

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

249th Legislative Day

4/9/2008

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off laptop computers, cell phones and pagers and we ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall have two invocations today. First, Dr. Cheryl Armstrong, who is the pastor of the Fresh Harvest Church in Woodstock, Illinois. Dr. Armstrong is the guest of Representative Jack Franks."

Dr. Cheryl Armstrong: "Good morning. Take a deep breath. We're glad to be here, right? Yes, we are. I'm here to declare this morning that this is the day, April the 9th 2008, that the Lord has made and we are here in the House of Representatives in the State of Illinois to rejoice and be glad in it. Almighty God, we thank You for Illinois, for it's founding, God, in 1818 as the 21st state God, in the United States of America on which we stand. All of us gathered together in this place, thank You for Springfield the field of springs. With Springfield as our capital, the State of Illinois will be known as the place where the river of God dwells. We remember today our state motto, state sovereignty, national union. We declare Illinois the Land of Lincoln, a prototype for what God wants to do with the rest of the nation. What does the Lord require of you, House of Representatives, today? To do justice, to love mercy and to walk humbly with your God. Psalms 55 says give your burdens to the Lord and He will take care of you. He will not permit the godly to slip and fall. Know today as Nehemiah did as he rebuilt the walls in Jerusalem, that the

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joy of the Lord, no matter what you have to look at today, the joy of the Lord is your strength. And Lord, I pray now that You would make each elected official instruments of Your peace. We declare true unity in making the right decisions for all the people in our state and for the future of Illinois as well. Success means being in the right place at the right time, doing the right thing. And I leave you with the blessing from I Chronicles, Chapter 12. Success, success, success. Success to you, success to those who help you, for the Lord, your God, will help you. Amen."

Speaker Madigan: "We shall be also be led in prayer by Father Michael Pfleger who is with the Faith Community of Saint Sabina Church in Chicago, Illinois. Father Pfleger is the guest of Representative Arroyo, but I would like to point out that he spent his early years in the Illinois House District of Representative Michael Madigan. Father Pfleger."

Father Michael Pfleger: "Thank you, Speaker. God, who is Prince of peace and God of love, we thank You for this new day that You have given us and the possibilities that it holds for us. We ask You, God, to bless our Legislators with the... whose responsibility it is to care of the citizens for this great state. Give them the wisdom they need to know what's right and the courage to do what's right. Help them never to be moved by political correctness or powers of influence, but rather to act conscious of the accountability they have to You. Remind us, oh God, that the judgment of history of our actions speaks much louder than our present political correctness or cowardness (sic-cowardice). Give us the ears

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to hear the cries of the disenfranchised and the hurting of our state and give us the heart and the conviction to vote to save the lives of our children who are dying before our eyes. Finally, Lord, help us as a nation to divorce ourselves from the love affair with guns and fall back in love with the protection and the safety of our children so that they may fulfill their dreams and their purpose. We thank You, God, for all Your goodness. In Jesus' name. Amen."

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

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

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

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

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Watson is excused today."

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

Clerk Mahoney: "Committee Reports. Representative Nekritz, Chairperson from the Committee on Elections & Campaign Reform, to which the following measure/s was/were referred, action taken on April 09, 2008, reported the same back with

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the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2673. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on April 09, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 2308. Representative Flowers, Chairperson from the Committee on Health Care Availability & Access, to which the following measure/s was/were referred, action taken on April 09, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment 2 and Floor Amendment 3 to House Bill 4943. Representative Jakobsson, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on April 09, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is House Resolution 986; 'do pass as amended Short Debate' is House Bill 5960. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on April 09, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2467. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on April 09, 2008, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Joint Resolution Constitutional Amendment 42."

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Speaker Madigan: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. A point of personal privilege."

Speaker Madigan: "State your point."

Bellock: "Thank you. I just would like to ask the chamber to welcome, we have the DuPage Mayors and Managers and the village trustees and mayors from the Villages of Downers Grove, Westmont, Woodridge, and Clarendon Hills who are all down here today. Thank you."

Speaker Madigan: "Mr. Poe."

Poe: "Yeah. Mr. Speaker, a point of personal privilege."

Speaker Madigan: "State your point."

Poe: "I'd like to take a little bit of legislative liberty here with Representative Brauer's district. Today we have the Athens Junior High group up behind me and my granddaughter's in that group, so I preempted him a little bit. Thank you."

Speaker Madigan: "Mr. Brosnahan, did you wish to call House Bill 5082? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5082, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Madigan: "Mr. Brosnahan."

Brosnahan: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. House Bill 5082 is an initiative of Cook County Sheriff, Tom Dart. This amends the Unified Code of Corrections by providing that if a person is found to be in possession of an item of contraband while serving a sentence in a county jail or pre-trial detention, the sentence imposed for the possession offense shall be served consecutively to whatever sentence is imposed for the

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offense in which the person is currently serving, regardless of the order of when the judgments are entered. The whole purpose of this legislation is to make the jails a safer place for the guards, the staff, as well as to make the jails a safer place for the inmates. We're trying to get contraband out of the jails. And I'd be happy to answer any questions. I ask for an 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Representative May, did you wish to vote? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 758? 758."

Clerk Mahoney: "House Bill 758 is on the Order of Consideration Postponed."

Speaker Madigan: "Mr. Clerk, put that Bill on the Order of Second Reading. And again, Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 758, a Bill for an Act concerning public safety. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Mr. Osterman."

Osterman: "Mr. Speaker, I'd like to leave that Bill on Second for purposes of an Amendment."

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Speaker Madigan: "Mr. Clerk, leave the Bill on the Order of Second Reading. Mr. Brauer... Brauer. Mr. Durkin, did you wish to call House Bill 5513, 5513? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5513, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Durkin: "Mr. Speaker, if we could, could we put this back to Second Reading. I am preparing an Amendment. This was discussed last week and Mr. Franks and I have come to an agreement on additional language."

Speaker Madigan: "Mr. Clerk, put the Bill on the Order of Second Reading. Mr. Froehlich, do you wish to call House Bill 4303? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4303, a Bill for an Act concerning health. Third Reading of this House Bill."

Froehlich: "Thank you, Mr. Speaker. Last year the Legislature learned about MRSA, methicillin-resistant Staphylococcus aureus, a type of staph bacteria resistant to many antibiotics. We passed two (2) Bills last year: one (1) by Representative Bellock, one (1) by Representative Flowers to establish MRSA prevention control programs for licensed hospitals and mental health facilities. This Bill would extend coverage to other state-operated residential facilities, such as our prisons. I have had a number of conversations with representatives of different state agencies. I've incorporated several of their suggestions into the Amendments and the purpose is really to require that the prevention and control procedures that we required

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last year for hospitals in this state. I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. The Chair recognizes Representative Chapa LaVia."

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

Speaker Madigan: "Sponsor yields."

Chapa LaVia: "Representative Froehlich, why... why is the Department of Human Services, Public Health, Veterans... especially Veterans Affairs is one of my main issues... why are they opposed to the Bill?"

Froehlich: "I have not... I don't remember hearing from Veterans' Affairs. I did hear from... we did talk to Department of Public Health, and I, actually, Mr. Holladay, at our... when we got it out of committee, said he was very satisfied that we incorporated several of his specific issues and addressed them in the Amendment."

Chapa LaVia: "So, Veterans' Affairs never came to you personally and told you that they were opposed to your Bill?"

Froehlich: "I... I have no record of that, Representative."

Chapa LaVia: "Okay. How about Department of Human Services?"

Froehlich: "Yes, we had several conversations with DHS and we ended up reaching agreement on some issues, and we agreed to disagree on a couple of others."

Chapa LaVia: "Okay. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This

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Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Scully, did you wish to call House Bill 5286? You wish to take it Out of the record? For what purpose does Representative Gordon seek recognition?"

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

Speaker Madigan: "State your point."

Gordon: "Thank you. Ladies and Gentlemen of the House, if I may have your attention, please and if the young people in the gallery may rise. There are five (5) chapters from the Ford-Iroquois FFA here and they are award-winning students. Myself, Representative Dugan, I know there are several other Representatives who represent these wonderful young people here in Springfield. They've heard about the work that we're doing and came down to watch us in action today. So, if we could welcome to Springfield, I know they sure would appreciate it."

Speaker Madigan: "Mr. Fritchey, did you wish to call House Bill 5141? Fritchey."

Fritchey: "If it's possible to come back to that shortly, I'd appreciate it."

Speaker Madigan: "Okay."

Fritchey: "Thank you."

Speaker Madigan: "Thank you. Representative Howard, did you wish to call House Bill 4611? Representative Howard. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4611, a Bill for an Act concerning housing. Third Reading of this House Bill."

Howard: "Yes. Thank you, Mr. Speaker. House Bill 4611 amends the Deposit of State Moneys Act, to include securing up to

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10 percent of home loan mortgage financing as an eligible activity under the Our Own Home Program. It increases the amount of the loan that can be guaranteed... secured to 100 percent for FNMA limits from 50 percent. It directs the Illinois Housing Development Authority to establish and administer a program under which the state shall guarantee refinanced loans to homeowners that are either in foreclosure or at risk of being in foreclosure. The state's responsibility to guarantee the loan would cease after five (5) years if the homeowner is current on payments and has not gone more than thirty (30) days past due more than three (3) times during the first sixty (60) months of the refinancing. The state would continue to guarantee the loan for an additional thirty-six (36) months if, at the end of the five (5) years, the homeowner is not current on payments or has gone thirty (30) days past due more than three (3) times during the refinancing. This Bill is aimed at helping homeowners keep their homes out of foreclosure."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall the record. On this question, there are 115 people voting 'yes'; 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Flowers, did you wish to call House Bill 4223? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4223, a Bill for an Act concerning insurance. Third Reading of this House Bill."

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Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4223 would require that there will be an external and internal review in regards to the appeal process regarding insurance. And I'll be more than happy to answer any questions you may have in regards to the Bill."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Representative Osmond."

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

Speaker Madigan: "Sponsor yields."

Osmond: "Representative, I'm a little confused. Was there a third Amendment on this?"

Flowers: "I'm sorry."

Osmond: "Was there an Amendment on this?"

Flowers: "We withdrew Amendment #2 and Amendment #3. The Bill is back to its original form."

Osmond: "Okay. And how... our analysis says the Division of Insurance supports this Bill concept in the original form, is that correct?"

Flowers: "It is in its original form, yes."

Osmond: "And you do have the rulemaking Amendment on this, also?"

Flowers: "The rulemaking Amendment, yes, is there."

Osmond: "Okay. Thank you."

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

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declared passed. Mr. Meyer, do you wish to call House Bill 4402? What about 5013? Shall we come back to you later today, or do want to rest today? Mr. Meyer. Both Out of the record? Thank you. Mr. Brauer, do you wish to call House Bill 5536? Mr. Brauer."

Brauer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. This Bill just very, very simply states that on the back of the school bus... We passed a law last year to report erratic behavior. All this will do is replace these signs as they wear out, as they're used up and it will say to comment on my driving and call that number. I'll answer all questions."

Speaker Madigan: "Mr. Clerk, read the Bill for a third time."

Clerk Mahoney: "House Bill 5536, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. The question is, 'Shall this Bill?' 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 the record. On this question, there are 115 people voting 'yes', 3 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Pihos. Pihos. Do you wish to call House Bill 5240? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5240, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Madigan: "Representative Pihos."

Pihos: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. 5240 is in response to House Bill 1877 that passed

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and became a public law last year. And what this does, it just codifies the original intent of that Bill as established on the floor and it's with respect to sick leave for teachers and provides that a school board may require a certificate from a physician, advance practice nurse, physician assistant, or spiritual advisor or practitioner as a basis for pay during leave after an absence of thirty (30) days for birth. What the Bill did last year was it had unlimited sick leave for maternity. I'd be happy to answer any questions."

Speaker Madigan: "The Lady moves the passage of the Bill. The question is, why does Mr. Eddy seek recognition?"

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

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, I just wanted to make sure that this... you mentioned the Bill last year, but I think Representative Sommer last year when he passed his Bill made it abundantly clear that it was supposed to be something that was decided locally and what's happened is in a few instances, there's been a interpretation of this by... in the negotiating process that this would allow for unlimited use of sick leave for adoption purposes and that was never the intent of the original legislation, isn't that correct?"

Pihos: "That is correct. I have a transcript of the legislative intent here and that is correct."

Eddy: "So, really what you're doing is you're... you're establishing thirty (30) days because there was an attempt to make something unlimited that was never intended to be unlimited?"

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Pihos: "Correct."

Eddy: "I regret the fact that this is the solution. I think we all do. I think if Representative Sommer's intent would have been honored by those who were involved in process last year this wouldn't be necessary?"

Pihos: "That is correct."

Eddy: "I think it's unnec... I think it's unfortunate that this is necessary, but under the circumstances I think it is necessary. Thank you."

Pihos: "Thank you. That's correct, Representative."

Speaker Madigan: "The question is 'Shall this Bill pass?' Those in favor signify by voting 'yes'. Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. I just wanted to follow up on the prior questions. So, this... the time frame that you're setting doesn't just deal with adoptions it also deals with those who are having a child?"

Pihos: "Correct."

Nekritz: "Okay. Because I'm having an issue with a local school... with a district in my area as well. Is... and it's my understanding that the School Management Alliance it not a hundred percent on board with the change that we're making now, is that correct?"

Pihos: "They're also not in opposition. I think they're actually neutral and think that this is something that can be bargained at the local level. It can be addressed at the local level."

Nekritz: "And so... and... and the point of your legislation then is to make sure that it's bargained at the local level?"

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Pihos: "The point of my legislation is to make sure that the intent of this Bill isn't misused. What we did is we created unlimited maternity leave and leave for adoption..."

Nekritz: "Okay."

Pihos: "...by the way that this Bill was written."

Nekritz: "And so this sets sort of a ceiling on that then, and then... and then from there it can be negotiated?"

Pihos: "Absolutely. That's correct."

Nekritz: "Very good. Thank you."

Pihos: "You're welcome."

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? Has Representative Jakobsson voted? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. For what purpose does Mr. Holbrook seek recognition?"

Holbrook: "For a point of personal privilege."

Speaker Madigan: "State your point."

Holbrook: "We're joined today in gallery by the National Nurses Organization and many of them are from my area from Belleville, Granite City. They're right up here wearing the red. Would you like to give them a warm Springfield greeting."

Speaker Madigan: "Representative Pihos, did you wish to move House Bill 5189, 5189? The Bill is on the Order of Second Reading."

Pihos: "I'd like to hold it on that Order. Thank you."

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Speaker Madigan: "Thank you. Mr. Joyce, did you wish to call House Bill 5579, 5579? Representative Flowers... Representative Osmond, did you wish to do House Bill 4157, 4157? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4157, a Bill for Act concerning local government. Third Reading of this House Bill."

Osmond: "Thank you, Mr. Speaker. House Bill 4157 was... it amends the Township Code to state that the city council of a municipality that is coterminous with the township may authorize the township supervisor to preside over the portion of its meetings that deal with township matters. I'll be happy to answer any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. The question is, 'Shall this Bill pass?' And the Chair recognizes Mr. Franks."

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

Speaker Madigan: "Sponsor yields."

Franks: "Why do we need this law?"

Osmond: "Right now, in the City of Zion, there was question as to the authority of a mayor calling the meeting to order and then backing away and giving the township supervisor the authority to preside. And the question came up and they checked the law and they said that it was vague and they wanted to make it clearer."

Franks: "So, this Bill would allow the mayor to preside?"

Osmond: "Well, right now, the mayor starts the meeting and then... steps back and gives the township supervisor the authority and the vote to conduct the business that is necessary for the township."

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Franks: "So, is... does this deal with a township that's contained, con..."

Osmond: "The same boundaries."

Franks: "...totally?"

Osmond: "Yes, the same boundaries."

Franks: "It makes you wonder why need the township if the city is running the meeting and providing the services. What possible services is the township providing in a place that... that it's inside... inside a municipality?"

Osmond: "My Bill is not addressing that issue, Sir."

Franks: "Okay. Well, I've missed... you know what I'm saying?"

Osmond: "I know exactly what you're saying."

Franks: "And I... I think Illinois has the most units of government than any state in the union, by far, and it makes me wonder should we have an Amendment to a Bill like this saying that if a township is contained completely within a municipality, that that township would then dissolve because there'd be no reason for the township if the municipality is providing all the services and also running all the meetings. Why are we paying additional taxes to a township that is not providing services?"

Osmond: "The township supervisor does take care of issues dealing with the less fortunate, I mean, as far as providing emergency services."

Franks: "But we could do that through a city, no problem and then the city could assume those services, correct?"

Osmond: "Possibly."

Franks: "It just seems that we're splitting hairs here and for some reason we're perpetuating a form of government that in

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this spec... particular instance is merely redundant. Would you agree?"

Osmond: "Yes, I do. But I'm not in any way, shape, or form trying to diminish the township duties."

Franks: "But you would be, here. I guess, could you articulate what the township duties are when they... when the township is contained solely within a municipality? What exactly do they do? Are they cleaning the streets for instance? Is there a highway commissioner?"

Osmond: "There is a highway commissioner, yes."

Franks: "But does the highway commissioner have the ability to plow the roads in the township when the township is contained within a municipality?"

Osmond: "No, I think it's both, one in the same."

Franks: "All right. So, it's really the municipality who is doing it?"

Osmond: "Yes."

Franks: "Would it be a better Bill that if you said that a township was contained totally within a municipality that all those things that the township used to do would go to the municipality and the township would dissolve?"

Osmond: "I don't believe so, Sir."

Franks: "Well, I'm a proponent of township government. I think we... I think it's necessary. But when I see a Bill..."

Osmond: "In this situation, the township trustees and the city aldermen are one in the same. There's just particular issues that the township supervisor handles and the mayor handles other issues."

Franks: "Okay."

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Osmond: "So, it's not totally... she has her responsibilities, and she feels that the mayor has his section and the township supervisor has hers, and that she should be able to preside over those particular issues."

Franks: "Well, to the Bill. I... I appreciate the Lady's answers, but I'm going to vote... respectfully, I'm going to vote 'no' on this. And I'd like people to listen to the debate on this. What we're asking is to perpetuate an additional layer of government and additional taxes that our citizens are paying for redundant services. And what we're asking to do here is to say that the mayor will preside when the township is completely within a municipality, which perhaps I think a much better Bill would be when this happens and the municipality has taken over all the functions of the township and is cleaning the roads, and doing everything like that, that it's time to get rid of township in those certain instances when the township is engulfed entirely by a municipality. So, respectfully, I'm going to vote 'no', and I think it's... I think it's a question of good government, whether we should get rid of the redundancies and it would be a way to save taxpayers money."

Speaker Madigan: "Representative Dugan. And Mr. Lyons in the Chair."

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

Speaker Lyons: "Indicates he will."

Dugan: "Yes. Representative, I just wanted to check to make sure I understood this. So, this is like a regular city council or village board meeting that the mayor turns over

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the meeting to the township supervisor, is that what this is?"

Osmond: "This affects cities and townships that have the same boundaries. And so you have a township supervisor that has her set duties and responsibilities and she has the guidance of the... her trustees are actually the city council members, so it's not a duplicate cost. She's just responsible for certain things that township government gives her the authority for and then the mayor he starts the meeting and then he turns it over to her and she has the duty and responsibility to conduct the township business."

Dugan: "And I don't want to... just so I think... so we hold city council meetings and township meetings in your district, they're like the same meeting, more or less?"

Osmond: "Well, they have the same boundaries..."

Dugan: "Yeah."

Osmond: "...so therefore they try to..."

Dugan: "Like combine the meetings?"

Osmond: "...they get together and have it all at the same time."

Dugan: "Okay."

Osmond: "The question here is, basically, can the mayor withdraw and allow the supervisor to conduct business that is solely for the township authority?"

Dugan: "Okay. So, that was my question. The township supervisor is not taking a vote..."

Osmond: "Well, she... she..."

Dugan: "...on any local village issue..."

Osmond: "No, no, no, no, no."

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Dugan: "...only on township issues which she would be able to anyway, correct?"

Osmond: "Right, right. When the mayor backed away then the supervisor would have that authority and it would solely be only on the issues dealing with township government."

Dugan: "Thank you very much."

Speaker Lyons: "The Chair recognizes the Gentleman from Madison, Representative Beiser."

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

Speaker Lyons: "Indicates she will."

Beiser: "Representative, in my area we are coterminous and we have two (2) separate meetings, and I think Representative Dugan was asking this, but I'm not sure I understood if the answer... so I'm going to ask it in a different way. We have two different meetings. The township meets at 7:00, they do township business; the city council then convenes with the mayor presiding at 7:30. This would not impact that at all?"

Osmond: "No, that's about the same thing. There was a technicality in the law that wasn't very clear and we're trying to clear that up, that the mayor... that the township supervisor had the authority over township matters. And that's what we're trying to clear up."

Beiser: "Okay. Thank you very much."

Speaker Lyons: "Representative Osmond to close."

Osmond: "Thank you very much. I'd appreciate an 'aye' vote."

Speaker Lyons: "The question is, 'Shall House Bill 4157 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish?"

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Have all voted who wish? Have all voted who wish?
Representative Hannig. Mr. Clerk, take the record. On
this Bill, there's 114 Members voting 'yes', 1 Member voting
'no'. This Bill, having received the Constitutional
Majority, is hereby declared passed. The Chair recognizes
the Gentleman from Cook on House Bill 5579. Representative
Kevin Joyce. 5579, Mr. Clerk."

Clerk Mahoney: "House Bill 5579, a Bill for an Act concerning
aging. Third Reading of this House Bill."

Speaker Lyons: "Representative Joyce."

Joyce: "Thank... thank you, Mr. Speaker, Ladies and Gentlemen of
the House. House Bill 5579 would add certain drugs to the
list of covered drugs for multiple sclerosis. I know we had
some discussions earlier with the Republican side of the
aisle and we pulled the Bill Out of the record. I have not
heard from the department or seen their language but my
understanding is that it's the desire of the department to
put some language in here that would limit the scope to just
persons that are diagnosed with MS. I have no problem with
that. And I have talked to Republican staff and I've agreed
to let that Amendment go on in the Senate and then bring it
back here for concurrence. I'd be happy to answer any
questions. And I'd appreciate an 'aye' vote."

Speaker Lyons: "The Chair recognizes the Lady from DuPage,
Representative Bellock."

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

Speaker Lyons: "Indicates he will."

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Bellock: "Thank you very much, Representative Joyce. And I know you weren't there when we originally had the discussions and we held that up last week. We appreciate you working with us on that Amendment and DHS. And so, I will be glad to support the Bill as long as you agree to that. Thank you very much."

Joyce: "Thank you."

Speaker Lyons: "No one seeking further discussion, the question is, 'Should House Bill 5579 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted to wish? Have all voted who wish? Representative Monique Davis. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Pritchard, on page 20 of the Calendar, you have House Bill 4206. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4206, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from DeKalb, Representative Bob Pritchard."

Pritchard: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Bill is... comes at the request of my state's attorney who found that some individuals entering the courthouse were carrying weapons that could cause harm and given the volatile nature of some of these cases might very well cause harm, but yet the guards didn't have any statutory authority to limit these types of weapons. So,

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what we've done is worked with the State Police to develop language that is taken from other parts of our Criminal Code to specify those types of weapons including billy clubs and we go further to define what a billy club is so that officers may have the opportunity to stop and have reason to hold these kinds of weapons from going into important government buildings. This would include all government buildings not just courthouses, so it would give protection to other areas of concern. I'd be happy to answer your questions."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Lady from Cook, Representative Debbie Graham."

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

Speaker Lyons: "He indicates he will."

Graham: "Representative, this sounds like a good piece of legislation. Just a couple questions. Would this include places... I agree that people entering our courthouses, the people who work there should be safe and no harm should befall them, but if the courthouse doesn't have a searching device like a scanner of some sort, would this Bill require them to obtain such things to find some hidden weapons that just may not be visible, such as a billy club?"

Pritchard: "It would... the Amendment that we have or... and the Bill does not specify how the guards might search an individual. It simply specifies the type of item and that would be, I guess, through self disclosure. Because some of these items are not metallic and might not be revealed by some type of scanning device. But some of these devices are also very obvious that a person would be carrying. And

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through that kind of observation would be able to limit their access to government buildings."

Graham: "So, my only concern would be, if there were not scanning devices, the officers would then be required to do some sort of search in order to fulfill this piece of legislation if there were not other devices to find out and it could create... 'cause everybody doesn't keep up with the current laws. So, would this... enacting this piece of legislation, would it raise concerns of... and would the officers be consistent with everyone who came through the courthouse or would they be selective in searching individuals or should our legislation state that, at random or everyone?"

Pritchard: "So, this legislation doesn't require an officer to search. It doesn't require that they do anything other than what they're doing right now."

Graham: "So, saying..."

Pritchard: "We're simply giving them basis if they find something or if it is self disclosed or if it is just obviously on the person that they would have a basis for withholding that weapon from entering the building."

Graham: "My last point would be... 'cause you know, people who do intend to cause harm, they're very slick and cunning, and I'm sure it wouldn't be something so visible that you would see it. You know, so, I think that the officers would, you know, require some sort of search, but I think that would work a little bit both ways. But I'm with you with the idea that we want the people working in those facilities to be safe and I am not questioning that intent. I think it's a

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good piece of legislation, but we know every time we try to do something good there's always some unintended consequences. And that was my only reasoning for the line of questioning."

Pritchard: "Thank you."

Graham: "Thank you, Representative."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Al Riley."

Riley: "Will the Sponsor yield?"

Speaker Lyons: "Indicates he will"

Riley: "Representative, I'm just curious. This is a good Bill and I understand what it is you're trying to do to be sure that public safety and order is maintained in courthouses and so forth. But was this Bill intentionally limiting in its nature because you say billy... well, does that mean if someone walks in with a staff or a kubuton or nunchaku that they can get in and a person with a billy may not? I mean, so was... was it intentionally limited... limiting in its scope?"

Pritchard: "So, it wasn't intentionally limited but we wanted to specifically mention this because this was the problem that we experienced in our particular area. And if you look at the definition that's a part of this Bill, 'billy club' means a short stick or club commonly carried by a police officer which is either telescopic or constructed of a solid piece of wood or other man-made material. And there are other weapons that are identified in here that are also mentioned in other sections of the Criminal Code that deal with other weapons including club."

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Riley: "Okay. Thank you."

Speaker Lyons: "The Chair recognizes the Lady from Grundy,
Representative Careen Gordon."

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

Speaker Lyons: "Indicates he will."

Gordon: "Representative Pritchard, is it illegal for someone to
own a billy club, like in their house? Can they own it?"

Pritchard: "It's not my understanding that it's legal to own a
billy club, but I do know that there are law-abiding
individuals that carry it for personal defense."

Gordon: "So, what this does then... and I'm actually looking at
the actual text... if you have it on public property you're
now violating this crime that you're creating. Is that
right? You're committing the crime that you're creating?
Or do you have to take it inside of the building? Like, for
example, if someone just had it out here on the lawn, which
is state property, and they had a billy club on them, would
they be violating what you're doing?"

Pritchard: "So, the Amendment that we added earlier states that
'while in a building owned or operated by unit of
government'. It does not deal with the outside parking lots
or lawn or entrance area. It specifically says 'in a
building'."

Gordon: "So, it's just in the building. It's not on... even if
it's the property... even if it's courthouse property, state
property, county property, it's only inside the building."

Pritchard: "Correct."

Gordon: "That's the problem."

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Pritchard: "There is another section of the Code that an earlier Amendment..."

Gordon: "No. I understand that."

Pritchard: "...was attached to."

Gordon: "Right."

Pritchard: "This one was added so that it would be just in the building."

Gordon: "Okay. I just wanted to make sure that we weren't having an intent problem. Thank you, Representative."

Pritchard: "Thank you."

Speaker Lyons: "The Gentleman from Knox, Representative Don Moffitt."

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

Speaker Lyons: "Speaker yields."

Moffitt: "Representative, will this apply to the State Capitol and Stratton Office Building, and district offices?"

Pritchard: "Yes. In any government building."

Moffitt: "The Illinois Department of Corrections has given out a lot of what looked like, I would describe as billy clubs, it usually has the engraved plate of the Director of Corrections on them, made on a lathe. Do those fit the definition? Are you familiar with that and do they fit the definition of 'billy club' and if so, are Legislators with those going to be in violation of this law, if it were to become a law?"

Pritchard: "I don't believe it would, because if you look at the specific sentence it says there are various weapons, and we name them, that are intended for use as a weapon. Obviously, if you have this kind of device on an award or

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some other means that it's on your library shelf, that would not be a violation under this section."

Moffitt: "So, if we have one on display, we wouldn't expect the billy club police to come and take it or arrest it or issue us a ticket."

Pritchard: "It certainly isn't the intent of this legislation."

Moffitt: "Thank you."

Speaker Lyons: "Representative Pritchard to close."

Pritchard: "I would ask for your support. It is a good Bill that's responding to local need and addresses a concern for the security of all those in public buildings."

Speaker Lyons: "The question is, 'Should House Bill 4206 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted to wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 23 of the Calendar, Representative Brandon Phelps has House Bill 4931. Representative Phelps, 4931? Out of the record. Representative Tryon, on page 22 of the Calendar, you have House Bill 4766. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4766, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Representative Mike Tryon."

Tryon: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is a Bill that actually gives county government the same authority that municipal government

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already has and that's the ability to lease space on their communication towers to other communication providers. In county government, they are not able to do that unless we give them the authority to do it. So, many counties have towers that are in excess of 150 feet that are very desirable for broadband and other means of communication. It simply would allow them the ability to rent that space to these companies."

Speaker Lyons: "Is there any discussion on House Bill 4766? Seeing none, the question is, 'Should House Bill 4766 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted to wish? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Black, on page 19 of the Calendar, you have House Bill 4172. Representative Black? Bill, are you ready to roll? Yes, Mr. Black."

Black: "Mr. Speaker, I believe we filed an Amendment to this Bill?"

Speaker Lyons: "Mr. Clerk."

Black: "Excuse me, we're waiting for an Amendment to this Bill."

Speaker Lyons: "Okay. All right, Mr. Black."

Black: "I don't believe it's been... I don't believe it's been approved by Rules yet."

Speaker Lyons: "I'll take that Bill Out of the record for the moment."

Black: "Thank you."

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Speaker Lyons: "Representative Wait on page 27 of the Calendar, you have House Bill 5954. Ron Wait, do you want to call the Bill? Out of the record. Representative Dave Winters on page 19 of the Calendar, you have House Bill 4175. Dave Winters, do you... what's your pleasure on the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4175, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Winnebago, Representative Dave Winters."

Winters: "Thank you, Mr. Speaker. House Bill 4175 has been through the House a couple times before. This changes the distribution formula for township road districts where there are about ten (10) counties where some townships do not need to levy the full rate that's... the minimum rate that's required for motor fuel tax distribution. What this does is, it does not affect the other ninety (90) counties. I've talked to most of the people that are affected by this and it does not pull money out of other counties, but changes the distribution within the country where one of these townships exists. It's been through the House a couple times before. I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4175 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional

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Majority, is hereby declared passed. Representative Esther Golar on page 19 of the Calendar, you have House Bill 3653. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3653, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Lyons: "Chair recognizes the Lady from Cook, Representative Esther Golar."

Golar: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3653, the Medical Malpractice Premium Assistance Fund Act. This Bill was actually originated from my community at St. Bernard Hospital looking at how they are trying to attract in underserved communities... in underserved communities to attract physicians, and for some reason or another over the years many of the hospitals in underserved communities cannot attract physicians. So, this Bill, basically, are issues that are related to malpractice coverage for physicians treating low-income patients, many of whom are uninsured. They continue to impact the ability the of our hospitals to attract and maintain physicians, given the liability physicians face for medical malpractice suits. I ask that you support today House Bill 3653. It will assist those physicians practicing in low-income areas in paying for the escalating costs of malpractice insurance. Additionally, the House Amendment #1 to this Bill provides for the Medical School Loan Repayment Act which will also encourage and support physicians who opt to practice in the inner city and other low-income areas, knowing their incomes will be less. It is off this amount in the repayment for those physicians that decide to come to the hospitals. They

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will sign up a contractual agreement in their application for two (2) to three (3) years, no more than five (5) years, ten thousand dollars (\$10,000) per year. This is a great Bill. And in... I had said it yesterday, in Representative Rose's area, I amended the Bill also to apply to rural areas with a population of less than twenty thousand (20,000). I'll be happy to answer any questions."

Speaker Lyons: "Chair recognizes the Lady from Cook, Representative Rosemary Mulligan."

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

Speaker Lyons: "She indicates she will."

Mulligan: "Representative, does the money to repay the loan go to directly the source of the loan or does it just go to the individual?"

Golar: "It would go to the loan."

Mulligan: "So, it would directly pay off the loan as opposed to giving the money to the individual."

Golar: "That is correct."

Mulligan: "Thank you."

Speaker Lyons: "Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "Indicates she will."

Black: "Representative, you amended this Bill yesterday, correct?"

Golar: "I amended it when?"

Black: "Did you put an Amendment on this bill yesterday, as I recall?"

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Golar: "No, I did not. Not yesterday. The Amendment was accepted yesterday, adopted in the House. Yes, if that's your question."

Black: "Well, Floor Amendment #2 was added yesterday, correct?"

Golar: "That's correct. That's correct."

Black: "Well, whenever..."

Golar: "Floor Amendment..."

Black: "...it's been amended. Now, so if someone looks upon the board and sees medical malpractice, the Bill as amended, in my opinion, has nothing to do with medical malpractice correct?"

Golar: "It has nothing to do with it."

Black: "Has nothing to do with medical malpractice."

Golar: "Not in the term of what the Bill is supposed to be for, but it is to attract because of the medical malpractice, Representative, physicians to the hospital. Right now, we're not the... these hospitals that are... have very low-income, underserved communities cannot attract because of the medical malpractice costs. So, this will attract them into these hospitals that are having those issues."

Black: "Well, I... I'm trying to help you, in that as you well know, there is a bitter argument and has been in this state for some time. I don't want anybody to think you're trying to make it easier to sue a doctor or more difficult to sue a doctor."

Golar: "That's not the intent of the Bill, Representative."

Black: "That's not what this Bill is about."

Golar: "That's not the intent of the Bill."

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Black: "Yeah, that's right. There has... Really, if you just look at what's on the board it doesn't deal with the medical malpractice issue, it deals with attracting doctors to practice medicine in underserved areas. Correct?"

Golar: "That is correct."

Black: "Okay. Now, it is subject to appropriation?"

Golar: "No. The Medical Malpractice Fund, Representative... There is a special fund that is already on the books that when these particular physicians are interested in this particular area to come into underserved communities, they fill out the paperwork and that... those moneys will be deducted from their school loans."

Black: "I think if you'll have your staff look in the Bill, it says, 'moneys in the fund shall be used subject to appropriation by the department to finance the loan repayment program'."

Golar: "Yes, but they fill out an application, Representative and if the application is accepted they will get the loan."

Black: "Representative, that's not the way we read it, that it is not automatic. That..."

Golar: "No, no. I know that, Representative. They have to apply. It's an application process."

Black: "Well, I understand that part."

Golar: "That is correct."

Black: "But the language of the Bill say's clearly, 'subject to appropriation by the department'. If the department doesn't appropriate the money, then it doesn't make any difference if you filled out one (1) application or ten (10). If the appropriation isn't made, there's no money to pay."

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Golar: "Well, according to the information that I have, and I have seen the application, that the physician only has to fill out the paperwork and if it is approved based on the paperwork, that they will get the funding. Now, maybe I need to change the language in the Bill."

Black: "Now... Well, because there's also language in the Bill that says, 'if funding is insufficient to provide assistance to all physicians who apply, the department may, at its discretion, reduce the payments to each eligible physician by a pro rata amount'. And what... what I want to avoid is the law of unintended consequences where a doctor agrees to your program, and I think it's a good idea, and then because of a... and unfortunately, we've seen this the last year or two... money isn't appropriated or released, then the doctor may find that they get less money than he was led to believe or if there is a failure to appropriate, he may actually get... he or she may actually get no money. I think that's an inherent weakness in your Bill, but you may want the Senate Sponsor to see if we need to tighten it up a little bit."

Golar: "I appreciate that, Representative."

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

Golar: "Thank you."

Black: "Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. I think this is a piece of legislation that is very well intended and... and upon the word of the Sponsor that she will ask the Senate Sponsor to look at some language that I think needs to be tightened up in the Bill. Anytime we see subject to appropriation, we just don't have that level of comfort that we used to, that in fact, the

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appropriation will be made. And the language says, 'the department may at its discretion prorate the amount of money if funding is not sufficient'. I don't want to get into a situation where doctors agree to practice in underserved areas, and my area probably would qualify for that, and then at the end of a year or two (2) of practice we promise them 'x' number of dollars and they find they only get 'y' number of dollars. So, I think it might be something we want to tighten up in the Senate and bring back on concurrence, but I commend the Sponsor for an idea that is a sound idea, we just need to make sure that the money, in fact, will be there. I think this will certainly encourage some physicians to practice in areas where, right now, it's difficult to attract those doctors."

Speaker Lyons: "Chair recognizes the Lady from DuPage, Representative Patti Bellock."

Bellock: "Thank you very much, Mr. Speaker. To the Bill. I just want to compliment Representative Golar on this Bill. I served on the Rural Health Care and Underserved Task Force four (4) years ago or three (3) years ago. This is the number one recommendation from that task force and we have not been successful in the last three (3) years in moving anything forward to help the access to medical care for rural areas. Last year we thought we had a million dollars (\$1,000,000) in for the university in Rockford for training doctors who will go back to the rural areas, that money was taken out right at the end. So, I hope that this Bill, when tightened up like Representative Black suggested, will pass and we will be able to make sure that doctors go back to the

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rural health care area. Right now there are some scholarships for doctors, but sometimes in the end they do not end up going back to those areas. This would make sure that those doctors who are getting scholarships who would go back to the rural areas of Illinois. Thank you."

Speaker Lyons: "Chair recognizes the Gentleman from Cook, Representative David Miller."

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

Speaker Lyons: "She indicates she will."

Miller: "I may not have heard this in debate earlier. Does this Bill pertain... excuse me... pertain to just rural areas or it could be urban areas, too?"

Golar: "It is... was the original intent for the urban areas and Representative Rose sits on that committee and he asked that I look at the rural areas and I amended the Bill for the rural areas, also."

Miller: "Can you speak up just a touch?"

Golar: "It does both."

Miller: "It does both. So, there's no indication on where someone may sort... to locate. Now, are these areas of underserved or shortage areas, rather, are they dic... what are they dictated by, census count? I see here you've got, you know, a majority of residents at below 300 percent of poverty level. What could that mean? 'Cause if... my concern is is that, for instance, in Chicago and communities that both you and I represent, if you take like my entire district, I would say the average may be higher than 300 percent, but there are certain communities that

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specifically, you know, have a lower income. So, what was your intention in terms of that?"

Golar: "Well, the intent of the Bill, as I talked to the different hospitals, mainly of course, St. Bernard Hospital, St. Anthony's and other hospitals of charity, that they were having issues in trying to attract the better physicians into those particular hospitals."

Miller: "I guess... I guess, just my concern, this is just a point of concern is the fact that, you know, you sort of want to make sure that practitioners practice in these underserved areas. So for instance, if an area includes, and I'll use my district as an example, Glenwood which is more affluent than Ford Heights, the... obviously, the goal is for practitioners to practice in Ford Heights which is a shortage area, but you don't want them to get the loan forgiveness incentive by practicing in Glenwood, where even though it's an adjacent community from transportation needs and others it's very difficult. I know that's probably not your intention but I just want to make sure that it is specifically targeted exactly where that community of need is. Other point, following up with a former speaker's comments, as you envision this for a subject for appropri... subject to appropriation, a new practitioner would sign up to work in an underserved area with the commitment that that money during that period would already be in place, so it wouldn't be contingent on the possibility of funding. So for instance, if I sign up January 1, to work in an underserved area, is the intention that the funding would already be there, the commitment would be made to me that

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they would repay the ten thousand dollars (\$10,000) and then in the ensuing year if the funding was not... as our fiscal year is different, then if the funding is not there, then it's up to me whether I want to continue to practice there or go somewhere else. Is that what your... you intend?"

Golar: "That's correct."

Miller: "Okay. To the Bill. As Representative Bellock and Representative Black and others have mentioned, I think this is an excellent program. The Federal Government has done this. Usually, the incentive has been in Indian reservations, at least for initial dental practitioners in other underserved areas. And yet, we've had in the City of Chicago and downstate Illinois and other parts of our region that there have been terrific... horrendous shortage problems of people seeing health care... seeing health care providers. So, if this is a way in which we can help attract new practitioners, and part of the reason this is very important and I've said this time and time again, is that when I graduated from dental school in 1988 the average student loan that was about fifty to sixty thousand (50,000-60,000) today it's a hundred, a hundred and twenty (100,000-120,000) and it's not unheard of a student loan debt of being two hundred thousand (200,000) for those practitioners who wish to give and really treat people with their heart. So, to provide any type of incentive for any individual to practice in those areas that need and to give them a boost on their student loan is only good public policy and it meets the needs of the State of Illinois. I want to commend the Sponsor and urge a favorable vote."

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Speaker Lyons: "Representative Golar to close."

Golar: "Thank you, Mr. Speaker. I would like to thank all my colleagues for all of their encouraging words, and as I'm going through this process daily in regards to looking at the Bills and becoming more attuned to the language in the Bill, I'm sure that I will get better at it. However, I do appreciate all the... everything that has been said and if this Bill... and I'm sure that hopefully it will get passed out of the House today and it goes on to the Sponsor in the Senate, I will, in fact, take on the suggestions of Representative Black. And I urge an 'aye' vote today. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 3653 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hannig, Rita, back row. Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Chair recognizes Representative Debbie Graham. For what reason do you rise, Ma'am?"

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

Speaker Lyons: "Please proceed."

Graham: "Ladies and Gentlemen of the House, I'd like for you to help me acknowledge a group of young people who have come down for their lobby day here in Springfield. Bob Fuller has brought down the City Year Youth Group. It's an organization of young people that go out and volunteer and

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tutor and help with after school programs throughout the city and other parts of the state. Please join me in giving them a warm welcome. They're right here behind us. Stand up and give them a warm welcome."

Speaker Lyons: "Representative Sandy Cole, for what reason do you seek recognition? Representative Beaubien, is this a joint effort?"

Cole: "Yes."

Beaubien: "Yes."

Speaker Lyons: "Representative Sandy Cole."

Cole: "Mr. Speaker, I would like to change my vote on House Bill 4175. I intended to vote to vote 'no'. Thank you."

Speaker Lyons: "The Journal will so reflect. The Chair recognizes the Gentleman... Representative Beaubien."

Beaubien: "Yes. I'd like to make the same Motion. I voted 'yes'. I'd like to be registered as a 'no' on 4175."

Speaker Lyons: "The Journal will so reflect. Representative Chapin Rose, you have House Bill 5907. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5907, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lyons: "Gentleman from Champaign, Representative Chapin Rose."

Rose: "Thank you, Mr. Speaker. This is a very simple idea. It came to me from a constituent in Tuscola who's an insurance agent. And it'll help save paperwork at IDOT, Secretary of State, and also save quite a bit of hassle for ordinary citizens. Currently, under current law if you get into an accident... a car accident, both drivers of the vehicles have

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to submit a accident report to IDOT where the damage is over five hundred dollars (\$500). It's not hard to imagine in this day and age, virtually any accident the damage is over five hundred dollars (\$500). A simple fender bender the bumper is going to be over five hundred dollars (\$500). So, when this went into effect, it didn't trigger a lot of reports but now years and years later it triggers almost are port... it triggers a report almost every accident. What we're doing is seeking to raise the limit from five hundred dollars (\$500) to fifteen hundred dollars (\$1500) to essentially... so that we're not clogging the system with unnecessary paperwork for essentially, minor accidents. That's what it does. It's a good idea. We made a change the committee suggested. And that's it. And I'd ask for favorable consideration. Thank you, Mr. Speaker."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Debbie Graham."

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

Speaker Lyons: "He indicates he will."

Graham: "Representative, can you explain to me again what this piece of legislation does?"

Rose: "Yes, Ma'am. Currently, when two (2) drivers of a... when there is a vehicle accident, if the damage to one of the vehicles is more than five hundred dollars (\$500), you have to submit a report to the Illinois Department of Transportation. At this stage, virtually every accident is more than five hundred dollars (\$500), because you know, a dent in a fender is going to cost more than five hundred dollars (\$500) because you have to replace the whole bumper.

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So now, at this point, virtually everything has to be reported. When it went into effect, the idea of it was just to report serious accidents and not fender benders. The system has been clogged with paperwork over things we don't really need to clog it with. It's also a hassle to people who are just involved in a, you know, a very minor accident. All we're doing is changing the threshold to fifteen hundred dollars (\$1500) so that serious accidents would be reported. The change that the committee suggested was very good and that change was to make sure, that in the case of an uninsured vehicle, that we go ahead and report it at five hundred dollars (\$500) because then that helps the insured driver cover their loss through the Secretary of State's Office. That's all the Bill does; it's very simple. Simply catching up with the times."

Graham: "So, you're saying that if you have an accident and... who's reviewing what the damages are? 'Cause you don't necessarily know that when the accident takes place that you have damages that are, you know, less than five hundred dollars (\$500)."

Rose: "And Represen..."

Graham: "Because some things can be hidden and you don't necessarily see it. So, how do we... how does this legislation help that?"

Rose: "Representative, that's a good question. But under current law, it's five hundred dollars (\$500) and it's a judgment call in the field and that's actually even more of a reason to do this, because how do you know, what's five hundred dollars (\$500) and what isn't five hundred dollars

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(\$500). And like I said, you know, I got into a fender bender two (2) years ago and the bumper was five hundred bucks (\$500) and it was just a little ding on the bumper. So it's a judgment call. Usually the police officer who responds hands them to you and says you need to send these in. And again, it's a point where it's a judgment call they're just handing them out all time because everything is five hundred dollars (\$500). So..."

Graham: "So, what happens... just a... just a little bit of inquiry. So, what happens if there's an accident and based on what is seen at the scene of the accident that it appears that this accident is less than five hundred dollars (\$500), but when the person goes to get it fixed and there wasn't a report done, then what happens?"

Rose: "Nothing, Representative. It's a judgment call at the scene. The police officer hands each driver a form to fill out, and anymore they just hand them the... I mean, they are under a duty to turn that in and there is actually a check box that the officer checks that says over five hundred dollars (\$500). And it's a judgment call at the scene, they don't go out and get an estimate. It's something that's done right there at the accident, you know, by an untrained eye, if you will. It's not something that happens later at a body shop when you actually have an estimate in hand and that's current law. I'm not changing... that's not being changed; that's already the way it is now. As I said, I had to do that two (2) years ago, but it's just kind of silly to keep doing this for five hundred dollars (\$500) because when the statute went into effect years ago, five hundred dollars

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(\$500), you know, was a high enough threshold that you weren't filling it up with minor fender benders. You know, today everything is triggering that requirement."

Graham: "Thank you, Representative."

Rose: "Thank you, Representative."

Speaker Lyons: "Representative Rose to close."

Rose: "This is a good idea. And I'd ask everyone to support it. Thank you, Mr. Speaker."

Speaker Lyons: "The question is, 'Should House Bill 5907 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Lady from Cook, Representative Cindy Soto for the purpose of announcement."

Soto: "Yes. Thank you... for a point of personal privilege. Thank you, Speaker. I'd like your attention. I'd like to recognize a high school here to my left. It's called Clemente High School and they're in my district. Can we give them a round of applause?"

Speaker Lyons: "Welcome to Springfield. She has a second announcement, Mr. Clerk so..."

Soto: "A second announcement. And to my left, I'd like to recognize Northeastern University. Thank you for being here, everyone."

Speaker Lyons: "Welcome to Springfield. Representative Bellock, for what purpose do you seek recognition?"

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Bellock: "Thank you very much, Mr. Speaker. A point of personal privilege."

Speaker Lyons: "Please proceed, Representative."

Bellock: "I'd like to ask the chamber to welcome today, we have eight (8) affiliates here from all over the State of Illinois for Easter Seals and I think some of the people are still in the balcony. I'd like to welcome them here. The rest of the people are all over the Capitol today, and thank them for all the work they do for the disabled children in Illinois. Thank you."

Speaker Lyons: "Welcome to Springfield. Representative Black, for what purpose do you seek recognition?"

Black: "Mr. Speaker, under House Rule 18(g) I move for the immediate discharge of House Bill 6318 from the House Rules Committee. I have filed this Motion under House Rule 54(b). All Motions are assigned Standard Debate status and I wish to debate my Motion to Discharge. Upon the conclusion of the debate, I ask for a recorded vote on the Motion to Discharge House Bill 6318. Under Rule 49 any vote shall be by record vote whenever 5 Representatives shall so request and I'm joined by 5 Representatives on my side of the aisle in asking for that record vote."

Speaker Lyons: "Chair recognizes the Lady from Cook, Majority Leader Currie."

Currie: "Thank you, Speaker. I object to the Gentleman's Motion."

Speaker Lyons: "Mr. Black."

Black: "Mr. Speaker and Ladies and Gentlemen of the House, under my Motion to Discharge, let me tell you what this Bill does."

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The silence on the record gasoline and diesel fuel prices coming from the Leadership of this state is deafening. These gasoline and diesel prices are putting people who send us here at extreme risk. Independent truckers are parking their trucks. There's a fuel surcharge on everything that is delivered into your district, including milk and bread and baby formula. Enough is enough. Let us do what we can do. I don't understand why you won't join with me and others in saying what we... what relief we can give to people who are burdened with record high fuel prices, we should do. Crude oil closed yesterday at one hundred and eight dollars and fifty cents (\$108.50) a barrel. The low price in Illinois today for a gallon of gasoline is three dollars (\$3) and... excuse me, three dollars and seventeen cents (\$3.17) is the low price in Illinois and that happens to be in Champaign. The high price for motor fuel today in Illinois is three dollars and seventy-nine cents (\$3.79) in Chicago. What we can do is to eliminate the sales tax on motor fuel from May 1 to September 6. Today, the motorist, depending upon where you filled up, you could save at least twenty cents (\$0.20) a gallon. I would submit to you that the sales tax on motor fuel is bringing in more money than we ever anticipated in the State of Illinois. You're going to bring in over six hundred million dollars (\$600,000,000) in this fiscal year. And by the way, not one penny of that goes to the Road Fund. At least... at least, and I've tried this, at least put a user tax in the Road Fund, but no, the sales tax on motor fuel goes to the General Revenue Fund. Ladies and Gentlemen, every penny increase in the price of

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gasoline brings two million dollars (\$2,000,000) into the State Treasury. The classic argument is this, do we need that money so desperately that we intend to keep every penny of it, or can't we give some relief to the people who send us here, for three (3) months? We'll make up that money. We'll make it up. They need the money in their pocket. When you can save them eighteen to twenty-two cents (\$0.18-\$0.22) a gallon, why not do that? We did it before. And the old Economic and Fiscal Commission said that consumers saved one hundred and sixty-five million dollars (\$165,000,000). The Bill asks that we track this suspension of the sales tax on a monthly basis. It's not hard to figure it out. I've got faith in the people. You can look at the price of gasoline, back out the federal tax, multiply it by six and a quarter (6.25). You know then whether you're getting the price break. People are a lot smarter than some of you give them credit for. The argument is simple, these are difficult times. The public needs and we should grant some immediate relief on record fuel prices that are choking the very economy that the State of Illinois needs and we're doing so at the expense of working men and women. You can give them this relief, you should give this relief, and to hide behind a Rules quirk is wrong. You know it's wrong, I know it's wrong, the people of the State of Illinois know it's wrong. They need the relief, and they should get it. We should debate this Bill in the open and we should vote on it and it's too late if we do it a month from now. Let's do it now. House Bill 6318, the people need some tax relief."

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Speaker Lyons: "Gentleman from Jackson, Representative Bost on the Motion."

Bost: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Motion. You know, I've got a paper here with some statistics and where the prices are and... and if you would... Mr. Speaker, I would like for everybody... I know we're all busy here today. There's every group down here and but... but if we could get the Body's attention and just listen and understand what we're asking for here. House Bill 6318 simply does the same thing we did, in all honesty, in 2002 of all things when the gas prices reached two dollars (\$2) a gallon. Now, we're expecting them... we're going to be in about three sixty (\$3.60), by June they're talking about as much as four dollars (\$4.00). We relieve and take off the sales tax portion, now all of a sudden we generate more revenue in the State of Illinois through motor fuel. Why? Because trucks actually come through the State of Illinois and say, hey, I'm waiting and I'm fueling sometimes it's six hundred (600), eight hundred (800) gallons at a time in the State of Illinois, because I get a better price. We generate more revenue. We generate more revenue, why, we generate more revenue because instead of avoiding the State of Illinois, like these trucks do, they stop, they get that fuel, then they take their showers, they got to the truck stops, they buy food, they buy other things and we generate money off that sales tax. How can we be so blind in not understanding that not only can we generate more revenue by doing this for a few months, and then we also save our citizens in the fact by allowing them cheaper price at the

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pump. Folks, this isn't a crazy, off the wall Bill. This is a sensible Bill; we've done it before when the gas prices have raised. The Gentleman's Motion is in order. I do know that, once again, I quoted you... told you many times when we pass the Bills for the rules in this House, the problem that exists of having to have unanimous consent to immediately discharge a Bill from Rules is a totally absurd rule. But Ladies and Gentlemen this is a time that we can act sensibly, provide relief for our citizens, provide an opportunity to generate more revenue and the citizens are calling for this. I don't know if you're talking to your constituents about this, but they're pretty upset about the fuel prices. Think about this. We, in the State of Illinois, could reduce our fuel cost at the pump by fifteen cents (\$0.15) minimal, as much as twenty cents (\$0.20) maybe and what does that do to the states around us, all of a sudden we're cheaper for once. Sales go up. It's a sensible Bill. It should be called immediately. And Mr. Speaker, I beg of you... I beg of you, to allow this Bill to come out. I beg of you to do so. My people need it, your people need it, the State of Illinois needs it. It's a good and sensible Bill. It's one-time relief. We've already generated more revenue from this particular revenue stream than what was predicted by the State of Illinois early on when we passed the budget. It makes sense. Please move it out."

Speaker Lyons: "Chair recognizes the Gentleman from Cook, Representative Lang on the Motion."

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Lang: "Well, thank you, Mr. Speaker. I recognize that some people believe this is an important issue, but we do have rules in this Body. The rules require, Mr. Speaker, that there be unanimous consent to discharge the Rules Committee. Representative Currie is within her rights to make her comment, which is she objects; therefore, we do not have unanimous consent. This is a rule of the Illinois House of Representatives. I would suggest we move on."

Speaker Lyons: "Ladies and Gentlemen, Mr. Black has made a Motion to Discharge House Bill 6318. Those in favor of the Motion Should vote 'yes'; those opposed should vote 'no'. The voting... the vot... there has been a request for a Roll Call vote. So, the Motion stands to discharge House Bill 6318. All those in favor vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Durkin, Franks. Representative Franks. Mr. Clerk, take the record. On this Motion, there are 50 'yeas', 64 'noes'. And the Motion fails. Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. I thank you very much for upholding the rights of the Minority in giving us the vote. Let me just say to the Majority Leader. I have great respect for the Majority Leader; she is a very, very eloquent spokesperson for your side of the aisle. I have great respect for her. I would just say in closing, Mr. Speaker, again, thank you for the vote. And Ladies and Gentlemen of the House, this issue is not going to go away. The people are in desperate need of what relief we can give them. We can't regulate the price of gasoline. Hawaii

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tried it. The Illinois... the United States Supreme Court said states cannot regulate interstate commerce. What we can do is what I tried to do, eliminate the sales tax over the heavy driving period of the summer. We've done this before. We are making money hand over fist on the sales tax on gasoline and we're one (1) of only ten (10) states, one (1) of only ten (10) states that levies a sales tax on a vital and needed and necessary commodity and you've turned your back on people today. This is not the brightest day that I've experienced in my history here in the floor of the Illinois House of Representatives. We had a chance to give people, working men and women of this state, drastically and dramatically needed relief on the price of a commodity that's not a luxury. It's not an impulse item. We could have done it, we should have done it and I'll... and many of you and I will rue the day that when we had this opportunity we refused to give people the relief they so desperately need. You're driving truckers to bankruptcy, you're increasing the cost of everything we buy and you're making people make dramatic choices. Can they afford to go to work? Can they afford to commute to school? Shame on us. We could and we should and we must learn to do better."

Speaker Lyons: "For a point of personal privilege, the Chair recognizes the Gentleman from Rock Island, Representative Mike Boland."

Boland: "Thank... thank you, Mr. Speaker. I would like the House to acknowledge and really congratulate, we have nineteen (19) students and their teachers from Blackhawk College, the

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adult education program and English as a secondary language are from eleven (11) countries. Welcome to Springfield."

Speaker Lyons: "Welcome to Springfield. Chair recognizes the Lady from Cook, Representative Connie Howard. For what reason do you rise, Representative?"

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

Speaker Lyons: "Please proceed, Representative."

Howard: "Thank you, Mr. Speaker. Today, a group representing the Northern Illinois Conference United Methodist Women are visiting us here in the Capitol. They're here to talk about with us health care, immigration issues, and violence against women. Please help me to welcome them to Springfield."

Speaker Lyons: "Welcome to Springfield. Chair recognizes the Gentleman from Winnebago, Representative Dave Winters. For what purpose do you rise, Representative?"

Winters: "Thank you, Mr. Speaker. Under Rule 18 (g), I move for the discharge of House Bill 4916 from the House Rules Committee. Under House Rule 54 (b) all Motions are assigned Standard Debate status and I wish to debate my Motion. Upon the conclusion of the debate, I ask for a recorded vote on the Motion to Discharge and under Rule 49 my vote shall be by record vote whenever 5 Representatives shall so request and I believe that I have that many on my side of the aisle, and would wish for a recorded vote on the Motion to Discharge the Amendment from the House Rules. And to the House, Members of the House, House Bill 4916 is trying to get senior tax relief by increasing the homestead exemption for those who are over... who are seniors and for the

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disabled. For lower-income seniors over sixty-five (65) years of age, House Bill 4916 would also eliminate the taxes levied by the local school districts. Seniors over 65 typically don't have any kids in the school, they need the tax relief, they are on fixed incomes. This is difficult economic times. If we do not discuss 4916, let me lay out the other way that we're going to get tax relief in this state, and that is by driving down the value of homes. What has been the Democratic Party's answer to the budget problems that this state has, and I have a list here. Last year we looked at the Gross Receipts Tax, over seven billion dollars (\$7,000,000,000) imposed on Illinois business. Do you think that's going to encourage additional jobs, additional people moving into our state to get those jobs? I don't think it does. The payroll tax, Senate Bill 5 was another billion dollars (\$1,000,000,000). A streamline sales tax, seventy million (70,000,000), corporate loophole closures of three hundred million (300,000,000). Senate Bill 2288, that has already passed the Senate, increases the personal income tax and the corporate income tax by about 60 percent, seven billion dollars (\$7,000,000,000). How much property tax was in that? None. What you're going to do, the only way that you'll get the decrease in seniors paying property tax is when they find out that the house on the right side of their house and on the left are vacant. They're boarded up because Illinois families can't find jobs. Illinois companies are not expanding in Illinois because of our tax structure, because we're increasing the minimum wage, the highest in all the Midwest, we're not

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putting more money into the technical education in our high schools that we need to compete worldwide for quality jobs. What the Democratic Leadership of this state has done is destroy the business atmosphere, it is driving companies out of state, and as a result we will see senior citizen tax relief but only because the value of their homes will collapse. The value will collapse, their assessment will collapse and yes, their taxes will go down. There is another way to do it. I request that 4916 be released from the Rules Committee. And again ask for a recorded Roll Call."

Speaker Lyons: "Chair recognizes the Gentleman from Cook, Representative Lou Lang."

Lang: "Thank you, Mr. Speaker. Well, first let me say, I don't think the Gentleman's got such a bad Bill. Next, let me say, that his comments regarding the Democratic Party and the Gross Receipts Tax may be misplaced since that Bill lost on this House Floor 107 to 0. So, I think that was kind of an unfair comment. So despite the fact that I think the Gentleman may have a good Bill, this Bill is in the Rules Committee and we have rules in this chamber, Mr. Speaker. And the rules say that if someone wants to discharge the Rules Committee they need a unanimous vote and I object to the Gentleman's Motion."

Speaker Lyon: "Representative Wait on the issue?"

Wait: "Yes."

Speaker Lyon: "Representative Ron Wait."

Wait: "Point of personal privilege. Mr. Speaker, that is why I'm requesting, as Representative Winters has, that we discharge

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House Bill 4916 so that we can provide Illinois citizens with needed property tax relief. On Monday, Representative Winters and I had a press conference in Rockford and there we met with many seniors and the seniors told us they need property tax relief. We need to freeze the assessment level. We need to raise it from the fifty-five thousand dollar (\$55,000) level up to the seventy-five (sic-seventy-five thousand) dollar (\$75) (sic-\$75,000) rate and this is what this Bill would do. We need to raise it and so that's why, Mr. Speaker, the seniors and I who represent, valiantly need House Bill 4916. I would ask that we have a vote on this. Thank you very much."

Speaker Lyon: "Representative Kosel on the Motion. The Lady from Will, Representative Renee Kosel."

Kosel: "Thank you, Mr. Speaker. I can go nowhere in my district without hearing complaints about the skyrocketing property tax bills. People are being driven out of their homes, not by their mortgages, but by the increases they've had in property taxes. More homes are for sale because of property taxes than for mortgages. House Bill 4916 would offer relief to seniors. It would help them. It would not only help them, but it would help the disabled community. For the first time, we would see disabled homeowners have property assessment freezes. Many disabled people face tremendous financial challenges and this Bill, House Bill 4916, would help them. Speaker, please discharge from Rules House Bill 4916, so that we can have an opportunity to help not only seniors, but also the disabled."

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Speaker Lyons: "The question is, there's a Motion to Discharge House Bill 4916. And there's been has been a request within their rights to a vote by... by a registered vote. So those who are in favor of the Motion vote 'yes'; those who are opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this, there are 53 Members voting 'yes', 59 Members voting 'no'. The Motion fails. Mr. Clerk, on page 27 of the Calendar, Representative Joyce has House Bill 6302. Ready to go, Mr. Joyce? Read the Bill, Mr. Clerk.

Clerk Mahoney: "House Bill 6302, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Kevin Joyce."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 6302 would require the Cook County assessor to reassess all properties in Cook County by October of 2008. All residential properties in Cook County by 2008. Many of you downstate colleagues, collar county colleagues were very supportive of us, that live in Cook County, last year in passing the 7 percent short-term solution. What has happened is many of these assessments, because they are done on a triannual basis, have been done three (3) years ago, two (2) years ago when the housing market and the value of homes was much higher than it is today. So people, in essence, are paying an unfair property tax based on a value of a home which is not there today. This is a start to continue the conversation to find a more

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permanent long-term solution for the property tax system in Cook County. I would be happy to answer any questions and appreciate an 'aye' vote."

Speaker Lyons: "Chair recognizes the Gentleman from Cook, Representative Paul Froehlich."

Froehlich: "Yes. Would the Sponsor yield for a question."

Speaker Lyons: "He indicates he will."

Froehlich: "Representative Joyce, I think the reason we have a triannual instead of an annual reassessment is the... just the sheer number of properties in this county. I think there's over a million (1,000,000) residential properties in Cook County. If... Since the assessor normally does a third of those a year, I'm just... can you explain how you think they'll be able to handle doing all of them in one (1) year."

Joyce: "Well, they... they obviously would have to do twice as many as they normally will do and maybe more than that, but right now the group that is up right now for 2008, I believe is the north suburbs... I'm sorry... the southwest and south suburban suburbs. So, Chicago and the north suburbs would have to be reassessed as opposed to the 2005 value that was placed on them. Obviously, there's factoring that could be involved; there is a whole host of options. They could send more appraisers out on the street; they could send more surveyors out on the street and obviously, it will require extra work from the assessor's office. But we're trying to capture a true value of properties today."

Froehlich: "Well, I mean, actually if they... if it were feasible for them to do it annually, then maybe what we ought to be

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doing is... is providing for annual assessments the way all the other counties do. I'm just... I'm just a little wary whether they have the capacity to... to do, you know, a million (1,000,000) in one (1) year. And people can already appeal their assessments each year. I mean, you're aware of people... homeowners already have the avenue to appeal not only with the assessor but with the county board of review. In my area, people are... that window's open right now, but each year people who think their overassessed can appeal their assessment."

Joyce: "That's... that's true. That's true. You do have that right to do that. But the owner... the ownership is put... I mean, the onerous (sic-onus) is put on the owner of the property, the resident. That is not what should be taking place and again, this is part of a bigger picture to hopefully get to an annual assessment like every other county in the state, hopefully get to a situation where it is not their responsibility of the owner of that property to go and say, guess what, Mr. Assessor, I am overtaxed. My value is not accurate according to your assessment. It should not be... have to be the responsibility and if we were doing this on an annual basis, if there are... is potential for other reforms, we still have to come up with a long-term solution. The 7 percent solution is not a permanent fix. When we first started it six (6) years ago seven (7) years ago now, or six (6)... six (6) years ago, we said... the assessor of Cook County said this is not a permanent fix. We need it for three (3) years to come up with a permanent fix. Then he spent the last three (3) years, up until this

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past year, trying to get an extension on that and approving a increase in the cap... on the cap."

Froehlich: "Right."

Joyce: "And we are going to be in the same position a year and a half from now."

Froehlich: "True."

Joyce: "This Body... and this... this will help make the assessor do the assessor's job and not the Legislature do the assessor's job."

Froehlich: "Well, I supported the 7 percent cap as well. I'm just wondering, I mean, I think I know what your intent is as far as helping people get an assessment that's accurate for today. But I mean do you think it's possible in parts of the county the new assessment might actually be higher than the current one at which would result in a property tax hike. In other words, there may be some neighborhoods where there's still some appreciation, even though homes are selling more slowly and if they get a reassessment this year instead of two (2) years from now that's higher than their current one, this could result in higher property taxes for some homeowners."

Joyce: "Well, first... first of all, I don't think that's possible based on when the... the assessments were done. We were at an all-time high value in the communities in which I represent and probably many of the other people that are from Cook County represent. And we have seen drastic drops, a complete standstill in sales in the marketplace and I don't see how that's possible."

Froehlich: "Thank you."

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Speaker Lyons: "Chair recognizes the Gentleman from Cook, Representative John Fritchey. Representative Fritchey. The Chair recognizes the Gentleman from Lake, Representative Sullivan."

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

Speaker Lyons: "Indicates he will."

Sullivan: "Representative, has the Cook County assessor signed in as an advocate of this Bill?"

Joyce: "Nope, he's an opponent."

Sullivan: "The previous speaker went down the line of questioning that I want to go back to and do we know what the cost would be to actually implement this Bill or how many new staffers it would take to implement this Bill?"

Joyce: "I don't."

Sullivan: "Would the figure of two hundred (200) that the Cook County assessor's office seem to be accurate? I believe in committee they said it would take upwards of two hundred (200) new staffers to implement what you would like to do."

Joyce: "That would mean that they have a hundred (100) doing it right now?"

Sullivan: "I don't know. He just said in committee that it's two hundred (200) which would be a significant increase to the budget of the City of Chicago or to Cook County."

Joyce: "Well, I don't think they have a hundred (100) doing it right now, so I don't know how it would be two hundred (200)."

Sullivan: "Okay. Mr. Speaker, to the Bill. In Cook County they do triennial assessments, so what happens is they lock in an assessment for three (3) years. When homeowners... when homes, residential properties are appreciating that's a nice thing

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to happen and when they're depreciating obviously the intent of the Bill is to capture what the assessment is going... when they're going down. I don't think that this Bill or should the assessments start going up, I would say they'll try and take away this Bill. But let me tell you what happens when this Bill becomes law. You raise the taxes for businesses because we're not cutting spending, we're cutting assessments for one segment of the population. That doesn't cut the taxes, it just shifts it everywhere else. So once again, this Bill gets passed, businesses pay more in taxes. Senior citizens on a fixed income will pay more in taxes. Farmers, if there are farms in there, will pay more in taxes. Anybody that do not benefit from this will have a higher tax bill. So, you're going to, once again, cut out a few people that will benefit at the expense of the many. So if you want to vote for this, you're voting for a tax increase. If you want to vote for this, you're going to drive businesses out of Cook County. At what point do you want to keep them in Cook County? For all the people that want to vote for this, please give your businesses my card when they leave Cook County because we'll be more than happy to bring them into Lake County. Thank you."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Elaine Nekritz. Elaine?"

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

Speaker Lyons: "Sponsor yields."

Nekritz: "Representative, this is for to reassess all the residential property?"

Joyce: "That's correct."

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Nekritz: "What... and... and assuming that there's been some market shift in both residential and commercial property, what does this do... I mean, it's all about... when we assess and then levy, it's all about your slice of the pie. It's... this is... so this is not done in a vacuum, doesn't that change sort of the slice of the pie that residential pays versus commercial and I don't know what impact that has, but it seems to me that with only doing one (1) segment of it, it might throw the whole thing out... a little bit out of whack."

Joyce: "Well, I mean, I'm looking to get fair and equitable for homeowners and residential properties and as far as what we have historically dealt with in the Legislature on this issue, the 7 percent dealt with residential properties and that's... that's who I'm going after with, you know, and with regard to the previous speaker talking about, you know, chasing businesses out and things like that, you know. I don't think it leads to that, you know, and his votes previously, he's been supportive... has not been supportive of any kind of reform in Cook County property tax."

Nekritz: "So, let me... what... do you have any idea of what it would take in order to do the ent... all of it, I mean, how much more it would take to do all of the... all the business properties as well?"

Joyce: "I... I'm not... I'm not opposed to that. I know that's something that the Chamber mentioned in committee, I'm not opposed to that, I'm not opposed to an Amendment like that. What I would like to see is see this conversation pushed forward so that we're not all sitting here two (2) years from now, a year and a half from now saying, oh my gosh,

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we're in big trouble. We need to extend the 7 percent because these people are falling off and let's get something that's fair and equitable. Let's make sure it's a true market value and that our taxes are based upon the true market value not something that was explosive three (3) years ago at the highest market in the history of communities like mine and now it's 10 to 15 to 20 percent lower."

Nekritz: "And I I... understand that. My concern is that... that because those prices have gone down and I don't... and it is again all about, you know, what's your slice of the pie if the commercial isn't included in that then it's still a skewed picture of what values are and what the relative values are in Cook County. Thank..."

Joyce: "And I'm open to that."

Nekritz: "Okay. Thank you."

Speaker Lyons: "The Gentleman from DuPage, Representative Bob Biggins."

Biggins: "Thank you, Mr. Speaker. But I want to tell you why I'm not going to support this Bill. To the Bill. The intention is very noble, but what we're seeing now is the first decline in thirty (30) years of increases in assessment is occurring this year and it's increases in valuation of single family homes, thirty-five (35) years. So this is a phenomenon this year. The intent is to provide some relief to reflect the declining values but the problem is the assessments may not be, even with the decline in values, they may not be very high or too high to be a successful appeal. So what we may be doing by having a new

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annual reassessment is causing an increase in assessment instead of once every three (3) years, every single year. Oh boy, I don't know where the glory is in that. That's just more money annually instead of waiting for once every three (3) years, plus the accuracy of the assessments and the assessments are... the assessor does a good job in Cook County, but if you have to raise everything or change everything every single year, you're more likely to make more mistakes and I don't think we want to pay for what it... to have the assessor hire the giant staff he will need to have more people on board if he's got more space. Well, I don't even know what his facilities are like... but I don't think it's a good idea although it's well-intentioned and I support a lot... part of the concept, but I'm not going to be able to support it. And that's my opinion... that's my opinion."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Barbara Flynn Currie."

Currie: "Thank you, Speaker and Members of the House. I think just to clarify a reason for not including the businesses in this proposal is that many businesses are pretty sophisticated and they have lawyers and they do appeal. Many homeowners either don't know they have the opportunity, don't quite know how to do it. The expense of schlepping downtown and figuring out the rules of the game is such that it's really a burden on homeowners, whereas the business community, I think, has other options. So while the Bill might have been more inclusive than it is, I don't think

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that the business community is likely to be sufficiently harmed if we do pass, as I hope we will, House Bill 6302."

Speaker Lyons: "The Gentleman from Williamson, Representative John Bradley."

Bradley, J.: "...the Bill. To the Bill. I just want to commend the Sponsor, Representative Joyce, for his tireless efforts on behalf of taxpayers in his area and I think this is maybe not a perfect solution, but a step in the right direction. And I'm going to support this Bill wholeheartedly. And I wanted to thank Representative Joyce for bringing this in front of the Body."

Speaker Lyons: "Representative Joyce to close."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I appreciate everybody's comments, concerns and again I would like to pass this Bill so that we can move this discussion forward so that we can make sure that we have fair and equitable tax... taxes in Cook County. And so that it does not become the burden of the Legislature every three (3) years to pass the perceived bailout or the 7 percent Bill every three (3) years and let... make sure the assessor of Cook County is responsible for doing fair and equitable assessments of residential homeowners. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 6302 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Pritchard, Sacia, Kieth Sommer? Mr. Clerk, take the record. On this Bill, there are 79 Members

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voting 'yes', 32 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Gary Hannig in the Chair."

Speaker Hannig: "Representative Howard, you're recognized on House Resolution 850."

Howard: "Thank you, Mr. Speaker, my colleagues in the General Assembly, House of Representatives, House Resolution 850 urges the Citizen Stamp Advisory Committee and the United States Postmaster General to honor the 'Nisei', who fought bravely against the Japanese during World War II, with a U.S. postage stamp in their honor. After being treated as enemies, after the bombing of Pearl Harbor, 'Nisei' or second generation Japanese-Americans fought to prove their loyalties to this nation by entering the U.S. Army. The bravery of thousands of 'Nisei' is well-documented with such units as the 100th/442nd Regimental Combat Team, and the military intelligence unit. Their acts of sacrifice and valor exhibited by these men are worthy of the greatest respect and must not be forgotten by future generations. I ask for your support."

Speaker Hannig: "Mr. Clerk, what's the status of the Resolution?"

Clerk Mahoney: "HR850 is on the Order of Resolutions."

Speaker Hannig: "So, is there any discussion? Then all in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Representative Arroyo, you have House Bill 4393. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4393, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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Speaker Hannig: "Representative Arroyo."

Arroyo: "Thank you, Mr. Speaker, Members of the House. House Bill 4393 prohibits multiple sales of handguns to individuals within thirty (30) days prior. It also closes loopholes regulating transfers, not just sales of handguns. This Bill is only part of a three (3)-part effort to reduce handguns and violent crimes. I want to see antigun programs expanded in the schools, on the streets, but a significant percentage of handguns used in violent crimes have been part of a multiple sale. This would reduce the possibility of strawman purchases. This tactic is different than stopping the supply of handguns to terrorists in Iraq. Limiting the purchase of products in the name of public safety is not new. We have done... we have done it with liquor sales, wine shipments in House Bill 429. Representatives opposed to my Bill were happy to support House Bill 429, but... but it's the same thing. This Bill does not stop legal firearm dealers or legal firearm collectors. This Bill is not about rifles or shotguns. Handguns are used in over 75 percent of firearms of... homicides. These violent crimes are not just a big city problem, this happens in Rockford, Peoria, Danville, and in Mt. Vernon, and right here in Springfield. I feel strongly about stopping the violence. This is a statewide problem. The people of Illinois are looking to the General Assembly to do something about it. I need your support in passing this Bill today. I'm open for questions."

Speaker Hannig: "We're going to put this on the Order of Standard Debate, which means we'll have three (3) speakers

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on each side. Representative... Representative Reis, you're recognized for 5 minutes."

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

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

Reis: "Representative, we've got some questions on this and some clarifications to bring out and... How will this affect inheritance?"

Arroyo: "In... inherited is exempted."

Reis: "So, you can inherit ten (10) guns at one time and you'll be fine?"

Arroyo: "Yes, you can. This only affects if you're purchasing more than one (1) handgun a month."

Reis: "Okay. What's... I guess we'll start out at what's your intent with this Bill? I mean, if it's to as... I know you represent a section of... of Legislators who want to try to restrict gun ownership in the State of Illinois. How is this really going to do that? I mean, someone could technically buy twelve (12) guns a year, forty-eight (48) guns over four (4) years. How are you really trying to achieve what you believe in with this legislation and what's the purpose of it?"

Arroyo: "Well, we're trying to stop the flow of guns that coming into the city."

Reis: "You can still buy forty-eight (48) guns over four (4) years. So, what's your real intent?"

Arroyo: "Right... right. Well, it still reduces the amount of guns coming in. Right now, you can buy up to two or three hundred (200 or 300) and then all of a sudden lose them and then you could be selling them out of the back trunk of a

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car. And there's a lot of kids dying in the schools right now in our districts, in the City of Chicago... 20 percent of all handguns recovered are based on the straw purchasers."

Reis: "Isn't it illegal to have a handgun in the City of Chicago?"

Arroyo: "No. It's not."

Reis: "Yes, it is."

Arroyo: "No... Yes, it is. I'm sorry. It's illegal to buy the handgun."

Reis: "So, all right. It's illegal to own handguns. So, why are we trying to restrict that you can only buy one (1) handgun a month?"

Arroyo: "The restriction says that you could only buy one (1) handgun every month. I mean, it still stop..."

Reis: "One (1) illegal gun a month?"

Arroyo: "Well, we're trying to stop the amount of guns that are coming. Straw purchases, straw sales."

Reis: "Okay. But you brought up the issue of straw sales in... in... That's an illegal activity and what... I don't know if you said it in your remarks or whether it was said in private in defending your Bill, but you said a husband and wife could essentially purchase twenty-four (24) guns a year because the wife could buy (12) and the husband could buy (12). Well, isn't that enticing the wife to... to do... engage in straw purchasing?"

Arroyo: "I... I didn't hear your question. Somebody was talking in my ear. Could you repeat that, please?"

Reis: "Doesn't this, in fact, encourage straw purchasing because it's been said that a husband and wife could buy up to

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twenty-four (24) guns a year, the wife could buy twelve (12) the husband could buy twelve (12). So isn't that enticing straw purchasing?"

Arroyo: "I don't think so, no. Right now you could buy fifty (50), sixty (60) guns. If you buy one gun a month, I think that'll stop from buying fifty (50) or sixty (60) guns. I mean, that's the straw purchase we're talking about. It's not talking about hunting, it's not talking about rifles, it's not talking about anything else. A handgun."

Reis: "But you are talking about hunting. This is a statewide law that you're trying to pass. And here's where I really go with this. A lot of sports enthusiasts go to a gun show and they may want to buy three (3) or four (4) guns over a weekend. They may not buy guns for another year. They may not buy guns for another five (5) years. But they can't go purchase those three (3) or four (4) guns at a gun show during the course of one (1) weekend because of this restriction."

Arroyo: "No. You could... you could... if you could buy a handgun in a show, you could buy an antique gun, you could buy a collector's item, you could buy it. This is just regular handguns. If you get a certificate from a police officer, from State Police, that you go to an estate sale you could buy all these big, you know, sale guns you want."

Reis: "What if you want to buy four (4) handguns at a handgun show during the course of one weekend?"

Arroyo: "You can't... it can..."

Reis: "And that may be the only time you buy anything from..."

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Arroyo: "No, it's still one (1) hand a month. One (1) handgun a month, two (2) if you're married."

Reis: "We're back to the handguns that are illegal in Chicago. I... I just can't..."

Arroyo: "Right. Right."

Reis: "We're we've created a solution here for a problem that it's just is... To the Bill, Mr. Speaker. We all take an oath of office when we come in here to uphold the Constitution of the State of Illinois and the Constitution of the United States, which clearly says that we shall not pass laws that infringe on a person's right to own and carry... or operate guns. This is nothing more than infringement on the amount of purchases that you can make each month. And of course I encourage an 'no' vote."

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

Osterman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. There will be a number of issues brought before this Body this Session dealing with gun violence and it is an issue that always is divisive amongst geographic Members of our state. People need to understand that our state is going through an epidemic of gun violence and some people may say that that is your problem, but Ladies and Gentlemen, it is our problem."

Speaker Hannig: "I'd ask for our visitors in the gallery please to refrain from any demonstrations while we debate these Bills. Representative Osterman."

Osterman: "Thank you. Illinois children are dying and they're dying in classroom, they're dying in front of schools,

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they're dying in the shelter of their homes and if we are able to do reasonable things that will protect them, we should do that. It does not have to be a divisive issue, it does not have to be a geographic issue or a political issue. It's a public health issue. What the Sponsor of this legislation is trying to do is come up with a measure that would try to prevent the overflow of guns to parts of our state. Problems that have affected Chicago are springing up throughout our state and if you haven't had those problems yet, then you're blessed. But there are suburban areas that are facing these issues now. What this Bill will do, if you look at the Bill, will simply say that someone cannot purchase more than one (1) handgun a month. Does not say rifle, shotgun, and for that matter, semiautomatic weapon. It says handguns. Tens of thousands of handguns are taken off the street each year. They are the choice weapons along with semiautomatic weapons to kill and maim Illinois residents and children. This also has a provision in it that says if you have to have more than one (1) gun, handgun in a month, that you have a mechanism by which to request from State Police the ability to do that. So, Ladies and Gentlemen, this is a reasonable measure. These issues are ones that we have to look at together. And I stand in strong support."

Speaker Hannig: "Representative Mike Bost."

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

Speaker Hannig: "Indicates he'll yield."

Bost: "Representative, what exactly does this law do as far as...
You know, I'm actually about five hundred (500) miles, my

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hometown is about five hundred (500) miles... from yours. Closer to you is... is Gary, Indiana. What does this do to the residents in Indiana?"

Arroyo: "Well, this is a Illinois law."

Bost: "Ahh."

Arroyo: "I don't know what it does in Indiana."

Bost: "So... so basically, what it does is it tells Illinois citizens, who may be lawabiding citizens, I can't do... I can't purchase without some kind of special permit or going through a whole procedure... If I am a gun collector and I see two (2) .44 caliber Matched Smith & Wesson pistols that are a matched set, that have pearl inlaid handles, beautiful guns, great collector's item, I see that. Now, I can buy one (1), but unless I go through a whole permitting process I can't buy the second one that day, right? I've got to wait a month and buy that. Is that correct?"

Arroyo: "No. You could buy... you could buy both of those guns if they're collectors. You go get a certificate from the State Police and they'll... you're able to buy it."

Bost: "I... I did say that. I did say that. You've got to go through the State Police..."

Arroyo: "Right..."

Bost: "...you've got to go through a whole process. And so basically... but if I'm an Indiana resident and this happens to be that I'm trying to get this set of guns, that I'm going to be so proud of, and have in my collection, I have to go through this process but then the person from Indiana says never mind, I can buy them both right now. And I lose

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out on that gun sale. Is that... can you see where that might happen?"

Arroyo: "Representative, this is the Illinois Legislature. I'm not concerned about what goes on in Ill... in Indiana. This Bill is only to Illinois."

Bost: "Yeah. So... so what I'm saying is, is the people that you have the problem with, who I tell you I want to help to try to stop your problems that you have. But you just admitted a while ago that these... what you're trying to stop is the illegal guns. Okay."

Arroyo: "Absolutely."

Bost: "The illegal guns... but just... this doesn't get to the problem, because someone can take and drive over into Gary, Indiana and purchase these anyway and buy the mass pile of guns and if they are a criminal they're going to do it anyway. But all you've done is, is you've taken lawabiding citizens and say we don't want you to do it, with this language. Am I in... tell me if I'm wrong here?"

Arroyo: "Well, that's a chance you have to take to go to Indiana and purchase a gun there and then bring it back here."

Bost: "Okay. That... But... but... but you admitted yourself that a handgun is already illegal in Chicago. Is that correct?"

Arroyo: "Yes."

Bost: "Yeah. So, once again, it is the position as you as a Legislator to tell me and my constituents in my area, who respect and consider our guns as tools, and I say that not in tools of crime, but in tools with hunting, in tools with home protection quite often and I know that... I know that you have trouble understanding this, and so many Legislators

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from the north do have trouble understanding that, that... that I have a situation where I... first off, I think the market should be left open because it is for home protection. When we call the police officers, and I've said this so many times from the floor, I have areas in my district that 45 minutes to an hour before a police officer could ever get there and..."

Arroyo: "Representative, how many guns does it take to protect your house?"

Bost: "You know, sometimes you never know. But whether or not it takes one (1) gun or..."

Arroyo: "What district... what district do you live in, Representative?"

Bost: "I live in the 115th District."

Arroyo: "115th District. Okay."

Bost: "And it is five hundred (500) miles from your home."

Arroyo: "You're probably right, I don't know where that's at."

Bost: "Yeah. I know. It's... okay. Just so you know, it's farther south than Louisville, Kentucky, but that's a whole different story. Ladies and Gentlemen... Mr. Speaker, to the... first off, to the Bill. If this get the required number of votes I'm asking for a verification. Ladies and Gentlemen..."

Speaker Hannig: "Your request is acknowledged, Representative."

Bost: "Thank you. Thank you, Mr. Speaker. This is an issue of personal rights. You... the... the Legislator, the well intended, has already admitted that handguns are already illegal in Chicago. This is not going to change that and if someone wants to come from another state they can already go

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over and do these same things that you're trying to stop here, but all it does is infringe on those people I represent. We're taking away personal rights here and it is not... it's just not good legislation. I'd encourage a 'no' vote."

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

Graham: "Thank you, Mr. Speaker. To the Bill. I stand here today in strong support of 4393 and I stand here today disappointed in some of the remarks of my colleagues, who have made this piece of legislation a laughing matter. In the City of Chicago, the total is rising of the number of youth who have been cut down by gunfire. And every year... every day we come down here to the General Assembly and we support different parts of this state on a number of issues that just support downstate colleagues. And to come here and to say the issues that we have in our city is not important, I'm upset about that. I'm disappointed because when you had a problem with methamphetamine and all those other issues, you stream... you came here and you brought legislation and we adhered to what you wanted to do to protect your coll... your constituent base in downstate. We understand that we live in two (2) different parts of the state and I understand that you teach your children how to hunt and handle handguns. We don't have that same opportunity in the city. We face an epidemic that is growing so wildly that we're here asking you for your support. And to make fun and play games, games of trickery, when lives are at stake I'm very disappointed in that. I understand that you guys have your opinions on how you feel

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about handguns and I respect how you feel about them. This piece of legislation does not take away handguns from responsible handgun owners. It simply just does not do that. It is asking for you guys to help us to slow down the process of handguns making it into the City of Chicago and other parts of the state who are experiencing problems such as we're experiencing. Are you telling me to just go find some other solution? I'm here seeking a solution from this Body on this day to help us to stop senseless gun violence in the City of Chicago and to make light of that and to play games with that I'm just in disbelief this afternoon. Sometimes you can put down politics and hear our sensitive cry for help and answer that cry. I understand that you guys have a dis... a problem with this, but to make games out of it, I'm disappointed. So, I stand today in full support of my colleague's Bill and I'm asking you guys to put aside some of the passions that you have for the ownership of handguns just to hear what we have to say. These people have come down here to hear us discuss a topic that is near and dear to their hearts. The youth in our city are falling rapidly and we're asking you for a sensitive, reasonable ear to hear what we have to say. I urge an 'aye' vote."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker. I rise in reluctant... a reluctant opposition to this Bill. Representative, I think you have a definite problem in your district that you're trying to solve. I come from the Rockford area that has a higher crime rate than the City of Chicago or... excuse me, a higher murder rate than the City of Chicago because we..."

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right now we have some gangs that are fighting and the number of deaths is extremely high. But I don't think that the way the Bill is drafted is the one that we can finally pass out of this chamber. What I would suggest is after this Bill is defeated that you bring it back next year with some kind of change. I would suggest as a starting point, that you consider maybe one (1) a day or two (2) a day something like that where you don't have somebody... I think what you're trying to stop is somebody walking into a gun dealer buying a suitcase full of handguns, walking out and putting them back on the street through private sales to gangbangers. On the other hand, you have rightful gun owners that are collectors that want a number of handguns and they probably don't even shoot them, they want to keep them in pristine condition, but they may have a very large collection and they want the right to go into... to buy more than one (1) a month. I think you're overly restrictive in your Bill and with a... a modicum of compromise that you might be able to get much of what you want accomplished, but the Bill as it's currently drafted is simply too strong. So, I do rise in reluctant opposition. I will vote 'no' on this, but if you have a more reasonable one that you bring back to us, there is a possibility that some of my colleagues would also join me in looking at supporting a Bill that is... that is more moderate. And I thank you for the time."

Speaker Hannig: "We've now had three (3) speak on each side, very well and so, the Chair will now recognize Representative Arroyo to close."

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Arroyo: "Thank you, Mr. Speaker, Members of the House. I did not expect this convene everywhere... convince everyone to vote for this Bill. But we must remember that we act not just for our home district, but for the whole State of Illinois. This may be a har... a hard Bill to support of some, but our job is not about taking the easy way. This Bill may be an inconvenience for some, but it's import... it's important part of our work to stop senseless killings in our schools, in our... and in our neighborhoods. Our constituents are not opposed to these reasonable limits, 81 percent of Americans favor this limit. I get letters and e-mails about gun laws. Now, I have experience. I desire to be... to buy more than one (1) handgun per month, more than twelve (12) guns a month. This Bill will reduce the illegal traffic of handguns. It's already has in... in other states. You may have other ways to reduce handgun violence. I want to hear about your ideas. I am also working on a program for schools and a program for parents and neighborhoods. No one... no one here has all the answers. Today this is a part of our... of my answer for me. I ask for an 'aye' vote. Thank you very much."

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

Arroyo: "I do."

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Speaker Hannig: "So, Clerk, the Gentleman requests Postponed Consideration. And under the rules it's granted. Representative Ramey, are you seeking recognition? Are you... Okay. We're going to go to the Order of Second Reading. Representative Biggins, you have House Bill 4877. Do you wish us to read that Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4877, a Bill for an Act concerning criminal law has been read a second time, previously. No Committee Amendments. Amendment #1 was adopted on the floor. Amendment #2, offered by Representative Biggins, has been approved for consideration."

Speaker Hannig: "Representative Biggins."

Biggins: "Yeah. Thank you, Mr. Speaker, fellow House colleagues. This Bill provides that telecommunications covers (sic-carriers)and Internet service providers are not exempt... oh, I'm sorry... are not exempt from willful and wanton misconduct."

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

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

Speaker Hannig: "Third Reading. Representative Collins, you have House Bill 1518. Out of the record. Representative Colvin, you have House Bill 5311. Shall we read that on Second? Second to Third, Representative? No. Out of the record. Representative Crespo on House Bill 5731. Out of the record. Representative Fortner on House Bill 5186. Out of the record. Representative Hoffman on House Bill 5157. Out of the record. Representative Jefferies on House Bill

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4513. Out of the record. Representative McCarthy on House Bill 4694. Out of the record. Representative McCarthy, how about House Bill 5200? 5200? Out of the record. Representative Reboletti on House Bill 5592. Shall we move that from Second to Third? Out of the record. Representative Stephens on House Bill 4625. Out of the record. Representative Turner on House Bill 4385. Out of the record. Representative Acevedo, you have House Bill 5125. Out of the record. Representative Beaubien on House Bill 4454. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4454, a Bill for an Act concerning revenue has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Beaubien, has been approved for consideration."

Speaker Hannig: "Representative Beaubien."

Beaubien: "Yes. Thank you, Mr. Speaker. This Bill passed unanimously out of Revenue yesterday. It's a Bill that we've seen last year, which we voted essentially unanimously for. It's a little better drafted this year. Essentially it provides the Department of Revenue cannot enforce rules and regulations retrospectively. They can only enforce certain rules only prospectively. It's a very good business Bill and I urge it's adoption."

Speaker Hannig: "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 Berrios on House Bill 5687. Read the Bill, Mr. Clerk. No, excuse me. Out of the record. Representative Biggins on House Bill 4699. Representative Biggins Shall we read this Bill? Out of the record. Representative Black on House Bill 4164. Representative Black, do you wish us to read this on Second? Okay. So, out of the record. Representative Crespo on House Bill 4470. Out of the record. Representative Dugan on House Bill 4921. Shall we Read this Bill on Second? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4921, a Bill for an Act making appropriations. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Flowers on House Bill 5865. Out of the record. Representative Jefferson on House Bill 5611. Representative Jefferson. Out of the record. Representative Mendoza on House Bill 4943. Shall we read this on Second? Want to move it from Second to Third? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4943, a Bill for an Act concerning insurance has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have been... offered by Representative Mendoza, have been approved for consideration."

Speaker Hannig: "Representative Mendoza, you're recognized on Amendment #2."

Mendoza: "Thank you, Mr. Speaker. Amendment #2 eliminates the fifty dollar (\$50) application fee that would go to the

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application agent. I would ask for approval of the Amendment."

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: "Floor Amendment #3, offered by Representative Mendoza has been approved for consideration."

Mendoza: "Hello. Yeah. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 simply clarifies that this Bill is pertaining to only day and labor service agencies, as defined in the Labor Act, and does not apply to all private businesses. Would ask for your approval."

Speaker Hannig: "On the Amendment, the Gentleman from Crawford, Representative Eddy."

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

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

Eddy: "Yeah. Representative, does the addition of Amendment 2 and 3 remove the opposition from the Bi...?"

Mendoza: "It removes all opposition. Yes."

Eddy: "It removes all opposition. Okay. Thank you."

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

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

Speaker Hannig: "Third Reading. Representative Meyer, Jim Meyer, you have House Bill 4629. Out of the record. Representative McGuire on House Bill 4811. Excuse me, 4814."

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4814, Representative McGuire. Do you wish us to read this Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4814, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Miller on House Bill 5213. Representative Miller? Representative Miller? Do you wish us to read this Bill on Second? Shall we read this Bill on Second? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5213, a Bill for an Act concerning regulations has been read a second time, previously. Amendment #1 was adopted in committee. Notes have been requested and not yet received."

Speaker Hannig: "My mistake, Representative Miller. So, we'll have to hold the Bill on Second. Representative Mulligan on House Bill 5928. Out of the record. So, I didn't see you, Rosemary. Did you wish us to read that Bill? House Bill 5928. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5928, a Bill for an Act concerning health. Second Reading of this House Bill. No committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Munson on House Bill 5584. Representative Munson. Out of the record. Representative Osmond on House Bill 4207. Representative Osmond. Okay. So, we'll hold that, waiting for an Amendment. Out of the record. Representative Rita on House Bill 5308. Out of the record. Representative Rose on House Bill 5908. Representative Rose. Okay. Out of the record."

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Representative Saviano on House Bill 4762. Out of the record. Representative Verschoore on House Bill 5399. You wish us to read the Bill? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5399, 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 Verschoore, has been approved for consideration."

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

Verschoore: "Thank you, Mr. Speaker and Ladies and Gentlemen. What this Amendment does, when I had it in committee I have a school district or two (2) school districts as one (1) a merge, Westmer/Aledo, and the smaller district population-wise was concerned that they would not have representation or there might not get their people elected to the school board and have representation because the way the law is now it's by... at... at-large and the Aledo School District is much larger. So, what this Amendment does is, it allows them to, for the election after the merger, they would elect three (3) from the... one (1)... three (3) from each district and one (1) at-large. After that election it would go back to the all at-large. The other thing it would do is make the Bill effective immediately. And I think that's all the Amendment does. And I'd ask for concurrence."

Speaker Hannig: "The Gentleman moves for the adoption of the Amendment. And on that question, the Gentleman from Crawford, Representative Eddy."

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Eddy: "Thank you, Mr. Speaker. I rise just simply to thank the Representative for his consideration of a question regarding constitutionality on this issue and his Amendment to make it... the Amendment to make it apply to that one (1) district in this one (1) situation. And support the Amendment. Thank you."

Speaker Hannig: "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 Younge, you're recognized on House Bill 4935. Do you wish us to read that Bill? Out of the record. We're going to return to the Order of House Bills-Third Reading. We'll start at the begging of the alphabet with Representative Aceve... or sorry... Representative Bellock on House Bill 4869. Do you wish us to read that? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4869, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Hannig: "Representative Bellock."

Bellock: "Yes. Thank you very much, Mr. Speaker. And House Bill 4869 amends the Good Samaritan Act. It creates a new section to allow an alternative free medical clinic that does not have a physical premises to be exempt from civil liability if it notifies each patient in writing of the exemption, rather than posting it on the premises. The patient member shall be provided a clear and concise explanation in writing in at least 14 point bold type that the free clinic is exempting from liability. I want to

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thank the Trial Lawyers, the Med Society, and Representative Hamos who worked with us so long on this Bill. And it is an agreed Bill now and it helps a free medical clinic which is actually Access DuPage a model for the nation which has seven hundred (700) doctors providing free medical care to poor people and seven (7) hospitals providing free medical care. And what this will do will exempt the liability for the doctors. I'd be glad to take any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Okay. Did you get... did Representative Brady get recorded? Mr. Brady... Representative Brady is here in his seat. Mr. Clerk, could we... Okay. So, have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Beiser, you have House Bill 4692. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4692, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Beiser."

Beiser: "Thank you, Mr. Speaker. This Bill cleans up a Bill that was passed and signed into law in August of '07, which is about portability between pension funds. This deals with the IMRF and the downstate police. Basically, the wording was... there was some artic... there's wording problems with

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less than eight (8) years, we're changing it to up to eight (8) years. We're changing a effective date for the window from January 1 of '08, which of course, we've passed to January 1, '09. And the other part... the reason this caused some confusion because the words 'less than eight (8) years' and in a police vesting there were those that, previous to the change in the police... Downstate Police Act, weren't vested until ten (10) years, now they're vested after eight (8) years. So, this allows more people to access those pen... the IMRF, if they were in downstate police. Be happy to answer any questions."

Speaker Hannig: "Is there any discussion? The Gentlemen from Bond, Representative Stephens."

Stephens: "Representative, are we talking about House Bill 4692?"

Beiser: "Yes. 46..."

Stephens: "My understanding that the description you just gave is another Bill. Has this Bill been amended?"

Beiser: "I apologize, Representative, you are right."

Stephens: "You're try..."

Beiser: "I... I grabbed the wrong folder. I had the two (2) of them..."

Stephens: "You've been here long enough. You were trying to pull a fast one, weren't you?"

Beiser: "No. Because that one we... that I described, in error, has some more work to be done. Although, you know what, I did get my debate down for that, didn't I, a little bit."

Stephens: "Well, let's give it another shot and see what happens."

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Beiser: "Okay."

Speaker Hannig: "Yeah. Why don't we... Yeah. Why don't we do that."

Beiser: "Thank you, Representative. I apologize to Members of the General Assembly."

Speaker Hannig: "So, we'll give you 5 minutes and we can start over, Representative Beiser."

Beiser: "First do over. 4692 is very easy. It's a... another prisoner notification Bill. It talks with notifying by certified mail. The Prisoner Review Board did notice a couple of changes and that's why we had the Amendments. Basically, talking to the fact that this only should be in cases of parole hearings, not for those changes where they would have a... talk as far as the... keeping them in for a longer period or their... like that. So, this only is for parole hearings and that was at the request of the Prisoner Review Board and it's by certified mail. So, I'd be happy to answer any questions about the correct Bill that we have before us."

Speaker Hannig: "Is there any discussion? The Gentleman from Cook, Representative Molaro."

Molaro: "I just want to state for the record that we should make it on the record that Representative Stephens caught that and it shows that he's paying attention and that a suitable copy be delivered to every member in his district to show that he's hard at work. That was a nice catch by you, Representative. You should be very proud of yourself."

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

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Ford, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Boland, you have House Bill 5006. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5006, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Boland."

Boland: "Thank you, Mr. Speaker. What House Bill 5006 does is provides that restrictions on the use of neighborhood vehicles don't prohibit them from crossing at an intersection with a highway, road, or street. Right now, it's just a road or street."

Speaker Hannig: "The Gentlemen moves for the passage of House Bill 5006. 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 May, Colvin, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bradley, you have House Bill 5323. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5323 a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Hannig: "Representative Bradley."

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Bradley, J.: "Yes. Thank you, Mr. Speaker. This is a Bill that would clarify a situation with the law to make sure it's clear that the prevailing wage would apply to demolition projects. There was an issue that came up and this would resolve that issue. Would ask for an 'aye' vote."

Speaker Hannig: "This is on the Order of Short debate. Does anyone stand in response? The Gentleman from Winnebago, Representative Winters."

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

Speaker Hannig: "Indicates he'll yield."

Winters: "This is not an agreed Bill, is that correct? We still have opposition to this?"

Bradley, J.: "I don't have it... were you on the Labor Committee? I was trying to remember that when I stood up. Were you on the Labor Co..."

Winters: "I'm sorry."

Bradley, J.: "Were you on the Labor Committee?"

Winters: "Yes."

Bradley, J.: "Okay. I was trying to remember the stu... stuff. Did it come out of the Labor Committee unanimous? I can't remember."

Winters: "No. It was a 17-2 vote, but there was opposition."

Bradley, J.: "It was 17-2. Okay."

Winters: "We showed the Municipal League, Cook County and the Statewide School Management Alliance still being opponents. Has that been..."

Bradley, J.: "And I... I had... on my analysis it doesn't have that. I don't know. I'm not going to disagree with you. I just don't have that on here."

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Winters: "Well..."

Bradley, J.: "It was my understanding that it was okay to be moved and it got out, you know, overwhelmingly. I think you were one of the 'no' votes. But I didn't... I couldn't remember that. I'm glad you had clarified that, Dave... or Representative Winters."

Winters: "Well, one (1) of... one (1) of the arguments is on this that it is, I believe, responding just to one (1)... I believe it's just one (1) case that we have in dispute."

Bradley, J.: "I don't want to misstate anything, but my understanding was there was a case, but I don't know if that's the only case."

Winters: "Well, and that's prob... the problem with trying to talk about legislation when we don't know the background and it really wasn't brought up very well in committee either, the problem that we're trying to change. This is not, I don't believe, a major Bill that we're facing here and not a major expansion. So, at least in the Senate, I think we need to have better... a better case history, if you will, with the problem that we're trying to fix. Thank you very much."

Speaker Hannig: "Any further discussion? The Gentleman from Crawford, Representative Eddy."

Eddy: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Eddy: "Representative, I'm looking at the Bill itself and basically, under the prevailing wage portion of the statute if... if you read the list of required prevailing wage work it reads construction and then it adds the two (2) words 'or demolition'. Now, generally speaking, if a public works..."

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Bradley, J.: "You're talking about... you're talk... I'm sorry."

Eddy: "The text."

Bradley, J.: "You're talking about what I'm doing, adding the words 'or demolition'."

Eddy: "Right."

Bradley, J.: "I think it was that... and the argument was, it was contemplated that 'demolition' would be included but this would make it very, you know, clear that it was."

Eddy: "And that's my question."

Bradley, J.: "Yeah."

Eddy: "Is it... is it general belief that when a prevailing wage job is bid and the requirement is met that it deals with construction, engaged in construction, that if there's demolition to be done prior to the construction, is it generally felt that that demolition is also to be subject to prevailing wage?"

Bradley, J.: "Yeah. And that was... that was my understanding of this and that then... an issue came up and somebody challenged whether or not it really was included. Probably a clever lawyer and so... and so this would make clear that it was..."

Eddy: "Those terms are mutually exclusive in my world."

Bradley, J.: "Yeah."

Eddy: "I don't know."

Bradley, J.: "A clever superintendent, maybe."

Eddy: "Well, now that happens. There it is. But I guess my... my point is... and I want to make sure. There came an instance where someone, because the word 'demolition' was not specifically in this law, kind of split the jobs up and maybe there was one instance that became publicly known."

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But the concern is the potential that demolition will be split from an entire bid pot package so that it would be taken out and that really public policy which probably was intended to include demolition..."

Bradley, J.: "Yeah."

Eddy: "...would no longer include it. Is that accurate?"

Bradley, J.: "Yeah. I think this would... I think, you know, this is a public policy that when construction was put in there that demolition was intended to be included and to make it clear."

Eddy: "Okay. And that's all you're looking at here is those situations and if there are situations that are done by, for example, a school district that don't require prevailing wage and the maintenance people are doing a demolition in a school building, this doesn't apply because you're not bidding that you're using your own personnel."

Bradley, J.: "I... I..."

Eddy: "That was really kind of one concern I had heard that that somehow..."

Bradley, J.: "Yeah. I haven't heard... I haven't heard that concern."

Eddy: "Okay."

Bradley, J.: "And I... I can't speak for how people apply the law. What we're trying to do is clarify that one... in terms of construction..."

Eddy: "In those cases it's not a prevailing job. Because I... I've not really understood where..."

Bradley, J.: "Yeah. In terms of construction, it's supposed to be."

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Eddy: "...anyone believes that demolition of a bid project is not prevailing wage covered. So, I appreciate your explanation as to what the intent of this is and I don't think, as Representative Winters said, this isn't something that expands it to an area that probably wasn't understood that it belongs in. And I appreciate your clarification."

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

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

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

Black: "Representative, my hometown is a... an old city. We unfortunately have a number of buildings that have been abandoned by their owner or owners and all attempts to trace it, all attempts to get the last owner of record to demolish dangerous buildings, particularly around schools, have not met with success. And as a result of those buildings often being used for illegal or nefarious purposes, the City of Danville, for example, passed a bond issue and whenever possible they'll have the city employees tear them down. Obviously to save money, they don't bid it because the taxpayers are, in fact, paying to remove an eyesore or a dangerous structure. Now, I think the City of Danville workforce is probably... I know it's unionized and I don't know if the city council would... would look at the prevailing wage rate and have to boost anyone's pay for that particular job or not. I know school districts have done the same thing. Well, they might contract to tear it down. I'm having a little problem trying to figure out why the taxpayers need to pay prevailing wage in order to get a

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condemned building that's dangerous or a haven for criminal activity... Why... why do we want a municipality to incur additional expense to take down an eyesore that there is no owner of record? It needs to be taken down. Why do we have to go through the prevailing wage hoop in order to do that?"

Bradley, J.: "You know, when I first came... started coming to Springfield, they used to bring attorneys down from upstairs and they'd stand behind me and they'd help me answer questions. You see anybody around here today? So, I guess I'm on my own and I'm going to try to answer your question. I don't know. I think that's just the policy issue and I think it'll be up to interpretation, as everything we do is. And so certainly, if you have concerns about that I can't tell you for sure that that couldn't be a consequence to this."

Black: "Okay. Well, I appreciate that. That's a very honest and forthright answer. Mr. Speaker, to the Bill. I know the Illinois Municipal League certainly stands in opposition to this Bill. And I think I can understand why. I know these are difficult times and obviously, if you are a union contractor and you specialize in tearing buildings down you would want an opportunity to bid on that and if so, you would expect to be paid the prevailing wage for that job. But I'm not sure this Bill is drafted narrowly enough. My fear is, for example, the City of Danville is trying to take down about a hundred and fifty (150) condemned buildings. Some of them have been the target of arson over the years, some have been the target of drug activity, some have been the... other nefarious activities that Representative Beaubien

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wanted me to mention on the microphone, but I won't. Although it's a very interesting topic, Representative. I think that unless this Bill is very narrowly drafted, you can inhibit the ability of local governments to get rid of buildings that are a detriment to their community. And I... the taxpayer, particularly in the neighborhood, they want these buildings down and if the city can do it... and in a couple of cases I know the owner has come forward and the owner has torn them down. Now, I don't know whether they contracted it or whether they did it themselves, but I... I can't in good conscious vote for this Bill because I think it's all encompassing and they... if you come... if you live in a city like I do where you have a number of properties that certainly need to be taken down, I think a prevailing wage statute could inhibit the ability to remove condemned and dangerous buildings in an expeditious fashion. If the Bill were more narrowly drafted perhaps I could support it, but I cannot vote for the Bill in the form that I understand it to be in. I intend to vote 'no'."

Speaker Hannig: "Representative Bradley to close."

Bradley, J.: "Representative Black, I got an answer to your question. It's only... it's only on bid work; it's not on in-house work. So, the example of an in-house municipality that was doing tear downs would not be impacted by that. And if you want to stand up and announce your support of it based upon that I'll ask them to turn your button back on. I think this is a clarification. Obviously, the legislative process is not perfect, but we do have the opportunity, unlike some other professions, where when something doesn't

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go the way we think it ought to go that we can go back and fix it. And this is an attempt to fix a lack of clarity in the law and to provide clarity and make it clear that on bid projects where construction is involved that demolition would be covered under the prevailing wage. And I would ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Schock, Meyer, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 91 voting 'yes', and 23 voting 'no'. And this Bill having received a Constitutional Majority, is hereby declared passed. Representative Brosnahan, you have House Bill 5059. Out of the record. Representative Burke, you have House Bill 5363. Out of the record. Representative Brady on House Bill 4252. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4252, a Bill for an Act concerning children. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from McLean, Representative Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4252 has been a piece of legislation that I've been working on with many others for quite some time now. What it does is responds to a tragic situation occurring not only in my district but in school districts across the State of Illinois, because of just a minor amount of individuals that create these acts and cause

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these acts. It amends the Abused and Neglected Child Reporting Act and requires a school district that has made a report to DCFS regarding the conduct of a current or former employee to enclose that fact to any other school district that is inquiring about the current or former employee's job performance. It provides immunity to that school official except in cases of willful or wanton misconduct from civil or criminal liability for that school official to disclose the information. It also, though, says any school official that knowingly or willingly fails to disclose the existence of the report to the inquiring school district is guilty of a Class A misdemeanor for the first violation and a Class IV felony for subsequent violation thereafter. I'd be happy to answer any questions. And in the Education Committee, this legislation did pass out of committee unanimously on that day."

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

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

Speaker Hannig: "Indicates he'll yield."

Franks: "Representative, I'm looking at the... our analysis and it indicates that the findings would have to be reported to the superintendent of the school district where the report is made. Correct?"

Brady: "That is correct."

Franks: "Today, in the paper in McHenry County it came out that allegations that one of the local school superintendents had taken two (2) sixteen-year-old girls across the state line

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to Wisconsin to a hotel. They were found by police and according to the newspaper they were smoking marijuana, various states of undress and watching pornographic movies. Would it be better that the report would go possibly to a... maybe a regional superintendent of school? I'd be concerned where we have... where our superintendent could be the police officer... or could be the one policing when he also or she could also be the one under investigation."

Brady: "That... that's entirely possible, but the way the legislation is written is for a school official or superintendent to share the information once a official report has been made. This legislation has taken on different appearances since we've started in trying to work and find common ground with some of the concerned groups, obviously. It'd be something I'll be happy to look at possibly... possibly amend it in the Senate, if it should pass and look at. So, I appreciate your suggestion on that. All these are very unfortunate tragic situations and we're trying to address and prevent situations to where individuals are going from one district to another committing these acts."

Franks: "Oh, I think it's a good Bill."

Brady: "Thank you."

Franks: "I just want to make sure that it works as we intended it 'cause often, as you know, when we write stuff we don't anticipate every option that might happen and this... I read about this last night and saw it today and... so think about it..."

Brady: "I sure will."

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Franks: "...and if it needs to be amended, we could do it in the Senate, but thank you."

Brady: "I appreciate your suggestions. Thank you."

Speaker Hannig: "The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you, Mr. Speaker. To the Bill. I stand in strong support of the Gentleman's legislation. This is an issue that needs to be fixed. It's absolutely inexcusable that any employee of a school district that has a founded report regarding child abuse or neglect, in any fashion, in any way can be protected when they move or they attempt to move to another school district. It's a... it's a... it's not a loophole; it's bigger than a loophole. This is something that we have to address. The young children that we're creating public policy to protect deserve some type of public policy that takes into account that right now it's possible for a teacher to simply resign and in some cases receive even letters of recommendation in exchange for their resignation, even if there's knowledge that the teacher or the school employee has committed some type of criminal act against the child. Representatives Brady, I think you've done a terrific job and whether it needs tweaking, whether we need to make sure that there's not a loophole in here and I agree with Representative Franks and I didn't... I've read this Bill several times and certainly, there needs to be more notification than just the superintendent. It should be just for the sake of safety, the regional superintendent should be notified as well and quite possibly, the State Board of Education, so that there's no possibility that the

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truth regarding these type of issues might somehow not come out. I commend you for your effort on this, it's something we all need to support. This is about the safety of our children. This is to keep potentially dangerous and extremely potentially dangerous people from being able to... to be in classrooms and around our children. Vote 'yes'.

Speaker Hannig: "Representatives Brady to close."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I also wish to thank the numerous groups that worked with me on this piece of legislation, as Representatives Eddy mentioned, all in the attempts to protect our children. And while some of those groups we may have came at it from different focuses and had different areas in which we had to respect, we worked together and came up with this particular piece of legislation. I also want to thank Representatives Franks for his suggestion and we will look to that. I simply ask for a 'yes' vote for something that is very unfortunate that we have to go to this extent in Illinois and put something in law that one would think would just be common sense."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Jefferies and Collins, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared

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passed. Representative D'Amico on House Bill 5093. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5093, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative D'Amico."

D'Amico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is an initiative of the State Police. Basically, what it... it's tightening up a Bill that we had passed previously. If you call up and make a complaint against a police officer that you... they will be able to prosecute you if you are lying about the complaint. That's basically what the Bill does. I'll answer any questions."

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

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

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, this particular Bill deals only with the Illinois State Police, not local police officers in any way, shape, or form?"

D'Amico: "Correct."

Black: "The action will only be taken if the complaint is found to be not valid?"

D'Amico: "Right. If they're out and out lying..."

Black: "Okay."

D'Amico: "...trying to make something up. This was an initiative... basically, this first Bill was run. I had a constituent of mine that was a state trooper and somebody was calling up

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making these false complaints and you used to be able to do it anonymously and now this Bill you have to call up, you have to file an affidavit, it has to be legit and not... but one of the things that we did not include in there was if somebody was called up actually telling a lie."

Black: "All right."

D'Amico: "So that's why we're doing this."

Black: "Who makes the determination as to whether the complaint will be ruled without merit?"

D'Amico: "I don't understand. What are you..."

Black: "Well, if... a... if person 'A' files a complaint against State Police officer 'B', who makes the determination that the complaint is not valid, has no... no finding."

D'Amico: "The State Police."

Black: "Through an internal investigation or just one..."

D'Amico: "Yes."

Black: "...just the director?"

D'Amico: "Though an internal investigation."

Black: "Okay. And then that complaint would be turned over to what... the state's attorney of the county in which the complaint was made, if it's found to be not valid?"

D'Amico: "That's correct."

Black: "And there doesn't have to be prosecution, it would then be at the discretion of the state's attorney."

D'Amico: "Right. They're just..."

Black: "Okay. Fine."

D'Amico: "...just able to."

Black: "Yeah. So, I think there's plenty of due process and safeguards in the Bill. Thank you."

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D'Amico: "Thank you."

Speaker Hannig: "Representative Miller."

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

Speaker Hannig: "Indicates he'll yield."

Miller: "Just a quick follow-up question. This does not indicate any penalty for... it's still up to judicial discretion: A) whether to charge somebody with falsifying a statement, is that correct? Is that the..."

D'Amico: "That's correct. There is no penalty right now. It will be up to the state's attorney and the judge."

Miller: "And so you're not... but this simply... what does this sort of simply does? I mean what..."

D'Amico: "Basically, what it's trying to do... again, we passed a Bill last year. You used to be able to call up and make a complaint against a police officer anonymously. So basically if a state trooper pulled you over for a speeding ticket you might have been upset about that and you might of gone home and called up and made some type... made some story up about a state trooper."

Miller: "Right. Mmm mmm."

D'Amico: "We passed a Bill that you could no longer do that, but in doing that, there was no way for them to go after somebody if they were caught telling a lie about this state trooper. So now, if they are, they're at least able to go after them and prosecute them."

Miller: "Okay. And as far as what if... what if the complaint is justified against the state trooper, it still has no... no bearings and so...?"

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D'Amico: "Oh, no. There... Well, this... that's a whole another issue.

Miller: "Okay."

D'Amico: "If the complaint you're making against the state trooper is actually true, that's something totally different."

Miller: "Okay. Something different... doesn't affect... Okay."

D'Amico: "Yeah."

Miller: "Thanks for the clarity, Representative."

Speaker Hannig: "The Lady from Will, Representative Kosel."

Kosel: "I'd just like to clarify one (1) thing. This... this is not... this is not meant to take a complaint where there might be a dispute between the officer and the individual making the complaint. This is about wanful (sic-wanton) and willing lying about a complaint, not just a disagreement between the two (2) parties?"

D'Amico: "I'm sorry I can't... I can't hear your question."

Kosel: "My concern is that this addresses only people who are just outright lying and not people who have a... a dispute with the officer. And very frankly, we all know, we hear it down here all the time, people see things from different points of view and I don't want to endanger those people who are making a complaint because it's a difference point of view as opposed to those that are out there just plain lying to get the officer in trouble."

D'Amico: "Well, I don't think you'd be in trouble for having a different point of view. I mean, this is strictly targeted for people that are out and out lying..."

Kosel: "Okay."

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D'Amico: "...about something that happened with the police officer."

Kosel: "Thank you."

Speaker Hannig: "Representative D'Amico to close."

D'Amico: "Thank you, Mr. Speaker. I just request an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lyons, Mautino, Pihos, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Eddy, you have House Bill 4700. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4700, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Eddy."

Eddy: "Thank you, Mr. Speaker. House Bill 4700 is a Bill that requires notification from the state's attorney to the board of trustees of a Pension Fund of the commission of a felony by a person who is a member of that pension system. There was a disconnect with the reporting process whereby some individuals who had committed a job-related felony were continuing to collect pensions simply because there was not an adequate notification, a policy... or excuse me, statute in force between the State's Attorneys Office and the pension systems. And I'd request an 'aye' vote."

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Speaker Hannig: "This is on Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Patterson, Nekritz, Mautino, Howard, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Feigenholtz, you're recognized on House Bill 4745. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4745, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Feigenholtz: "Thank you, Mr. Speaker. House Bill 4745 allows... it amends the Illinois Controlled Substances Act and currently brings us into compliance with a changed federal guideline from the DEA. I would be glad to answer any questions."

Speaker Hannig: "This Bill is on Short Debate. Does anyone stand in response? The Gentleman... In response? Okay. Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Cultra, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared

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passed. Representative Flider, you have House Bill 5142. Mr. Clerk, read the Bill. Excuse me, Mr. Clerk, that's out of the record. Representative Ford, you have House Bill 4613. Representative Ford. Out of the record. Representative Golar, on House Bill 4913. Do you wish us to read this Bill? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4913, a Bill for an Act concerning education. Third Reading of this House Bill."

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

Golar: "Mr. Speaker, would you please hold that Bill on Second, please?"

Speaker Hannig: "Okay. So, Mr. Clerk, let's return this to the Order of Second Reading at the request of the Sponsor. And Representative Graham, you have House Bill 731. Do you wish us to read that Bill? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 731, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Graham."

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 731 deals with if you have a minor in your home under the age of eighteen (18) and you own a handgun, it speaks to the way that we're suggesting that you store the handgun in a lockbox or a trigger lock. The current law states that if you have a child in your home under the age of fourteen (14) that you can store a gun in a house in a lockbox, in a trigger lock... with a trigger lock, or any other reasonable place. This Bill seeks to remove 'any other reasonable place'. I'll answer any questions at this time."

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Speaker Hannig: "This is on the Order of Short Debate. Why don't we put it on Standard Debate. And Representative Bost, you're recognized for 5 minutes."

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

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

Bost: "So... so under your Bill it says that it's unlawful for a person to leave... or a person to store or leave, within premises his or her... basically, it says that... what do you consider a child in your Bill?"

Graham: "Say it again?"

Bost: "What do you consider a child... obviously, you're trying to..."

Graham: "We're saying under the age of eighteen (18)."

Bost: "Okay."

Graham: "My legislation proposes under the age of eighteen (18)."

Bost: "At under the age of eighteen (18)..."

Graham: "Yes."

Bost: "...that... that if a firearm is left unattended or doesn't have a trigger lock?"

Graham: "It says if you have a child in your home under the age of eighteen (18), they're asking you to store the gun in a lockbox or with a trigger lock."

Bost: "What about the... what about the 14-year-olds and the 15-year-olds that are able to have a legal hunting license..."

Graham: "This piece of legislation exempts anyone... any child that has the permission of their parent to handle or deal with the handguns in their home. This piece of legislation does not take away that opportunity for families of, in

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particularly downstate, who have given their children permission to handle the handgun, this does not deal with that. It does not take away that opportunity."

Bost: "So, how do you enforce this?"

Graham: "How do I what?"

Bost: "How... how is this enforced?"

Graham: "I... I didn't hear what you said."

Bost: "Okay. How... how is this... how will this be enforced?"

Graham: "If something would happen or if something that would draw the policemen to your home, that would be, you know, the only way, I guess, it would be if something happened in your home and you had, you know, handgun in your home and a child under the age of eighteen (18), if something happened then you would bear the responsibility of that."

Bost: "So... so, basically, what we're saying is, is that if an accident occurs in a household, which... which does happen because, you know, I mean that... that... those things happen, I mean, they happen whether it's guns, or bikes, or whatever, those accidents could occur and at the most tragic time that your child has been injured, now we're going to walk in and charge you..."

Graham: "Representative Bost, this is an attempt to prevent any of those tragedies from happening. This is an effort to present... prevent exactly what you're talking about."

Bost: "And I understand... I understand what you're saying."

Graham: "If you remember, Representative, if I may."

Bost: "Okay."

Graham: "If you remember, there was a sporadic number of accidental shootings that took place some time ago in

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Stickney and some other parts of the state that this piece of legislation would have been very helpful, had it been in place. And..."

Bost: "Now, I'm going to say it..."

Graham: "Yeah."

Bost: "I'm going to say it again. You just said that when they come into your home, odds are they're going to be coming into your home after an accident has already occurred. You're not going to have the police come in and, without a search warrant, knock down the door..."

Graham: "We're not doing that, Representative."

Bost: "Right. And so..."

Graham: "This is... this is an honest attempt for law-abiding citizens who want to protect minors in their homes under the age of eighteen (18). This does not take away handguns out of anyone's home. It doesn't do any of that. It's just simply removing 'any other reasonable place' out of the law. That's all it does. That's all it does."

Bost: "I think... I think we're starting down a slippery slope. I think it does more than that. And I'm running short of time, so... so, Representative, to the Bill... or Mr. Speaker, to the Bill, if I can. Once again, you know, we do... and each person comes here representing their district trying to do what we can in the best way we possibly can, and I'm sure the Sponsor has great intentions here, but the reality is, from what I can see of this Bill, is that really the only way that we can enforce this is we walk through the door after some... a terrible accident or tragedy has occurred and now we're going to charge the parents because there wasn't a

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gunlock, or there wasn't a gun safe, or... and it might be that even when... when people have been raised around guns sometimes accidents do happen. So, I have problems with the Bill, I stand in opposition to the Bill. I have a tremendous amount of respect for the Sponsor, but I think we're just starting down a slippery slope."

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

Stephens: "Would the Lady yield for a question?"

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

Stephens: "Why eighteen (18)?"

Graham: "I'm sorry, Representative. Can you restate your question?"

Stephens: "Why did you choose the age of eighteen (18)?"

Graham: "Accidents happen all the time and I thought it was very responsible seeing that we've had a lot of tragedies in the area in which I live in, and I thought it was just the responsible thing to do, which was raise the age from fourteen (14) to eighteen (18). And again..."

Stephens: "So, the age is..."

Graham: "...as I stated with the last Representative, it does not take away the opportunity for those young people that have the permission of their parents to handle those handguns."

Stephens: "Let's stay with that question. With all due respect, Representative, please, just respond to my questions. I'm won... wondering how you came up with the age of eighteen (18). It sounds to me as if it was arbitrary."

Graham: "I just thought it was the responsible thing to do."

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Stephens: "You thought it was the responsible thing to do to add four (4) years?"

Graham: "Yes."

Stephens: "What happens between age fourteen (14) and eighteen (18) that makes you think that..."

Graham: "A lot of things, Representative. We know that people under the age of eighteen (18) make irresponsible decisions, even adults do that. So, we just wanted to make sure that we just added some level of protection... of responsibility."

Stephens: "What happens when you're eighteen (18) that all of a sudden... what changes?"

Graham: "You're an adult. I guess, you would fall under something a little different."

Stephens: "Okay."

Graham: "But... but if..."

Stephens: "Well, if... to the Bill, Mr. Speaker."

Graham: "Thank you."

Stephens: "It sounds to me as if this is just an arbitrary chipping away of my parental rights. And I think that's what the real issue is here. This is about my family and my ability to make reasonable decisions for my children. I don't know that you... that you're dealing with a problem that really exists. I think maybe that it exists in your mind, and I appreciate that. I can... I can understand that and that oftentimes yields legislative attempts such as this. But what we have here is just one more time let's make a somewhat reasonable proposal based on an arbitrary decision by one indi... one State Representative. I just don't think it makes sense. I don't think... I don't see any compelling

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reason to change the current law. And with that I would urge my colleagues to... to vote 'no'. I would ask for a verification if this Bill receives the requisite number to pass."

Speaker Hannig: "You're request has been acknowledged, Representative, and will be honored at the appropriate time. Representative Colvin, you're recognized for 5 minutes."

Colvin: "Thank you, Mr. Speaker. Real briefly, Representative, again, can you just tell us why you are proposing this Bill?"

Graham: "This piece of legislation is being presented to prevent tragedies from happening. There were a number of tragedies in particularly in Stickney where a young man left his gun exposed where his child was able to gain access to it and consequently had taken their own lives."

Colvin: "So, the Representative, two (2) speakers ago, mentioned... yeah, he took issue with the fact that this Bill had a fine. And... and... well, thank you, Representative, first of all, for your explanation. Mr. Speaker, to the Bill. Two (2) speakers ago the Representative made issue... took issue with the fine that was accompanied with this Bill, the one thousand dollars (\$1,000) and from our own personal perspective that the fine is inconsequential, it doesn't matter a whole lot. I look at this Bill as a very important public safety issue on a... and I won't say a crime, but a tragedy that happens... if it happens once a year it happens too many times and that's when someone gets ahold... some child in the house finds the gun of an adult, a totally responsible adult, who didn't bother to get a lock for the

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gun, probably well-intentioned to, never thought his son or daughter would find the gun and kills someone inadvertently. And it probably ruins two (2) lives in a situation like that. No crime has been committed. That's why I think the fine is inconsequential, other than the fact that it would compel individuals to get these locks. To make it mandatory makes sense the same way it makes sense that we pass laws in the State of Illinois, the City of Chicago for fire detectors in... in the home. The fire department doesn't knock down anybody's door and make sure that they have a fire detector in their homes, a smoke detector in their home. The whole purpose of passing laws to mandate it is to make people do responsible things. Still, all too often we see in the City of Chicago and around this state houses burn down and people lose their lives because they didn't have a working smoke detector in the home. I think this is a real commonsense, very low threshold idea to have a safety lock on a weapon when someone... when a gun is unattended by some adult in a home. I wouldn't even see a problem if the adult was there, they chose to take it off when they were in the home. But we all know that these incidents happen when a unattended gun is in the home and there's no adult there and some child finds it, starts playing with it and a tragedy ensues. This is just a commonsense law, I think, that will prevent those tragedies from happening. It's something everyone should be doing already, but the fact that they may not be doing it, I think that we should compel them through the force of law to use these public safety... these safety devices in an effort to save lives and prevent terrible

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tragedies from happening. I ask for an 'aye' vote. And I appreciate the Sponsor's support and I would ask that you add me to the Bill. Thank you."

Speaker Hannig: "We've now had two (2) speak on each side. And the rules provide for one (1) additional speaker on each side. Representative Miller, you're recognized for 5 minutes."

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

Speaker Hannig: "Indicates she'll yield."

Miller: "There was a question earlier in regards to why change it from fourteen (14) to eighteen (18). I wasn't clear on what the answer was. Can you repeat that?"

Graham: "I felt that it was the responsible thing to do to raise the age from fourteen (14) to eighteen (18) considering the number of deaths that have taken place recently and in times past. It was just the responsible thing to do."

Miller: "And in terms of the fine portion of this, there is no change in that or is there or..."

Graham: "There is a..."

Miller: "I'm sorry."

Graham: "I want to say, Representative, that there may not be a change in the fine."

Miller: "In terms of the process..."

Graham: "The fine is the same if there's no bodily injury..."

Miller: "Okay."

Graham: "...but if there's a..."

Miller: "On our analysis it said the individual... if the individual violates this provision, he or she is guilty of a Class C misdemeanor. Is that... so let's say a child brings a

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gun to high school 'cause that's really... you're covering those children that are in high school pretty much more or less. Is it the intention to... and someone makes a charge... I guess, the child shouldn't have a gun in school and so is it, I guess, the law enforcement, the school that charges this or how is this process being... goes through?"

Graham: "Well, I guess, Representative, if a child would gain access to his parent's... his or her parent's handgun without their permission and had taken the gun to school and praying that no accident happened, I guess the school would probably learn from another student that his classmate had the handgun. The school would then be required to call the police and they would make the appropriate arrest."

Miller: "And how would you know that the child brought a gun that was a... owned by the parent or the guardian versus one that they bought on the street? How would you know the difference? And also is the violation which this individual violates is the violation between the person owning the gun or the person bringing the gun to the school or to the..."

Graham: "Representative, it would be the person owning the handgun because it would be their responsibility to make sure that the handgun was locked and secure that that minor would not gain access to it."

Miller: "Well, how would they determine that the child purchased... could have purchased the gun off the street, as we know unfortunately, versus, you know, took something from a parent?"

Graham: "Once the authorities had gained access to the handgun then they would then at that time do a search to determine

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where the gun came from. If it was registered to the youth's parents or if it was just some stray gun off of the street and I guess putting that together with the story of what the young man is saying, if the young man is saying he got it out of his home, you know, the authorities would then have that opportunity to question the parents of that youth."

Miller: "Okay. To the Bill, Mr. Speaker. I support the Lady's Bill, House Bill 731. Recently, there was a story about a six-year-old bringing two (2) loaded guns to school and although this doesn't really apply to this particular legislation, something is wrong that a child is able to... able to locate two (2) weapons and then feel that they need to or can or able to bring them to school. I believe the reason why we should raise the age limit is just the sense of maturity. Now clearly, a six-year-old is going to do six-year-old type of things, as we all know, but between the ages of fourteen (14) and eighteen (18), you know, it's very volatile. Recently, my seatmate shared a video in which children of fourteen (14) to eighteen (18) years old were beating another child just because they wanted it to be on YouTube. And so when we've got this kind of immature behavior, I think only raising the age limit to securing a weapon because if one of those children had a weapon that child could have not just been hurt, but could have been killed. And so raising the age..."

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

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Miller: "Thank you, Mr. Speaker. By just raising the age at least a sense of maturity by the person. It doesn't eliminate (sic-eliminate) anybody from obtaining a gun, or having a gun but this is one of those commonsense gun laws. I ask for a favorable vote."

Speaker Hannig: "We've now had three (3) speak in support and two (2) in opposition. The rules provide for one (1) additional speaker in opposition. So, Representative Reboletti, would you like to speak in opposition for 5 minutes?"

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

Speaker Hannig: "Indicates she'll yield."

Reboletti: "Representative, is... we've talked about good commonsense gun legislation on this floor last week and things that are enforceable, things that would make some sense and I have some issues with this legislation. One (1) is... of which is I think what Representative Bost was talking about is... is talking about being able to defend your home. I think that's one (1) of the issues that is... is out there and we're going to have fifteen-, sixteen-, and seventeen-year-olds that should be able to make the appropriate decision for should they grab a gun or not. When you are talking about the deaths in the City of Chicago, were any of those deaths, that you're aware of, based off firearms taken from a legally owned firearm owner identification card holder's house?"

Graham: "I don't know all the details to all the shootings that have taken place, Representative, so I can't answer that question."

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Reboletti: "Would you agree with me, Representative, that the deaths in the City of Chicago are based off of gang warfare over drug turf? Is that..."

Graham: "No Rep..."

Reboletti: "Would that be a fair assessment?"

Graham: "No, Representative."

Reboletti: "It's not?"

Graham: "I totally disagree with you. There have been crimes of passion. Two (2) fifteen-year-olds, one shot another one over a boy. So no, it wasn't about gangs. All of them are not gang related..."

Reboletti: "They're not gang related."

Graham: "...all of them are not drugs. All of them are not gang related and all of them are not drug related. No."

Reboletti: "Wasn't there already... I thought Representative Durkin had a Bill about six (6), eight (8) years ago that dealt with safe storage. Isn't... isn't that what you're talking about right now?"

Graham: "That's... this piece of legislation is... that's what we're amending here. Yes."

Reboletti: "And what... what is the penalty that you're looking to make this now?"

Graham: "Representative, my main goal here, as my colleague Colvin mentioned, is that this is a piece of legislation for preventive measures to prevent any accidental shootings in a person's home. This does not take away the right for responsible gun owners who have taught their children how to handle a handgun and have given them permission to have a gun. This doesn't affect them at all. This affects

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families that don't have that liberal feeling that most people have... that some people have regarding handguns."

Reboletti: "Isn't there an issue, Representative, with the legally... the legal gun owner who his home is being invaded by somebody trying to use that firearm to defend themselves? You don't see this as trying to stop that?"

Graham: "No, Representative, I don't. No, because the law currently provides that it be locked up in the first place. Yes."

Reboletti: "Mr. Speaker, to the Bill. I couldn't disagree more with my colleague about why there are cases of people and children getting shot on the streets of Chicago. Having been a former narcotics prosecutor, I can tell you that these children are dying from gang warfare over turf, and they're fighting over drugs and money from the proceeds of the sale of those drugs and we need to deal with that issue. It is not based on some fifteen-year-old taking their gun, a parent's gun, out on to the street and getting in a fight over who they like better, whose football team they like better, or for whatever for that... for that reason. And Representative, with all due respect, I had seventeen (17) of your fellow colleagues joined you to vote 'present' against a Bill of mine last week that went after the strawman, which was commonsense legislation and I don't think this is commonsense legislation. I think this does not do anything to save anyone's lives."

Speaker Hannig: "Okay. We've had three (3) speak on each side. And the rules would provide that Representative Graham is recognized for 5 minutes to close."

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Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As you know, we have a number of issues dealing with gun violence in the City of Chicago. And I've come down here after being elected by my constituent base to speak on their behalf and sometimes I don't think that my colleagues give us the attention that we ask for when it comes to coming here to find a solution to some of the problems in our districts. I think they're taken lightly and I don't think that you guys really take that into consideration. This piece of legislation is a preventative piece of legislation, much like having a smoke detector in your home. The authorities are not going to bombard your home if you haven't done it, but God forbid if an accident would take place and you have not properly stored your handgun. I would hope that nothing like that would happen. Also, this piece of legislation does not affect any gun owners who have given their children permission to handle the handguns. So, I urge an 'aye' vote from my colleagues today to support me with House Bill 731. 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 Younge, Saviano, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. Representative, do you wish for Postponed Consideration? Okay. The Lady requests Postponed Consideration and under the Rules she's entitled to Postponed Consideration. Representative Miller, for what reason do you rise?"

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Miller: "A point of personal privilege."

Speaker Hannig: "State your point."

Miller: "Ladies and Gentlemen of the House, today up in the gallery I have a school in my... from my district, McKinley Junior High from South Holland, Illinois. Please welcome them. Stand up and welcome them."

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

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

Speaker Hannig: "State your point."

Riley: "Ladies and Gentlemen of the House, I'd like for you to recognize members from Rich Township who are here. The Rich Township Transportation Department which arguably is the finest in the state. Director Pat Peters is here, Tamila Harrington and James Mitchell up in the galleries. There they are right there."

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

Yarbrough: "Point of personal privilege, please."

Speaker Hannig: "State your point."

Yarbrough: "Up in the gallery today visiting with us are students from Proviso East High School from my district. Would you please stand from the school-based health clinic. Give them a welcome this morning."

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

Howard: "A point of personal privilege. Mr. Speaker."

Speaker Hannig: "State your point."

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Howard: "Today we have a number of groups including young people who are here to talk to us about health issues in our schools and in our communities. I'd like you to help me welcome the young people from Youth Pride Organization, YPC."

Speaker Hannig: "Mr. Clerk, read House Bill 5350."

Clerk Bolin: "House Bill 5350, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Speaker Hannig: "Representative Acevedo."

Acevedo: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5350 makes a supplemental appropriations of three million dollars (\$3,000,000) to the GRF, to ISBE for the Healthy Minds-Healthy Kids Program. The Healthy Kids-Healthy... Healthy Minds-Healthy Kids program is a an expanded vision program in the City of Chicago that's been I believe of four (4) years ago it's been funded for the past four (4) years and the appropriation of 2008 it was vetoed out of the budget. And Ladies and Gentleman it's a remarkable program that helps students... between twenty-one (21,000) and twenty-three (23,000) thousand students a year to obtain a vision testing and if needed are given eyeglasses. I'll be happy to answer any questions."

Speaker Hannig: "And on that question, the Gentleman from Crawford, Representative Eddy."

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

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

Eddy: "Representative, this was an appropriation that was made in last year's budget. Is that correct?"

Acevedo: "Yes, this was, Representative."

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Eddy: "So last year when we discussed in the original state board budget where funds would be appropriated and I think we came to a pretty good agreement between both sides that this program was one that was working, one that was necessary, and one that really enjoyed the support of everyone at the time. What happened... what happened that it left here as a line item in the budget and now we have to take this action?"

Acevedo: "Well, representative, during the Amendatory Veto it was vetoed out of the budget and this program, like I said, has been in existence for four (4) years now and we want to continue the program."

Eddy: "Did you hear anything from the Governor's Office when this was struck out? Was there any question about what the program did, how it helped? In your opinion, why was it taken out of the budget? Did you hear anything at all?"

Acevedo: "No, Representative, I had no conversations whatsoever. I was told by ISBE that it wasn't... that they had just been told to remove it out of the budget."

Eddy: "Okay. So the Governor line itemed it out."

Acevedo: "Yes."

Eddy: "Actually the program, as you explained it several years ago, and by the way at the time, I'll be honest with you, I did not support the program because I was concerned that it was just for the City of Chicago. I still share that concern. I'd like to see this on a statewide basis because especially for children who aren't able to see the blackboard or to hear, this is essential for them. We have to get them in that condition before we can teach them. And

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I agree with the appropriation. I just can't for the life of me understand in a fifty-seven billion dollar (\$57,000,000,000) budget why a line item that is intended to help kids who can't, in many cases, see or they're not able to... for some health reason, why someone would take this out of a budget. With all the choices that are possible, why in the world would you take this out? I don't understand it. No explanation, huh?"

Acevedo: "I was not given any explanation."

Eddy: "Thank you very much. I think everybody should support this. This is a program that was agreed upon. It was one that everybody at the time last year when the budget was passed felt it was necessary and it was obviously taken out without reason except for the same reason a lot of things happen around here. And I don't think we should stand for that and I think we should send the message by supporting the Representative."

Speaker Hannig: "Representative Acevedo to close."

Acevedo: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I ask for a favorable vote. Speaker... or just in a reply real quick to Representative Eddy. Representative, I reached out during the debate in the committee and I did said... I did say that it was a wonderful program that should be expanded throughout the State of Illinois and I'd would be more than happy to sit down with my counterparts and discuss a way where we could have more... add more funding to this program."

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

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Wait, Turner, Saviano, Cultra, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 110 voting 'yes' and 5 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Collins, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Collins: "We have Orr High School in the gallery today. They're here and wanted to say hello."

Speaker Hannig: "Welcome to Springfield. Representative Harris, you have House Bill 4788. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4788, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "Representative Harris."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill addresses two issues for senior citizens regarding the senior freeze. The first is in response to the growing number of seniors who have family members moving back into their homes with them due to foreclosed mortgages or lost homes and this Bill clarifies that the senior freeze income limitation applies only to the senior and his or her spouse. And it also does an increase by five thousand dollars (\$5,000) which is what we've done each year for the maximum senior income limitation. I'd be happy to answer any questions."

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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 Black, Phelps, and Turner, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Holbrook, you have House Bill 4203. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4203, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Holbrook."

Holbrook: "Thank you. House Bill 4203 as amended provides some increased penalties on this Scott (sic-Scott's) Law where we pull over in case of emergency, ...conveys are on line, raises it to a Class A misdemeanor and allows for civil judgments in addition to it. I'd be glad to take any questions."

Speaker Hannig: "Is there any discussion? Then question is, 'Shall this Bill...' Excuse me, Representative Molaro."

Molaro: "Yes, Sponsor yield."

Speaker Hannig: "Indicates he'll yield."

Molaro: "I don't know what committee this went through, transportation or something? Scott's Law is the one where you have to move over..."

Holbrook: "Yes."

Molaro: "...for the emergency vehicles? Okay."

Holbrook: "Absolutely, yes."

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Molaro: "And if you don't... if you don't move over when you see these emergency vehicles..."

Holbrook: "Right."

Molaro: "...then you're given some kind of a ticket?"

Holbrook: "Right."

Molaro: "Right?"

Holbrook: "Correct."

Molaro: "Okay. So, what..."

Holbrook: "This doesn't change in Scott's Law with one excep... with two exceptions. It allows specifically in the language..."

Molaro: "Wait..."

Holbrook: "...for civil are saying and raises it to a Class A misdemeanor."

Molaro: "Okay. What becomes a Class A misdemeanor?"

Holbrook: "If there is death involved."

Molaro: "Well, I guess what I'm getting at would be is I'm driving my car and I don't move over. Right?"

Holbrook: "Correct."

Molaro: "Is that a Class A misdemeanor?"

Holbrook: "Only if there's... if you don't move over and if they're marked and you don't move over and a death occurs because of that, then you could be... you could be charged with a Class A misdemeanor."

Molaro: "Okay. And a death occurs?"

Holbrook: "Yes, if death occurs."

Molaro: "Okay. If someone's injured, it's still just a traffic ticket?"

Holbrook: "Yes."

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Molaro: "Probably. Okay. Hey, by the way, has... have we toned down the microphones here 'cause I'm having a hard time hearing? Is it or is it just me?"

Holbrook: "It's you."

Molaro: "I don't mind if you turn theirs down, but I want to hear my colleagues, at least."

Holbrook: "Yeah."

Speaker Hannig: "Any further discussion? Then Representative Holbrook to close. Representative Holbrook, did you wish to close?"

Holbrook: "I ask for an 'aye' vote."

Speaker Hannig: "Thank you. 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 115 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed."

Speaker Turner: "Representative Turner in the Chair. Representative Howard, we have House Bill 4714. Just a minute, Representative. The Gentleman from McDonough, Representative Myers, for what reason do you rise?"

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

Speaker Turner: "State your point."

Myers: "Joining us today in the gallery, in the back gallery on the Democratic side, is an honors class from Western Illinois University. It just happens to be a class of seventeen (17) students that I teach and they're down here to observe State Government in action. The class is called

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Inside State Government and they're getting a good dose of inside State Government today. So, would the chamber join me in welcoming the 299 honors class from Western Illinois University."

Speaker Turner: "Welcome to Springfield. On the Order of Third Readings, we have House Bill 4714. Representative Howard. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4714 a Bill for an Act concerning public aid. Third Reading of this House Bill."

Howard: "Yes, thank you, Mr. Speaker. House Bill 4714 allows an incarcerated individual to apply for medical assistance in advance of his or her discharge or relief from an institution. It also allows the recipient of medical assistance who becomes an inmate of a penal institution to maintain this assistance without a suspension or termination for up to thirty (30) days. The problem I'm trying to address is that a significant number of those who enter the Department of Corrections receive Medicaid prior to their incarceration and their Medicaid coverage is terminated upon entry into a correctional facility. Upon release the individual is required to reestablish his or her Medicaid eligibility by completing a new application. This process may take months and leads to an interruption in the ex-offender's access to medications and other medical treatment. I ask for support."

Speaker Turner: "Seeing no questions. The question is, 'Shall the House pass House Bill 4714?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish?"

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Mitchell, Saviano? The Clerk shall take the roll. On this question, there are 66 voting 'aye', 49 voting 'no' and 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lyons in the Chair."

Speaker Lyons: "Representative Jakobsson, on page 20 of the Calendar, you have House Bill 4352. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4352, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lyons: "The Lady from Champaign, Representative Naomi Jakobsson."

Jakobsson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4352 amends the Landlord and Tenant Act. It requires the landlord to provide twenty-four (24) hour notice to a tenant before entering the tenant's premises except in the case of an emergency. It also sets reasonable entry times for nonemergency work between 8 a.m. and 8 p.m. and reasonable access times by the tenants, too. I urge an 'aye' vote."

Speaker Lyons: "Is there anyone seeking recognition on 4352? Seeing none, the question is, 'Should 4352 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hernandez. Mr. Clerk, take the record. On this Bill, there's 113 Members voting 'yes', 2 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mathias, on page 22 of the

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Calendar, you have House Bill 4645. Out of the record. Representative Moffitt, on page 25 of the Calendar, you have House Bill 5607. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5607, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lyons: "Chair recognizes the Gentleman from Knox, Representative Don Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5607 would provide for the issuances of a Illinois Police Association license plates. Their funds from the proceeds of this license plate would be used for two (2) purposes: 1) is to pay the death benefits to families of police officers killed in the line of duty. And secondly, to provide scholarships for graduate study, undergraduate study or both for children and spouses of police officers killed in the line of duty. This is... a proponent of this was an init... the initiative of this was the Illinois Police Association. There are no known opponents. And I would appreciate your consideration."

Speaker Lyons: "Is there any debate? Seeing none, the question is, 'Should House Bill 5607 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there are 113 Members voting 'yes', 2 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 24 of the Calendar Representative Bob Flider has House Bill 5142. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 5142, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Macon, Representatives Bob Flider."

Flider: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill would allow those who have taught... teachers who have taught out of state and took a leave of absence due to pregnancy to purchase up to three (3) years of that credit. The member would have to provide satisfactory evidence to the TRS board and those seeking to purchase this credit must pay the employee contribution and the employer's contribution plus interest. I know of no opposition. This Bill was... the proponents are the Education Association and the Illinois Federation of Teachers. I ask for your 'aye' vote."

Speaker Lyons: "The Chair recognizes the Gentleman from Crawford, Representative Rodger Eddy."

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

Speaker Lyons: "Indicates he will."

Eddy: "Representative, to be clear this out-of-state service for time off due to pregnancy... the pregnancy leave is going to be exactly the same as the in-state method and rules related to... to that same type of service purchase?"

Flider: "That's correct. In fact, currently, teachers that have taught out of state may purchase up to ten (10) years of service. But in this case what we're referring to would be for absences due to pregnancy."

Eddy: "Right."

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Flider: "For three (3) years of that credit."

Eddy: "And in state they can do that. They've been able to do that already."

Flider: "That's correct."

Eddy: "So... so, this... There's no difference in the way they do. They have to meet the same criteria as the in-state teachers do for the same period of time?"

Flider: "Yes."

Eddy: "It looks like there's a difference, though. The cost... the rate of interest is different for this purchase."

Flider: "Right. The actuarially assumed rate is eight and a half percent. So the person purchasing this credit would actually have to pay eight and a half percent interest, which has been determined to cover the cost of the state so there would be no cost to the pension system or the state."

Eddy: "Okay. So, does it change the rate of interest just for the out of state, is it eight and a half percent; in-state will it remain 6 percent?"

Flider: "Yes. Actually, it would actually be a higher cost of interest for those teachers who would purchase a credit based on this legislation."

Eddy: "Okay. Thank you, Representative."

Speaker Lyons: "Chair recognizes the Gentle... the Lady from make... from Lake, Representative Karen May."

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

Speaker Lyons: "Indicates he will."

May: "Yes. Representative, this is only for teachers?"

Flider: "Yes, this specific legislation would be only for those..."

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May: "Uh huh. Did you give any thought to fairness and equity and including it for state employees and others if it indeed is cost neutral?"

Flider: "Well, this legislation specifically was suggested by the Illinois Education Association and so it would apply only to the Teachers Retirement System. So, that was their interest."

May: "But, I guess, what's your interest?"

Flider: "Well, my interest was carrying a Bill that they had suggested and asked me to sponsor."

May: "Okay. Do you... would you at least be willing to go to the people who gave you the Bill and ask them if we could consider this?"

Flider: "Well, I think that it would be very important that they, you know, they had a specific intent in mind and I could tell you any time you're dealing with pension legislation we want to make sure that we have an agreement. We have an agreement on this legislation. We know that there'd be no cost to the state or the pension systems. So this is a good Bill."

May: "Uh huh."

Flider: "To open it up, as your suggesting, I think would take a lot more dialogue and probably would be better off with another Bill."

May: "Uh huh. Well, you know, I really appreciate the fact that you made sure that there wasn't a cost to others, and that this will be cost neutral. I think that's very important with our pension system. I just wanted to bring the other thought to your mind and see if, indeed, you would be open-

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minded to at least agree philosophical that other people should be included."

Flider: "I certainly think that that's something we could discuss in another piece of legislation. Thank you."

May: "Okay. Okay. Another time. Okay. Thank you."

Speaker Lyons: "Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

Black: "Thank you very much, Mr. Speaker. I had no intention of speaking on this Bill until the previous Representative raised an interesting question. Will the Sponsor yield?"

Speaker Lyons: "She (sic-he) indicates she (sic-he) will."

Black: Representative Flider, it's a little difficult to put an SERS pension provision in a TRS pension provision Bill, correct?"

Flider: "I would suggest that it would be a lot more complicated."

Black: "Yes. If someone wanted to do this for state workers they would have to amend the State Employees' Retirement System Article of the Pension Code, correct?"

Flider: "Yes."

Black: "Okay. Now, the previous speaker said this was cost neutral. I don't think that's true. Would you characterize it as cost neutral?"

Flider: "Well, I think for the pension system, what we're wanting to make sure of, is that when we pass the legislation we don't create any kind of a new benefit that is going to cause a new cost to the system. So, to the extent that the person who would be purchasing the credit would have to pay eight and a half percent interest, you

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know, I would suggest that that would cover the cost of the purchase of credits."

Black: "But I know the pension system always indicates it's very difficult for them to extrapolate the cost because they don't know how many people are going to participate. I think you're doing a good job of covering the initial contribution cost, but if that teacher who moved to Illinois works in the system, say, twenty-five (25) or thirty (30) years, and if a thousand (1,000) people take advantage of this, it may have an impact on the bottom line retirement system cost, correct?"

Flider: "Representative, I think you make a very good point. In that, you know, with time, you know, and passage of time, all kinds of, you know, things occur, but I would just point that the Commission on Government Forecasting and Accountability did, in fact, provide an analysis, the fiscal impact note, the pension impact note, and in their analysis their final sentence was therefore the cost shall be minimal."

Black: "All right. Let me ask you one question that I... and only... I've always had this concern when we do a pension window. It's my understanding that your Bill has no time line, that this would be available for people who wanted to move into the state in 2009 or 2029, correct?"

Flider: "That's correct."

Black: "Would we be... would it be advisable to perhaps ask the Senate Sponsor if we should give a date certain, a sunset clause, if you will or was it your intent that this would

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always be an option available to any teacher who would move to Illinois, be it now or twenty-five (25) years from now?"

Flider: "Well, Representative, the legislation actually does have a five-year sunset clause."

Black: "Okay. That's what I..."

Flider: "Yes."

Black: "...that's what I was just asking. I wondered. So it does have a sunset clause, and then you would have to go back to that pension window later if people wanted that to happen."

Flider: "That's correct."

Black: "Okay. I stand corrected. And I appreciate that. I think that's a key to any pension legislation that we do. We should make that window relatively narrow and then reexamine it at a time certain so that we know what the pension impact has been, and the financial condition of the pension system at that time. I'm glad you corrected me, because that's a very key point. Thank you very much."

Flider: "Thank you."

Speaker Lyons: "Representative Flider to close."

Flider: "Yes. Mr. Speaker, Ladies and Gentlemen of the House, I ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 5142 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Yarbrough, Representative Younge. Representative Yarbrough. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is

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hereby declared passed. Representative Mautino, on page 26 of the Calendar, you have House Bill 5650. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5650, a Bill for an Act concerning aging. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Bureau, Representative Frank Mautino."

Mautino: "Thank you. House Bill 5650 is an initiative of the Illinois Optometric Association, supported jointly by the Department of Aging. And the Bill eliminates the word 'child' and expands coverage of the law to all victims of neglect and abuse. Currently, in their statute they are mandatory reporters under the Abused and Neglected Child Reporting Act. This will basically require them to report all abuse and it will be placed into the Elder Abuse Act, as well. So, it just opens it up that they would have to... to report everyone. I know of no opposition. And appreciate an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 5650 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Phelps, Danny Reitz. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Chair recognizes the Gentleman from Cook, Representative Durkin. For what reason do you rise, Sir?"

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Durkin: "Thank you, Mr. Speaker. House Bill 4714 which was previously voted on. My switch was incorrectly voted 'yes'. I'd like to be recorded as a 'no' vote."

Speaker Lyons: "The Journal will so reflect, Representative. Representative Pihos on the floor. Sandy, on page 27 of the Calendar, you have House Bill 5981. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5981, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Chair recognizes the Lady from DuPage, Representative Pihos."

Pihos: "Thank you, Mr. Chairman and Ladies and Gentlemen of the House. This Bill simply allows cities who have their clerk elected at this point, if they are under five thousand (5,000) people, to be able to appoint their clerk. This brings them in parity with villages who are under five thousand people (5,000) who can appoint their clerk."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 5981 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there are 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Poe, on page 19 of the Calendar, you have House Bill 4176. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4176, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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Speaker Lyons: "Chair recognizes the Gentleman from Sangamon County, Representative Poe."

Poe: "Mr. Speaker, Ladies and Gentleman of the House, I had a constituent come to me and since we've honored a lot of the other military, they wanted a U.S. Army license plates. And there'd be an additional fifteen dollar (\$15) charge and that would be deposited to the Secretary of State's Special License Fund. I'd ask for a favorable vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4176 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lang. Mr. Clerk, take the record. On this Bill, there are 112 Members voting 'yes', 3 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Reis, on page 19 of the Calendar, you have House Bill 4132. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4132, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Jasper, Representative Reis."

Reis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4132 simply exempts small towns from doing annual audits. Many times the cost of the audits are more than the interest they pay on the loan. This is supported by the CPA Society as well as the Comptroller's Office. Be happen to answer any questions. And ask for your 'aye' vote."

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Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4132 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there are 83 Members voting 'yes', 32 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dan Reitz, you have House Bill 4605. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4605, a Bill for an Act concerning agriculture. Third Reading of this House Bill."

Speaker Lyons: "Chair recognizes the Gentleman from Randolph, Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 4605 deals with grasses. And it just extends the time barrier that they can sell those from twelve (12) months to fifteen (15) months. And I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4605 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there are 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lang, for what purpose do you seek recognition?"

Lang: "Thank you, Mr. Speaker. I inadvertently hit the wrong switch on House Bill 4132. I intended to vote 'aye'. If the record would reflect that, I'd appreciate it."

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Speaker Lyons: "The Journal will so reflect, Representative. Representative Bob Rita, on page 24 of the Calendar, you have House Bill 5307. Out of the record. Representative Smith, on page 26 of the Calendar, you have House Bill 5732. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5732, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Fulton, Representative Mike Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This legislation pertains to the annual compliance audits that our regional superintendents do throughout the state for those counties that are governed by a regional superintendent, which is everyone but Cook. Recently, the... the state board, through the regional superintendents, attempted to... or are attempting to promulgate rules regarding a lot of services that schools do including media services. We're simply stating, with this legislation, that the regional superintendent could not do a compliance audit on those items that are not required in statute or anything that would be considered an unfunded mandate. This is an initiative of the Statewide School Management Alliance; I think it makes good sense. Schools are not trying to circumvent the rules or the law, but at the same time they should not be penalized for something that isn't in the law or within the rules, currently. I'd be happy to answer any questions, Mr. Speaker."

Speaker Lyons: The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "He indicates he will."

Eddy: "Representative, I obviously strongly support the legislation. I have a question, though. Our analysis shows that there was an Amendment that was discussed to this. Is that incorrect, or was... do you recall any Amendment?"

Smith: "Yeah, I think, Representative Eddy, I was a little fuzzy on my memory on that, but I believe the question was what was suggested maybe that we needed an Amendment that it would apply to federal mandates as well, or Federal Law, and it was determined that that is already covered under the existing language of the Bill."

Eddy: "Okay. So, in reality, what this does is if there is either a state rule made that is not ground specifically in statutory language, or if there is a federal rule that would apply to school districts that would create a... some type of an expense that during the compliance visit on an annual basis by the regional superintendent of schools, a school district could not be found in violation of that particular compliance issue, if the money for that had not been forwarded to the school district?"

Smith: "That's exactly right."

Eddy: "Now, right now, I know that the State Board of Education has discussed rules related, for example, to media centers."

Smith: "That's right."

Eddy: "And some of those are, at least in the original version, and I know that they're open for comment and actually the state board has been taking comments, and I think is going to make some changes, although, maybe we're not going to be

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happy with those, but in that case, if school districts have an expense related to that that is not appropriated for, then when the regional superintendent comes to say, where's your separate media center or where's the specific media aide, or the media specialist that's required by rule, that never came through the General Assembly, the school can't be found in violation because the appropriation wasn't made for those media services."

Smith: "That's correct. That's... that's the intent of the legislation."

Eddy: "And maybe the genesis in some ways because of the outcry of school districts when those rules were posted."

Smith: "I think so. I think... I think we've actually found some schools that have been found not in compliance based on on... on the items that you mentioned."

Eddy: "Thank you. Ladies and Gentlemen of the House, to the Bill. This is commonsense legislation. This just simply says that the State Board of Education, during the rulemaking process, cannot take it upon themselves to present to school districts any type of rule that is going to cause them to be noncompliant if they're not able to afford the costs of implementing the rule. We have the Speaker's Amendment that hopefully, you know, will provide us with some opportunities to be involved in situations that could occur like this, but until that happens, to provide some cover for school districts from rules that could cost hundreds of thousands of dollars without any... any type of appropriation made or any consideration for an appropriation, and for that school then to be found in

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noncompliance is simply unfair. This is a good Bill, Representative. Thank you for bringing it. And I hope everybody votes 'yes'."

Speaker Lyons: "Representative Smith to close."

Smith: "Thank you, Mr. Speaker. I just ask for an 'aye' vote. I thank Representative Eddy for his comments. He said it much better than I did. It is commonsense legislation. And I'd ask for your support."

Speaker Lyons: "The question is, 'Should House Bill 5732 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 24 of the Calendar, Representative Elaine Nekritz has House Bill 5251. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5251, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Lyons: "Clerk (sic-Chair) recognizes the Lady from Cook, Representative Elaine Nekritz."

Nekritz: "Thank you, Speaker. This legislation amends a portion of the Public Aid Code dealing with health benefits for workers with disabilities. Currently, the program allows certain individuals with disabilities who are employed to continue to qualify for Medicaid, as long as their earnings stay below a certain level. But also under current law, a small number of these disabled workers who show medical improvement, would now be deemed ineligible, even though

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their improvement is due almost exclusively to their access to Medicaid benefits. The best way I can explain this is with an example. An individual with bipolar disorder, who is able to work because of medications purchased through the health benefits for workers with disabilities, risks losing those benefits if she shows medical improvement as a result of the consistent use of the medications. She would then go off the... be forced off the meds, her condition would decline, and she would like... then likely go back on Social Security and Medicaid and therefore, be on a never-ending roller coaster. The estimate is that this applies to fewer than fifteen (15) people statewide, but for those few citizens it could make all the difference. I ask for your support."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Al Riley."

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

Speaker Lyons: "Representative, why don't you hold on for one (1) second to see if there's any debate. I'll get right back to you. No one is seeking discussion? The question is, 'Should House Bill 5251 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Riley, for personal privilege, you're recognized."

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Riley: "Thank you, Mr. Speaker. And with apologies to Representative Nekritz, I just happened to have the button on at the time during her Bill testimony. There's a number of members from my Council of the Governments, the South Suburban Mayors and Managers, who are here today. And upstairs in the gallery, one of the trustees from the Village of Richton Park, Miss Sharon Kriha is there. Would you please stand? Give her a round of applause. Thank you for being here. Thank you, Mr. Speaker."

Speaker Lyons: "Welcome to Springfield. Clerk, on page 26 of the Calendar, Representative Jim Sacia has House Bill 5653. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5653, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Winnebago, Representative Jim Sacia."

Sacia: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Bill is pretty straightforward and simple, comes to me from the Cook County State's Attorneys Office. It simply raises the disarming of a peace officer or a correctional institution employee to a Class I from a Class II and it leaves the attempted disarming at a Class II felony. I'd be glad to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 5653 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mitchell. Mr. Clerk, take the record. On this Bill,

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there's 115 Members voting 'yes'; 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Yarbrough, on page 20 of the Calendar, you have House Bill 4369. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4369, a Bill for an Act concerning people living in poverty. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Karen Yarbrough."

Yarbrough: "Thank you, Mr. Speaker, Members of the House. House Bill 4369, otherwise known as the Elimination of Poverty Bill, creates a new commission to develop a comprehensive strategy plan consistent with international human rights standards, and an initial goal of reducing extreme poverty by 50 percent by the year 2015. The commission must at least address the following: access to safe and decent affordable housing, access to adequate food and nutrition, access to affordable health care, education and training, transportation, affordable childcare, opportunities to engage in meaningful and substantive work that pays a living wage, and the availability of adequate income supports. The plan must include specific policy and fiscal recommendations and a time line for each stage of implementation for each recommendation. The potential impact must be measurable. The commission may review and comment and make recommendations about existing or proposed programs and policies. I'd be happy to answer any questions."

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Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4369 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Ford. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 21 of the Calendar, Representative Ford has House Bill 4613. Representative? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4613, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Ford: "Thank you, Mr. Speaker and Members of the House. I want to introduce House Bill 4613. This Bill will help reduce the number of properties being quick claimed unwillingly by the property owner. And I just ask if anyone have any questions, I'm open for any discussion. I move to pass House Bill 4613."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4613 pass?' All those in favor signify by voting 'yes', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Ford, you want to vote for your Bill? Mr. Clerk, take the record. On this issue, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Second

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Readings, Representative Acevedo, on page 12 of the Calendar, you have House Bill 5125. 5125. Out of the record. Representative Toni Berrios, on page 16 of the Calendar, on the Order of Second Reading, you have House Bill 5687. Out of the record. Representative Flowers, on page 17 of the Calendar, you have House Bill 5865. Do you wish to move that Bill to Third Reading? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5865, a Bill for an Act concerning regulation has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Flowers, has been approved for consideration."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Flowers on the Amendment."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 is a hospital Amendment and it clarifies that the reporting required under this Bill should be submitted in an aggregate form so as to not to disclose individual provider's negotiated rates with the hospital. That's all it does. And I would move for its adoption, please."

Speaker Lyons: "Any discussion? The question is, 'Shall the House adopt Amendment #2 to House Bill 5865?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Mr. Clerk, Agreed Resolutions."

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Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1146, offered by Representative Black. House Resolution 1148, offered by Representative May. House Resolution 1149, offered by Representative Reboletti. House Resolution 1151, offered by Representative Wait. House Resolution 1152, offered by Representative Sacia. House Resolution 1153, offered by Representative Sacia. House Resolution 1154, offered by Representative Sacia. House Resolution 1155, offered by Representative Monique Davis."

Speaker Lyons: "You've heard the Agreed Resolutions, all those in favor of their adoption affirm by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Clerk, committee schedule."

Clerk Mahoney: "The following committees will meet at 3 p.m. or immediately following Session: Appropriation-Public Safety in Room 114, the Executive Committee in Room 118, Local Government in Room C-1. At 4 p.m. Judiciary I-Civil Law will meet in Room D-1."

Speaker Lyons: "Ladies and Gentlemen, listen up for a moment. The yellow sheet that was distributed has Session at 9:30 tomorrow, that's a mistake. Session tomorrow morning will be at 10:00. So, on the printed yellow sheets it says 9:30, we will be in Session at 10:00. Seeing no further business to come before the House, Representative Lang moves that the House, allowing perfunctory time for the Clerk, that the House stand adjourned 'til the hour of 10:00 tomorrow April 10, Thursday at the hour of 10 a.m. All those in favor signify by saying 'yes'; those opposed say 'no'. And the

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House does stand adjourned. Have a safe and enjoyable evening."

Clerk Mahoney: "House Perfunctory Session to order. Committee Reports. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on April 09, 2008, reported the same back with the following recommendation/s: 'be adopted' is floor Amendment #2 to House Bill 758. Representative Fritchey, Chairperson from the Committee on Judiciary I - Civil Law, to which the following measure/s was/were referred, action taken on April 09, 2008, reported the same back with the following recommendation/s: 'be adopted' is floor Amendment #1 to House Bill 2094. Representative Chapa LaVia, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on April 09, 2008, reported the same back with the following recommendation/s: 'be adopted' floor Amendment #1 to House Bill 2916. Referred to House Committee on Rules is House Resolution is 1... 1150, offered by Representative Lindner and House Joint Resolution 122, offered by Representative Holbrook. Introduction and reading of House Bills-First Reading. House Bill 6331, offered by Representative Poe, a Bill for an Act concerning appropriations. Introduction of Senate Bills-First Reading. Senate Bill 1893, offered by Representative Schock, a Bill for an Act concerning regulation. Senate Bill 1920, offered by Representative Ryg, a Bill for an Act concerning local government. Senate Bill 1946, offered by Representative Beaubien, a Bill for an Act concerning financial regulation.

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Senate Bill 1982, offered by Representative Black, a Bill for an Act concerning education. Senate Bill 1992, offered by Representative Tryon, a Bill for an Act concerning local government. Senate Bill 2005, offered by Representative Ryg, a Bill for an Act concerning local government. Senate Bill 2006, offered by Representative Yarbrough, a Bill for an Act concerning health. Senate Bill 2098, offered by Representative Graham, a Bill for an Act concerning State government. Senate Bill 2137, offered by Representative Fortner, a Bill for an Act concerning criminal law. Senate Bill 2161, offered by Representative Mathias, a Bill for an Act concerning civil law. Senate Bill 2179, offered by Representative Saviano, a Bill for an Act concerning government. Senate Bill 2191, offered by Representative Bost, a Bill for an Act concerning elections. Senate Bill 2199, offered by Representative Mathias, a Bill for an Act concerning aging. Senate Bill 2227, offered by Representative Franks, a Bill for an Act concerning revenue. Senate Bill 2282, offered by Representative Feigenholtz, a Bill for an Act concerning revenue. Senate Bill 2391, offered by Representative Bradley, John, a Bill for an Act concerning transportation. Senate Bill 2422, offered by Representative Franks, a Bill for an Act concerning business. Senate Bill 2428, offered by Representative Lang, a Bill for an Act concerning civil law. Senate Bill 2429, offered by Representative Hannig, a Bill for an Act concerning the State Police. Senate Bill 2570, offered by Representative Reitz, a Bill for an Act concerning fuels. Senate Bill 2690, offered by Representative Joyce, a Bill

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for an Act concerning education. Senate Bill 2775, offered by Representative Stephens, a Bill for an Act concerning animals. Senate Bill 2830, offered by Representative Froehlich, a Bill for an Act concerning State government. Senate Bill 2845, offered by Representative Fortner, a Bill for an Act concerning regulation. Senate Bill 2860, offered by Representative Hernandez, a Bill for an Act concerning health. Senate Bill 2892, offered by Representative Franks, a Bill for an Act concerning revenue. House Joint Resolution Constitutional Amendments. Second Reading of House Joint Resolution Constitutional Amendment 42, offered by Representative Smith.

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 amend Section 3 of Article IX of the Illinois Constitution as follows:

ARTICLE IX

REVENUE

SECTION 3. LIMITATIONS ON INCOME TAXATION

- (a) A tax on or measured by income shall be at non-graduated rates, by category, as determined under this Section. At any one time there may be no more than one such tax imposed by the State for State purposes on individuals and one such tax so imposed on corporations.
- (b) The categories under this Section are (i) "individuals (under \$250,000)" for individuals whose annual net income,

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combined with the annual net income of the spouse, is under \$250,000, (ii) "individuals (\$250,000 or more)" for individuals whose annual net income, combined with the annual net income of the spouse, is \$250,000 or more, and (iii) corporations. In any such tax imposed upon individuals (\$250,000 or more), the rate shall be the higher of (i) 6% or (ii) twice the rate imposed upon individuals (under \$250,000). In any such tax imposed upon corporations, the rate shall not exceed the rate imposed on individuals (under \$250,000) by more than a ratio of 8 to 5. The basic amount of each standard exemption for individuals (under \$250,000) shall be \$4,500 or such greater amount as provided by law. The amounts of \$250,000 and \$4,500 shall be adjusted each year to reflect changes in the annual Consumer Price Index For All Urban Consumers as determined by the United States Department of Labor or, should that Index no longer be published, by a similar index determined by law.

(c) Income taxes collected from individuals (under \$250,000) and from corporations shall be deposited as provided by law for the deposit of income tax collections. That portion of income taxes collected from individuals (\$250,000 or more) that is attributable to a rate equal to the rate for individuals (under \$250,000) shall be deposited as provided by law for the deposit of income tax collections. Of all other amounts collected from individuals (\$250,000 or more), one-third of such amounts shall be deposited into each of the following funds, which are hereby created in the State treasury: the Revitalize Illinois Schools Fund, the Rebuild Illinois Infrastructure Fund, and the Reward Illinois

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Working Families Fund. Expenditures from the Revitalize Illinois Schools Fund and the Rebuild Illinois Infrastructure Fund shall be made only for educational and capital purposes, respectively, and only as specifically appropriated by law. All amounts held in the Reward Illinois Working Families Fund shall be transferred and deposited as provided by law for the deposit of income tax collections.

(d) Laws imposing taxes on or measured by income may adopt by reference provisions of the laws and regulations of the United States, as they then exist or thereafter may be changed, for the purpose of arriving at the amount of income upon which the tax is imposed.

(e) The terms used in this Section have the meanings of those terms as provided by law under relevant statutes.

(f) The provisions of this Section are self-executing and judicially enforceable. The Supreme Court shall have original and exclusive jurisdiction over actions under this Section.

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 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

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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 Constitutional Amendment applies to taxable years 2008 and thereafter. This has been the Second Reading of the House Joint Resolution Constitutional Amendment 42, in full. There being no further business, the House Perfunctory Session stands adjourned."