does is it raises the reimbursement for workers in the state that use their own vehicles for gas, in our case, the General Assembly. When the Federal Government raises the reimbursement rate, it goes in effect at that point, like as I believe in January 1, where the people that work for this particular… for the state, it doesn't go in until July of that year. In contrast, if they revert it back or it goes down, they do it automatically at that point. So, this is just a fairness for, I believe, the workers of Illinois. I'd ask for an 'aye' vote, but I'd be glad to answer any questions."

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

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

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

Dunkin: "Representative, I'm just curious. Why is there such a.m. a distinction? I mean, it's not major amounts of money, but why is there... why we always lagging the Federal Government? I mean..."

Verschoore: "Why is the Federal Govern..."

Dunkin: "Why is... why is their rate higher and our rate lower?"

Verschoore: "I... Mr. Speak... Mr. Speaker, I can't hear him."

Dunkin: "Why is the federal mileage reimbursement rate higher than the State of Illinois?"

Verschoore: "Well, because they... they figure out every year what it costs to operate an automobile. They... they... the

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Federal Government figures out every year what it costs per mile to drive your vehicle and that's what sets the per diem rate for the State of Illinois. As Legislators and other people, we get that when it goes up or it goes down, the state sets that rate for us. We get it immediately. These folks if... if it goes up January 1, like it does for us, they don't get that increase until their fiscal... 'til the fiscal year starts for the state until July. So, they lose all of that... that... that difference in the mileage rate for that many months. And a lot of these people don't... they don't make ten dollars (\$10) an hour."

Dunkin: "Are we the only state that's behind the Federal Government?"

Verschoore: "You mean as far as state workers? I can't answer that."

Dunkin: "How long have we been behind the state… of the Federal Government, when it comes to mileage reimbursement?"

Verschoore: "Pardon me?"

Dunkin: "Did you hear the question?"

Verschoore: "No."

Dunkin: "How many years have we been behind the Federal Government mileage rate?"

Verschoore: "That I can't answer. They brought me this Bill last year. So, I don't know how many years... I don't know how many years they've done that. They brought... the Bill was brought to me last year. And I don't know how many... as far as I know, it's been going on for several years."

Dunkin: "For several years?"

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Verschoore: "But it's never been... you know, like gasoline going up as much as it has been in the last, you know, the last couple or three (3) years is when they've really noticed it."

Dunkin: "Okay. Is there a particular fiscal impact that our state would have if we were to make a shift?"

Verschoore: "Not a significant amount..."

Dunkin: "Let's say in the next fiscal year?"

Verschoore: "...there was a bunch of fiscal notes put on this and it came back that there wasn't a great impact."

Dunkin: "It was... it was... I don't see any fiscal notes on here.

Was it last year or two Sessions ago?"

Verschoore: "Maybe last year, I don't know."

Dunkin: "I mean, according to my analysis I don't see...
anything."

Verschoore: "Pardon me?"

Dunkin: "I'm just trying to understand. Because it's been like that for such a long time, trying to figure out why we've always been behind. Especially with the mileage..."

Verschoore: "Well, I can tell you why..."

Dunkin: "...and gas increasing."

Verschoore: "I can tell you why it's been such a long time, because whenever they would... in the past, whenever they would pass it in the Senate, a House... a House Member would pick it up and not... would just decide to hold it. And so, that's why two (2) years ago I went to that House Member and asked them to give the Bill to me. And I moved it and it passed with a large majority of both the House and the Senate."

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Dunkin: "Do you know what formula the Federal Government uses to get the mileage rate?"

Verschoore: "I would imagine they go to like the American Auto Association or someone like that. I don't have any idea."

Dunkin: "Okay. No, I'm saying what mathematical formula do they use?"

Verschoore: "Pardon me?"

Dunkin: "What... do they use... do an algorism (sic-algorithm), do they do an actuary?"

Verschoore: "Well, what... what they... how they come up with..."

Dunkin: "Yes."

Verschoore: "...what it cost per mile..."

Dunkin: "Yes."

Verschoore: "...is how much gas is, how much tires are, what it costs for a new car, depreciation, that type of thing.

That's what they base that mileage on."

Dunkin: "It has nothing to do with the quality of the roads or the cost of gasoline?"

Verschoore: "I don't know about... I don't know whether they take in the quality of roads. It would be like for your car, what it costs, how much it depreciates, the price of gasoline, the price of tires, maintenance and that type of thing."

Dunkin: "So, the Travel Regulation Council, is that a statewide organization or a federal organization?"

Verschoore: "The what... what?"

Dunkin: "The Travel Regulation Council? Are you familiar with them?"

Verschoore: "That... that's a federal, I think."

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Dunkin: "We've got a lot of questions here..."

Verschoore: "You have."

Dunkin: "...that needs to be answered."

Verschoore: "Yeah, you have got a lot of questions."

Dunkin: "We're just trying to get some clarification on."

Verschoore: "Pardon me?"

Dunkin: "I'm... I'm just trying to get some clarification on."

Verschoore: "Well, whatever. We'll let it vote on it."

Dunkin: "Thank you."

Verschoore: "Thank you."

Speaker Hannig: "Representative Black."

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

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

Black: "Representative, I think the crux of the issue, how often in a year would the Federal Government reissue mileage allowances? Do the feds do it every quarter, every month? Could they do it every week? I don't know the answer to that. I'm try..."

Verschoore: "I think... I think it's yearly, Representative, unless there's a significant drop in prices or a significant rise in prices."

Black: "So, generally speaking, if the Federal Government were to increase the mileage for your deduction purposes, it really isn't a reimbursement rate that covers your expenses... I don't know how much it would have to be to do that today, but if it's currently forty-eight and a half cents a mile, would be the allowable Internal Revenue Service deduction for your automobile. So, that... that sets what the per mile reimbursement rate would be, correct?"

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Verschoore: "Right. But I think it's fifty-two and a half cents now."

Black: "Oh, it's even gone up more?"

Verschoore: "Yeah."

Black: "All right. So, the state would only, except under very rare circumstances, the state would only have to advance what they're reimbursing one time in a fiscal year, wouldn't that seem reasonable?"

Verschoore: "That's the way I interpret it, yes."

Black: "All right. Now, is there anything in your Bill that makes certain that if the reimbursement rate allowed by the Federal Government under the IRS Code goes down, will we then automatically take the lower rate?"

Verschoore: "Right."

Black: "And we wouldn't have to wait until the next fiscal year to do so?"

Verschoore: "See, that's what the disparity is here for us. We get it starting January 1 or approximately that time, the people... the state workers don't get that until July. But now say, in September or something and... and the Federal Government decided to drop it back \$.02 or \$.04, rather than wait 'til the next fiscal year for the state workers, it drops them auto... automatically. So, it's not..."

Black: "Okay."

Verschoore: "...being fair to them, I don't feel."

Black: "All right."

Verschoore: "That's why I'm running the legislation."

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Black: "So, it's just trying to recognize if the federal allowance goes up to \$.53, \$.54 cents, then that allowance rate would be available to state employees..."

Verschoore: "No."

Black: "...under the travel board?"

Verschoore: "No, they wouldn't get it until the following July."

Black: "But under your Bill, they would then get it probably in..."

Verschoore: "Right."

Black: "...the next pay period, correct?"

Verschoore: "Just like... just like we would."

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

Verschoore: "Thank you."

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

Verschoore: "I would just ask for an 'aye' vote. And thanks for all the good questions."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 29 of the Calendar, under the Order of Constitutional Amendments-Second Reading is House Joint Resolution Constitutional Amendment 28. Mr. Clerk, what's the status of this Amendment?"

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- Clerk Mahoney: "House Joint Resolution Constitutional Amendment 28 is on the Order of House Joint Resolution Constitutional Amendments-Second Reading. It has been read two (2) times, previously."
- Speaker Hannig: "Move that to the Order of Third Reading and read the Amendment."
- Clerk Mahoney: "House Joint Resolution Constitutional Amendment 28, offered by Representative Franks.
  - RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the General Election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 7 to Article III of the Illinois Constitution as follows:

#### ARTICLE III

#### SUFFRAGE AND ELECTIONS

- SECTION 7. RECALL OF EXECUTIVE OFFICERS AND MEMBERS OF THE GENERAL ASSEMBLY
- (a) Electors may petition for the recall of an executive branch officer as identified in Section 1 of Article V or a member of the General Assembly. If the recall petition is valid, on a separate ballot the question "Shall (officer) be recalled from the office of (office)" must be submitted to the electors, along with the names of any candidates certified for the successor election, at a special election called by the State Board of Elections or at a regularly scheduled election to occur not more than 100 days after the date of certification of the recall petition. The

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officer or member subject to recall may be a candidate in the successor election.

- (b) An executive branch officer or member of the General Assembly is immediately removed upon certification of the recall election results if a majority of the electors voting on the question vote to recall the officer or member. If an officer or member is recalled, the candidate who receives the highest number of votes in the successor election is elected successor for the balance of the term. Once a recall election petition is certified, the petition may not be withdrawn and another recall petition may not be initiated against that officer or member during the remainder of his or her current term of office.
- (c) Any elector of the State, or the applicable Legislative or Representative District, may file an affidavit with the State Board of Elections providing notice of intent to circulate a petition to recall an officer or member no sooner than 6 months after the beginning of the officer's or member's current term of office. The affidavit must identify the name of the officer or member and the office to be recalled, the name and address of the proponents of the recall petition, and the date of filing with the State Board of Elections. A recall petition shall not be circulated prior to filing the affidavit, and a recall petition must be filed with the State Board of Elections no later than 160 days after filing the affidavit.
- (d)A petition to recall an executive branch officer must include signatures of electors of the State equal to at least 12% of the total votes cast for the office in the

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election at which the officer was elected, with signatures equal to at least 1% of the vote for the office from at least 5 separate counties. A petition to recall a member of the General Assembly must be signed by electors of the respective Legislative District or Representative District equal to at least 20% of the total votes cast for the office in the election at which the member was elected. The form, circulation, and manner of filing a recall petition shall comply with the requirements provided by law for a statewide advisory public question, except the deadlines set forth in this Section.

- (e)A recall petition is valid unless an objection is made within 45 days after the date the petition is filed, and an objection to the recall petition may be made in the same manner as to a candidate for the office subject to recall. The State Board of Elections shall certify the recall petition not more than 105 days after the date the recall petition is filed. Any recall petition or election pending on the date of the next General Election at which a candidate for the office subject to recall is elected is moot.
- (f) If a recall election is initiated, the name of no successor candidate may appear on the ballot unless a nominating petition has been filed with the State Board of Elections no more than 40 days after filing of the recall petition. The nominating petition of an established party candidate must contain the same number of signatures and be circulated in the same manner as an established party candidate for nomination to the office subject to recall,

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except the petition must be circulated no more than 40 days prior to the last day for filing nomination petitions. The nominating petition of an independent or new candidate must contain the same number of signatures and be circulated in the same manner as an independent or new party candidate, respectively, for election to the office subject to recall, except the petition must be circulated no more than 40 days prior to the last day for filing nomination petitions. A nominating petition may be objected to in the same manner as a candidate for the office subject to recall, unless otherwise provided by law. The State Board of Elections shall certify a valid nominating petition not more than 105 days after the date the recall petition is filed.

- (g)An election to determine whether to recall an executive officer or member of the General Assembly and to elect a successor shall be proclaimed by the State Board of Elections and held not less than 60 days and no more than 100 days after the date of certification of the recall petition.
- (h) The provisions of this Section are self-executing and judicially enforceable.

#### SCHEDULE

The State Board of Elections shall proceed, as soon as all the returns are received but no later than 31 days after the election, to canvass the votes given for and against this Constitutional Amendment, as shown by the abstracts of votes cast. If this Constitutional Amendment is approved by either three-fifths of those voting on the question or a

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majority of those voting in the election, then the State Board of Elections shall declare the adoption of this Constitutional Amendment and it shall, upon declaration of its adoption, take effect and become a part of the Constitution of this State. This Schedule supersedes and applies notwithstanding any statute to the contrary, and no other requirements, including without limitation proclamation of the results of the vote or notice by publication, are necessary for its effectiveness. This is the Third Reading for House... in full of House Joint Resolution Constitutional Amendment 28, as amended."

Speaker Hannig: "So, we're going to begin debate on this Constitutional Amendment. We're going to use the rules of Extended Debate, which mean that five (5) Members can speak on each side and they'll be limited to 5 minutes under the rules. Representative Franks, you're the Sponsor. So, you're recognized for 5 minutes to begin the debate."

Franks: "Thank you, Mr. Speaker and Members of the General Assembly. I appreciate this opportunity; it's been a long day coming and I appreciate so many people who have worked on this Amendment. I believe that Illinois needs to join the other eighteen (18) states that have a recall provision in their state's constitutions. The Illinois Constitution currently only allows the Legislature to impeach an elected official for high crimes or misdemeanors. Illinois voters deserve a way to remove an incompetent elected official who has not committed a crime. Our Resolution, House Joint Resolution Constitutional Amendment #28, gives the voters in Illinois the opportunity to have a California-style

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recall system. Now, recall is an extreme solution. legislation provides that the people would need to collect petitions equal to 12 percent of the voters in the last election within a hundred and sixty days (160) of filing for a recall election to take place with the State Board of Elections. Over three and a half million (3,500,000) voters turned out in the polls in the 2006 General So, this would mean that people who would want a Election. recall would need to get over four hundred and sixteen thousand (416,000) signatures to initiate the process. And recalling Members of the Legislature would require percent of the people who voted for the official in the last election to sign that recall petition. If we have an extremely bad elected official, an extreme remedy may be required. It's not illegal to be inept, but sometimes waiting for the next election is just waiting too long. Historically, voters have used recall powers responsibly and sparingly. Only two (2) Governors have been recalled in American history. North Dakotans voted to recall Governor Frazier in 1923 and Californians removed Governor Gray Davis eighty (80) years later in 2003. Recall legislation empowers the electorate. This is a grass root way for people who are unhappy with their elected officials to make a real change. Recall election is not about partisan politics, even the Governor supports this. have many folks on the other aisle who are cosponsors. the need for a recall goes beyond any one officeholder. Illinois there are more federal agents investigating corruption than in any other state. People have lost faith

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in our government. They've lost faith in their elected officials. Our last Governor is sitting in a federal penitentiary. Our current Governor is mired in a number of and state investigations; his two (2) fundraisers, one's on trial and the other one's indicted. The citizens need a way to take back their government. any state needs to give voters a power to recall, it's Illinois. We have a long history of malfeasance in our government. This is not what government's supposed to be We should do better. We have to expect to do better and people demand for us to do better. Right now, only way to get someone out of office is impeachment and I'm not aware of that ever happening in this state. But we need to empower the citizens to have the ultimate ability to reclaim their government. I ask for your support on this measure and I'd be glad to answer any questions."

Speaker Hannig: "Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "State your inquiry."

Black: "Yes. Would the Clerk illuminate what Amendments are on the Bill?"

Speaker Hannig: "Mr. Clerk."

Clerk Mahoney: "Amendment #1 was adopted in committee. And Floor Amendment #2, offered by Representative Franks, was adopted on the floor."

Black: "So, Floor Amendment #3 has not been adopted?"

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- Clerk Mahoney: "Floor Amendment #3 was referred to the House Rules Committee."
- Black: "But has not been adopted by the House, correct? All right. So, Floor Amendment #3 is not on the Bill? Okay. Will the Sponsor yield?"
- Speaker Hannig: "He indicates he'll yield."
- Black: "Representative, what constitutes a definition of 'incompetence'? If... if you recall an officeholder based on incompetence, what... what standard of proof or do you even need a standard of proof to move?"
- Franks: "There is no standard of proof. There is no standard of proof, Representative."
- Black: "All right. So, I think that's one of..."
- Franks: "You'd have to fill out... you'd have to fill out the petition. We'll have someone... let's assume someone wants to recall the Governor. That person would have to fill out an app... a petition stating that... the reasons that that individual or group believes that that officeholder should be recalled. Then it would go to the State Board of Elections, be certified, then they'd have a hundred and sixty (160) days to go get the requisite number of signatures needed. But there is not a cause provision whatsoever. And if they don't use a good reason, I presume, people won't sign the petition."
- Black: "All right. What... let... let me pursue that. It would be possible then for someone with a personal grudge or even a political grudge to move... to start the petition process to recall an officeholder, correct?"

Franks: "Sure. There's no prohibition..."

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Black: "All right."

Franks: "...against anyone running against us who has a personal grudge."

Black: "Yes, I'm familiar with that. One question that comes to mind, and I wasn't here for the… the first debate, so forgive me if you've already covered this. Why was it decided to remove judges from the recall provision?"

Franks: "We... we were concerned, quite frankly, about the constitutionality and the separation of powers."

Black: "All right."

Franks: "So, that's why we focused on the Executive and Legislative branches."

Black: "The reason I ask that... very close to my legislative district there's been a rather long and very unpleasant case of judicial misconduct. So... but you think there are means and methods to take care of judicial misconduct?"

Franks: "I do."

Black: "All right."

Franks: "And... and if there's a separate Bill, I think that would probably make it cleaner."

Black: "Okay."

Franks: "So, we wouldn't invalidate this."

Black: "All right. Let... let me ask you one question, the current... a sitting Governor whose term does not expire until January of 2010, should this Amendment pass and be approved by the voters, I assume it would go into effect on January 1 of 2009?"

Franks: "Yeah. The voters would vote on it, assuming we had this passed and the Senate passed it. The voters would

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have an opportunity to vote on it on November 4 election. Then, if they accepted it, I believe it would become the law as of January 1."

Black: "All right. One of the questions that I have. If you are a current officeholder in the middle of a four-year term, then this recall Amendment suddenly becomes effective, is there no question of constitutionality? You were elected during a time when there was no recall, and before you complete your four-year term, now you have a new law that you evidently may be subject to or would it only take effect upon the next election?"

Franks: "This is not a... a new law per se, it's a Constitutional Amendment."

Black: "I do... I apologize, you're correct."

Franks: "Well... well, there is a big distinction, because our Constitution allows the citizens to amend the Constitution at any time. So, it would not preclude a change in the Constitution during any officeholder's tenure."

Black: "All right. And you can only use a recall petition against an officeholder one time during his or her term?"

Franks: "Correct. And you have to wait until that person has been in office at least six (6) months, as well."

Black: "All right. But other than the… and we all face the voters in this chamber on a regular basis. Other than… and I still have some inherent faith in the common good sense of people. Other than their common good sense, there is no protection for a personal or political enemy to start the process to remove an officeholder, correct?"

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- Franks: "You could always... well, there's no prohibition or protection for people doing that now when they run against an incumbent. And you can always challenge the petitions, as well. It's just... this is an extraordinary remedy with an extraordinarily high threshold. To get four hundred and sixteen thousand (416,000) signatures is incredible in a... in a small amount of time and it's only been used twice in this last century for a sitting Governor, if that gives you any idea how often it is used."
- Black: "And the elected official, because we are considered in the public realm, if some..."
- Speaker Hannig: "Rep... Representative, you're... could you bring your remarks to a close, please."
- Black: "...very definitely. Thank you for your kindness, Mr. Speaker. There is... there can be no cause for civil action for an officeholder who survives a recall election and says to the petition originator, you called me an incompetent so and so, therefore I'm going to sue you for defamation of character. We don't have that protection because we're in the public eye, correct?"
- Franks: "I... Yeah, correct. Yeah. We're not changing any of that."
- Black: "Okay. So... so, if there was a twenty-three-year-old staffer that I called a name, she can't sue me, can she?"

Franks: "You'd have to ask your counsel."

Black: "I'll look into that. Thank you."

Franks: "Yeah, that's right. Thank you."

Speaker Hannig: "Representative Currie."

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Currie: "Thank you, Speaker and Members of the House. Recall is certainly a seductive idea. It's rhetoric is powerful. Let the people speak, hold the politicians accountable 24/7, 365 days a year, but it's promise, I believe, is it risks a deceptive and properly functioning representative democracy. Recalls do not happen in a political vacuum. Voters across the state don't wake up one morning and say, oh, let's go out and dump old so and No, recalls happen when the losing political Party takes to the warpath. Recalls happen when deep pocket special interests and millionaires go out and buy the signatures it takes to put the question on the ballot. Darrell Issa, a wealthy conservative Congressman from California, decided he wanted to be Governor, but he didn't want to run at a regular election, he preferred recall. cost him one and half million dollars (\$1,500,000), but he got recall on the ballot. Recall is explicitly about empowering the people who lost and the Party that lost, the political Minority. It's a direct assault on our majoritarian system. It raises the specter of a permanent election cycle. Recall gives the losers a second, a third, a fourth bite at the apple. What's the sense in that? Recall encourages governance by public opinion poll. we already complain that our Leaders lack backbone? Why would we want to make it even less likely that our public officials will follow conscience and Constitution? push them into an even greater dependence on the whims of a changeable Majority? Well, you may say, recall doesn't happen all the time, but the threat of recall is always

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there. Just ask the subjects of California recall efforts, Governors Ronald Reagan, Pat Brown, Pete Wilson and Jerry Brown. And who gets recalled? I'll tell you who. The official who ordered the municipal swimming desegregated. The lawmaker who stood up for members of a minority group, for minority rights especially, when those minorities are despised and feared. Alexander Hamilton put it like this, 'the recall will render the Senator a slave to all the capricious humors among the people.' Why is there a sudden and overwhelming need to end a term in the middle? The election cycles that are the subject of this recall Amendment are short. We don't eniov appointments. We don't even have the six-year term of the United States Senator. No, our terms are for two (2) years or four (4), not a moment longer. And there's a perfectly good mechanism under our Constitution to send us packing if the circumstances warrant. It's called impeachment. If we betray the public trust, if we're derelict in our duties, we can and we should be impeached, but you have to have evidence to impeach. You have to charge the lawmaker or the executive with something. This recall Amendment requires nothing. No statement of fault, no list of improprieties. It's enough to recall if you don't like the way the Governor blow dries his hair or you don't like the cut of the Attorney General's pantsuits. Our current constitutional framework is sound. Frequent elections guarantee accountability to the electorate. Impeachment gives us an opportunity to oust the officials who cross the line and government by public opinion is not good enough

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for the people of the State of Illinois. The right vote on HJRCR (sic-HJRCA) 28 is a 'no' vote."

Speaker Hannig: "The Gentleman from Winnebago, Representative Winters."

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

Speaker Hannig: "Indicates he'll yield."

Winters: "Just a couple of questions. How closely does this Constitutional Amendment parallel the recall provisions that are in other state Constitutions?"

Franks: "It's very close to California, because we have it self-executing like they did, where there'd be two (2) questions on the ballot should this pass: Should the officeholder be recalled, number one; number two, Who should be the officeholder? Who would you want to vote for? So, there'd be two (2) questions on the ballot. Obviously, if the first one doesn't pass, they wouldn't... they wouldn't count the second one."

Winters: "Right. Is this provision... can it be amended in the Senate if we come up with another idea to make it better?

Or... or is it locked in the chamber of origin? That was the... just the..."

Franks: "It could be amended there, but I'm worried about time..."

Winters: "Right."

Franks: "...because they have to have the three-day issue and then to get this on the ballot in November by... we have to have this passed by May 4 in both chambers."

Winters: "Right. In... in that case that we do have the time, I would, again bring up the issue that it would be possible

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the way this Bill is drafted to have a majority of the voting public vote to recall an official and then because it is a first past the post election to replace him, that if he has a strong contingent, although it may be a very small minority, but 20 or 25 percent might be the leading vote total that the person who is being recalled would then automatically be reelected to the same position. I think that is an Amendment that would make this much better. And if there is time in the Senate, I would urge that that be adopted."

Franks: "Thank you."

Winters: "One other... just speaking to the Amendment, Mr. Speaker. This is a do-over for the public. Representative Currie mentioned that the Governor of California who was recalled, Gray Davis, had done many marvelous things, but what she failed to mention is that he was an abysmal failure when California went into a deregulation of the utility industry and under his leadership California melted down. They had rolling blackouts. Their industry was severely, severely impacted by their inability to handle their utilities. And that demonstrated failure California is what precipitated the recall of that Governor. Just because you do good things 90 percent of the time, if you make an error so egregious, so drastic, so dramatic that the public is fed up to... to their gills, then they need the chance to say, you know this guy has not done what he should do for us. And it gives the electorate a chance of a do-over before the end of a four-year term. I do encourage this Body to approve the recall provision. I

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think that the public... I trust the public's maturity and their thoughtfulness. I don't believe that we'll see recall petitions filed egregiously, that we'll see them surface very often. In the states that have had this, the eighteen (18) states that have recall provisions, we've only had two (2) Governors recalled and I believe the recall has been in effect in some states over ninety (90) years. So, I think this is a reasonable power that the electorate in this state should have and I encourage not only the adoption in this chamber, but let's try to fix it a little bit more in the Senate and give them a very, very good Amendment to approve or disapprove in the November election. With that, I urge a 'yes' vote. Thank you."

Speaker Hannig: "We've now had two (2) in favor and two (2) response. Representative Hoffman, you're recognized for 5 minutes."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I appreciate the comments of the Sponsor as well as the Majority Leader and others on this issue. I guess those who were in this chamber a week ago understand that I may be a bit passionate and some would say overzealous about this issue. But for eighteen (18) years I've been in this House and I've served, I believe, with very... many people who are very distinguished, I would call them statesmen. I would call many here who work so hard and think these issues through as some of the best that we have in Illinois. And I stand here today as that elected Representative. Because of my relationship with the Governor, seems as though every time I get up I'm known as

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his floor spokes... spokesman and I don't... I don't shy away from that. I don't run away from that, I accept it. But today I'm standing here before you as an as a defender of republican... Representative, of republican government, as a defender of a representative way of government where people elect us: teachers, farmers, businessmen and women, lawyers that come here to do the job that they sent us to do, to use our best judgment. easy? It's not always easy. Tough votes just today, every day, tough decisions. So, if we allow to be on the ballot, after we just were elected six (6) months earlier, a petition for recall who is going to have the guts, who is going to have the ability, who is going to be able to stand up to the special interests day in, day out, when these tough decisions need to be made on the floor of this House? If you vote against labor... if you vote against labor, will they try and recall you? If you vote against business, will they threaten you with a recall petition? If there's a Bill that pro-choice and you vote for it, will the prolifers try and come and recall you? If you vote anti-gun, will then the gun and the NRA come to try and recall you? If you vote for civil unions, will the people who are against them going to try and recall you? If you vote for issues that with regard to the rights of immigrants in the state, will the people who don't care about those rights try to come and recall you and take you out of office for making sure you voted your conscience? The trial lawyers, will they try and recall you if you vote with the doctors? Will the doctors try and recall you if vote with the trial

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lawyers? You're going to face this over and over, regardless of what you think about the Governor or the Lieutenant Governor or the Secretary of State or Attorney General or the Comptroller or the Treasurer. Think about what you're doing to this institution. Think about what you're doing to your independent ability to analyze an issue, attempt to grasp it and not always do what's the best thing in the polls, but do what you think is right in your heart and for the people who sent you here. You don't have to look any further than to just see the mockery of the recall election in California. What happened in the California election? Well, you may like the results. may like the winner, seems like a nice man. Had a great... great history. Has done a decent job as Governor, I believe. But who ran? Who ran in that election? able to be on that ballot? We had Gary Coleman. remember, he was Arnold in Different Strokes. He didn't get a lot of votes, but he was on the ballot. We had a guy named Daniel Watts, a student, who paid his filing fee to run for Governor of... of California with money he won on Wheel of Fortune. Well, I guess that's the American way. We had Mary Cary, a pornographic film actress and we had Larry Flynt, the publisher of Hustler magazine, running for Governor of California. Let's not make a mockery of the electoral process. We're talking about here, recalling and redoing what the electorate has done. The votes that they have cast. What will be the result of this Bill? going to just throw the doors open to special interests. People who can get money in order to have a recall

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petition, put them on the ballot… put us on the ballot for recall. We're going to allow them when we go out here and we talk to them about issues to say to us…"

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

Hoffman: "...is that right? Is that right? I'll bring my remarks to a close, Mr. Speaker."

Speaker Hannig: "Thank you, Representative.

Hoffman: "Let me just say this. The very fact that a recall petition is put out on the streets against you, will be used against you in your elections. I guarantee you. Whether you're recalled or not, it will be. And the very fact that we're sitting here today, regardless of your motives, regardless of whether you want to send out a press release and say, I did the right thing and I'm the ethical person. Please don't do this. Don't do this so you can send out a press release. Don't do this because someone's telling you you have to vote this way or you could face trouble at the ballot box. Don't do this because you don't like one man. Don't do this, because what you're doing is you're trampling on our representative form of government, the right for you to do the right thing and our Constitution. I ask for a 'no' vote."

Speaker Hannig: "Representative Rose."

Rose: "Thank you. I don't have any questions. I just want to state that everywhere I went over spring break, people asked about this. But it wasn't an ask, it wasn't a request, it wasn't, hey, what do you think about this? It

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was a demand. It was a demand. And my vote is based on that."

Speaker Hannig: "Representative Lang."

"Thank you, Mr. Speaker, Ladies and Gentlemen. I know that most of you are aware of my particular relationship with this particular Governor. And I'm... I believe that most of you would expect me stand up on the floor of this House today and support Representative Franks proposal, but I do not. I believe this is a badly directed proposal. I believe it is bad public policy for the State of Illinois. And I believe we should defeat this proposal today. There are several reasons for this. First, despite my reluctance to go along with many of the proposals of this Governor and despite my concerns about this Governor's overreaching and this Governor's not following our rules and this Governor's lawsuits that he files and his playing around with JCAR and all the other things that make us angry in this chamber about this Governor, this recall petition... this recall Amendment is not about this Governor. The people in Representative Rose's district who demanded that he vote for this, demanded that they vote for this because of this Governor. But this will be a change in our Constitution forever. This is not a change for the next year or two (2) or three (3), it's a change forever. One other Representative tried... said, well, what do we do when we have a failed Governor? Well, I would submit to you that that's what we have elections for. We have elections to deal with failed Governors and failed elected officials and failed State Representatives, I might add. This isn't

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about the actions of one Governor at one moment in the history of the State of Illinois. This is about public policy, not just for now, but forever. And for us to use what some of us consider the antics or the failures or the actions of this Governor to say, well, we... we can't make a change any other way, we better do a recall. We better change the entire Constitution of the State of Illinois because of the actions of one man, I just think is not good public policy, Ladies and Gentlemen. Those of you who think this Governor has broken the law of the State of Illinois, if you do, file whatever Resolution you think is appropriate under the current Constitution, under current rules and under the current statutes of the State of Illinois. But don't change the Constitution over our concern about one individual. Next, if you take a look at the language of this Amendment it applies to everyone but us, because we have two-year terms. It takes 365 days or more to move this petition forward, in essence we don't get... there can't be a recall against State Representatives and I question whether that's constitutional. I question whether we can put into the Constitution a provision that says, all other elected officials can be recalled, but not Members of the Illinois House of Representatives. something wrong with the way this is written. Next, the Now, I know that if you feel certain elected officials ought to out, the cost is irrelevant. But that fact is, there's a huge cost to doing this petition, to having a new election, to going through the process, a huge economic cost. But there's also a huge governmental cost.

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During the 365 or more days that this petition would be moving forward, we would be crippling the State of Illinois. The Governor we do have, whether he or she is good, bad or indifferent, would have zero ability to do their job during that period of time. Now, some here would say, well, that's good. We'd rather this Governor do no work than the work he's doing. But the fact of the matter is it's irresponsible for us to pass legislation or to turn over to the people of the State of Illinois, who are bright, but maybe don't understand the every day nuances of State Government, to say to them, you want this guy out, you want this in, don't worry we'll run the state for a year without him or her, I think is folly and I think it's wrong. I do not believe that when there's an election on the horizon Mr. Speaker, if I could have just one more minute to finish, please?"

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

Lang: "Thank you. I do not believe that when we have always an election on the horizon we can afford to cripple the State of Illinois further. Whether it's the Governor or any other constitutional officer or someone in the Illinois Senate, 'cause as I said, again, it doesn't apply to us. Do we want to vote for something that would enable the people of our state to say to us, shut down Illinois government because you don't have a Governor. Shut down the Attorney General's Office because you don't an Attorney General. Shut down the Treasurer's Office, let's have no one that can write the checks because they can't do their

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work while the petition is pending. Ladies and Gentlemen, this is bad public policy. It's bad for the state, it's bad for the people, it's bad for this institution. Please vote 'no'."

- Speaker Hannig: "Representative Granberg, you're recognized for 5 minutes. Representative Granberg."
- Granberg: "Thank you, Mr. Speaker. Representative Franks, I was not here last week. So, I can ask you a few questions?"

Franks: "Sure, sure."

- Granberg: "Representative Black, alluded to three (3)

  Amendments being filed on this Bill. Can you briefly explain what each one was?"
- Franks: "Amendment #2 was the one we adopted last week, which removed the judiciary from the Bill. Amendment #3 was the hostile Amendment and that was not adopted."
- Granberg: "And what was that Amendment, though?"
- Franks: "To provide that the Governor and Lieutenant Governor together would be recalled."
- Granberg: "Okay. Well, Jack, when... when you exempted the judiciary, that branch of government, associate judges are appointed, Circuit judges are elected, Appellate Court judges are elected, Supreme Court judges are elected. What was the rationale to exempt the judiciary."
- Franks: "Well, it was... we were concerned that there'd be a challenge on the grounds of an independent judiciary. And I'm not adverse to someone filing another Bill to have recall for judges. I didn't want this Bill to get bogged down with a constitutional challenge so we'd be unable to

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- use to it to protect the citizens. But that was my concern."
- Granberg: "And... and this Bill does not apply to the city officials of Chicago?"
- Franks: "No, it's... it's just for the constitutional officers and the Members of the General Assembly. So, people who work in this building."
- Granberg: "Okay. And it would not apply then, I assume, to Cook County and their officials?"
- Franks: "It's only for the people who work in this building."
- Granberg: "So, I'm just concerned about the Members who work in this building, because as you know now with the recent change in the law, our Members... we take our petitions now in August. We're sworn in in January, we take petitions out in August for the next year election."

Franks: "Yeah."

Granberg: "So, I'm afraid this would serve as a deterrent to get more qualified people and independent people to run of office."

Franks: "Why would you say that?"

- Granberg: "Because I'm afraid... it... it's enough... there are enough things that are adverse to getting good people to run. I think this makes it even more difficult. What would have happened, Jack, you think, if during our utility crisis... how many Members in this Body or the Senate would have had petitions filed against them for recall?"
- Franks: "I don't… historically, I think it's a great question.

  And there's a fallacy, what I'm hearing. Quite frankly,
  that doesn't jibe with reality. The fact of the matter is,

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this is an extraordinary remedy with very high thresholds to meet. It's only been utilized twice in the last eighty (80) years. So, these... these rantings that this is going to used on a daily basis just does not jibe with what's happened in eighteen (18) other states. It hasn't happened, that's no reasons to believe that it will happen here. And... and I prefer to trust the voters. And to understand... really, I believe them. I don't know what we're afraid of. And if they think that we're not doing a good job, then they... they can vote us out certainly, but four (4) years is too long to wait because there's too many things that are... that affect folk's lives."

Granberg: "Okay. Well, Jack, you've accomplished what very few in this chamber can actually attest to and that is, you're getting Barbara Currie and I to agree on an issue."

Franks: "Yeah, yeah."

"But I will say this in all seriousness, this is a Granberg: very, very serious issue when we talk about amending our Constitution. You looked at the forefathers who established the U.S. Constitution, we patterned ours after them. They wanted to be... the House to be the house of people. That's why they have two-year terms. And the Senate to be one that's more stable that doesn't give into political pressure on issues... that's not just responding to issues. I can't imagine how many of our Members in the Legislature, in this great institution, would have been subject to recall over the utility crisis last year or the medical malpractice crisis which we resolved two (2) years ago. You're... you're politicizing the issue. The last

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thing we want to do to this institution, to this Body, the Senate, the Legislature, is to politicize it even further. It's too politicized the way it is now, Jack. And by doing this, we're politicizing it even more. And I think it's denigrating to the elected officials. But much more importantly, I think it denigrates our Constitution. think it denigrates this institution of which we are proud to be Members, because this institution has lasted hundreds of years. With... and we recall, we have recall right now. Every two (2) years, every four (4) years. So, we have that in place. I see this as just politicizing the issue. And I just see it as, here we go, let's put our finger up in the wind and see which way the people... what they want us to do. And the people voice their concern every election. Jack, I think this is wrong. I think it's hypocritical for this just for political reasons and this us to do institution deserves better than that."

Speaker Hannig: "So, we've had five (5) speak in opposition.

And the rules provide... would provide that two (2) additional speakers could speak in support. Representative Eddy, would you like to speak in support? You're recognized for 5 minutes."

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

Speaker Hannig: "Indicates he'll yield."

Eddy: "Representative Franks, you... you kind of brought this up a minute ago in response to the previous speaker stating that this could turn into a frivolous type recall if somebody's upset with you because of a vote on an issue,

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even if it's a hot-button issue. How... how often has that happened? I think you mentioned twice in eighty (80) years?"

Franks: "Right. Illinois is not going to have a recall process because people are temporarily unhappy with one decision that an officeholder makes. This is really someone who can't do their job or won't do their job or is just lay... layer of layer of layer of incompetence or ineptitude or malfeasance or misfeasance. This is not going to ever happen for one vote or one issue. The eighteen (18) other states, eighty (80) years, two (2) successful recalls. Let's... we're losing sight. The other people I know are very passionate with their ideas, but they're not based on the history. It's not going to happen for one issue."

Eddy: "As... as I read the Amendment, the process is difficult, it's time consuming, it's cumbersome and it would take an organized effort. I... I understand the possibility that that organized effort could be financed, but I have a lot more faith in the people to see through a finance organized effort. I think... I think that the reason we're standing here today and debating this issue has to do with the fact that we have a dysfunctional government. I mean, the fact of the matter is, it's dysfunctional."

Franks: "Correct."

Eddy: "We... we're standing here arguing over whether or not the people of the State of Illinois should have a say in the process of recalling people they elected when things are this dysfunctional. This isn't about whether or not people should get to recall someone if they don't agree with them

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on an issue. This gives the people an opportunity to recall officials if the officials become so arrogant, they become so arrogant that they don't want to listen to the people anymore. That they decide that they can run for office on one platform and then as soon as they're in office do something totally different. This is about that arrogance. And I don't see this as anything to do with the losing political Party bringing a recall. What political Party are you in, Representative Franks? I... I don't see that correlation, maybe historically that's happened, but how in the world can that be the fear that if you lose to another political Party that this is what could happen to you? I... I don't understand that. Has that been something that... that seems to be happening in all the states where this provision's allowed for the people?"

Franks: "Of course not."

Eddy: "Ladies and Gentlemen of the House, we're here for one simple reason. The people of the State of Illinois deserve the opportunity for a mulligan, a do-over. And in this current climate, the people that I represent, absolutely want to see this happen. Representative Rose talked about the fact that he went home and he heard about the fact that people are fed up, they're tired of it. They're tired of the fact that we have a Governor, who when he doesn't get his way he sues everybody. He's gonna sue the Speaker, he's gonna sue the General Assembly. He's going to... he's going to do whatever it takes, throw whatever tantrum is necessary to try and get his way rather than working with the people in the General Assembly on issues that we care

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There are people here that care about education. There are people here that care about health care. But we respect the process. And we realize that the way to get something done is to work through the process, to bring before the Body legislation and give Representatives of the people the respect we deserve. Now, you say this isn't aimed at an individual, but the fact of the matter is and the truth of the matter is, we're here today because of an individual and because of dysfunctional government. This simply says to people, when things get this bad, when things are this dysfunctional, you have an opportunity. This government was founded on the principle that the people have a say, this gives them that say. Ladies and Gentlemen of the House, I urge a 'yes' vote because we've gotten to a point in this state that something this drastic is necessary. Whenever we have lawsuits, whenever we have dysfunction, when we can't fund government and we have nursing homes closing, it's time for this Body to let the people speak."

Speaker Hannig: "The Rules provide for one additional speaker in support. And Representative Tryon, you're recognized for 5 minutes."

Tryon: "Thank you, Mr. Speaker. I rise in support of the Gentleman from McHenry County's legislation. If you'd yield, I'd like to speak to the Bill."

Speaker Hannig: "Proceed."

Tryon: "Thank you, Mr. Speaker. We've debated this before, this is an important piece of legislation. And we've even invoked the name of Alexander Hamilton and gone back to the

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famous recall speech two hundred (200) years ago, the same man that was against state rights, the same man that thought the Federal Government should control individual freedoms. We are a country about individual freedoms. are a country about state rights. This is our state's right to put on the ballot for every voter, for every citizen, to consider the power of recall. It's a very powerful process. And what are we afraid of? afraid that the citizens in Illinois will vote 'yes' to amend our Constitution? Not only am not afraid of it, I think they should vote 'yes' to amend our Constitution, to hold the elected Representatives that they send here to represent them accountable. I took an oath of office when I get... got here. And my vision of that oath of office was I would not go home and tell people what was going on in Springfield, I would come to Springfield and tell them what was going home... on back home. When I go back home, people want to know what they can do. It's not just because of our Governor. They were saying this seven (7) years ago. This debate was going on twenty (20) years ago. This is the time to give the people of the State of Illinois an opportunity to vote on recall. We don't have to debate this for twenty (20) years, for ten (10) years. the time to do it. They want it. The media polling shows it's got an 80 percent favored rating. Give them the opportunity to say to us, we want to hold you accountable. We want a process that we control. It is a government of the people, by the people, for the people. How can you be afraid in this day and age of giving them what they should

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have had all along, what's worked in eighteen (18) other states and that's the security to know when they vote they also have the ability to put recall on the ballot. It's just an opportunity. We have the opportunity this year to have a Constitutional Convention, but maybe people don't want to vote for a Constitution (sic-convention) to rewrite the whole thing, maybe they just want to do one piece of it and maybe this is the piece they want to do. And we should give them the opportunity. I support Representative Franks in his effort and I urge an 'aye' vote."

Speaker Hannig: "Under the Rules of Extended Debate, we've now had five (5) speak on each side, we've had a good debate.

And Representative Franks, you're recognized for 5 minutes to close."

Franks: "Thank you, Mr. Speaker. I appreciate the very spirited debate and all the comments on both sides. like to respond to a couple of the arguments against it. We talk about the Constitution somehow being inviolate, that we can't change it. Two hundred (200) years ago our forefathers came forth with this. Listen, the Constitution is a living, breathing document that needs to change with time. We're on our fourth Constitution here in the State of Illinois. It's changed because it's needed to be changed. And there's never a better time than right now to change this Constitution to protect our citizens who desperately need it, who so desperately need it. We heard crazy arguments about the cost. I have the fiscal note here. The fiscal note shows that it would cost eighty-two thousand twenty-five dollars (\$82,025) for annual operating

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maintenance. I suggest that that's much less than the cost that the state... we had a hearing last week where a million dollars (\$1,000,000) went to a school, that none of us voted on, that they're trying to get back. We've had hearings where 2.6 million dollars (\$2,600,000) go to flu vaccines that have been expired and sent to foreign countries that then send them back. We saw today in the paper where the... the Governor cut money to the 4-H. This is much cheaper than all of that. So, the argument for cost is a nonstarter, it's a red herring. The argument we can't amend the Constitution, again, is nonstarter, it's a red herring. This isn't about any one officeholder. And I think about this, how different these last years in Springfield might have been if we had the power to recall when George Ryan was Governor. How many of our Governors have to go to jail before we wake up? Is it going to be necessary for Vegas to put a line out to see which Illinois politician is going to be indicted next? But they're only give even odds if you're a Governor. We've become a laughing stock. We have to clean up our own house. This is about cronyism and corruption and stopping... stopping it. That costs each taxpayer. We pay higher costs. We don't get the best deals on contracts. We don't get the most qualified employees when we have pay-to-play on steroids, according to the U.S. Attorney. That's not good government, it's not acceptable. This goes directly to our democratic principles and who we are as a state and who we are as a nation. We must give the citizens the right to take back their government. We need to put an end

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to the abuses and to get rid of incompetent officials. This fundamentally comes down to whether we believe in the people's right of self governance or whether we believe this is just as good as government gets. People need a way to retain control over their elected officials who are not representing their interests. We need a way to give the government back to the people. We might have the impeachment power here in the General Assembly, but we've never used it. We need to empower the people to stand up if they feel disenfranchised, if they feel that they are not getting the government that they need and they deserve. Obviously, life is timing. We probably wouldn't had brought this Bill up if not for what's happened in Springfield. But remember, this is not about just one person or one officeholder, it's much bigger than that. We need to protect our citizens and give them the ultimate authority which they lack. I ask for an 'aye' vote."

Speaker Hannig: "Representative Lang, you've spoken in debate, for what reason do you rise?"

Lang: "Thank you for your courtesy, Mr. Speaker. I would ask for a verification if this receives the requisite number."

Speaker Hannig: "Well, Representative... he just barely made the time frame. So, the question... this requires 71 votes. And the question is, 'Shall the... shall the Constitutional Amendment be adopted?' 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 Patterson and Fritchey, do you wish to be recorded? Last call, Gentlemen. Mr. Clerk,

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take the record. Okay. There's been a request for a verification by Representative Lang. So, let's ask the staff to retire to the rear of the chamber, the Members please be in their seats. And Mr. Clerk, read the names of those voting in the affirmative."

- Clerk Mahoney: "The following Members voted in the affirmative:
  Representatives Bassi; Beaubien; Beiser; Bellock; Berrios;
  Black; Boland; Bost; Bradley, J.; Brady; Brauer; Burke;
  Chapa LaVia; Coladipietro; Cole; Coulson; Crespo; Cross;
  Cultra; Dugan; Dunn; Durkin; Eddy; Flider; Flowers;
  Fortner; Franks; Froehlich; Gordon; Hannig; Harris;
  Hassert; Hernandez; Holbrook; Jakobsson; Kosel; Krause;
  Leitch; Lindner; Mathias; Mautino; May; McCarthy; McGuire;
  Mendoza; Mitchell, B.; Mitchell, J.; Moffitt; Mulligan;
  Munson; Myers; Osmond; Osterman; Pihos; Poe; Pritchard;
  Ramey; Reboletti; Reis; Reitz; Rose; Ryg; Sacia; Schmitz;
  Schock; Smith; Sommer; Stephens; Sullivan; Tracy; Tryon;
  Verschoore; Wait; Winters; and Younge."
- Speaker Hannig: "So, Representative Lang, do you have any questions of the affirmative? Representative Bost is asking for leave? Okay. Representative Bost, leave is granted. Representative Black is asking for leave? So, Representative Black, leave is granted."
- Lang: "Bear with me a moment, Mr. Speaker. I'll withdraw the request at this time, Mr. Speaker."
- Speaker Hannig: "On this question, there are 75 voting 'yes' and 33 voting 'no'. And this Constitutional Amendment, having received a Three-fifths vote, is hereby declared passed. Representative Patterson indicates to the Chair

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that he wishes to be recorded 'no' on the last Roll Call. So, the record will reflect Representative Patterson's request. Representative Stephens, for what reason do you rise?"

- Stephens: "Well, thank you, Mr. Speaker. With the wonders of technology today, even though Representative Jim Watson is in Iraq, Ladies and Gentlemen, he is watching this debate. And to Representative Watson, we... we would I think want to thank you, again, for the work that you're doing. What Jim doesn't know is that when he's watching the debate, I shouldn't let this out, but we are watching you, Representative. So, be good, be safe. We wish you the best. And I... I think my colleagues would like to join you... join me in a rousing hand of... a rousing round of applause. That's for you, Representative. God bless you. Thank you, Ladies and Gentlemen."
- Speaker Hannig: "Representative Molaro, for what reason do you rise?"
- Molaro: "Thank you. For a announcement. On my desk for those of you who drive to Springfield, unfortunately the Capitol isn't in Chicago, so I get stuck three (3) hours. I got hooked on these books on tape. Now, I'm done with them. So, I have about fifteen (15) of them here. And after that rousing speech of bipartisanship I'm even offering to Republican Members. So, on my desk, anybody wants to take a book on tape come by, take it, it's yours free of charge."
- Speaker Hannig: "Representative Dunkin, are you seeking recognition?"

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- Dunkin: "Yes, thank you, Mr. Speaker. On House Bill 4811 I was inadvertently voting... voted 'no'. And I would like to change my vote to a 'yes' or at least let the record reflect that I'm a 'yes' on House Bill 4811. Thank you."
- Speaker Hannig: "The record will so reflect, Representative.

  We're going to go the Order of House Bills-Second Reading.

  And Representative Acevedo, you have House Bill 5350. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5350, a Bill for an Act concerning appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."
- Speaker Hannig: "Third Reading. Representative Berrios, you have House Bill 5687. Out of the record. Representative Biggins, you have House Bill 4877. Out of the record. Representative Brauer, you have House Bill 5536. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5536, a Bill for an Act concerning transportation. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Brauer."
- Speaker Hannig: "On Amendment #1, Representative Brauer."
- Brauer: "Amendment 1 just changes the effective date and 2 (sic-Amendment) allows these stickers to be replaced as they wear out."
- Speaker Hannig: "Let's take them one at a time. So, on Amendment #1 is there any discussion? Representative Eddy.

  Okay. So, on Amendment #1 all in favor say 'aye'; opposed

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'nay'. The 'ayes' have it. The Amendment is adopted. And now, any further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Brauer."

Speaker Hannig: "And on Amendment #2, Representative Brauer."

Brauer: "Thank you, Mr. Speaker. Floor Amendment #2 just allows these stickers to be replaced as they wear out."

Speaker Hannig: "And on that question, Representative Eddy."

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

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

Eddy: "Representative, January 1 of this year the stickers that went on regarding erratic driving was the way it was stated..."

Brauer: "Yes."

Eddy: "...to report erratic driving call. So, what you're saying is any bus that currently has that sticker on that bus, they don't have to replace those, but when the... when that sticker wears out or you buy a new bus, you use a... a sign that says, to comment on my driving?"

Brauer: "Yes, that's correct."

Eddy: "Do you want to buy 50 erratic driving stickers?"

Brauer: "I would love to. But... but, what this does, this allows the school districts that have these stickers to keep using these stickers. And this was brought by a constituent saying, you know, this should be more about how's my driving as opposed to report erratic behavior. So, by changing this... the Amendment, this will allow the school districts to use all their stickers up. And when they order more, then that's when it will be changed."

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Eddy: "Okay. So, if I ordered a hundred (100) stickers and I have fifty (50) buses, for my next fifty (50) buses I buy, I can use the stickers I already purchased?"

Brauer: "That's correct."

Eddy: "Okay. Thank you."

Speaker Hannig: "Representative Black on the Amendment."

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

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, this isn't one of those bumper stickers

I see on a whole bunch of cars that pass me, you don't like

my driving dial 1-800 you know what the rest of it is?"

Brauer: "No, I don't. Could you help me out?"

Black: "No, I don't think so. I don't think so."

Brauer: "Representative, may... maybe you should be watching the road instead of the bumper stickers."

Black: "I... at my age, I try to watch everything as best I can.

I don't always remember why, but... let me... to me,
Representative, what are you trying... what are we trying to
solve here? I mean, if it's a Springfield bus... okay,
Springfield doesn't have actual buses. They... they
contract, don't they?"

Brauer: "Yes."

Black: "All right. I mean, is it to satisfy some urge? If you think the bus is driving too fast you can call this number and tell them that your bus on Cook Street was going to fast or didn't stop at a stop sign. Or I mean, is that... is that the idea? Just to give some... a number for somebody to call?"

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Brauer: "The old stickers said to report erratic behavior. So, you're just basically asking for negative comments. So, if you're wanting to complement on a bus driver..."

Black: "Oh, okay. All right. Okay."

Brauer: "...then they don't have that option that, you know, this Gentleman, this Lady is doing an exceptional job. They're protecting our school children. You know, the school buses are the most safety... safe form of transportation we have in the world. And so it would be injustice to just have negative comments and not the ability to have positive comments as well."

Black: "It... it would depend, I think, on the school district, but it... isn't aimed at letting a board of education dismiss a bus driver because they get one complaint, right? I mean, I would assume the driver would have some right of due process?"

Brauer: "That's correct."

Black: "And... and would that include, if I'm making a complaint...
say I... say I was behind a school bus and it turned right on
a red light which they're not supposed to do. In order to
discipline the driver would I have to be willing to testify
at a school board member, in other words... or a school board
meeting so that the bus driver can be confronted with
someone who says, you broke the law?"

Brauer: "This Bill does not address that at all."

Black: "That's silent?"

Brauer: "This Bill does not address that at all."

Black: "Okay. Let me consult with my young staffer for just a minute. Thank you. These... these twenty-three-year-old

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staffers always come up with good ideas. The analysis, Representative, says you have to paint… that you paint this sign on. Does it actually have to be professionally painted or can it be, in fact, a bumper sticker?"

Brauer: "No. This is just a bumper sticker. It will replace a bumper sticker now that says to report erratic driving.

This one will say to comment on my driving."

Black: "All right. And... and it just gives a... a phone number."

Brauer: "That's correct."

Black: "Now, most school districts that I call today have automated systems. Will there by somebody to answer the... the call?"

Brauer: "I don't think this will affect that at all."

Black: "All right. And we... we can't put on the bumper sticker...
if we're coming into an election season, if you offered to
pay for the bumper stickers for the school district, could
it say, to report erratic or safe driving call this
telephone number brought to you by Representative Rich
Brauer?"

Brauer: "No."

Black: "Oh."

Brauer: "Representative, it's... it's nice to see you're well rested and full of questions, coming back from vacation."

Black: "I'm just sitting here stalling and I don't even know why. Somebody just said..."

Brauer: "I don't know either."

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- Black: "...they needed some time. So, I've... I've done the best I can with the limited abilities I have left. Thank you for your patience."
- Speaker Hannig: "Any further 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 Collins, you have House Bill 1518. Do you wish us to read that on Second? Read it? Mr. Clerk, read the Bill."
- Clerk Bolin: "House Bill 1518, a Bill for an Act in relation to minors. The Bill has been read a second time, previously.

  No Committee Amendments. No Floor Amendments. No Motions filed."
- Speaker Hannig: "Do you wish us to move it to Third, Representative? Move it to Third? Third... Third Reading. No. Okay. I misread your signal... your sign. So, Mr. Clerk, hold this on Second at the request of the Sponsor. Representative Crespo, you have House Bill 5731. Out of the record. Representative Fortner, you have House Bill 5186. Out of the record. Representative Howard on House Bill 4611. Representative Howard. Representative Howard, do you wish us to read House Bill 4611? Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4611, a Bill for an Act concerning housing. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third... Third Reading."

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- Speaker Turner: "Representative Turner in the Chair. On the Order of Second Readings, page 8 of the Calendar, Representative McCarthy, we have House Bill 4694. Out of the record. Representative Miller, we have House Bill 5213 on page 13 of the Calendar. Out of the record. Representative Molaro, we have House Bill 2769 on the Order of Second Reading, page 3 of the Calendar. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 2769, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Molaro."
- Molaro: "Are you... are you calling on me, Mr. Speaker? Well, since you're calling on me, all the Floor Amendment is, this is the Adam Walsh Act. And the Adam Walsh Act has to do with sexual predators. And the United States Congress passed a law and it's called the Adam Walsh Act and all of the fifty (50) states have to enact legislation that at least have the minimum of the Adam Walsh Act. If we don't do that, it'll cost us a bunch of federal money and this puts us in line with the Adam Walsh Act. You want to go through the provisions, you're probably better off reading them on your screen than listening to me for the next 15 minutes. I'll answer any questions."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment 1 to House Bill 2769?' All those in favor should say 'aye'; all those opposed say 'no'. In

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- the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"
- Clerk Bolin: "Floor Amendment #2, offered by Representative Molaro."
- Speaker Turner: "The Gentleman from Cook, Representative Molaro on Amendment #2."
- Molaro: "Amendment #2 is purely from my recollection a technical Amendment 'cause Amendment #1... oh, Amendment #2 is our administrative rules Amendment."
- Speaker Turner: "Gentleman asks leave for the adoption of Amendment #2 to House Bill 2769. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"
- Clerk Bolin: "No further Amendments. No Motions filed."
- Speaker Turner: "Third Reading. On the Order of Second Readings, on... we have House Bill 5213, Representative Miller. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5213, a Bill for an Act concerning regulation. The Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. A Home Rule note has been requested on the Bill and has not been filed."
- Speaker Turner: "The Bill shall remain on Second Reading. Lady from DuPage, Representative Pihos on House Bill 5189. Out of the record. We have House Bill 5907, Representative Rose. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5907, a Bill for an Act concerning transportation. Second Reading of this House Bill.

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- Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Rose, has been approved for consideration."
- Rose: "Thank you, Mr. Speaker. I'm asking for the adoption of this Amendment. It would essentially... it was a request of the committee, speaking with the chairman of the committee, that we go ahead and make it a mandatory report where one of the drivers was not insured. I thought it made good sense and would ask for the adoption of the Amendment."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt House Amendment #2 to House Bill 5907?'

  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 is adopted. Further Amendments?"
- Clerk Bolin: "No further Amendments. No Motions filed."
- Speaker Turner: "Third Reading. The Gentleman from Peoria, Representative Schock on House Bill 4545. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4545, a Bill for an Act concerning local government. Second Reading of this House Bill.

  Amendments 1 and 2 were adopted in committee. No Floor Amendments. No Motions filed."
- Speaker Turner: "Third Reading. The Gentleman from Bond, Representative Stephens on House Bill 4625. Representative Stephens, 4625? Out of the record. Representative Tryon on House Bill 4367. Read the Bill, Mr. Clerk. No. Out of the record. Out of the record. The Lady from St. Clair, Representative Younge on House Bill 4922. Out of the record. On page 4 of the Calendar, Representative Black,

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- we have House Bill 4164. 4164. Read the Bill, Mr. Clerk.
  Out of the record. Representative Boland on House Bill
  5006. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5006, a Bill for an Act concerning transportation. Second Reading of this House Bill.

  Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Boland, has been approved for consideration."
- Boland: "Yes. Thank you, Mr. Speaker. Floor Amendment 2 just is a request of the... of IDOT to clarify some of the terms in the Bill."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment #2 to House Bill 5006?' 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."
- Speaker Turner: "Third Reading. Representative Bradley on House Bill 5323. John Bradley. Representative Brady on House Bill 4252. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4252, a Bill for an Act concerning children. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."
- Speaker Turner: "Third Reading. Representative Brosnahan on House Bill 5059. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5059, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment

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- #1 was adopted in committee. No Floor Amendments. No Motions filed."
- Speaker Turner: "Third Reading. Representative Monique Davis on House Bill 4668. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4668, a Bill for an Act concerning..."
- Speaker Turner: "Out of the record. I'm sorry, out of the record. Representative Dugan on House Bill 4471. Out of the record. Representative Eddy on House Bill 4700. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4700, a Bill for an Act concerning local government. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Eddy, has been approved for consideration."
- Speaker Turner: "The Gentleman from Crawford, Representative Eddy."
- Eddy: "Thank you, Mr. Speaker. The Amendment is a technical Amendment brought to me from the IEA that better specifies the exact job that the individual would be doing, that the felony would be reported on. And I would ask for favorable consideration."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt House Amendment 1 to... Floor Amendment 1 to House Bill 4700?' 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 Flider on House Bill 4198. Read the Bill, Mr. Clerk."

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- Clerk Bolin: "House Bill 4198, 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 Flider, has been approved for consideration."
- Flider: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4198 is a Bill that's purpose is to prohibit adults from using e-mail or other electronic means to harass minors. And what this Amendment does is, it's an agreement between the... AT&T and the Trial Lawyers to ensure that telephone communication carriers, mobile service providers and other providers are not liable under this section. So, it would be the purpose of this Amendment to ensure that the person committing the crime, not the company transmitting the information, would be liable. Ask for your support."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 4198?'
  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 is adopted. Further Amendments?"
- Clerk Bolin: "No further Amendments. No Motions filed."
- Speaker Turner: "Third Reading. Representative Ford, we have House Bill 4613. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4613, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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- Speaker Turner: "Third Reading. Representative Fritchey on House Bill 4844. Out of the record. Representative Golar on House Bill 4913. Golar, 49... read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4913, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Golar, has been approved for consideration."
- Speaker Turner: "The Lady from Cook, Representative Golar."
- Golar: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4913 is an accountability Bill."
- Speaker Turner: "The Lady moves for the adoption of Amendment #2 to House Bill 4913. 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."
- Speaker Turner: "Third Reading. Rep... Representative Harris on House Bill 4788. Representative Black, I apologize. The Gentleman from Vermilion, Representative Black."
- Black: "Yeah, thank you very much, Mr. Speaker. I know we're in a hurry, but on the previous Bill, I think it was 4913, the Sponsor of the Amendment did not even address the Amendment. You know, we would at least like to hear what the Amendment did... does or whatever. But I know we're in a hurry."

Speaker Turner: "Representative, we'll be careful."

Black: "Thank you."

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- Speaker Turner: "On the Order of Second Readings, we have House Bill 4788, Representative Harris. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4788, a Bill for an Act concerning revenue. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."
- Speaker Turner: "Third Reading. Representative Holbrook, we have House Bill 5092. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5092, a Bill for an Act concerning State Government. Second Reading of this House Bill.

  Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."
- Speaker Turner: "Third Reading. Representative Howard, House Bill 4714. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4714, a Bill for an Act concerning public aid. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."
- Speaker Turner: "Third Reading. Representative Jakobsson on House Bill 4352. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4352, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Jakobsson, has been approved for consideration."
- Speaker Turner: "Third... no. Representative Jakobsson on Amendment #2."

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- Jakobsson: "Thank you, Mr. Speaker. House Amendment #2 simply changes the entry time from 9 a.m. to 8 a.m. This is something that was... in working with the realtors that... to make it a better Bill I've changed the time so that construction workers and other folks can get into rentals earlier in the day. Thank you."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #2 to Senate... to House Bill 4352?' All those in favor should vote... 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."
- Speaker Turner: "Third Reading. Representative McCarthy on House Bill 5200. Out of the record. Representative Mautino on House Bill 4807. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4807, a Bill for an Act making appropriations. Second Reading of this House Bill. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."
- Speaker Turner: "Third Reading. Representative Osterman on House Bill 4196. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4196, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."
- Speaker Turner: "Third Reading. We have House Bill 6302. Read the Bill, Mr. Clerk."

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- Clerk Bolin: "House Bill 6302, a Bill for an Act concerning revenue. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."
- Speaker Turner: "Third Reading. Representative Meyer, we have House Bill 4629. Read the Bill..."
- Clerk Bolin: "House Bill 4629, a Bill for an Act concerning domestic violence."
- Speaker Turner: "Out of the record. Representative Mendoza, we have House Bill 4943. Out of the record. Representative Molaro, we have House Bill 4342. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4342, 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 Mulligan on House Bill... out of the record. Representative Munson on House Bill 4879. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4879, a Bill for an Act concerning criminal law. Second Reading of this House Bill.

  Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Munson, has been approved for consideration."
- Munson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 3 just says that telecoms that are exempted from this legislation would be exempted except in the cases of willful or wanton misconduct."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt House Amendment #3... Floor Amendment #3 to

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- House Bill 4879?' 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."
- Speaker Turner: "Third Reading. Representative Phelps on House Bill 4931. Representative Phelps. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4931, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."
- Speaker Turner: "Third Reading. Representative Ramey on House Bill 5506. Out of the record. Representative Reis on House Bill 4132. Reis? 4132. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4132, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."
- Speaker Turner: "Third Reading. Representative Rita on House Bill 5308. Out of the record. Representative Rose on House Bill 5909. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5909, a Bill for an Act concerning criminal law. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Rose, has been approved for consideration."
- Speaker Turner: "Representative Rose on Amendment #1."

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- Rose: "No, I... I... correct me if I'm wrong, Speaker. Floor

  Amendment #1's already been adopted, has it not?"
- Speaker Turner: "No, it hasn't."
- Rose: "Wait a minute. Okay. Mr. Speaker, we're looking for Floor Amendment #2, which I see is still in Rules. So, we're going to pull this right now."
- Speaker Turner: "Out of the record. Representative Stephens on House Bill 4625. Representative Stephens. Out of the record. Representative Tryon on House Bill 5195. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5195, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Tryon, has been approved for consideration."
- Speaker Turner: "The Gentleman from McHenry, Representative Tryon."
- Tryon: "Yes. Floor Amendment 1 to House Bill 5195 has a small technical Amendment that limits the amount that a municipality can enter into an agreement with another municipality up to five (5)... up to three (3) miles, instead of unlimited for their boundary agreement. And this is actually an Amendment that will let one municipality and another municipality to negotiate their mile and a half and one can give up one part and get something in return in another part. Think it's a... it's good for planning. It's really good for a city that may have sewer, want to provide sewer to another city. It's just something I would hope you would all support."

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- Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment 1 to House Bill 5195?' 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."
- Speaker Turner: "Third Reading. Representative Verschoore on House Bill 4919. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4919, 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 Verschoore, has been approved for consideration."
- Speaker Turner: "The Gentleman from Rock Island, Representative Verschoore."
- Verschoore: "Yes. There... House Amendment 2, what that was in committee there was some concern from my Republican colleagues about the broadness of this Bill. And so what the House Amendment #2 does is it gives the CMS, Central Management Systems, the option of looking at two (2) particular... picking two (2) particular buildings and looking at them and then doing assessment of that. And then it would go into effect in 2010. And I would hope when they pick one of those buildings that they... they pick a Department of Correction, because I think there would be a place where some... a great savings for the state could be made."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 4919?'

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- All those in favor should vote… 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 Yarbrough on House Bill 5369... 4369. Out of the record. Representative Younge on House Bill 4618. Wyvetter Younge, 4618. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4618, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."
- Speaker Turner: "Third Reading. Representative Osterman on House Bill 1809. Out of the record. The Gentleman from Cook, Representative Osterman."
- Osterman: "Thank you, Mr. Speaker. If we can get to 1809 today, I'd like to do that. But I would like to ask to waive the posting requirements for a subject matter hearing with the Human Services Appropriation Committee at 5:00 today. The issue with the... the subject matter hearing would be on the Medicaid reimbursement for pediatric specialties."
- Speaker Turner: "Gentleman asks leave to waive the posting requirements so that his committee may proceed with a hearing this afternoon. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And leave is granted. On the Order of

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- Second Readings we have House Bill 4369, Representative Yarbrough. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4369, a Bill for an Act concerning people living in poverty. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Yarbrough, has been approved for consideration."
- Speaker Turner: "The Lady from Cook, Representative Yarbrough."
- Yarbrough: "Thank you, Mr. Speaker. House Amendment 2 to House Bill 4369 makes the implementation through the Office of the Governor subject to appropriation and it also makes other technical changes. I'd be happy to answer any questions."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 4369?'
  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."
- Speaker Turner: "Third Reading. Representative Winters on House Bill 5940. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5940, a Bill for an Act concerning finance. Second Reading of this House Bill. No com...

  Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."
- Speaker Turner: "Third Reading. Representative Burke on House Bill 5363. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5363, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No

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- Committee Amendments. Floor Amendment #1, offered by Representative Burke, has been approved for consideration."

  Speaker Turner: "The Gentleman from Cook, Representative Burke."
- Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen. This Floor Amendment would simply identify the difference between tobacco and other food products in vending machines. And this Amendment specifically would talk about the opportunities for bars and taverns to continue to utilize vending machines in their establishments. I'd be happy to answer any questions."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #1 to... to House Bill 5363?'

  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."
- Speaker Turner: "Third Reading. Representative Dugan on House Bill 4471. Out of the record. Representative Winters, we have House Bill 4175. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4175, a Bill for an Act concerning revenue. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Winters, has been approved for consideration."
- Speaker Turner: "Representative Winters on Amendment #1."
- Winters: "Thank you, Mr. Speaker. What Amendment 1 does is to take out park districts which are not intended to be in the road districts that are dealt with. Be happy to answer any questions on the Amendment."

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- Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 4175?'

  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 is adopted. Further Amendments?"
- Clerk Bolin: "No further Amendments. No Motions filed."
- Speaker Turner: "Third Reading. Representative John Bradley, we have House Bill 5323. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5323, a Bill for an Act concerning employment. Second Reading of this House Bill. No... no Committee Amendments. No Floor Amendments. No Motions filed."
- Speaker Turner: "Third Reading. Representative Howard, we have House Bill 4611. Connie Howard. Read the Bill, Mr. Clerk. Take this out of the record. Moving to the Order of Third Readings. On the Order of Third Readings, Short Debate, we have House Bill 4693. Representative Beiser. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4693, a Bill for an Act concerning criminal law. Third Reading of this House Bill."
- Beiser: "Mr... Thank you, Mr. Speaker, Members of the House.

  House Bill 4693 amends the Rights of Crimes Victims and

  Witness Act to require that the State Attorney's Office

  notify victims of how to register for a victim notification

  list. So, this is a pretty straightforward Bill. I'd be

  glad to answer any questions. If not, I would urge an

  'aye' vote."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4693?' All those in favor should

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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 111 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Lake, Representative Ryg, for what reason do you rise?"

- Ryg: "Thank you, Mr. Speaker. I would ask for a suspension of the posting requirements for House Resolution 1092, which is scheduled for committee. I've received the okay from the committee spokesperson."
- Speaker Turner: "Asks leave for the posting requirements that your Bill... Leave is granted. The Gentleman from Cook, Representative Patterson, for what reason do you rise?"
- Patterson: "On one of the Bills, I'm recorded as a not voting.

  I did vote. I voted 'no'."
- Speaker Turner: "The record will so reflect. The Gentleman from Cook, Representative Molaro, for what reason do you rise?"
- Molaro: "Mr. Speaker, to ask you a question. Are we... and I do have an announcement to make, but I was going to wait 'til we're near adjournment. Are we..."
- Speaker Turner: "You may want to practice on that announcement for a little while."

Molaro: "Well, I'll... I'll practice it and just..."

Speaker Turner: "Not now."

Molaro: "Oh, later."

Speaker Turner: "Yeah. And..."

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- Molaro: "Also, if we are going to have these lulls, you know lull in just sitting around while we do that maybe we could pipe in some music while we're waiting, so we..."
- Speaker Turner: "How about if you bring up one of those book tapes and I could plug it in and..."
- Molaro: "You... you don't want to listen to my music, Mr. Speaker."
- Speaker Turner: "Okay. The Lady from Kane, Representative Chapa LaVia on House Bill 5367. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5367, a Bill for an Act concerning education. Third Reading of this House Bill."
- Chapa LaVia: "Thank you, Speaker and Members of the General Assembly. This Bill was brought to me by Lieutenant Governor Pat Quinn. And what it actually does, it adds language that allows ISBE and the Department of Veterans' Affairs to issue rules consistent with the provisions of the section that are necessary to implement the program where Vietnam vets would be able to obtain their high school diploma. And I'm open for any questions. Thank you."
- Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"
- Black: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Just to simply rise in strong support of the Representative's Bill. Many of us have forgotten that there was a draft during the Vietnam War. And there were people who were drafted before they could finish their high school education. I myself had forgotten that. And a... a particularly vexatious case occurred in my district where a

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young man who was drafted before he could finish his high school education came back and years and years later, the veteran service officer said, you know, I think if you go to your high school and explain the situation they would give you your high school diploma. Well, the Bill did not cover... the Bill we passed some time ago did not cover the Vietnam War. This is a measure that is overdue. I commend the Sponsor. And I think many of us, quite frankly, had forgotten over the years that there, in fact, was a military draft during Vietnam and there were young men taken before they could finish their high school education. And I think this Bill corrects an oversight and it's certainly the least we can do for those young men who had their high school education interrupted by the Vietnam War. I hope it gets a unanimous vote."

Speaker Turner: "The Gentleman from Bond, Representative Stephens, for what reason do you rise?"

Stephens: "For a question, please? Lady yield?"

Speaker Turner: "Indicates she will."

Stephens: "Representative, I... I want to make sure I understand this. The... 'cause I don't... I know of a bazillion veterans, but I don't know anybody that dropped out of high school to join the military during the Vietnam era. So, does this affect people who dropped out of high school and then got drafted?"

Chapa LaVia: "No. This amends School Code by allowing school boards to award high school diplomas to honorably discharged veterans who served in the United States Armed Forces during the Vietnam conflict. The current law right

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now in this state allows World War II veterans and Korean veterans, but it has no exempt in there for our Vietnam veterans that had left before they finished high school. And have accreditations to have high school diplomas but never received them."

- Stephens: "I... I understand what it allows, I just don't know that there is anyone in Illinois that would qualify for this."
- Chapa LaVia: "There are. In fact, in Representative Black's area there was one gentleman, specifically. This... this piece of legislation was brought to me because the inquiries came through Lieutenant Governor Pat Quinn's office of a few Vietnam vets that could... could not obtain their diploma because of the law we put in place that only secured two (2) of the theatres and... and the ability for those veterans to secure their diplomas."
- Stephens: "So, you're telling me that you can identify someone who dropped out of high school specifically to join the military during the Vietnam conflict. Did... did they have to then serve in Vietnam or did they... just during that period?"
- Chapa LaVia: "They had to serve in Vietnam. And we have... we have evidence of those individuals through Lieutenant Governor Pat Quinn's office. So, if you're interested..."
- Stephens: "Well, I... I guess it's..."
- Chapa LaVia: "...because I know that you served in that theater as well, Sir."
- Stephens: "I guess it does no harm. I... but I... I'm not so sure that this necessary, but I... I guess I would urge my

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colleagues to vote for it whether there are people or... that actually would qualify for this or not. I... I take you on your word, of course. I'm just a little surprised. Thank you."

Chapa LaVia: "Thank you."

Speaker Turner: "The Gentleman from Cook, Representative McCarthy, for what reason do you rise?"

McCarthy: "I'd like a clarification, Mr. Speaker, 'cause I have a question of the Sponsor."

Speaker Turner: "State your question."

McCarthy: "Representative, the question by Representative Stephens, we were trying to look up the Bill. And as far as the way we read it, it does not say you had to serve in Vietnam. So, a person who joined the reserves, a person that was maybe drafted and was never sent there, maybe served his time at Fort Knox or any other fort stateside. I think what you're looking for is to award these high school diplomas to people who've actually served in Vietnam. And the way our analysis is written it says you only had to be in the Armed Forces. So... but I do have a high school diploma, but I would be eligible even though I was..."

Chapa LaVia: "Right."

McCarthy: "...only reserved in stateside."

Chapa LaVia: "Let me check real quick on the language. But it does... we think it does encompass the reserves. So... it says Armed Forces. When it says Armed Forces, everything under that umbrella."

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McCarthy: "But it does not state that they had to serve… they served during the time. I mean there are different benefits that…"

Chapa LaVia: "During... during the period of..."

McCarthy: "...during the Vietnam conflict."

Chapa LaVia: "...the conflict."

McCarthy: "But it doesn't say you had to serve physically in Vietnam, correct?"

Chapa LaVia: "It does not require that, you're correct."

McCarthy: "Okay. And was that the intent of your legislation or was your intent to honor people who served physically in Vietnam? I thought it was..."

Chapa LaVia: "The intention of the legislation is to allow people who left high school to join in the Armed Forces at that time the ability to get their high school diploma..."

McCarthy: "Right."

Chapa LaVia: "...once they ... "

McCarthy: "Well, I agree with that purpose, but..."

Chapa LaVia: "...retire, end their term."

McCarthy: "...I do think that Representative Stephens question was answered incorrectly, then. 'Cause you stated to him that it is for people who served in Vietnam."

Chapa LaVia: "Oh, correct. Okay."

McCarthy: "But that is not that way it's put."

Chapa LaVia: "Correct. But during that timeframe of the conflict, correct. Because the records... well, I don't know how the records relay, but sometimes you could still be on in Illinois and during that time signed up to serve, but still have stayed statewide... stateside as opposed to being

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sent over to Vietnam. So, I stand corrected on Representative Stephens' question."

McCarthy: "All right. Thank you."

Chapa LaVia: "But it does cover that era. Thank you."

Speaker Turner: "The Gentleman from Cook, Representative

Molaro, for what reason do you rise? Molaro? Molaro?"

Molaro: "Yes, thank you. Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Molaro: "Yeah, I... You know, I'm doing what I ask people not to do. Take a simple Bill and you know, beat it to death. I just want to make sure, it says here and this, of course, Representative said... says, it's and so you're already in Vietnam, so they have to... left high school before graduating in order to serve in the Armed Forces. Okay. So, I guess here's what I'm going to ask. Someone was 16 or 17, they dropped out of school. Okay? They just drop out. A year or two (2) later they get drafted and go to Vietnam. Okay. Now, they come back. I... I would like this to apply to them..."

Chapa LaVia: "That's right."

Molaro: "...but the way the Bill reads it says, 'in order to serve in Vietnam.' Which goes to..."

Chapa LaVia: "Right. Right."

Molaro: "...yeah."

Chapa LaVia: "But in the Bill, Molaro, it says, 'left high school before graduating in order to serve in the Armed Forces of the United States.'"

Molaro: "Wait, say that one more..."

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Chapa LaVia: "That would be the only reason that... but has not received a high school diploma. That would be the only reason. If they left school to enlist, not if they dropped out and then enlisted to serve."

Molaro: "Okay."

Chapa LaVia: "They have to enlisted before they dropped out of school in intent of serving."

Molaro: "Okay. But I... I would like to include those people who dropped out, to be quite honest with you."

Chapa LaVia: "Oh, did you drop out during that era?"

Molaro: "Well, I... I... no, obviously, it has nothing to do with this Bill. I'll talk to you about it later. But it's a good Bill."

Chapa LaVia: "Thank you."

Molaro: "I just wanted to ask you that question."

Chapa LaVia: "Thank you for clarification. And..."

Speaker Turner: "The Gentleman from Lake... the Gentleman from Lake, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. To the Bill. I actually was the original Sponsor of the Bill that allowed diplomas to World War II and Korean War... Korean conflict veterans during that time. And I can just tell you that obviously many of them who are still here today are... are in some cases quite elderly, but they really appreciated the fact that they were able even after all those years to get their high school diploma. It pride... it obviously didn't make a difference to them for getting a job, but it made a difference to them and it was a way for us to take another step to... to honor those veterans. And so, I wholeheartedly

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support adding Vietnam conflict veterans to that. And will be voting 'yes' on the Bill."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 5367?' 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 111 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Crespo, for what reason do you rise?"

Crespo: "Yes, Speaker. Point of personal privilege, please."

Speaker Turner: "State your point."

Crespo: "Yes, I'd like to... if you pay attention to the gallery over to my left, introduce to the House Floor the new mayor of Hanover Park, my good friend, Rodney Craig."

Speaker Turner: "Welcome to Springfield, Rodney. The Gentleman from Cook, Representative Colvin on House Bill 4379. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4379, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Colvin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have for your consideration House Bill 4379, which deals with... deals with, excuse me, insurance training and the number of hours that insurance agents have to put in dealing with the insurance exams. As you recall on House Amendment #2... House... Floor Amendment #2 clarified the pre-licensing course of study that must be completed before the insurance exam for the lines of authority for which an

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individual has applied. The Amendment also specifies that seven and a half percent of each pre-licensing course must be completed in a classroom setting, except for motor vehicle lines, which will require five (5) hours in a classroom setting. That was in addition to the original Bill, which was House Amendment #1 that increases the prelicensing study... courses of study for the following classes insurance producers, including life, accident and health, fire casualty, property lines, property casualty, which currently require fifteen (15) hours of study. vehicle... this Amendment increases the motor vehicle lines of study from seven and a half hours to twelve and a half This was an agreement between the Illinois Insurance Council, the Professional Independent Insurance Agents of Illinois and the Department of Insurance, which has no position on the merits as a result of the two (2) Amendments. And I'll be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4379?' 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 111 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Coulson. Representative Will Davis on House Bill 5150. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5150, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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- Davis, W.: "Thank you, Mr. Speaker, Members of the House...

  Ladies and Gentlemen of the House. House Bill 5150 simply requires that the Department of Public Health designate a staff person to handle issues related to something called COPD, which is Chronic Obstructive Pulmonary Disease. And the Bill outlines specific duties that the person will have to... have to... perform. We amended the Bill to change... to make the language permissive so that the duties are not mandatory. And we're giving the Department of Public Health some flexibility in determining exactly what those duties shall be as it relates to COPD. I'll be more than happy to answer any questions. And I do ask for a favorable vote."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5150?' 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 Stephens. The Clerk shall take the record. On this question, there are 111 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Flowers on House Bill 5866. The Lady from Cook, Representative Flowers."
- Clerk Bolin: "House Bill 5866, a Bill for an Act concerning children. Third Reading of this House Bill."
- Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 5866 would permit the courts to set a goal of long-term foster care where the courts have ruled out return to home. And it would further, after the court

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completes an adjudication hearings and find that the child to be abused and neglected or dependent it must then conduct a disposition hearing to determine if the child should be placed in the care of DCFS guardianship. And it further requires DCFS to enhance its family preservation services for families caring for children. And I'll be more than happy to answer any questions you may have in regards to House Bill 5866."

- Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5866?' 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 111 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received Constitutional Majority, is hereby declared passed. on House 731. Representative Deborah Graham Bill Representative Hernandez on House Bill 5297. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5297, a Bill for an Act concerning public aid. Third Reading of this House Bill."
- Hernandez: "Thank you, Speaker. House Bill 5297 sets in law to lower copayments for childcare services for the childcare assistance program. It also in... increases the income eligibility guidelines to 200 percent of federal poverty level, up from the current 185 federal poverty level, so the families can stay in the program longer. I ask for your 'aye' vote."

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- Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5297?' 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? On this question, there are 111 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 Jefferson, we have House Bill 5739. Chuck Jefferson. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 5739, a Bill for an Act concerning transportation. Third Reading of this House Bill."
- Speaker Turner: "Representative Jefferson."
- Jefferson: "Mr. Speaker, Members of the House. What's the status of House Amendment 4? Do we know?"
- Speaker Turner: "Mr. Clerk? Hold on, Chuck."
- Clerk Bolin: "Amendment #1 was adopted in committee. Floor Amendment #2 has been referred to the Rules Committee."
- Speaker Turner: "Take it out of the record. Out of the record.

  Representative Joyce. Representative Franks on House Bill
  4193. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 4193, a Bill for an Act concerning education. Third Reading of this House Bill."
- Franks: "Thank you, Mr. Speaker. This is a Bill that came out of committee unanimously. And what it does is... what we're basically trying to do is have no expiration on grants for people who are denied money due to lack of funding. The buyers would still remain eligible for the disbursement of

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grants. And what happened is, over the last twenty (20) years or so, the state has issued 12 series of college savings bonds worth about four billion dollars (\$4,000,000,000). When they said there'd be some... certain incentives if you followed the rules and held the money... and held the bonds for a certain amount of time. found is when people went to cash these in they'd say, oh, I'm so sorry the General Assembly hasn't appropriated any money, you don't get anything. This would make it so the folks who relied on that advertising and bought those bonds would get their money eventually when it's allocated. be glad to answer any questions."

- Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4193?' 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 111 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Coulson on House Bill 3286. Read the Bill, Mr. Clerk."
- Clerk Bolin: "House Bill 3286, a Bill for an Act concerning education. Third Reading of this House Bill."
- Coulson: "Thank you, Mr. Speaker. House Bill 3286 is... creates the Illinois Health Policy Center within the University of Illinois-Chicago to be sponsored by the UIC-College of Medicine in conjunction with the U of I Institute of Government and Public Affairs. And it provides that the

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center is to... they're to support Legislators and other government 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 thorough comparative analysis of other states' policies. And I would urge an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 3286?' 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 111 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Montgomery, Representative Hannig on House Bill 5215. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5215, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Montgomery."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. As introduced, this Bill would appropriate one million dollars (\$1,000,000) for the purposes of doing research on autoimmune disease. It would authorize the Department of Public Heath to make these grants. In addition, we picked up an additional language from Representative Krause that would provide for three hundred and fifty thousand (350,000), I believe, for the purposes of rheumatoid

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arthritis and helping people understand and comprehend that important autoimmune disease. So, that's what the Bill does, as amended. I'd be happy to answer any questions. I'd ask for your 'yes' vote."

- Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5215?' 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 107 voting 'aye', 4 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, we have Representative Kosel on House Bill 4737. Read the Bill, Mr. Clerk."
- Clerk Mahoney: "House Bill 4737, a Bill for an Act concerning transportation. Third Reading of this House Bill."
- Kosel: "Thank you, Mr. Speaker. This Bill will correct an error that was made several years ago. We formed a community committee when a new tollway is built and we didn't put an expiration date down for that committee. So, this gives them one year after the tollway is built to let that committee answer any concerns that the communities may have and then the committee no longer exists. I would ask for your approval, please."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4737?' All those in favor should say 'aye'; all those opposed say... no, should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all

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voted who wish? Representative... The Clerk shall take the record. On this question, there are 111 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lang on House Bill 5095. Read the Bill, Mr. Clerk."

- Clerk Mahoney: "House Bill 5095, a Bill for an Act concerning appropriations. Third Reading of this House Bill."
- Speaker Turner: "The Gentleman from Cook, Representative Lang."
- Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. Foster parents deserve all the credit we can possibly give them, and yet the state has been shortchanging them for years. They haven't had a rate increase in seven (7) years. These are volunteer people who, even though they've had no rate increase, have had to shell out additional money for food and clothing and shelter, et cetera. This Bill would provide a rate increase to foster parents. And I ask and urge your support."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5095?' All those in favor should vote 'aye'; all those opposed vote 'no'. The… the Gentleman from Jasper, Representative Reis."
- Reis: "Thank you, Mr. Speaker. I didn't know if you'd caught our light there. I have a question of the Chair and then a question of the Speaker... or the Representative, a question of the Chair."
- Speaker Turner: "State your question."
- Reis: "What do we... what exactly is the policy with approps? I mean, we were all told on our side that we couldn't move

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appropriation Bills and we just sit here and roll through approp Bill after approp Bill after approp Bill. We've brought it up several times and in all good intentions of the Representative with this Bill, but this should be going through the appropriation process, not individual Bills on the House Floor. And I'm just asking the Speaker, what's our plan here? Are we gonna keep doing those? And can we go back and move some of ours if this is, in fact, going to be the way that we bring new spending suggestions before the House Floor?"

Speaker Turner: "Representative, I'll look into it. All I have up here are names and Bill numbers. I didn't know whether they were related to appropriation or what the subject matter was."

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

Speaker Turner: "I'm just going by Bill..."

Reis: "...we got a nice visit from the Majority Leader saying, we're not moving any approp Bills this year. And then this is the fifth or sixth or seventh approp Bill that we've done today. All by Members on your side of the aisle, I might point out. But a question of the Speaker if you'll allow?"

Speaker Turner: "State your question."

Reis: "Or the Sponsor. Representative, is this twenty-four million dollars (\$24,000,000)?"

Lang: "Yes."

Reis: "And do we have a dedicated sour... I mean, a lot of the approps we've done are... are small ones, but have we got a source of revenue for this worthwhile program?"

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- Lang: "The source of revenue is called the General Revenue Fund, Representative. What we have to do when we pass any legislation is find a way to pay for it. And if you believe, as I do, that foster parents have been cheated for the last seven (7) years without a rate increase where they have to pay a couple of hundred dollars a month out of their pocket to do the work the State of Illinois ought to help them do, then you'll support me in this Bill."
- Reis: "As I've stated, Representative, this is a very good worthwhile Bill; as is raising the personal needs allowance for our... our folks in nursing homes; as is students that are in JILG programs of an appropriation Bill that I have. I mean, these are all worthwhile projects. But in the past we've always went through an appropriation process. It was hammered out in committee and then the Bills were voted on on the floor. So..."
- Lang: "Sir, I would submit to you, this did go through the appropriations process. It went through the Appropriations Committee, it got voted out unanimously, it's here on the floor."
- Reis: "You've been here a long time, Representative. You know how it's worked in the past. And we also have approp Bills on our side that were not allowed to move this year. So... Thank you."
- Speaker Turner: "Lady from Cook, Representative Mulligan, for what reason do you rise? Mulligan."
- Mulligan: "Thank you, Mr. Speaker. Will the Sponsor yield?" Speaker Turner: "Indicates he will."

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Mulligan: "Representative, you don't serve on the Human Service Approp Committee, although I think you were in there the one day this was passed as a substitute. Although being a substitute once in awhile does not qualify as the people that sit there year after year working on these issues. tend to agree with what you want to do with this. So, that puts me in the proverbial box, but I quess that's the whole goal here. The whole goal here is to put people in boxes as opposed to actually working for the people of the State of Illinois on issues that are really good. And this I consider a good issue. But we were told that only certain appropriations Bills would come out, nothing that impacted the overall budget. Like I have one for seventeen million (17,000,000) for domestic violence, you have one for this. And the problem is, which is very apparent, there isn't money for all of this. We don't have a template for a budget where we go through and kind of divvy up the money according to what we should really be doing here. And so, you have a Bill here that I don't know what you're presumption is of where's it's going. You know, we said in committee we're going to vote these Bills out and we would make a template of what all the Bills were that everybody was asking to kind of see how we would put them in the budget, which is... I think a false hope on my part. knows, actually doing a budget is more than we can handle anymore. I mean, it's kind of a big mess. So, what's your hopes for this Bill?"

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- Lang: "My hopes for this Bill is that the twenty-four million dollars (\$24,000,000) ends up in rate increases to the foster parents who are taking care of these children."
- Mulligan: "So, what company are we going to purchase the printing press for the basement from?"
- Lang: "I... I... I presume that's just a rhetorical question.

  Representative, I want to remind you that five (5)

  appropriation Bills with Republican Chief Sponsors are

  already in the Senate. I didn't hear these comments from

  your side of the aisle when those Bills passed."
- Mulligan: "Representative, the majority of the Bills that passed from our side are retiring Members. But that's not the point. The point is, it's nice the Speaker has decided this year to let all these Bills out and it's a new way of doing things. And that we're going to go after agencies, I understand, one at a time. But what it does is it does not put together a cohesive budget. And after what happened last year, it's very disappointing to those of us who spend a lot of time and energy in trying to help the people of Illinois with a reasonable budget."
- Lang: "Well, Representative, I have comments also about the way the budget process is done. And I would share some of your thoughts with you that we don't always have all the input on every line item in the budget we wish. That's the purpose for this Bill. This is a line item I wish to have some control over. And I wish you would join me as a cosponsor because I know you care about the foster parents of Illinois."

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Mulligan: "I do very much. My problem is that last year Representative Feigenholtz cared about a lot of people and we worked really hard on a budget that kind of was hit or miss, line itemed and all of this stuff. So, to this Bill and not necessarily to the Bill because I probably will vote for this Bill. I think the foster parents of Illinois are really overburdened with the small amount of money that they're expected to get to pay for kids. No amount of a recall Bill or anything that you want to put out there will satisfy what's happening in this state. Quite frankly, what's happening in this state is a very dysfunctional group of Leaders and a Governor who can't seem to put a budget together, can't seem to get together, can't decide how they want to do a budget and are forcing the people of Illinois to look at it from the point of that we should recall the Governor. What we need to do is make everybody get real. We don't have to recall the Governor to do a good budget. All we have to do it pass one, get the other House to pass it and if we don't like what the Governor does, then we override it. It's very simple. And we live within our means and we don't play games with doing a recall. And we don't play games with trying to tell people we're going to help them when the fact is, we can't help them 'cause we don't have the money. The projections are off. The revenue projections for next year are off. We're looking at trying to figure out how to do a budget for the end of the year. And all the people like Representative Lang are getting up here with worthy causes to put out there to give people hopes that we're going to

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help them with the money, when we can't seem to handle anything. We can't handle a budget, we can't handle what we're doing. We can't handle getting together with the other side. We can't handle everything. So, we put out what's called a recall Bill. We try to make the people think that that's going to accomplish something. It's not going to accomplish anything until the people here, particularly the Leaders, decide that they can get together, pass a reasonable budget for the people of Illinois and take care of what's happening in what would be a recession. So, I will support the Gentleman's Bill, but let's look at it. This is all a bunch of phony baloney."

- Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 5095?' 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 105 voting 'aye', 6 voting 'nay', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Kane, Representative Lindner on House Bill 4290. Lindner, 4290? Read the Bill, Mr. Clerk."
- Clerk Mahoney: "House Bill 4290, a Bill for an Act concerning criminal law. Third Reading of this House Bill."
- Lindner: "Thank you, Mr. Speaker. We had two (2) statutes in Illinois, exploitation of a child and sexual exploitation of a child, which sounded worse, but it was a Class A misdemeanor and contained the elements of public indecency.

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- So, we simply transferred that section of the statute to public indecency."
- Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4290?' 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... Sullivan, Black... take the record. On this question, there are 91 voting 'aye', 18 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative May on House Bill 4812. Read the Bill, Mr. Clerk."
- Clerk Mahoney: "House Bill 4812, a Bill for an Act concerning State Government. Third Reading of this House Bill."
- May: "Yes, thank you. House Bill 4812 is an extension of what we did last year for the green cleaning of all the schools in our state and it extends it to the state buildings. If it's economically feasible, which it is, it's very permissive. And it just shows that if we care about our kids, we should care about the employees in state buildings too. This was a good little Bill that I heard from parents and teachers and custodians that this is the right way to go."
- Speaker Turner: "...no questions, the question is, 'Shall the House pass House Bill 4812?' 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.

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On this question, there are 110 voting 'aye', 1 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mendoza, House Bill 4466. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4466, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

"Thank you, Mr. Speaker, Ladies and Gentlemen of the Mendoza: House Bill 4466 is identical legislation to the same DNA legislation that I passed overwhelmingly out of this chamber for the last four (4) or five (5) years with all of your support. The only difference in legislation is that we are updating the effective starting date. And the problem with the legislation has not been in this chamber, it just has stalled, a terrible stalling, in the Senate. But I'm not going to give up. And would hopefully, with your support, continue to move this legislation along until we... we get a signature from the Governor someday. What the Bill does is it would take a DNA saliva swab sample of anyone who's arrested for a felony. I think it's extremely important legislation, both in terms of solving crimes, outstanding crimes that we have DNA samples for but have no idea who they belong to. And at the same time provide for an assurance that innocent people are not wrongfully convicted. That I think could end with this legislation passing someday. And I would ask for your support once again."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Black: "Representative, I want to see if I can clarify something. Is it your intent that any person arrested for a felony must submit a DNA sample?"

"Yes, any person who would be arrested. Just right now currently, under our law any person who's arrested for any crime, whether it's a, you know, misdemeanor or something much more egregious felony wise, has to get their picture taken, their fingerprints taken and they're kept on file forever. Unless, of course, that record is expunged and they're able to eliminate that, you know, fingerprint or the picture from our files. What we're seeing with the DNA evidence in today's technology is that it's really the fingerprint of the 21st century and so, we're treating this DNA sample in the exact same way that we treat fingerprints under our current law. We've incorporated it into the booking procedure just as we have with fingerprints. we're treating it in the exact same way. So... but we're only doing so with people who are arrested for felonies. So, vou're talking about, you know, very serious crimes here, not just any misdemeanor. If it rises to the occasion of an arrest for a felony then we think that we should incorporate it into the booking procedure and allow it to be used as nothing more than a fingerprint of the 21st century."

Black: "Well, I... I appreciate that... that answer. I... I guess the concern I have is that being arrested for a felony is certainly not the same thing as being convicted of a

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felony. What... what due process rights does the alleged felon have? What... what if the alleged felon says, no, I'm not going to submit to a DNA test? Why... why don't you make it upon conviction rather than arrest?"

Mendoza: "We already do it upon conviction. So, what we're trying to do here is to, you know, further recognize that there are many people who do get arrested for felonies day in and day out whose DNA samples are never kept on file, but who nonetheless may not have been convicted of that crime, but go ahead and go back into society and potentially, go on to commit further crimes. And without their DNA sample being on file, it's very difficult to close out outstanding cases that we could today be able to ... to basically make our streets safer by preventing repeat offenders. You know the issue with this Bill is so important because when we talk about serial rapists and serial killers, the average rapist rapes seven (7) times before he's caught. And if we were able to... but many times those rapists for example are arrested for a home invasion, which would qualify as a... as a felony offense. oftentimes put through the system and maybe there's nobody to file a complaint or for whatever reason the case gets dropped. That individual, we don't have their DNA on file and they can go on and maybe the next crime escalates from a home invasion to an actual sexual assault. sometimes it takes twelve (12), thirteen (13) times literally, there was a case in my district where individual had been raping thirteen (13) women before we caught him and we had his DNA on file. He had been

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arrested multiple times, but we... we did not have this Bill in place where we could actually take a... an arrestee's DNA. Had we had that in place, you know, we could have stopped this person at rape number two (2) or rape number three (3) versus rape number thirteen (13). So, that's why this legislation is so important. Because while I... we've given it great thought and said, you know, we're not going to take the DNA sample of just anyone. But we do believe that it should be treated very similar to a fingerprint. And we should limit it at least to start with I would... I would assume and I... I would suggest to very serious offenses like, you know, sexual assault or felony offenses. That's why I think this Bill is very important. And I do believe that we're weighing the benefit to society against, you know, that potential that we talk about infringing on the Fourth Amendment right, which you know, I would defend and I would support, as well. But again, this is a greater good to society in the whole. And that's why I don't believe that we're overreaching by asking for the felony arrestee to put a sample on file."

Black: "Mr. Speaker, that's like asking the Representative how her flight was and she just told me how the airplane was invented. I just, you know, some simple answers to simple questions. I... I guess, while this may be viewed as the 21st century fingerprint, how many states allow... not allow, demand a DNA sample upon arrest for a felony?"

Mendoza: "I believe there's nine (9) states now. We would have been the very first state to do this when I first introduced this legislation in the capacity that... that it's

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written up. And actually, other states have taken this legislation and mirrored it for their own states, like Minnesota. And there's other states like... Kansas actually has a much stricter policy than what we're asking for here. And there's other countries like England who does... they do it for every single crime. And you know, have had an amazing amount of cases solved as a result of having this DNA evidence on file. And that's for every crime. I'm not looking to do that. I'm looking to do that for very serious offenses that people are arrested for. And again, if you are able to expunge your record today and expunge your fingerprints and your mug shot, your DNA information would go right along with it. So, this is by no means overreaching in any capacity."

Black: "I... Representative, I... I can understand where you're headed. And I... I don't know that I'm in opposition to your Bill. But there's something about this that makes me a little nervous."

Mendoza: "I understand that."

Black: "You know, it's... it's one thing to be convicted..."

Mendoza: "Sure."

Black: "...and ordered by a court to undergo DNA testing, genetic testing, whatever. It's I would think quite another to just be arrested and before you are arraigned and you can make bail and you are then required over and above your objection, to give a DNA sample. And it just seems to me that there's a lack of due process involved here that can get to be very, very sticky in... in... in criminal cases. Has

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there been any definitive court decision on... on this matter? Has..."

Mendoza: "Yes, there have been. There were originally many challenges to DNA being taken as, you know, in terms of arrest or even upon conviction because of the Fourth Amendment right, search and seizure and all that your privacy issues and so forth but the courts have, you know, time after time struck that down as not overly invasive. It's a very simple saliva swab. We're not asking for blood or even hair to be extracted. So, a very simple noninvasive procedure. It's almost... it's actually less strenuous on the individual than actually grabbing the individual person's hand and taking the fingerprints. Very noninvasive, but incredibly accurate in terms identifying whether the suspect is, in fact, you know, the person that we're talking about. It's an identification tool and that's what I think a lot of us forget. We use fingerprints and we use a person's photograph because we use them as identification tools. And there is no greater identification tool available to law enforcement, but as well and very importantly to a defendant than their own actual DNA. So, I think we just need to recognize that this is... I mean, we are in 2008 and as we move forward in... in our lifetimes technology is going to advance. And this is a very advanced way... it's a much more advanced and much more reliable than the fingerprint actually is. many, many years ago when we were debating fingerprints and taking them upon arrest for any arrest, I'm sure that it was very highly controversial. But you

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know, I think it's difficult to argue that today. You know, DNA evidence not only benefits law enforcement, but without a doubt time after time, you know, it's proven to have benefited the wrongly accused. And we've already let go... every year we've read the cases in the Chicago Tribune, in the Chicago Sun-Times, both which papers support this Bill with their editorial boards. We have seen how many people have been wrongfully convicted and after twentyeight (28) years of being in jail for a sex offense, you know when they never had the ability to... to give their DNA, because right now judges have to order that sample to be taken. If you're a poor minority who is accused of a crime that you didn't commit and maybe you have a long rap sheet, you're probably not going to get the benefit of the doubt. But the DNA, it doesn't talk about race or gender, it talks about the truth. And I think that's very important. And if I were a defendant who's been wrongfully accused I would..."

Speaker Turner: "Representative, I realize that she used your time. We'll... we'll give you another minute."

Black: "Mr. Speaker, I..."

Speaker Turner: "Listen, this is on Short Debate. So, we will..."

Black: "All right. Let... let me just... as always, the Sponsor is certainly impassioned about this case. I... I'll listen to the rest of the debate. I have great confidence in some people who want to speak. I... I am not of the technological generation. It... it just... it just seems to me that we're headed down a path where we're putting all of our... all of

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our eggs in a technology basket. It ... I just ... I'm a little leery of upon arrest. What... what if the accused knows that he or she has committed a crime twenty-five (25) years ago and they're going to nail me or that individual if I'm forced to give a DNA sample against my will? I haven't been convicted, I don't even face charges for the crime I may have committed twenty (20) years ago. But without my consent, without right of due process, I am forced to give a DNA sample, which then may incriminate me on an offense I made twenty (20), twenty-five (25) years ago. And to say that technology doesn't make a mistake, I think is... is a stretch. I understand that this is the wave of the future. But I would... I would ask, Ladies and Gentlemen, that we on any of these kinds of issues, that we move as slowly and with all due process as we can. Because when I give up a little bit of my liberty for my safety, I am afraid that at some point in my life I'm going to find that I've given up both, my liberty and my safety. But I... I'll listen to any other comments. And I always appreciate the fact that the Representative does her homework and is always impassioned about what she sponsors."

Speaker Turner: "The Gentleman from Winnebago, Representative Sacia, for what reason do you rise."

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

Speaker Turner: "She indicates she will."

Sacia: "Ladies and Gentlemen of the House, the Lady has carried this legislation a minimum of two (2) times, previously. I remember the first year she carried it, there was a gentle Lady on the other side of the aisle that spoke passionately

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against the Bill. Last year... I don't see her in the chamber right now, but last year she spoke passionately in favor of it because she recognized that this is a remarkable tool as the Sponsor has indicated to vindicate those who were wrongly charged somewhere along the line. Representative Black used the term that this is the fingerprint of the 21st century and it truly, truly is. It's a noninvasive procedure, very noninvasive. I have literally been involved in wrestling someone to fingerprint them. You know, a simple swab is... is not a difficult situation to obtain from a person, a saliva swab, which will become DNA evidence. And it's... it's something that is there on infinitum, it can help us convict a criminal, it can help us exonerate a person who is not a criminal. This truly is exceptionally fine legislation. I think of all those years in law enforcement and law enforcement officers that would have so liked to have had something like DNA evidence. And speaking directly to Representative Black's comments about it being somewhat invasive when you're charged with a felony initially. We all realize that that felony may be pled down to a misdemeanor. But the same goes for a fingerprint and photographs. When a person is arrested for any felonious crime, any serious misdemeanor, they are brought in, they are fingerprinted, they are photographed. Ah yes, now let's now get a DNA sample because now we have a foolproof system. This truly is exceptional legislation. It absolutely would be law today if it hadn't been bottled up in the Senate for the past couple years. I urge the House to support this gentle Lady in a fine piece of

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legislation. And I ask that I be added as a cosponsor. Thank you."

Speaker Turner: "The Lady from Cook, Representative Graham, for what reason so you rise?"

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. I stand in support of this piece of legislation. Years past, I was apprehensive about it. But last year I would say that I experienced, my house was broken into and you know how it is when somebody breaks into your property, it no longer feels like it's your own. Well, the person who had broken into my home had cut their hand and left blood droppings in my house. And because they took samples of the blood, they were able to identify the individual who had broken into my home. So, I stand in total and complete support for the Lady's legislation. And I urge an 'aye' vote."

Speaker Turner: "The Gentleman from Cook, Representative Molaro, for what reason do you rise?"

Molaro: "Thank you. I'll be as brief as I can. I'm finally going to support this Bill only because the Lady from Cook kept working on me and I guess, you know, I have to be drug... I'm like Representative Black, I have to be sort of hog-tied and dragged into the 21st century, you know, but also... but let me say this, Representative, since we have this time now together. You got a Bill coming up later which I'm really going to be screaming about, that I don't about the wiretaps. But I... I agree Representative Black. Maybe... I don't know if it's our age or what it is. But there's something funny about this Bill

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and maybe it's just that we just don't like change. I don't know what I don't like about this Bill, I can't figure it out. And since I can't figure it out, I'm going to vote 'yes'. So, thank you."

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

Durkin: "Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Durkin: "Representative Mendoza, I'm not going to try to lawyer this thing, but I'm... I'm looking at the language. The... at what part of the process must the DNA sample be taken from this person who's been arrested?"

Mendoza: "It becomes part of the booking procedure. So, it would... there's a technician that is in charge of it. It would not be a police officer, it would not be the person handling the actual arrest, but a technician who would be in charge and trained to do that. The Illinois State Police has the... the authority of coming up, promulgating the rules on how that would be done. But, you know, originally when this idea was brought forth to me it... it actually had in the legislation to have the police officer could use any, you know, force necessary to submit the person to this sample, which is absolutely asinine. So, we've made a lot of work on this. And this is where we've gotten it to."

Durkin: "Well, I guess the issue is... I mean... well, the person who is supposed to administer the DNA test, do they have to be... are they a State Police employee or are they a local or from the arresting authority?"

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Mendoza: "Excuse me, from the what court?"

Durkin: "Are they from the arresting authority or..."

Mendoza: "They're..."

Durkin: "...are they a State Police employee?"

Mendoza: "...they're supposed to be... my understanding is trained by the Illinois State Police. I don't know that you could possibly have, since this would be anywhere that you're arresting people, Illinois State Police officers working within each and every municipality. But they're coming up with the rules, so I think that's still up for... for final discussion as to whether it would be a municipal employee trained by the Illinois State Police crime lab to only do that or whether it would be a, you know, a... just a State Police officer."

Durkin: "All right. Well, I'm getting back to the booking. Now, we... we often hear, we kind of understand what the booking process is. But we start getting into definitions. And what I can see is that someone is going to be arrested, they will be booked, we don't know... we kind of know what it is, but there's no definition of what 'booking' is. They're processed or put in the county lockup, a few days later it's said, oh, you know, we going to go get a DNA sample. The person's already been booked. At that point, the way I read it, the police do not have the ability to go in to ask for that type of DNA sample because the booking process is already completed. And if they force that sample and it's subsequently found that this person is possibly linked to another crime, it can be suppressed by his attorney as the fruit of the... fruit of the poisonous

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tree. I... do you understand what I'm saying? Is that we... when we use the word, the booking process there's no... there's not a definition for it. You're also... you're limiting the time in which someone could have the DNA sample obtained after they've been arrested. Do you agree or disagree with that?"

Mendoza: "Well, I... I hadn't really... it hadn't been put to me in that context. The way, you know, we've been discussing this is that when you get your mug shot taken, that happens within a certain time frame, right? The picture, the photograph, as well as the fingerprinting. And this would be one more step in that process. I don't anticipate it being two (2) or three (3) days after the individual is brought into the... the arrest situation. It would be at the same time, you know, one right after the other. You'd take them to mug shot, you process them for fingerprints, you would process the DNA sample."

Durkin: "But again, I'm... what I'm getting into is that there will be a point in which someone is going to be arrested. They will have their DNA taken and it will... they'll find out that they're a hit on another crime. And it's going to be subject to a motion to dismiss. What exactly does booking mean? And was this taken before or after... during the booking process or after the booking process? 'Cause we don't exactly define what booking is under the statute. I'm not trying... like I said, I'm trying to lawyer you to death on this. But this is going to be something that's going to be litigated at some point in the future. Because we're not quite sure exactly whether or not the sample was

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taken after the booking process. And under this... under this Bill, it would be not be used... it should not be used to... it should be sent to the State Police lab for the processing and for trying to find the... you know, see if it's linked to another crime. I'm just telling you that's what I anticipate would be a potential problem because everything we have to do down here, we have to be careful about how we define things or we should define things when things on their face, you know, they seemed apparent, but this is not a situation, like I said, seems... that is very apparent of what we... what we... how we look at booking. give that some thought. I'm going to vote for you Bill. But you know, we often say, yeah, we'll work with... on it in the Senate. But please give it some thought to that, 'cause that is an open-ended question that someone's going to have to deal with a little bit later, of how we're going to define booking under your statute. Okay."

Mendoza: "Okay. Thank you. I appreciate the input."

Speaker Turner: "The Gentleman from Cook, Representative Dunkin, for what reason do you rise?"

Dunkin: "Thank you, Mr. Speaker. Will the Sponsor yield? I'm just curious, Representative, why is the Cook County public defender opposed to this Bill, according to my analysis?"

Mendoza: "I don't know. I've had so many conversations with them and I just think we're... we don't meet eye to eye on that. Again, I just go back to the whole point that if I were a defendant who's been wrongfully accused of a crime, I would hope and pray to God that this Bill is in place so that I could prove through my DNA that I am not the

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individual who they believe, and they might have great reasons to believe, that I'm quilty of that crime. There's a lot of people who are falsely identified, who get convicted based on false identifications, who never even get the opportunity to submit DNA evidence. Today, you have people who are incarcerated who are still petitioning judges for the opportunity to have their DNA tested. would be great for those defendants, if wrongfully accused of a crime, before they're ever convicted of that crime, to have the opportunity just like they do today with their fingerprints, just like they do today with their mug shot to be able to, through DNA evidence which is conclusive, be able to say that, look, I know the guy looks like me. You know, I know that somebody identified me in a... in a lineup, but it's not me and my DNA proves that it is not me. I... I will never understand how as a defense attorney that should not be something that you're clamoring for in terms of legislation. So, I... I've had many conversations, Representative Dunkin, and I mean I just... I don't think we're ever going to see eye to eye to that. I don't understand it. I don't have a good answer for you on that."

Dunkin: "So, but the… were there any salient points that they made that, you know, that stuff… that kept them in their position of opposition?"

Mendoza: "Well..."

Dunkin: "Because I'm thinking that, you know here... here you have a public defender, especially in Cook County, where the lion's share of... of your criminal cases in particular,

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are conducted in the State of Illinois and yet they're opposed to something that would possibly be an exoneration."

Mendoza: "They... they... every time that they've testified in committee it's always been an issue of, you know the Fourth Amendment right, which again has been held to be constitutional in, you know, a court case after court case. And again, I think that, you know... I... I don't want to tell you why I believe or what I think they might be thinking 'cause, just frankly, it does not coincide with what I firmly believe to be the reasons why we need this Bill. They've presented their arguments, I've tried to be very open-minded and you know, listen to everyone's arguments out there. I had people like Representative Lovana Jones, who many of you worked with..."

Dunkin: "That's right."

Mendoza: "...who originally, absolutely hated this Bill."

Dunkin: "Yes."

Mendoza: "And with..."

Dunkin: "I remember that."

Mendoza: "...with time became a cosponsor of the legislation because she came to see how important it really was. And that this was a very balanced, very balanced piece of legislation, both on the law enforcement side and on the defense side."

Dunkin: "Well, Rep..."

Mendoza: "So, I mean I'm very proud of how far we've gotten it.

I... there will always be people who will be opposed to every idea, no matter how great it is. And you know, I... I'm very

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confident this is a good piece of legislation and it will do a lot of good for many people across the state. It will prevent an enumerable amount of sex offense crimes from ever happening and serial murders as well. So, I don't know why the defense attorneys are so adamantly... or you know, the Bar Association says that they're opposed to it. But I just don't think we're ever going to see eye to eye on that."

Dunkin: "Did they give you a legal argument for why they opposed this or at least the State Appellate..."

Mendoza: "Well, yeah the..."

Dunkin: "...Defender?"

Mendoza: "...they always go back to that it's unconstitutional, the Fourth Amendment right. But again, you know, my counter to that is that you can make that argument, but the courts have upheld this as not being unconstitutional."

Dunkin: "Which courts? The U.S. Supreme Court of the State of Illinois?"

Mendoza: "The Supreme Court has already ruled on this on multiple cases. There have been... I don't..."

Dunkin: "Do they remand it back to the..."

Mendoza: "...I do not remember the case."

Dunkin: "Was it remanded back to the state courts or ... "

Mendoza: "You can Google it. Hold on, let me if the attorney on staff might know something."

Dunkin: "Oh, you're going to let him answer now?"

Mendoza: "Yeah. I'm sorry. Honestly, I don't know the cases off the top of my head. But you know, again this has been upheld. Other states that have this have not had the

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legislation taken out because of unconstitutionality issues. I just think that we are never going to come, unfortunately, to an agreement between, you know, the ACLU, the Illinois Bar Association and you know, myself or any other Legislator who supports this legislation. I've tried. We're… we're not going to get there."

Dunkin: "So, what's the biggest distinction from this legislation and the one prior to... I think it was about, what, three (3) years or so ago?"

Mendoza: "What's the biggest what?"

Dunkin: "Didn't you have similar legislation..."

Mendoza: "Yes, actually there... there is absolutely no..."

Dunkin: "...about three (3) or four (4) years ago?"

Mendoza: "Yes, no distinction. I carried this, I think this is the fourth time. It's the exact same Bill, the only difference is the effective starting date. So... but I have ... this is an issue that I've talked to every single Member of this chamber about, personally. And that I've explained, you know, in detail and tried to answer everyone's question in the past. Some people's memories might be a little hazy, we only deal with thousands of Bills here, so I understand that. But you know, this is a Bill that has grown from a Bill that originally was perceived as very contentious and perhaps divisive and very controversial to a Bill that has for the last three (3) years, come out with close to unanimous support. So, I... you know, again, I feel confident when even, you know, Representatives like, you know, Representative Jones could get on board as the Sponsor. That to me means that, you know, this Bill has,

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you know, time has helped show that this Bill needs to happen. And when we constantly pick up the paper and see that an individual, minority, has been released after twenty-eight (28) years in jail for a crime that they didn't commit, that could have easily been prevented by a DNA sample, you know, that's what fires me up about legislation like this. We can put people away who don't deserve to get a free pass for having committed a crime that they haven't been caught for, but also make sure that the right person is being put away. And that we're not sending an innocent person to jail."

Dunkin: "So, Representative, I see... I understand your ... your And as a matter of fact, no one here good intentions. would support someone being wrongfully convicted. there's been a lot of abuse in the City of Chicago, in this state, with overzealous prosecutors who put innocent people and sometimes normally twenty (20), thirty (30) years in the penal system, devastating their lives as well as their families lives. know, if Because you someone's incarcerated their family goes with them, quite frankly, a good portion of them. And so I'm just a little confused, because we often know constituents or of constituents or family..."

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

Dunkin: "Thank you, Mr. Speaker. Who potentially could be a part of, you know, sort of the… the negative abyss of prosecution. Especially if you are low income, you don't have the resources to really… to get, you know, the

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preeminent defense attorneys. And so, to see that you have some of our premiere agencies, the Cook County Public Defenders Office, the State Appellate Defenders Office, which is usually oftentimes the last appeals of ... of ... last resort for a number of individuals here, and certainly at the state level. And then to see ACLU and the State Bar is another huge and Association, which prominent organization here, opposed to this. You know, for us nonlawyers, Representative... Representative, for nonlawyers it's a bit confusing. And when we're trying to look out for the... for the common good of, you know, the average Illinois citizen, it just, you know, sort of gives pause to what's really going on. And again, I don't have all the answers. It's, you know, I know you've been working on this for a number of years and I'm..."

Speaker Turner: "The Gentleman from..."

Dunkin: "So, thank you, Mr. Speaker."

Speaker Turner: "The Gentleman from White, Representative Phelps."

Phelps: "Mr. Speaker, I move the previous question."

Speaker Turner: "Gentleman moves the previous question. All those in favor say 'aye'. The previous question is put.

And the... Representative Mendoza to close."

Mendoza: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I would just respectfully ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall the House pass House Bill 4466?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all

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voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 98 voting 'aye', 12 voting 'no', 1 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative May on House Bill 5773. Mr. Clerk, the Lady asks leave to bring the Bill back from Third to Second. Place that Bill on the Order of Second Reading. Read the Bill..."

Clerk Mahoney: "House Bill 5773, Amendments 1, 2 and 3 were adopted in committee. Floor Amendment #4, offered by Representative May, has been approved for consideration."

Speaker Turner: "The Lady from Lake, Representative May."

May: "Yes. Amendment 4 is really fairly technical. But it clarifies that only one person in the recycling chain has to have the notification and be certified to do it."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #4 to House Bill 57... the Gentleman from Black... I mean, the Gentleman from Vermilion, Representative Black, for what reason do you rise? And it is getting late in the day."

Black: "I understand, Mr. Speaker. Will the Sponsor yield?"
Speaker Turner: "Indicates she will."

Black: "Thank you. Representative, so I could drop off my old refrigerator without having a registration number, right?"

May: "If you drop it... if you give it to a recycler who is registered, that's correct. One person in the chain."

Black: "But what if the recycler isn't taking any refrigerators that day?"

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May: "Well, I think that you would find out when they're taking them."

Black: "What if I... generally, any white good I've ever purchased, the merchant that delivers it takes the old one away. How... how's that going to work under this Amendment?"

May: "And I was just asking about one of the major stores, like Abt in my area that has it. If they become certified they could become a recycler. This is a result, if we want to talk about it, there was a white goods task force that... from the 88th General Assembly. So, we're finally implementing some of those things. But this particular Amendment is technical, just clarifying the number of people in the recycling chain."

Black: "So, this is a technical Amendment?"

May: "Yes."

Black: "Very..."

May: "We thought it was fairly clear. But so we just..."

Black: "Yes, very... very, very technical?"

May: "Pretty technical."

Black: "Yeah."

May: "IRMA asked for it to clarify it."

Black: "That's... that's what I'm afraid of. Okay. I'll... I'll ask you some questions on Third."

May: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt Floor Amendment #4 to House Bill 5773?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Flowers on House Bill 5865. The Lady asks leave to bring the Bill back from Third to Second. Leave is granted. This Bill will remain on the Order of Second Reading. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1133, offered by Representative John Bradley. House Resolution 1134, offered by Representative John Bradley. House Resolution 1135, offered by Representative Howard. House Resolution 1136, offered by Representative McGuire. House Resolution 1137, offered by Representative McGuire. House Resolution 1138, offered by Representative Bellock. House Resolution 1139, offered by Representative Burke. House Resolution 1140, offered by Representative Tracy. House Resolution 1141, offered by Representative Granberg. House Resolution 1142, offered by Representative Howard. And House Resolution 1143, offered by Representative Brady. House Resolution 1144, offered by Representative Cross. House Resolution 1145, offered by Representative Cross. And House Resolution 1147, offered by Representative Cross."

Speaker Turner: "Representative McCarthy moves for the adoption of the Agreed Resolutions. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. The Gentleman from Cook, Representative Molaro, for what reason do you rise?"

Molaro: "For purposes of announcements."

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- Speaker Turner: "You may be doing what the Clerk was about to do, but go ahead."
- Molaro: "No, no, this is a different announcement. Nine o'clock tomorrow we did have Judiciary II-Criminal Law and we are now canceling that committee. So, we are not meeting at 9:00 tomorrow. We will be meeting next Tuesday afternoon. So, thank you. No Jud II tomorrow morning."
- Speaker Turner: "Mr. Clerk, with that would you give us the rest of the committee schedule."
- Clerk Bolin: "The following committees will meet immediately upon adjournment: Personnel & Pensions Committee in Room 115; Appropriations-Human Services Committee in Room D-1; Local Government Committee in Room C-1; Public Utilities Committee in Room 122B; State Government Administration Committee in Room 118; Veterans Affairs Committee in Room 114. The following committees will meet one-half hour following adjournment: Elementary & Secondary Education in Room 114; Financial Institutions in Room C-1; Labor in Room 122B and Revenue in Room 115. The following committees will meet at 8:30 tomorrow morning: Elections & Campaign Reform in Room 118; State Government Administration in Room 114; Health Care Availability & Access in Room C-1; Human Services in Room D-1. At 9:00 tomorrow morning the Registration & Regulation Committee will meet in Room 114 and the Executive Committee will meet in Room 118. At 3:00 tomorrow the Appropriations-Public Safety Committee will meet in Room 114."

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Speaker Turner: "Any further announcements? No further announcements, Representative Lang moves that the House now stands adjourned until Wednesday, April 9, at the hour of 10 a.m., Wednesday, April 9 at the hour of 10 a.m. Allowing perfunctory time for the Clerk, the House now stands adjourned 'til Wednesday, April 9, at the hour of 10 a.m. And the House is adjourned."

"House Perfunctory Session will come to order. Clerk Mahoney: Committee Reports. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on April 08, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Amendment 2 to House Bill 5399. Representative Boland, Chairperson from the Committee on Financial Institutions, to which the following measure/s was/were referred, action taken on April 08, 2008, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 4461. Representative Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on April 08, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is House Floor Amendment #2 to House Bill 5368. Representative Chapa LaVia, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on April 08, 2008, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 4147 and House Bill 5849; 'recommends

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be adopted' is Floor Amendment #1 to House Bill 2518. Representative Burke, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on April 08, 2008, reported with the following recommendation/s: same back 'recommends be adopted' Floor Amendment #1 to House Bill Representative Collins, Chairperson from Committee on Public Utilities, to which the following measure/s was/were referred, action taken on April same back with the 2008, reported the following recommendation/s: 'do pass as amended Short Debate' is House Bill 5467. Representative John Bradley, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on April 08, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2332 and Floor Amendment #2 to House Bill 4454. Representative Franks, Chairperson from the Committee on... Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on April 08, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Amendment #1 to House Bill 2392; 'do pass as amended Short Debate' is House Bill 4370. Representative McAuliffe, Chairperson from the Committee on Veterans Affairs, to which the following measure/s was/were referred, action taken on April 08, 2008, reported the same back with the following recommendation/s: 'do pass as amended Short

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Debate' is House Bill 5370. The following Bill was introduced and read a first time: House Bill 6330, offered by Representative Saviano, a Bill for an Act concerning revenue. First Reading of this House Bill. Introduction and Reading of Senate Bills-First Reading. Senate Bill 2021, offered by Representative Black, a Bill for an Act 2547, gaming. Senate Bill offered concerning Representative Turner, a Bill for an Act concerning Senate Bill 1930, offered by Representative Mathias, a Bill for an Act concerning transportation. Senate Bill 1955, offered by Representative Pritchard, a Bill for an Act concerning education. Senate Bill 1989, offered by Representative Mathias, a Bill for an Act concerning transportation. Senate Bill 2009, offered by Representative Mathias, a Bill for an Act concerning transportation. Senate Bill 2071, offered by Representative Leitch, a Bill for an Act concerning education. Bill 2072, offered by Representative Mathias, a Bill for an Act regarding disabled persons. Senate Bill 2100, offered by Representative Moffitt, a Bill for an Act concerning disabilities. Senate Bill 1864, offered by Representative Froehlich, a Bill for an Act concerning fatherhood. Senate Bill 2734, offered by Representative Froehlich, a Bill for an Act concerning public health. (Bill read in error per Jill Nika). Senate Bill 2564, offered by Representative Froehlich, a Bill for an Act concerning transportation. Senate Bill 2857, offered by Representative Soto, a Bill for an Act concerning State Government. Senate Bill 2861, offered by Representative Smith, a Bill for an Act

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concerning agriculture. Senate Bill 2872, offered by Representative Fritchey, a Bill for an Act concerning civil Senate Bill 2875, offered by Representative Currie, a Bill for an Act concerning revenue. Senate Bill 2877, offered by Representative Hernandez, a Bill for an Act concerning State Government. Senate Bill 2211, offered by Representative Saviano, a Bill for an Act concerning regulation. Senate Bill 2380, offered by Representative Mautino, a Bill for an Act concerning regulation. Senate Bill 2424, offered by Representative Saviano, a Bill for an Act concerning regulation. Senate Bill 2492, offered by Representative Soto, a Bill for an Act concerning public Senate Bill 2546, offered by Representative Froehlich, a Bill for an Act concerning criminal law. Senate Bill 2639, offered by Representative Hamos, a Bill for an Act concerning safety. And Senate Bill 2674, offered by Representative Gordon, a Bill for an Act concerning local government. And Senate Bill 2682, offered by Representative Mathias, a Bill for an Act concerning education. House Perfunctory Session will come to order. Committee Report. Representative Osterman, Chairperson from the Committee on Appropriations-Human Services, to which the following measure/s was/were referred, action taken on April 08, 2008, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 6310. There being no further business, the House Perfunctory Session will stand adjourned."