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HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

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Speaker Lyons: "The House will come to order. Members should be at their desks. Members and guests are asked to please refrain from starting their laptops and to turn off all cell phones and pagers and BlackBerrys. And please, Members and the guests in the gallery rise for the invocation and the Pledge of Allegiance. We'll be led today in prayer by... two (2) individuals are here to lead us in prayer. The first will be Reverend Michelle Prentice-Leslie who is the pastor of the Community Church of Richmond in Richmond, Illinois. Reverend Prentice-Leslie is the guest of Representative Jack Franks. We'll also be led in the second prayer today by Reverend Earl Peters who is with us today from Our Savior's Lutheran Church in Burbank, Illinois. Representative... Reverend Peters is the guest of Representative Kosel."

Reverend Prentice-Leslie: "It's a privilege for both of us to be here and we're going to invite you to begin to pray with us and I'll be speaking and then he'll be speaking so, it's one (1) prayer. So, let's... let's go before God. Holy and generous God, You who are the inspiration of every generous impulse and every high and noble aspiration, we thank You for the gifts of today some of which, as we are here quietly in Your presence, we may even begin to recognize. We confess our dependence upon You despite the times we think we know everything and accomplish everything. We thank You for heroes' valor for patriots' devotion for prophets' vision for all the sacrifices of those gone before that make it possible for each of us to be here today entrusted with the task of discernment in governance.

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Look to us as leaders for the towns and the counties and the State of Illinois. You've called us to this place on this day for solemn tasks. Remind us as we deliberate and decide about liberty, justice and equity as they are indeed ideals worthy of our aspiration and yet, even as we work, they're not yet fully attained. Maintain before us a clear dedication to all the people of our state, to the economically privileged and the economically disadvantaged, to the young and the old, to the employed and the unemployed, to the homeowners and to the homeless, to the rural folks and the city folks and the town folks, to the black and the white and the brown and the yellow of us. Remember the saying the devil's in the detail, Lord and we pray today that we'll be able to see Your spirit also in the details, the fine tuning of the decisions we make and the policies we enact to best serve those in our charge. We're very aware of corruption even in high places and we ask You to stay the hand of greed to employ the hand of compassion and justice. Please guide us as we deliberate about such decisions as gun control, especially automatic weapons ban, ethics reform, the reorganization of some state agencies, the balance of power between the Legislative and the Executive, the virtue or not of a progressive income tax, advanced early childhood education, a Web site to track all state expenditures, whether or not there needs to be smoking in casinos and how to best provide health care. Save us from a freedom that's so empty that we don't have anything to say. Save us from a freedom of worship that's so futile we'd have no God to

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adore. Save us from the kind of freedom from want and fear that does not engender creative ideas about how to employ our plenty and our security to benefit others. Let all that is low and unworthy in us sink to the depths and let all that is high and fine in us rise to greet this morning confident that under You the best is always yet to be. Hear us as we continue to pray as Reverend Peters leads us."

Reverend Peters: "And so we humbly pause this morning to acknowledge Your greatness, God, in loving and caring for all Your creation, including each of us and all whom we have been given the responsibility to govern in this great State of Illinois. May we be humbled before You for the great trust You place in each one of us to exercise our leadership and power carefully and fairly for all people. And so, Lord, we humbly come before You this morning asking that You would give us compassion, give us kindness, give us wisdom, give us patience and give us insight. And give us Your mind and spirit of love and especially this day, give us the will and the desire to honor and respect one another in this great Body of governance. We thank You, Lord, for this new day and for all the promise it brings. Bless us and these gifts of life we share. In my Lord's name we pray, Amen."

Speaker Lyons: "We will be led in the Pledge by Representative Carolyn Krause."

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

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

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

Bost: "Thank you, Mr. Speaker. If you would, let the record reflect that Representative Kosel, Pihos and Watson are excused today on the Republican side of the aisle."

Speaker Lyons: "Thank you, Representative. Leader Barbara Flynn Currie."

Currie: "Thank you, Speaker. Please let the record show that Representatives Rich Bradley, Gordon and Patterson are excused today. And I believe Representative Washington is also excused."

Speaker Lyons: "Thank you, Leader. Clerk, take the record. 111 Members are present, we have a quorum. Mr. Clerk, Committee Reports."

Clerk Bolin: "Committee Reports. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on April 30, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' House Joint Resolution 129. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on April 30, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' House Joint Resolution 88 and House Joint Resolution 113, House Resolution 911, House Resolution 947 and House Resolution 1124. Representative Jakobsson,

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Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on April 30, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 1069; and 'recommends be adopted as amended' House Joint Resolution 103."

Speaker Lyons: "The Chair recognizes the Gentleman from Champaign, Representative Chapin Rose, for what purpose do you seek recognition?"

Rose: "A point of personal privilege."

Speaker Lyons: "Please proceed, Representative."

Rose: "Well, Ladies and Gentlemen, I'm very happy today to have the... a couple of my constituents from Tolono here, the Aults. Oddly enough, they got on the wrong bus and thought they were going on a field trip, but it was an IEA bus. But we want to welcome them, nonetheless, here. So, thank you for... and welcome the Aults."

Speaker Lyons: "Welcome to Springfield. Enjoy your day. Ladies and Gentlemen, I will be calling Third Reading Bills to start out with and if I see you in your seat, I'll be happy to accommodate you, we're going down alphabetically. So, Linda Chapa LaVia, Representative Chapa LaVia. Representative Fred Crespo. Representative Crespo, you have House Bill 4470. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4470, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Fred Crespo."

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Crespo: "Thank you, Speaker. House Bill 4470 deals with the employer... employer training investment program commonly known as ETIP which is administered by DCEO. It basically gives businesses the option of including alternative identification besides Social Security numbers and also allows DCEO or gives DCEO the authority to audit companies not using the Social Security number form. And the purpose basically is to protect employees from possible ID theft. This was brought to me by the Illinois Manufacturers Association. Happy to answer any questions."

Speaker Lyons: "Is there anyone seeking recognition on House Bill 4470? Seeing none, the question is, 'Should House Bill 4470 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 Currie, Granberg, Osterman. Mr. Clerk, take the record. On this Bill, 111 Members are voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 25 of the Calendar we have House Bill 5618. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5618, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Lady from Kane, Representative Linda Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the committee. House Bill 5618 is a technical Bill. It just adds in for the Department of Veterans' Affairs Act to add another member to the Veterans' Advisory Council which would be

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adding a member of the Illinois National Guard appointed by the Adjutant General of the Department of Military Affairs. That's... that's all the Bill does. Thank you."

Speaker Lyons: "Is there any discussion on House Bill 5618?' Seeing none, the question is, 'Should 5618 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 issue, there's 111 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mark Beaubien, you have House Bill 4836. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4836, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Lake, Representative Mark Beaubien."

Beaubien: "Thank you, Mr. Speaker. House Bill 4836 amends the Insurance Code that's regarding residential and group health insurance. It's a... basically a technical change that indicates what it cos... does and doesn't cover and it clears up some ambiguity in the statute. It's of the insurance companies, financial institutions and so forth all support it. I urge an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4836 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

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Dugan and Golar. Mr. Clerk, take the record. On this Bill, there's 111 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Franks, you have House Bill 4686. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4686, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

Franks: "Thank you, Mr. Speaker. This Bill was brought to me by the Illinois Firefighters Association and it provides that our retired individuals who are retired from active fire service duties can still be trained. I'd be glad to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4686 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, 111 Members voted 'yes', 0 voted 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar, Representative Meyer has House Bill 4401. Representative Jim Meyer. Out of the record. Mr. Clerk, on page 25 of the Calendar, Representative Paul Froehlich has House Bill 5521. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5521, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."



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Speaker Lyons: "The Gentleman from Cook, Representative Paul Froehlich."

Froehlich: "Thank you, Mr. Speaker. Currently, there is about three billion dollars (\$3,000,000,000) in the state employees' deferred comp plan and that money's administered by CMS and ISBI, the Illinois State Board of Investment. My Bill would provide that.. that the Commission on Government Forecasting and Accountability, COGFA, would review any investment decisions made involving this state employees' deferred comp money. The purpose here is just to establish a check and balance on state investment decisions. This is a proposal that I've talked to Mr. Long of COGFA, some of the Members of that commission and this is a proposal that they brought forth. Be happy to answer any questions."

Speaker Lyons: "Is there anyone seeking recognition? Seeing none, the question is, 'Should House Bill 5521 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 111 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, House Resolution 1168. The Chair recognizes the Gentleman from Cook, Representative Marlow Colvin."

Colvin: "Thank you, Mr. Speaker. Contemplating the word generation. Webster Dictionary defines the word 'generation' in two (2) distinct fashions. The first quantifies the 'generation' as an expanse of time. The

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second defines the word 'generation' as a identifiable group of people who share similar ideals, goals and accomplishments. Today, here in the Capitol of the great State of Illinois, both definitions define my purpose for acknowledgement amongst my peers this afternoon. From the first literary fraternity, Phi Beta Kappa, founded in 1776 at the College of William and Mary through the subsequent development of social fraternities starting with Kappa Alpha in 1825 college fraternities have sought to foster close friendship and personal development. In the early 20th century, black students were often excluded from social organizations at many colleges and universities. Alpha Phi Alpha Fraternity, Incorporated was founded on a cold Tuesday evening in December 4, in the year 1906 on the campus of Cornell University in Ithaca, New York, to provide associations and support among African-American male students. Alpha Phi Alpha holds the distinct honor of being the first intercollegiate fraternity established by African Americans. Its founders, Henry Arthur Callis, Charles Henry Chapman, Eugene Kinckle Jones, George Biddle Kelley, Nathaniel Allison Murray, Robert Harold Ogle and Vertner Woodson Tandy are collectively and endearingly known as the Seven Jewels of our fraternity. With its cardinal principles, manly deeds, scholarship and love for all mankind only... over one hundred and seventy-five (175) men have been initiated into the fraternity in more than seven hundred (700) college and alumni chapters worldwide. Aside from the lasting friendships, fraternal bonds that are provided, Alpha Phi Alpha has dedicated itself to a

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number of philanthropic programs. Alphas work... Alphas work closely with organizations such as Head Start, Big Brothers and Sisters of America, the NAACP and the Habitat for Humanity, to name a few. Alpha Phi Alpha has also created a number of its own programs such as Go to High School and Go to College, the reason that brings us here to Springfield here today. A national voter registration program called A Voteless People is a Hopeless People and Project Alpha to provide education, motivation and skill building on issues of responsibility, relationships, teen pregnancy, and sexually transmitted diseases for young males between the ages of twelve (12) and fifteen (15) years. Nearly one hundred and two (102) years after the founding of our beloved fraternity, we take the time to come together and simply say thank you. Thank you to our founders, our Seven Jewels who on the campus of Cornell University gave birth to a generation of leaders that have helped to define not just African-American history, not just American history but world history, for Alpha men have set the bar for a generation of leaders in education, science, music, entertainment, civil rights and so much more. From Martin Luther King in the struggle for human rights to Thurgood Marshall for the fight of legal justice to Jesse Owens, who, in the face of racial intolerance on the eve of World War II, bravely showed the world that athletic excellence is a product of superior training and dedication and not birthright. From some of the worlds most famous entertainers from Duke Ellington to Lionel Ritchie, one needs no look no further than the great State

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of Illinois in the political arena to understand... to understand the influence of Alpha Phi Alpha has had on the political landscape of our great state. From Roland Burris, the first African American to be ever elected to statewide office, not once but twice, to the first African American to lead the Cook County Board of Commissioners, John Stroger, to the second African-American mayor of the City of Chicago, Eugene Sawyer and to Todd Stroger, who succeeded his father as County Board president. Alpha men have had an impact on the political landscape in Illinois and in D.C. as well with our Congressman, Congressman Danny Davis who's a member of our fraternity. Beyond the borders of Illinois, the legacy is even more powerful in the political process. Former mayors David Dinkins of New York, Andrew Young of Atlanta, Willie Brown of San Francisco and Marc Morial both father and son of New Orleans, just to name a few. While Alpha Phi Alpha was the first it hardly stands alone. During the course of the last century, eight (8) additional African-American Greek-letter fraternities and sororities have founded and have added to the growth and prosperity of our communities across the state, across the country and around the world. Right here in Springfield, Illinois, their spirit of community service and leadership is on display every day and it overwhelms me here in the General Assembly. State Representatives Wyvetter Younge and Connie Howard and Annazette Collins of Alpha Kappa Alpha, Representative Will Davis and State Senators Kwame Raoul and James Clayborne and Secretary of State Jesse White of Kappa Alpha Psi,

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Representative Deborah Graham of Sigma Gamma Rho, Representative David Miller of Omega Psi Phi, Senator Kimberly Lightford of Delta Sigma Theta, Ken Dunkin of Phi Beta Sigma and of course, Donne Trotter and State Representative Al Riley and yours truly of Alpha Phi Alpha Fraternity personify that spirit of cooperation, commitment to community service amongst our own paneletic council right here in the General Assembly. Alpha Phi Alpha, an idea borne and evolving through a century of change and challenge, an idea tempered by the knowledge that commitment to family, community and God Almighty all grounded in the belief in brotherhood and sisterhood could only enhance these precepts. An idea enabled for the faith in fraternity spirit can summon from its myriad diversity the deepest measure of unity an idea infused with the conviction that Alpha Phi Alpha's long historic journey must go on, upward and onward. And so my fellow colleagues and of course, my beloved brothers of Alpha Phi Alpha, here still at the edge of the 21st century, let us begin the next one hundred (100) years with the energy and hope with faith and discipline and let us continue our work until the task is done. Representative Graham, the scripture says, 'And let us not be weary in well-doing; for in due season we shall reap, if we not faint.' From this joyful mountaintop of a century of celebration, we are called to service in the valley. We have heard the trumpets of our Seven Jewels. We are first of all, we are servants of all and we shall transcend all. And now, in each our own way with God's help, we must answer that call. Thank you and

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God bless you and God bless Alpha Phi Alpha. Mr. Speaker, Ladies and Gentlemen, please join me in welcoming members of the greatest fraternity in the world, the men of Alpha Phi Alpha Fraternity. And I ask for the adoption of this Resolution."

Speaker Lyons: "The Chair recognizes the Gentleman from Lee, Representative Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I'd like to join Representative Colvin in congratulating Alpha Phi Alpha. I had the opportunity this morning to listen to some of these gentlemen show their concern, their consideration for the committee and for their new undertaking which really isn't new but at kind of a new slant on their undertaking to look at the reason why young Afra... African-American men are not staying in school, not graduated from high school. I spent two (2) years on the task force on reenrolling dropouts and I think what these gentlemen and ladies... are there ladies... just gentlemen, it's a fraternity, I... what they're going to try to do to dovetail with the reenrolling dropouts program, not to reinvent the wheel, but to add to what we have already worked on and come up with. I applaud them for that undertaking. I know of no greater task and no more important task than tackling the two hundred and fifty thousand (250,000) dropouts across this state giving them a second chance, giving them the opportunity to go back to school and gentlemen, I certainly applaud you for your efforts. God bless you in your endeavor. Whatever we can do to help, just let us know. Thank you, Mr. Speaker."

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Speaker Lyons: "Thank you, Representative Miller... Representative Mitchell. The Chair recognizes the Gentleman from Cook, Representative David Miller."

Miller: "Thank you, Mr. Speaker. To the Resolution. I want to commend Representative Colvin for this effort. Earlier in committee we talked about the graduation rates of African Americans, particularly African-American males, as being lower than other minority groups. And the key thing is the fact that when you talk about graduation rates from college, you can't use minorities collectively. White women tend to graduate higher than African Americans overall. African Americans tend to graduate higher than Latino and each group, I would argue, has their particular barrier, as Asians graduate at a much higher rate. This is facts by the National Conference of State Legislators. And so, any effort to try to address the particular problem and address this youth, not just intents... in sense of gun violence because many African-American males and many people tend to have a point in their life to where they can zig or they can zag and at least if they've got a role model, somebody who's been there, somebody who understands, somebody who can at least reach out to them, somebody who knows the plight of where they're trying to go and does know the touchdown, this Resolution will help us get us there. It is up to the State of Illinois not just to say we have a problem but to actively do something about the problem, to actively be a state because if we're trying to decrease the incarceration rates in the State of Illinois then we have to increase the graduation rates.

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Representative Colvin is on the right track with this. It's the ultimate other studies, we're happy to work with them. And then also, look in terms of funding and funding that is needed. And so, as a member of Omega Psi Phi Fraternity, Incorporated, I stand with my Alpha brother in a unity to make sure that this effort is addressed and would ask all the Members of the General Assembly to support it. Thank you very much."

Speaker Lyons: "Thank you, Representative. The Chair recognizes the Gentleman from Cook, Representative Will Davis."

Davis, W.: "Thank you, Mr. Speaker. To the Resolution. As a member of Kappa Alpha Psi Fraternity, Incorporated, I want to take this opportunity to commend the men of Alpha Phi Alpha in their efforts. We often talk about the need for stepping up and doing things in our community and this is one example in which an organization has taken it... taken upon itself to do something as Representative Miller talked about the plight of African-American men going through our education system and why we don't see enough of them graduating or matriculating out into... from high school into four-year institutions. This organization has taken upon itself to use this Body as a means to advance that particular cause. And that's something, an example that we all should... should aspire to do it and they're leading us in that... in that way and we appreciate everything that they are doing and we appreciate Representative Colvin as well as Representative... as Rep... as Rep... as well as Representative Riley, as I'm being serenaded by one of your



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many songs over here in the corner. But we appreciate everything that you're doing and as long as you continue to do what you're doing, you will certainly have the support and respect of this Body as well as all the members of Kappa Alpha Psi Fraternity, Incorporated, because we are all part of the divine nine and we appreciate what you're doing and I'm sure my colleagues from other black Greek organizations join in that effort to support what you're doing and we commend you for those efforts. Thank you very much."

Speaker Lyons: "Thank you, Representative. Representative Colvin, you wish to speak now? I do have three (3) other speakers. Do you want to go now, Marlow? Okay. Well, we got three (3)... several other speakers and then we'll come back to you to close. Representative Al Riley."

Riley: "Thank you, Mr. Speaker. To the Resolution. Much of what I know about leadership and organization came from my indoctrination in joining of the Alpha Phi Alpha Fraternity at Epsilon Kappa Chapter, Bradley University back in June of 1970. This carries on today. I am so glad that a fraternity that in part was based on a number of young men getting together to advance education is here leading this type of Resolution. It makes me extremely proud and I'm glad that each one of you have got an opportunity to meet some of our brothers here and to see what we're all about as a fraternity. So, thank you so much for being here and thank you for your indulgence."

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Speaker Lyons: "Thank you, Representative. The Chair recognizes the Gentleman from Cook, Representative Ken Dunkin."

Dunkin: "Thank you, Mr. Speaker. To the Resolution. I, too, would like to congratulate and welcome the brothers of Alpha Phi Alpha given that you were the first you set the tone for actually this nation as it relates to African-American men. What you do and what you stand for as does my fraternity of Phi Beta Sigma doesn't make the news. It is not an attention getter because it does not sell newspapers. It does not make the 10:00 or the 5:00 news. So, I want to continue to say thank you and celebrate and lift you up as a paneletic brotherhood of positive regard. We have the utmost respect for you. My colleagues here, Marlow Colvin and Alvin Riley, are wonderful examples of leadership and positive good and righteousness for the Alpha Phi Alpha. In some ways, I look up to them a great deal. They help assist all of us here down in the General Assembly. Again, congratulations on your 102nd anniversary with the utmost respect. Thank you."

Speaker Lyons: "Thank you, Representative. The Chair recognizes the Lady from Cook, Representative Connie Howard."

Howard: "Thank... thank you very much, Mr. Speaker. Needless to say, on behalf of my members of Alpha Kappa Alpha Sorority in this chamber: Wyvetter Younge and Annazette Collins, I commend my brothers in Alpha Phi Alpha Fraternity as you continue to lead the way. It was because of your example in 1906 that my sorority was established in 1908. Of

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course, your one hundred (100) years of spectacular, outstanding history was celebrated two (2) years ago and ours is being celebrated this year. A Phi A brothers, we love you and urge you to keep up your outstanding work. Thank you."

Speaker Lyons: "Thank you, Representative. The Chair recognizes the Gentleman from Cook, Representative George Scully."

Scully: "Thank you, Mr. Speaker. To the Resolution. I, too, want to commend the brothers of Alpha Phi Alpha and I want to thank them for their friendship over the years particularly the brothers in the Lambda Nu chapter in the South Suburbs. They have been very helpful with me over the past ten (10) years specifically assisting me in to finding qualified candidates and winners for the legislative scholarship program. They have done an outstanding job of selecting people who are most qualified, both men and women both African American and Caucasians and Hispanics. And I greatly appreciate their friendship over the years, but also the work that they're doing in our south suburban community acting as role models and mentors. I am constantly telling them that they have to do more to shine a bright light on the work that they are doing. Come out of the shadows and let everyone else see the fabulous work that you're doing to hold you... to hold your organization up as role models for so many other people in our south suburban community. Thank you."

Speaker Lyons: "Thank you, Representative. Representative Colvin to close."

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Colvin: "Thank you, Mr. Speaker. I really appreciate the comments of the previous speakers. Representative Mitchell, I appreciate your comments this morning in committee. We look forward to working with you as one of the leaders in our Education Committee here in Springfield with the Bill that we passed out of committee earlier today. Listening to the comments, I really appreciate the love and support of what we're trying to do to help our own communities. In the Resolution that we passed dealing with hos... high school dropout rates, we're asking men from all different walks of life who have one thing in common, not only love for our fraternity but love of education and opportunity in our... in our great and beloved state. So, I'm very excited about what we accomplished here today. Again, I want to thank all the brothers who came from all around the state from as far north as Waukegan to as far south as East St. Louis or Carbondale... I don't know which one is further south... but we got individuals from all over. And joined with me here on the floor, if the brothers and the Members will recognize, we were just standing here talking. Donne Trotter was initiated in Alpha Phi Alpha in 1979. I was going to try to figure out how to get out of my first year of high school in 1979. But he's here with us today. Would you acknowledge one of our outstanding leaders here in Springfield, State Senator Donne Trotter. And if it would... if it would so indulge the members of the fraternity, I believe Annazette Collins has a group of young males who are from a high school here in her district and they're coming into the chamber. She just wanted to

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see those young men who are graduating from high school in her district, to see the distinguished group of gentlemen assembled here in the Speaker's chambers. So, if you indulge and wait a few minutes for that group to come in, I'd certainly appreciate it. Thank you, Mr. Speaker."

Speaker Lyons: "Thank you, Representative. Representative Colvin moves for the adoption of House Resolution 1168. All those in favor signify by voting... saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 1168 is adopted. Thank you. The Chair recognizes the Gentleman from Fulton, Representative Mike Smith, for what purpose do you seek recognition, Representative?"

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

Speaker Lyons: "Please proceed, Mike."

Smith: "Thank you, Mr. Speaker. If I could have the attention of the Body. Thank you. Too often on this floor we have taken pause to remember the young men and women of the State of Illinois who have paid the ultimate sacrifice to our country in defense in Iraq or Afghanistan and today I am pleased that we can actually rejoice in the safe return of one of our own and he's here with us in the gallery. Not only is he one of our own, but he is also a state employee, an employee of the Department of Corrections and he's also a local elected official, a member of the Fulton County Board. He's safely returned from Iraq. He's in the gallery with his wife and his sons. I'd like to ask you to please join me in welcoming home Major Ron Zessin of the Illinois Army National Guard."

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Speaker Lyons: "God bless you, Major. Thanks for being here. Mr. Clerk, back to work. Calendar, Representative Jim Meyer on page 20 of the Calendar has House Bill 4401. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4401, a Bill for an Act concerning health. Third Reading of this House Bill."

Meyer: "Thank you, Mr. Speaker."

Speaker Lyons: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4401 creates the Technology-Based Adult Education Program Act. It requires that the Department of Human Services establishes a technology-based daycare... day program for young adults aged eighteen (18) through thirty (30) who have a developmental disability. It provides for a three-year phase-in of that program. For the fiscal year 2010, it would require two (2) pilot programs: one (1) in DuPage County and one (1) in McHenry County. In addition, for fiscal year 2011 it requires the department to make training and technology resources available to the state superintendent of education to provide secondary school students statewide with skills they need for higher education and employment. And in addition, for fiscal year 2012 it would require the department to develop a community integrated living arrangement or a CILA pilot program that emphasizes the use of technology. It requires reports to the General Assembly concerning the operation of these pilot programs and it authorizes the department to expand the pilot programs to other areas of the state. This is

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subject to appropriation and I would appreciate passage of this measure."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4401 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, 111 Members voted 'yes', 0 voted 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Lady from Cook, Representative Sara Feigenholtz, for what purpose do you seek recognition, Representative?"

Feigenholtz: "Thank you, Mr. Speaker. I rise on a point of personal privilege. I would like..."

Speaker Lyons: "Please... please proceed, Representative."

Feigenholtz: "I would like for the Body today to welcome the seventh grade class of Anshe Emet Day School from my legislative district. Let's welcome them. Thank you."

Speaker Lyons: "Welcome to Springfield, kids. Have a great day. Mr. Clerk, on page 23 of the Calendar, Representative Eddie Acevedo has House Bill 4900. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4900, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4900 was introduced so busing companies that provide special education transportation deliver the best bid for service and not just the lowest bid."

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Decisions on special education busing contracts should be made based on price and quality of service. Price alone results in inadequate service and leaves legitimate busing companies and more importantly, special needs of children and their families out in the cold. I'll be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4900 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? Representative Jakobsson. Mr. Clerk, take the record. On this Bill, there are 111 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 25 of the Calendar, Representative Ramey has House Bill 5506. Randy. Representative Ramey, House Bill 5506. Out of the record. Mr. Clerk, on page 19 of the Calendar, Representative Reboletti has House Bill 2862. Dennis, 2862. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2862, a Bill for an Act concerning criminal law. Third Reading... Third Reading of this House Bill."

Speaker Lyons: "Representative Reboletti."

Reboletti: "Thank you, Mr. Speaker. House Bill 2862 is one of the Bills that was in response to the situation that occurred to Cindy Bischof when she was murdered in Elmhurst and her ex-boyfriend was able to get a firearm and use it, obviously, to commit murder. But this... what this Bill would do is make it a nonprobationable Class I felony for



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any person that purchases a firearm and use it... uses it in commission of a crime of domestic violence. And I'd be willing to take any questions."

Speaker Lyons: "Is there anyone seeking recognition? Seeing none, the question is, 'Should House Bill 2862 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 111 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Crespo, for what purpose do you seek recognition?"

Crespo: "A point of personal privilege, please?"

Speaker Lyons: "Please proceed, Representative."

Crespo: "Yes. I'd like to acknowledge over in the gallery to my right some young students from Harper College that came out to visit. Will you please give them a welcome."

Speaker Lyons: "Welcome to Springfield, Harper College. Enjoy your day. Mr. Clerk, on page 22 of the Calendar, Representative Mike Tryon has House Bill 4767. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4767, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from McHenry, Representative Mike Tryon."

Tryon: "Thank you, Mr. Speaker. House Bill 4767 would create the State Operations Continuity Act and it simply says that... that the State of Illinois, the General Assembly does

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not have an appropriation budget by July 1 of each year, that last year's budget will become the next year's budget and those appropriations will be appropriated and that the state would at least continue to operate under the expenditures of the previous year. We all know that we've been through this this year. It's very difficult when you have citizens in the state that are dependent upon our budget, dependent upon the actions of the General Assembly for their livelihood to deliver services in our communities. I would urge an 'aye' vote and I would answer any questions, if there are any."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4767 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 issue, there's 111 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 21 of the Calendar, Representative Saviano has House Bill 4762. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4762, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Cook, Representative Skip Saviano."

Saviano: "Thank you, Mr. Speaker. Could I move this down to Second? I believe we have an Amendment that was filed on this for the department."

Speaker Lyons: "Excuse me, Skip. Could you repeat that?"

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Saviano: "We need to move this down to Second. We have an Amendment that we filed for the department for some cleanup stuff they needed on it."

Speaker Lyons: "Mr. Clerk, on the request of the Sponsor move this Bill to Second Reading. Skip, don't sit down. You also have Senate... House Bill 5503. Do you wish to call that Bill? Read... House Bill 5503, Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5503, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lyons: "Recognize the Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 5503 is a cleanup of the original time-share Bill that I passed back in '99. We put in stricter... stricter regulation into the... into the Act as it... as it affects the resale of time-shares. The... we tightened up the notification and disclosure to prospective buyers of time-shares. All of this, we worked with the Illinois realtors, the department and all other concerned interests. There's no opposition and I would ask for a favorable vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 5503 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... have all voted who wish? Representative Ryg. John Bradley. Kathy Ryg. Mr. Clerk, take the record. On this Bill, there are 83 Members voting 'yes', 26 Members voting 'no'. This Bill, having received

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the Constitutional Majority, is hereby declared passed. Representative Harris, you have, on page 24 of the Calendar, House Bill 5191. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5191, a Bill for an Act concerning firearms. Third Reading of this House Bill."

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

Harris: "Thank you, Mr. Speaker. I bring this Bill at the request of the Inspector General of the Department of Children and Family Services. It is a very limited Bill which would cause the revocation of the FOI (sic-FOID) card of a parent who allows a dangerously mentally ill child to have unauthorized access to firearms on two (2) occasions as documented by police, school or other public records."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Jasper, Representative David Reis."

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

Speaker Lyons: "Indicates he'll yield."

Reis: "Representative, under your legislation, in a sense you're punishing the parents for something... the wrongdoing of a child. Is that the appropriate way to take this legislation?"

Harris: "I don't see it as punishing the parents at all. They have the affirmative obligation to keep weapons out of the hands of their children without obligation. If they have demonstrably failed to meet their obligation on two (2) occasions to a child who has severe mental disorders, who has been determined to be a danger to himself, his

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classmates, or others, then they would lose that right to have the FOI (sic-FOID) card."

Reis: "We're still showing that there's opposition to this Bill. Could you... Did you reach out to those groups and then try to come up with... to an agreed Bill?"

Harris: "I have on my analysis opponents are shown, none known at this time and the NRA is shown as no position. That's what my analysis says."

Reis: "Okay. I have no further questions. Thank you, Mr. Speaker."

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

Graham: "Thank you, Mr. Speaker. To the Bill. I think that this is an excellent piece of legislation. It's definitely a piece that promotes prevention. It's a proactive piece of legislation. And I want to commend the Gentleman for his presentation of the Bill. It's definitely something that we just need to be mindful of. I stand in wholehearted support. And please add me on as a Chief Cosponsor to your legislation. Thank you so much."

Speaker Lyons: "The Chair recognizes the Gentleman from Jackson, Representative Michael Bost."

Bost: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Bost: "Representative, can you explain one more time, maybe I'm misunderstanding or... This says that a... the FOID card of the parent or guardian will be removed?"

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Harris: "If they allow unauthorized access to children who have already been adjudged seriously mentally ill and a danger to themselves or others."

Bost: "Okay. What... what do you consider unauthorized access?"

Harris: "If there is evidence and this is very clearly stated out, the child upon two (2) occasions had possession of both his or her parent or guardian's firearm, ammunition or both without the parent or guardian's permission as evidenced through documentation of arrest record, et cetera."

Bost: "Okay. So... so, you just said without the parent's or guardian's permission. Now, we're going to take the parent's FOID card away. Is that correct? Is that what we're saying?"

Harris: "Should the parents allow their child to have access to the weapons without their permission."

Bost: "Well, wait, wait. You just said something completely different here. You said that if the child on two (2) occasions has got the weapon without the parent's permission."

Harris: "Yes."

Bost: "Okay. So... so... now, wait a minute. So, the parent is going to have their FOID card removed if this child without their permission gets hold of a weapon in their home. I'm not understanding that. I just..."

Harris: "You know, there are two (2) conditions, if you, you know, read the conjunctive clause there. That the child also be seriously mentally ill and adjudged a danger to themselves or others..."

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Bost: "Okay."

Harris: "...under the DSM-IV and its contents. You know, the parent, you know... I... I... There is no way that I want to take away the right of a family to, you know, have arms as they're allowed to do, but they also have to be responsible to safeguard those weapons and ammunition to keep them out of the hands of their children without the permission of the mom or the dad."

Bost: "All right. Then I'm going to ask this again. So, we're going to take the parent's FOID cards... and obviously, it was without their permission that this child got hold of the gun... so, we're going to take their ability to have a weapon to defend their own home away from them and once again, as the conversations we've had on this floor so many times as we move forward with these Bills, once again in my area you're going to say if this criteria occurs now we're going to take away those parent's rights to defend their home in southern Illinois by this law?"

Harris: "If they don't fulfill their obligations as parents and obligations under the law, yes."

Bost: "Okay. You just said, now the parent clearly stated to their child, you cannot have the gun, you're not to get a hold of the gun, you're to leave it alone and all of a sudden now we're saying that because that child is disobedient then the parent gets their FOID card taken away and their ability to defend their property taken away, correct?"

Harris: "And it also would prevent possibly a public tragedy if a child with a dangerous mental illness has unauthorized

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access to the weapons, so there's a flip side to that argument."

Bost: "You... That's... that's truly, you know, you're stretching there that... that maybe that could happen. And the problem that I have is, you're saying to people, if your child which is... if your child has a serious mental illness, in my area where a firearm quite often... and I've explained that over and over again... the ability to defend their own property because we don't have cops on every block or in our case, cops in every cornfield. You're saying that if they have a child that is already seriously mental ill, now we're also going to take your gun rights away."

Harris: "If they cannot keep their guns out of the hands of their children without their permission, yes."

Bost: "Okay. So, once again, we, the government, are going to come in and we're going to say to the working families of the State of Illinois who happen to be also gun owners and that they can have problems like anybody else and they have a child that has a mental illness and all of a sudden we're going to come in as the government and take away their FOID card and the ability to correct, so that way if their house is robbed, they can say, wait a minute I have a child with a serious mental illness, let me get my baseball bat and I'll defend it that way. See, once again, this is lan... Mr. Speaker, to the Bill. Once again, we are carrying language here that deals with a specific area of the state not..."

Speaker Lyons: "Representative, your 5 minutes have elapsed. If you could conclude your remarks, we'd appreciate it."



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Bost: "Thank you, Mr. Speaker. Once again, we are telling the citizens in this state, okay, that we, government, are going to come in and not allow you that right to control those things in your house yourself, not to defend your home. We're going to take your FOID card away so that way you can't have a weapon. I think we're just reaching in all different directions here trying to... Well, I've said so many times on this floor, if you would take the time and pay attention to other areas of the state and the problems that are there and not being able to protect yourself is a terrible thing, this would go down that path. I will ask for a verification, Mr. Speaker, if this gets the requisite... required number of votes."

Speaker Lyons: "Your request for a verification has been acknowledged and will be honored. This Bill was on Short Debate. We'll move it to Standard Debate so my Republican friends with have Representative Eddy, Sullivan, Rose and Sacia. So, if we could limit it to three (3) more speakers, they say within the limit of five (5), I would appreciate it. Representative Roger Eddy."

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

Speaker Lyons: "Indicates he will."

Eddy: "Representative, I think you are probably aware of the current law regarding FOID cards and how or why those FOID cards can be denied or revoked. For a law-abiding citizen to lose their FOID card, they have to be directly in some way involved in an activity or they have had to have some type of disorder or been a patient in a mental institution

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or is subject to an order of protection, has been convicted of some type of battery or assault, has been convicted of domestic battery, et cetera. Every single one of the existing circumstances where a FOID card can be denied or revoked has to do with something the individual who owns or holds the card does. That means they're responsible for their own behavior and if they misbehave or they commit some type of a crime, they no longer have the card, but they're responsible for it 'cause they did it. What you're doing is you're changing that standard and you're making those law-abiding individuals in this Bill responsible for someone else's behavior. Now, albeit, it is their child, but you understand that many times parents struggle with control of their children and many times children do things that parents aren't happy with, that they're not condoning of and that they would like to see them not do. You are directly making the individual law-abiding citizen, though, responsible for that behavior and your standard is twenty-one (21) years of age and under. Twenty-one (21) years of age and under. So, if an eighteen-year-old, a nineteen-year-old, a twenty-year-old who has a single mother who is not able maybe to control that young person on a couple of occasions who maybe has for them, protection and a FOID card, because they need to protect themselves as a single mother in a remote location, if on two (2) occasions a child that they're having trouble controlling is in possession, all of a sudden we're going to make the law-abiding citizen responsible for what many consider an adult decision to break the law. I just don't think that's good

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public policy. Where does that stop? We don't do that with automobiles that are owned and titled to one person if someone uses the automobile in a way that's not legal. We don't do that with any other possession that a law-abiding citizen has if their children are somehow causing the problem. Do you really think that it's good public policy to open up this type of punishment for law-abiding citizens in cases where the parent isn't doing anything wrong and where does it end?"

Harris: "Is that your question?"

Eddy: "Yeah. Where does it... Is this... is this the kind of public policy you think's good for the State of Illinois to punish people who are not responsible for any type of crime and where does it end?"

Harris: "Representative, yeah, I think there's a very large difference between parents whose children may stay out past their curfew at night and not get home by 9 or 10 as they're supposed to and a child who's already been adjudged seriously mentally ill and a threat to himself or others who were to show up at an elementary school and accidentally shoot a classmate because he's gotten possession of a weapon that his parents have not authorized him to have. So, that is the difference. This is why I think there is an additional level of responsibility."

Eddy: "Would... would you say... would you say then if a parent has a twenty-year-old son who misuses a vehicle that... on two (2) occasions... and that they have some type of a criteria for severe mood disorder, that we should take the driver's license away from the parent because the child uses the

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vehicle to commit some type of crime then the parent becomes responsible? I mean, that's... we're changing public policy to defer responsibility for behavior from adults, twenty-year-old, nineteen-year-old adults to parents. I think it's a bad move for public policy. I urge a 'no' vote."

Speaker Lyons: "The Chair rises... the Chair recognizes the Gentleman from Lake, Representative Sullivan, who I believe is in support of the legislation, Representative? Representative Sullivan."

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

Speaker Lyons: "Indicates he will."

Sullivan: "Representative, how you've crafted this Bill, it is not one or the other issues, it is if you had two and then on top of that they have been declared some type of aggressive or violent behavior? So, there's two (2) standards that have to be applied before this goes into effect."

Harris: "That's correct, Representative."

Sullivan: "Okay. And to prove that they've had this possession twice, it's not hearsay, it is by documentation of an arrest record."

Harris: "By documentation..."

Sullivan: "Okay."

Harris: "...of public record, yes, Sir."

Sullivan: "So, we have it on record that this has happened. The parent has not kept the gun out of the minor's hands twice by documentation."

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Harris: "Yes, Sir."

Sullivan: "Okay. I just wanted to clarify that for the Body.  
To the Bill, Mr. Speaker."

Speaker Lyons: "To the Bill."

Sullivan: "Ladies and Gentlemen, this is a well-crafted piece of legislation in that you have two (2) separate occasions where the individual has acquired a weapon. God forbid that they actually got, you know, it could be that they could've not gotten to that a second time. We don't want people with violent behaviors getting access to weapons. If I am a parent and I have a child, she certainly couldn't even pick up a weapon, but if my child had behavioral problems, I would take those weapons out of my house. I would do anything I could to protect that child and others so that they would not get the weapon. So, I do believe that this is good legislation. It's commonsense legislation. It is well-crafted to not go into the idea of taking weapons away from people because of some problems that occurred. It's well-crafted on two (2) standards and documented. And so, I please urge an 'aye' vote."

Speaker Lyons: "The Chair recognizes the Gentleman from Champaign, Representative Chapin Rose."

Rose: "Thank you, Mr. Speaker. Will the Gentleman yield for questions? Representative, why is it twenty-one (21) and not eighteen (18)?"

Harris: "This was the standard that was recommended by the Department of Children and Family Services."

Rose: "I mean, you're basically holding a parent accountable for their adult child's conduct."

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Harris: "That was the age limit recommended by DCFS."

Rose: "What if that child doesn't even live in the home anymore?"

Harris: "If they still have unauthorized access to the weapons and if they are severely mentally ill, this would apply."

Rose: "Authorized or unauthorized?"

Harris: "Unauthorized."

Rose: "Okay. So, if I... if me and my wife go away on a vacation for a weekend and our twenty-year-old son comes home to the house, takes our gun, do I lose my FOID card?"

Harris: "Not if you've given that person authorization and you will attest to it in the public record or if that person is not severely mentally ill and has been adjudged a threat to himself and to others."

Rose: "Wait. So, what you're saying is, if I authorize my severely mentally ill son to take my gun while I'm away on vacation, then I don't lose my FOID card, but if I'm away on vacation and my mentally ill twenty-year-old son breaks into my house, I lose my FOID card."

Harris: "If you've given the severely mentally ill person who's been adjudged to be a danger to himself and others permission, then this Bill would not apply."

Rose: "But... but that... Representative, I... Look, I know what you're trying to do here, but do you see what I just said there? I mean, that really doesn't make a whole lot of sense."

Harris: "I would hope that if you as a parent had a child who has a severe mental disorder who has been judged to be a threat to himself and a threat to others, I would hope that

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a responsible parent would be not giving their permission for that young person to take the guns."

Rose: "Wait. But you just said it was... you said it was authorized. That if I authorized them access, then I keep my FOID card; if I don't authorize them access and they break into my house and take it, I lose my FOID card."

Harris: "I'm explaining to you exactly what the Bill says and does."

Rose: "But I mean that... Representative, that's ludicrous. On its face, I mean, it's just... it's... I... it makes zero sense. I mean, if I had my twenty-year-old kid goes and breaks into my house while I'm away on vacation, uses a firearm that I own to commit some crime, I just lost my FOID card. Let me ask you this. If your twenty-year-old kid steals your car and kills somebody, are you... do you go to... do you lose your driver's license?"

Harris: "The Bill doesn't address that. This is related to firearms and FOI (sic-FOID) cards."

Rose: "But... but it's the same thing. If as an adult parent, your adult child is an adult. Their conduct is their own. If they break into my house and steal my car, I don't lose my driver's license if they get into a car accident."

Harris: "And if you want to talk about doing something on that later, I'll talk to you about this, but I'm..."

Rose: "I don't want to talk about doing..."

Harris: "Good."

Rose: "...something on that later because that's just as ludicrous."

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Harris: "Then I'm just sticking to what this Bill says and does."

Rose: "Well, then I'll stick to a 'no' vote. Thank you, Representative."

Speaker Lyons: "The final speaker will be Representative Reboletti, the Gentleman from DuPage."

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

Speaker Lyons: "Indicates he will."

Reboletti: "Representative, I'm looking at the details of the Bill. It talks about on two (2) occasions had possession of the firearm or ammunition and if you're... and Representative Sullivan alluded to the fact that it had to be by an arrest report. What happens if somebody else calls the police, they say they saw the person with a firearm, but the police don't see that person with the firearm, so now you have a witness who makes a report. Those are usually called incident reports. Is that incident report sufficient to get to the report... the law enforcement reports to meet your... your burden here?"

Harris: "The... the standards here are arrest record, Department of Children and Family Services investigation, school record, juvenile court record."

Reboletti: "So, this... this wouldn't necessarily be an arrest record because as you may or may not know, Representative, there are cases that are brought to detectives where somebody saw maybe a child carrying a firearm but nobody has actually seen the child in possession of it so they may begin an investigation and that may be one type of contact. So, I'm just... as I try to create a record here for



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legislative intent and I'd like to support your Bill. To use... you're talking about and arrested so... there has to be an arrest."

Harris: "My intent and if you want to know, my intent is arrest record, the investigation, those things that I delineated just a moment ago. Hearsay is not my intent."

Reboletti: "The other thing is, is that this is a child who needs severe or major mood disorder conduct. Is that also based off of... what... where will we be getting these records from? Would that be a school psychiatrist? Is that a personal physician? Is this because a child is now in the juvenile justice system and a judge has ordered an evaluation? Where would we be getting this... this evaluation?"

Harris: "As you see subsection (2), the child is known to have a severe or major mood disorder or severe conduct order or both and it defines those types of conduct and that the mood disorders are as defined by DSM-IV published by the American Psychiatric Association or the child is adjudicated delinquent for acts involving aggressive or violent behavior."

Reboletti: "So, you're saying that the disorder has to manifest itself first then they would have to have the contact with the firearm and have arrests for those firearms. Not maybe they have the arrest first and then they go to court, the judge has an evaluation, then they're found through the DSM-IV that they have some type of mood disorder."

Harris: "If it had not been previously known, then you would be right, Representative."

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Reboletti: "Thank you, Representative."

Speaker Lyons: "Representative Lang, you put your light on as I was saying that Representative Reboletti was going to be the last speaker, so I'll honor your request to address this issue in the positive, I assume, in support?"

Lang: "I believe so, but I have some questions."

Speaker Lyons: "Okay. You'll be the final speaker and then Representative Harris to close. Representative Lang."

Lang: "Thank you, Mr. Speaker. Will the Sponsor yield? I assume he will."

Speaker Lyons: "He will."

Lang: "Representative, we've heard a lot of questions on this floor that I think sort of fog over your Bill. All right. There's been a lot of questions that I think have nothing whatsoever to do with your Bill. So, if you could very succinctly tell all of us, those of us who are still listening and whose minds are open to listen to your Bill, perhaps you could tell us very simply in a couple of bullet points what the Bill does."

Harris: "This of all... first of all I'll tell you what the Bill does not do. This Bill does not attempt to interfere with legitimate gun ownership. This Bill does not attempt to interfere with families, you know, who decide to take their children hunting, teach them how to use firearms and who... follow the law. This Bill does not attempt to affect them at all. This Bill affects a very limited number of cases where two (2) conditions are met and that is a child with a previously known severe mood disorder who has been a threat to himself or others and where on two (2) occasions

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documented in public record that that child has had unauthorized access to weapons without the parents' approval. So, if you're a responsible parent and a responsible firearm owner, this Bill will probably never touch you."

Lang: "And this only involves minors who have (a) taken the gun without permission on two (2) occasions..."

Harris: "As documented in a public record."

Lang: "...and (b) is certified to have some e... a mental or emotional condition that has been recorded."

Harris: "That is severe and where they have been judged to be a threat to the general public or to themselves."

Lang: "All right. So, let me understand. So, when we've had the tragedy at NIU, there were many people on this floor saying it isn't guns it's the problem of mental illness that we face. Isn't that what many people on this floor said?"

Harris: "I did hear that, yes."

Lang: "Right. And so, do I understand then that this Bill is going directly after young minors who are basically stealing a gun, who are unauthorized, from someone who owns the gun and also have a history of a mental disorder of some type?"

Harris: "Of a severe mental disorder, yes."

Lang: "All right. Mr. Speaker, to the Bill. Thank you, Mr. Harris. I don't know how anybody can be against this Bill. I suppose if you're so protective of gun rights that there's no Bill that you'll vote for, well, then I guess you'll vote against the Bill. But Ladies and Gentlemen,

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this Bill isn't affecting anybody's rights. This Bill says that someone who has basically stolen a gun who has a history of a severe mental disorder should not be able to have the gun. Now, is there something about that that is a bad idea? Conversely, does anyone on this floor think it's a good idea to let someone who's sixteen (16) years old, who has twice stolen their parents' gun, who has a recorded history of a mental disorder to be able to walk around with that gun? Does anybody really think that's a good idea? So, Ladies and Gentlemen, I know those of you who support gun owners' rights want to continue to do that and that's okay, but Ladies and Gentlemen, this is not the Bill to do that. This is a Bill to protect society from minors who should not have guns who have mental disorders. Do we really want them running around the street with weapons? This is a vote that cries out for a 'yes' vote. Please vote 'aye'."

Speaker Lyons: "Representative Harris to close."

Harris: "Thank you, Mr. Speaker. And again, it's not my intent here to infringe upon the rights of legitimate gun owners. There are many, many thousands of legitimate gun owners in this state who follow the law, who obey the law, who take responsibility for themselves and their families, who make gun ownership and responsible gun use a part of the growing up experience for the young people and this Bill does not affect them at all. As Representative Lang said, this is... affects a very small subset of the population. This affects young people who are seriously severely mentally ill, young people who have already been judged not only to

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be a threat to themselves, but a threat to others and a threat to society at large and it only affects them and their families if their parents have not fulfilled their obligation as responsible gun owners and on two (2) occasions, as documented in public records, those young people who are already adjudged to be a threat have had unauthorized access to their parents' weapons. I urge an 'aye' vote. Thank you."

Speaker Lyons: "Ladies and Gentlemen of the House, there's been a request for verification by Representative Bost, so I ask Members to please push their own switch and their own switch only. The question is, 'Should House Bill 5191 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. Clerk, take the record. On this Bill, there are 74 Members voting 'yes' and 36 Members voting 'no'. Mr. Bost. Mr. Bost, do you waive your... Mr. Clerk, take the record. On this Bill, there are 74 Members voting 'yes', 36 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Annazette Collins, you're recognized for a point of personal privilege."

Collins: "Thank you, Mr. Speaker. Representative Turner wanted us to wait for him. He had to run downstairs right quick. You want to come back so..."

Speaker Lyons: "You wish to wait a moment on your personal privilege?"

Collins: "Oh... oh, he's upstairs. Okay. He's on his way down."

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Speaker Lyons: "Okay. Representative Collins."

Collins: "So, yes. La... He's coming downstairs, now, so we would like to do the Resolution for Marshall High School our state champion girls and then we have the boys state champions from Marshall High School. You guys stand. And then we have the state champions from Whitney Young High School. They're all here in the gallery. We would like you to welcome them. So, we just wanted to welcome them to Springfield and we wanted the General Assembly to know that these teens come from the west side of Chicago and we are proud to represent all of the teens that won the state champion are from the 5th Senatorial District, so Representative Art Turner and Senator Hendon they'll be going over to the Senate in a few minutes to get recognized over there and then we're going to take them... after they leave there, we're going to go over to Ryan's for lunch. So, we are so very proud and the State of Illinois recognize your excellence. We want to make sure that you all continue in your flight... plight and make sure that you guys go to college and do well. And if there's anything we can do, as a Representative of this state can do for you, make sure you let us know. Thank you."

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

Turner: "All right. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I just want to echo what Representative Collins said, but I also want to let it be known, it was fifty (50) years ago that Marshall High School... the historic part of this is that fifty (50) years

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ago the Marshall High School boys team won the first state championship. They were the first Chicago Public School team to win the state championship. It's fifty (50) years... and it was fifty (50) years ago that the boys team won and then fifty (50) years later when they come back to Springfield. So, that's the significance of Marshall High School and of course, the girls team has been here under the leadership of Coach Gaters... I can't tell you how many times... I want to say eight (8) if not nine (9) times, they have been here before this Body and so they have a... certainly a great basketball tradition, but the fifty (50) year and fifty (50) years later to be back here again is something that we certainly want to recognize and to that fact. And North Lawndale College Prep is a school that's in my district; they're also a charter school led under the leadership of Coach Thorne, they were last year's second place winner in the state championship. And the old adage, if at first you don't succeed try again, they tried it again and they're here. They're also down today, they brought most of their AP students here to recognize charter schools and what charter schools is all about. They're both in the front and the back part of the gallery. And Whitney Young speaks for itself. Our esteemed colleague, Annazette Collins is a graduate of Whitney Young High School. She was in the first graduating class from Whitney Young High School and they also have a fine tradition, both in terms of an athletic and in academic recommendations. It speaks high for all of these schools. We're indeed honored. Again, we want to welcome you all to Springfield

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and tell you that you are the best that you are and we appreciate you. You certainly bring another distinction to the west side of Chicago and we're happy for you for that. Thank you all again; we appreciate you being here."

Speaker Lyons: "Congratulation, students. The City of Chicago and the State of Illinois is very proud of all of you. Thank you for being here today, enjoy your day. The Chair recognizes the Gentleman from Jackson, Representative Michael Bost for a personal privilege announcement."

Bost: "Thank you, Mr. Speaker. If you would, I would like the House to repre... recognize and welcome Trinity Christian School from Carbondale. They're in the gallery with us today."

Speaker Lyons: "Welcome, students. Have a great day. Good to see you. Representative Bob Flider, you have House Bill 4634. Read the Bill, Mr. Clerk. Take the Bill out of the record, Mr. Clerk, on the request of the Sponsor. Representative Monique Davis, for what purpose do you seek recognition, Representative?"

Davis, M.: "Thank you so much, Mr. Speaker, for you recognizing me at this moment. A point of personal privilege."

Speaker Lyons: "Please proceed."

Davis, M.: "I wanted to introduce... Annazette... I wanted to introduce Annazette, Representative Collins' daughter Angelique Momon. She's a senior at Howard University majoring in fashion design and she'll be traveling to France, Madrid and other places thi... Morocco this summer. So, we want to give a warm welcome. She's also a graduate of Whitney Young High School."



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Speaker Lyons: "Welcome to the House of Representatives. Good to see you. Representative Dave Winters, you have House Bill 4771. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4771, a Bill for an Act concerning education. Third Reading of this House Bill."

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

Winters: "Thank you, Mr. Speaker. House Bill 4771 basically allows local school districts who think that they may have families that have unreported income or change in family status of income to verify their... their income for school fees. It does not affect the school lunch program. We have language drafted by the Federal Department of Education that would exempt that. And I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4771 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 Granberg, Representative Lang. Mr. Clerk, take the record. On this Bill, there's 111 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lisa Hernandez, before you walk off the floor, you have House Bill 4231. Do you wish to call the Bill? Read the Bill, Mr. Clerk. 5231, Mr. Clerk."

Clerk Bolin: "House Bill 5231, a Bill for an Act concerning public aid. Third Reading of this House Bill."

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Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Lisa Hernandez."

Hernandez: "Yes. Thank you, Speaker and Members of the General Assembly. House Bill 5231 was... is an initiative from the Illinois State Dental Society. The Bill is simply just trying to clarify what the State Law defines as a dental service with what the Federal Government... Government offers as a dental service in order to ensure maximum matching dollars available. I ask for your 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 5231 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 Brauer. Marlow. Mr. Clerk, take the record. On this Bill, there's 111 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Patricia Lindner, on page 19 of the Calendar, you have House Bill 4289. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4289, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Lady from Kane, Representative Pat Lindner."

Lindner: "Thank you, Mr. Speaker. This is an initiative of the State's Attorneys Office and under the Violent Crimes Victims Assistance Act there is a victims assistance fund, but previously it could it only be awarded if no other fine

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is imposed and now, this just says that that... that fee can be added even if other fines are imposed."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4289 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 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Julie Hamos, you have House Bill 5701. Do you wish to call the Bill, Representative? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5701, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Julie Hamos."

Hamos: "Thank you, Ladies and Gentlemen. It's kind of a challenge here to do appropriation Bills. This is actually a proposed supplemental appropriation Bill for FY08. And it provides that six million dollars (\$6,000,000) would be appropriated from the Rental Housing Support Program Fund to... for the purpose of actually providing for rental subsidies for rental housing because that program is now up and running. And just... the important thing here, Ladies and Gentlemen, is this is not GRF. This is not GRF. This is money that's been accumulating in the Rental Housing Support Program Fund from that little ten dollar (\$10) increase in filing fees, recording fees, that we passed a

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few years ago. The money's sitting there. All we're trying to do with this is to appropriate it so it can be used in this fiscal year. And I'm open for questions."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Thank you, Mr. Speaker. I want to make sure I understood clearly what the... the Lady stated. Could I get her to yield for a question?"

Speaker Lyons: "She's ready for questions, Representative."

Eddy: "I... I think what I heard you say was you're attempting to use dedicated funds for the purpose they were intended."

Hamos: "That would be correct."

Eddy: "So, all this does is it appropriates money from the Rental Housing Support Fund which is dedicated for that purpose to support rental housing programs. Is that what these funds have been used for in the past from that fund you're appropriating from?"

Hamos: "Yes. But this is actually a new program in Illinois and this is the first year that it's fully operational. The money has been accumulating, however, for three (3) years. So, the money's sitting there; we're trying to appropriate it and get it out the door."

Eddy: "Do you have any fears of what might happen to the funds if they're not out the door?"

Hamos: "Truthfully, Representative Eddy, we actually got a commitment from the Governor. We got a commitment from the Governor when we first passed this law that this particular fund would not be swept and they have not swept it. But what I have discovered is that there's two (2) parts to

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spending moneys from funds. One is to protect them from sweeps, but the second is to appropriate them for the purposes for which they can be used successfully. This is an appropriation agenda. I'm actually not that worried about the sweep, but without us being able to appropriate the full amount in there, we can't use it effectively.."

Eddy: "Okay."

Hamos: "...this fiscal year."

Eddy: "Well, let me ask you one other question then. Is it possible that the administration could appropriate these funds for this purposes without this legislation if they just would?"

Hamos: "Not really."

Eddy: "Okay."

Hamos: "And... Okay. So, the reason that we have a very large balance in the various funds that we have all gotten sheets and sheets on is because we don't really appropriate the full amount in every fund. And in this particular fund, we did not appropriate the full amount that's in there. The money's been accumulating. This is just an attempt to move it out the door. We had the same issue that we discovered a year or two (2) ago on OSLAD. Moneys were coming into real estate transfer tax, but we hadn't appropriated it to be able to move it out the door."

Eddy: "Okay. One of... one of... one of the things I've been told is perhaps that agreement was a two-year agreement, too and that maybe it doesn't apply to this particular fiscal year. But I guess what you're saying then this is almost like a 'bimp' for that fund."

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Hamos: "That is correct."

Eddy: "Okay. Well, I..."

Hamos: "Well, I mean, it's not... I mean, no, we have to appropriate. It's sort of that added thing. We, as a Legislature..."

Eddy: "Okay."

Hamos: "...have to weigh in on what the priorities of the state are and this is an appropriation..."

Eddy: "Is this necessary..."

Hamos: "...function that we..."

Eddy: "Is this necessary for every fund?"

Hamos: "This is true for every single fund."

Eddy: "Okay. But the language necessary for the appropriations of all the other dedicated-type funds is currently statutory and in effect, but this one wasn't and that's what you need to do?"

Hamos: "That's right."

Eddy: "Okay. Thank you."

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

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

Speaker Lyons: "She indicates she will."

Black: "Representative, in the underlying Bill there was a percentage of how the funds will be... to be distributed. As best I can recall, wasn't it 55 percent in the county of Cook... excuse me... 45 percent in the county of Cook, 55 percent throughout the rest of the state. Well, seriously."

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I thought in the underlying Bill there was a percentage of where the money would go."

Hamos: "Well, not quite like your formula in your Bill 4555, but it is correct that the City of Chicago, not the county, but the City of Chicago gets 42 percent of the total revenues. That's what they collect in these fees and they already had a program in place. The rest of the state is distributed based on census data that is analyzed and then distributed statewide and it's different for different parts of the region... of the state."

Black: "Would you have to have an approved program up and running to access the money?"

Hamos: "If I understand where we are, with the rental housing support program, is that this year RFPs were issued and there were these local administering entities selected for different parts of the state and with that came some allocation..."

Black: "Okay."

Hamos: "...of the available funds."

Black: "Now, earlier you had said that you had reached an agreement with the Governor regarding this fund, for which I congratulate you, and maybe you could tell us how you did that at a later time. It was my understanding that agreement was only for two (2) years and has subsequently expired. Is it your understanding that the agreement is still valid?"

Hamos: "I'm... I'm learning something here. I don't know. I'm going to have to reread that letter."

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Black: "Our staff indicates you might want to reread that letter, very carefully. So, even if the agreement had expired, your action in this Bill would then, in effect, prevent this dedicated fund from being swept, correct?"

Hamos: "That would be correct."

Black: "Okay. Thank you very much."

Speaker Lyons: "Representative Hamos to close."

Hamos: "Thank you, Ladies and Gentlemen. That was an excellent discussion. I thank you for your interest. Again, this is not GRF. This is simply appropriating what's already in the fund for very important purposes. I seek an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 5701 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 Mulligan. Mr. Clerk, take the record. On this Bill, there are 109 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Tom Holbrook, you have House Bill 4461 on page 20 of the Calendar. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4461, a Bill for an act concerning regulation. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from St. Clair, Representative Tom Holbrook."

Holbrook: "Thank you, Speaker. What House Bill 4461 does is set up consistency in our laws on the regulations of our credit unions. It mirrors what is done at the... with the



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federal credit unions and these cases. And that is the two (2) main points of this Bill and it also allows parity again with the federal credit unions so that our state licensed ones can participate in the home and community facilities program which is a guaranteed loan program in Illinois. I don't know of any opposition."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4461 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? Jerry Mitchell. Mr. Clerk, take the record. On this Bill, there are 109 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brady, you have, on page 24 of the Calendar, House Bill 5278. Do you wish to call the Bill, Representative? 5278. Out of the record. The Chair recognizes the Gentleman from McHenry, Representative Jack Franks. For what.."

Franks: "I was going to speak on his Bill, that's all."

Speaker Lyons: "Okay. Representative McCarthy, you have House Bill 5200. Out of the record. Representative Jack McGuire, on page 18 of the Calendar, you have House Bill 1223. Do you wish to move the Bill, Representative? Read the Bill, Mr. Clerk."

McGuire: "Yes."

Clerk Mahoney: "House Bill 1223, a Bill for an Act concerning public employee... or employee benefits. Third Reading of this House Bill."

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Speaker Lyons: "The Chair recognizes the Gentleman from Will, Representative Jack McGuire."

McGuire: "Thank you, Mr. Speaker. House Bill 1223 is a Bill that I've had for a couple of years to try and help out a disabled Joliet policeman. He's a neighbor of mine and he asked for help and I told him I would try to help him. In the last week or so I've heard from the Police Pension Board in Joliet that said they didn't know anything about it and that they had other people needing help the same as this gentleman. And my only response to that mentioning was that while I never heard from these other people, I had one policeman ask me for help, so I went to help him and we have a Bill. The Bill has already been in committee. And unfortunately, I think there are other policemen who are looking for the same benefit, but I was not aware of it. I was only aware of the one policeman who asked me for help and that's the Bill 1223. And I'd appreciate your 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 1223 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... Representative Sommer, Keith. Take the record. On this issue, there's 109 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Nekritz, on page 21 of the Calendar, you have House Bill 486... 4683. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 4683, a Bill for an Act concerning fire safety. Third Reading of this House Bill."

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

Nekritz: "Thank you, Mr. Speaker. This legislation creates the Fire and Life Safety Device Act. It's designed to create a penalty for the instal... installation of fake smoke detectors, sprinkler heads, carbon monoxide alarms, heat detectors and similar devices. I guess this is not a rampant problem but enough of a problem that the Fire Caucus felt that it was important to create a penalty for engaging in this behavior."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4683 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 Verschoore. Mr. Clerk, take the record. On this Bill, 110 Members have voted 'yes', 0 voted 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dan Brady, are you ready for your Bill on page 24 of the Calendar, House Bill 5278? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5278, a Bill for an Act concerning election officials. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from McLean, Representative Dan Brady."

Brady: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 5278 is a piece of legislation

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that would prohibit the election authority or the county clerk from endorsing individuals running for office, endorsing the very individuals running for office where the election authority or the county clerk is responsible for counting the votes in that race. In the state, we don't allow judges who are elected to be involved in the political process, we don't allow some other officeholders to be allowed in endorsements and political process. We don't not allow State Board of Election employees to be involved in the political process. It would be my thought that the very individuals that counting the votes should be individuals that remain neutral and impartial to make sure that there is no question, especially in a recount situations, that they may have somehow put themselves in a difficult position by making public endorsements by means of radio, TV or newspaper. I'd be happy to answer any questions."

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

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

Speaker Lyons: "Sponsor yields."

Fritchey: "Representative, I just conceptually get what you're getting at. You know, right now we have I think certain prohibitions maybe as it applies to judges. I guess... I guess there's two (2) fronts here: one is the constitutionality of this. Has anybody taken a look at whether there's a First Amendment issue here?"

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Brady: "Well, there's been... there's been discussion about that, but what the Bill does is directs it to the individual using their elected public office or appointed office title to make public endorsements in elections. That individual privately makes some type of endorsement or contribution, that's certainly their right, their First Amendment right, but to use the title of the office responsible for counting the votes, I don't believe is a situation when we're talking about clean elections that we should have even the in Party even the speculation that there might be something in question. So..."

Fritchey: "Dan, let me... let me interrupt you for 1 second, I apologize because I'm not able to get the full text up on my computer. Is this precluding them from making an endorsement or precluding them from making an endorsement with their title attached to it?"

Brady: "Precluding from making an endorsement as the elected or appointed official. If they want to do something privately, that's their own business. If they're using their job title, it's different."

Fritchey: "Had I been able to read that I wouldn't have even asked you the question. Thank you. I appreciate it."

Brady: "Thank you."

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

Nekritz: "Thank you, Mr. Chairman. Representative, so what is the... what is the... what is the activity that's occurring that you're trying to get at with this Bill? What's the bad thing that's happening?"

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Brady: "Well, I don't know that I could point to a specific bad situation. I'm trying to prevent bad situations. I'm trying to prevent situations from the election authority making endorsements when they're responsible for counting the votes, for situations to where then they may go into a recount and they may have to... not may... they secure those votes in their office as evidence and have publicly already stated by trying their influence the electorate's vote for someone in the race that there may be the appearance that there's some impropriety that may occur at least for individual candidates who work extremely hard and find themselves in a situation that they may be in a recount situation, probably a little uneasy to think that the individual counting the votes and doing a cursory research of votes and the tallies has publicly endorsed your opponent."

Nekritz: "So, it's an appearance of impropriety that you're trying to get at?"

Brady: "Correct."

Nekritz: "And would it be better if they were just silently endorsing those candidates and the public wasn't even aware of it so that there's no reason to watch how those ballots are being secured and how the recount is taking place?"

Brady: "I'm not sure I understand the question. Could you repeat it?"

Nekritz: "Well, it seems to me that what... what you're... what we're doing with this legislation is removing the public endorsement, but there's nothing to say that that clerk couldn't privately endorse someone or privately be a

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partisan. And then without that sort of the public endorsement, there's no reason for the public to say, well, we know that they endorsed candidate 'x' when they're... and candidate 'x' is now in a recount and we need to keep an eye to ma... on... upon what the clerk's doing to make sure that the recount ballots are secured and that... and that there's no impropriety there. Well, all we've done is drive this underground instead of making it aboveboard."

Brady: "Well, Representative, I... as we all know when we have legislation we attempt to do certain things. As the legislation develops, it may be something that is looked at. What I'm trying to balance here is situations such as that occurred in Florida when... between President Bush and Vice President Gore and the recount situation there and the Secretary of State had to recuse herself 'cause she had already publicly committed to an endorsement of a candidate and was recused from counting the votes in the recount. Other situations, I think, Members can allude to things that made them a little nervous maybe whether they were endorsed or not endorsed, by a individual responsible for conducting the election and counting the votes. I think, it's a good government situation. I think, it's a situation when we try and stay away from anything that influence... has the air to influence the votes of the electorate certainly should be something that when it comes to those counting..."

Nekritz: "But Representative, don't we have that same situation now regardless of whether they've endorsed or not. I mean, these are... these are people that are elected on a partisan

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ballot and so there is an appearance that they would favor one party over another and that... we're not getting away from that and that clearly is a... an appearance of parti... of bias that would exist no matter whether they endorse or not."

Brady: "Well, Representative, we've had the discussion in committee and maybe we agree to disagree on this, but a first step is to at least for the office that you're elected to or that you're appointed to and you're an election authority responsible for the... the integrity of the election, that you don't endorse publicly. That's what the Bill simply gets at."

Nekritz: "Mr. Speaker, to the Bill. I have some real concerns about this from the perspective of the clerks, but yes, we do this with judges, but judges are supposed to be impartial arbiters as is the clerk, but the clerk still remained partisans and I don't think that by removing their ability to endorse in partisan races that we really address this issue of the appearance of impropriety or the appearance of bias because by being elected as partisans themselves they... that bias is going to be there. We need to be vigilant in watching what they do and how they control the... how they run the elections and how they would control the recounts as... as the Sponsor mentioned, but I don't think that this is really the... the mechani... I don't think that this is the appropriate mechanism to take care of that issue. We instead just need to be as we are, vigilant about how those processes move forward through elections. Thank you."



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Speaker Lyons: "Ladies and Gentlemen, this Bill was on Short Debate. We'll move it to Standard Debate. We've had Representative Brady present the Bill and we had two (2) people that have spoken in response. The next person to speak is Representative Franks, Jack Franks..."

Franks: "Thank you."

Speaker Lyons: "...the Gentleman from McHenry. In support of the Bill or in opposition, Representative?"

Franks: "I'm in support of the Bill."

Speaker Lyons: "Okay. Representative Franks."

Franks: "Thank you. Representative Brady, I appreciate you bringing this Bill forward and I wanted to ask how things are done in the counties. If there is a challenge to someone's petitions, for instance someone trying to run for State Representative and one of the opponents challenges the validity of the signatures on the petitions. How is the election commission comprised?"

Brady: "It... it... My understanding it would get rather involved depending on the scope of the geographical jurisdiction, but it could be everything from just one local election authority within one county and if that legislative district crosses other counties..."

Franks: "Let's assume just one county..."

Brady: "...then it would be the state board."

Franks: "...let's assume just one county and if it's just one county, it's my recollection... and I'm not positive and I wanted to ask and maybe you know... I thought it was the state's attorney, one of the state's attorneys who... was

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essentially put on there. I also think it's someone from the clerk's office and I believe there's somebody else."

Brady: "That's correct. It's my understanding that it would be those two (2) individuals and also from the... depending on the local city commission, who's appointed."

Brady: "Okay. And... and I think that gets to the heart of this issue because if the clerk is a de facto member of the Board of Election Commissioners within that jurisdiction where the challenge may be heard and that clerk has already endorsed one of the candidates or an opponent on the other side of one of those candidates, there's a question of the impartiality and whether one's getting a fair trial. We already have prohibitions now, as you stated, where judges for instance cannot endorse in an election. Would it be your thought that we're just... this is a logical extension of not allowing judges to endorse in areas in which they may have to adjudicate? I'll... my question..."

Brady: "Yes."

Franks: "Okay. The answer was 'yes'."

Brady: "My understanding."

Franks: "Okay. Well, then I'll... I'm going to... I'll speak to the Bill."

Brady: "Thank you."

Franks: "I applaud the Gentleman for bringing this forward. I think it's a good government Bill and if there was ever a time to pass good government Bills in Illinois, this is certainly the time. And what this would do is take away the hint of any impropriety; it would keep the people who are in front of these commissions, knowing that they aren't

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going to be sitting in front of someone who has already endorsed his or her opponent and hopefully, keep things on the level. Certainly, I don't believe it's going to solve all the issues, but I think this is a glaring loophole that needs to be closed and to put the clerks on the same level as our judges. And I'd encourage an 'aye' vote."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Bob Molaro."

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

Speaker Lyons: "Sponsor yields."

Molaro: "Okay. Just a couple questions. I don't know if this is legislative intent or not or where we're going. What's the penalty?"

Brady: "If... if this situ... at this present stage of the legislation, I don't have a penalty in it, Representative."

Molaro: "What might you think would happen, just so the clerks know, that we're going to make this law and pass it to the Senate, Governor signs it, so the county clerk calls me up and says, you know what, the heck with this, I'm going to still endorse, you know, Bob Molaro for State Rep. What..."

Brady: "Well..."

Molaro: "...what do I tell them could happen to them?"

Brady: "...at this point in time we would think the legislation, if it became law, would simply be enough deterrent that there's legislation indicating don't endorse in races that you're responsible for counting the votes. If... if that is pushed, then there may be a time to have to look at an addition or an Amendment to the legislation."

Molaro: "Well..."

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Brady: "What I'm... what I'm trying to do is simply move forward to the fact that as the election authority, that you're not endorsing in the various races that you count the ballots."

Molaro: "Well... Right. I guess what I'm getting at would be not so much looking for a penalty would then, you know like Jack was talking about that, now someone challenges me and a county clerk had endorsed me. Would this automatically knock him out as an arbiter on that decision or would that be... I mean, is that your intention or..."

Brady: "No. I don't... I don't know that that's my intention..."

Molaro: "Okay."

Brady: "...per se. The legislative intent is... is really unfortunately to legislate something that one would kind of think common sense..."

Molaro: "Yeah."

Brady: "...and that would be, if you're... if you're going to be counting..."

Molaro: "Right."

Brady: "...the ballots, probably good to stay clear of endorsements."

Molaro: "Well, right. And so, don't get too nervous. I'm for the Bill, I'm voting 'yes'."

Brady: "I'd like to thank you."

Molaro: "I just want to have... I just want to have on this, so there's no unintended consequences where some would say, okay, you're kicked off because of whatever public act this becomes. Let me ask you something else. I still don't understand what 'public' means. It's certainly... I can understand it if I print a brochure, but the Bill says

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'included but not limited to print and broadcast'. So, we know what print is, seems to be public to me, we know if we're on the radio that seems to be public to me. But now the clerk comes into my headquarters and says, Bob Molaro's the greatest and I'm a hundred percent for him. There's no print; there's no broadcast. Would that be public?"

Brady: "That wouldn't... under the legislative intent, would not be considered public in my opinion from the standpoint of a public endorsement that is carried by print media, electronic media or some other form."

Molaro: "Okay. But one question. He could say that..."

Brady: "Yes."

Molaro: "...and let's say there's a reporter in my office, some guy that came in under false pretenses and signed it and now he writes the story. And said, Clerk David Orr endorsed Bob Molaro last night at his headquarters. Would it be in violation of the statute?"

Brady: "I suppose technically it could be considered a violation, as you indicate, ill-intended consequences. The starting point and maybe there's something we could put..."

Molaro: "Yeah."

Brady: "...in the Senate..."

Molaro: "Right."

Brady: "...regarding it, but I..."

Molaro: "Hold on. Right. I'm done now and let me just say this."

Brady: "Yeah."

Molaro: "I like the idea 'cause it makes sense. And what you first started out why you're doing it, it makes a world of

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sense. We just got to make sure that we see... tighten it up because we don't want to have unintended consequences or four (4) or five (5) things where it gets a little screwy there 'cause I still don't know public to private and what that means. So, if the reporter's not there, it's okay, but if he's there's, then it's not okay. So, we'd have to look at it. That's all."

Brady: "It's a first step."

Molaro: "Right. Okay."

Brady: "Thank you. And I'll take that under consideration. Thank you."

Molaro: "First steps... first steps are big."

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

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, can any member who serves on the Illinois State Board of Elections publicly endorse a partisan candidate?"

Brady: "My understanding is no."

Black: "That's correct. Can circuit clerks endorse someone?"

Brady: "My understanding is no."

Black: "They're officers of the court, I would think."

Brady: "That's correct."

Black: "We've already been told that judges obviously can't do that. I do think Representative Nekritz brought up the most cogent point and I think you and I both know this could present a First Amendment problem, but having said

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that, I think what you're trying to do and I've had some similar concerns, with the advent of cable television which is an affordable medium in most downstate areas. If I go into register or I go into change my registration during that window period before the election and I have seen the county clerk on a cable TV ad extolling the virtues of candidate A even though I may lean to candidate B. I go in there to change that and here I am filling out a form in the county clerk's office, who I've seen on repeated television commercials and print ads endorsing someone that I don't personally favor. Now, I begin to wonder, wonder if my application might get lost, wonder if my change of address form might get lost and it can even go to the point where I have seen automobiles that take voters to the polls can often be plastered with bumper stickers on the inside windows of the backseat, so you can't help but read them. And I... I just... given the concerns about the First Amendment, which may very well be valid, I... I feel I must join you... And to the Bill, Mr. Speaker. And I think others... Representative Franks and others have said the same thing. When you are in charge of the election apparatus: you put on the election, you make sure that election judges are assigned to the precincts and then you are in charge gathering, tabulating, and posting the results of the election, it only seems to make sense to me that you should not in that case be an active, political, endorser of somebody running on the ballot or an active participant in endorsing a question of a referenda. If, by the very position you occupy and I think it's trying to prevent the

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appearance of something that people might question and we often talk about ethics laws and we might even see one before the year is out, this to me just seems a very simple situation of ethics. If you're running the election, you're in charge of all of that and all that it means and you could very well be in charge of a... of a recount, I don't think you should put yourself in a position where you are totally and completely in the camp of somebody on that ballot because then the appearance is, if it's a recount, that... well, were the votes counted correctly? Is there any... is there any possibility that a bias existed in the election? I think it just removes some of the questions and concerns as we get into the election season that we've already seen, lingering effects from the Florida situation of almost eight (8) years ago, where the Secretary of State in charge of a recount was clearly identified as favoring one candidate. I just think we need to consider very, very carefully the position that this could put a county clerk into. And I don't want to inhibit their free speech and I don't care if they endorse someone privately, if they go to fundraisers, if they have a bumper sticker on their car as long as they don't park it within so many feet of the courthouse because you can vote absentee in there, that's fine. But I think to appear in broadcast ads and print commercials as favoring a particular question or favoring a particular candidate, that can be construed by some people as raising the specter of impartiality in the election process. And I... I think the Gentleman has hit on an idea..."

Speaker Lyons: "Representative Black, your 5 minutes are over."



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Black: "Thank you."

Speaker Lyons: "If you could conclude your remarks, we'd appreciate it."

Black: "I'll be glad to. Thank you, Mr. Speaker. I think the Sponsor has hit on an idea that is worthy of this debate, worthy of consideration and I intend to vote 'aye'."

Speaker Lyons: "The Gentleman from Fulton, Representative Mike Smith."

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

Speaker Lyons: "Sponsor yields."

Smith: "Representative Brady, I want to clarify and I think maybe this question was asked earlier, but I didn't... didn't hear the answer. Are you saying that county clerks cannot make an endorsement using their title, but they could make an endorsement just John Doe as opposed to John Doe, county clerk?"

Brady: "That is correct. If... at this stage, trying to... trying to balance some of the concerns there have been, yes."

Smith: "So... so, they could make an endorsement just privately and that... that endorsement could be printed in publications, newspapers, literature, whatever, as long as it didn't have their office title?"

Brady: "They could under the way the Bill is written right now. That is correct."

Smith: "Representative Brady, I guess I'm having a little bit of trouble with the Bill because I understand the intent and I understand that county clerks play an important role as being election authorities, but I mean, what about... I mean, there're... certainly there are other elected officials

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that have some jurisdiction, you know, where they need to appear... have the appearance of impropriety. What about state's attorneys for instance?"

Brady: "It's a very good... a very good question, Representative. But to get back to the point, state's attorneys don't count votes."

Smith: "So, it's just the sheer act of them counting votes that is a concern."

Brady: "That is... that is the concern when we... when we do everything we can for clean elections and trying to stay away from any type of influence one way or the other. We make sure there's no electioneering a hundred feet away from a polling place."

Smith: "What about..."

Brady: "We make sure that there's another... other avenues with no intent to influence the voter."

Smith: "What about the case of a state's attorney... I'm sorry... county clerks run for a four-year term, what if you have a county clerk whose mid-term and runs for another office? Would they be prevented from endorsing other people on the ticket with them?"

Brady: "If they are responsible for counting the votes in that election, the answer would be yes."

Smith: "So, a county clerk decides to run for State Representative, mid-term, they're still the county clerk. I don't believe the law requires them to step aside. They are still responsible for counting the votes, but they couldn't endorse other candidates that they're running with in that election?"

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Brady: "That would be correct, if they have the election authority counting the votes."

Smith: "The County Clerk's Association support this?"

Brady: "No, they are... they're very much against it. In fact, I had the pleasure of speaking with the county clerks yesterday at their convention and in no way, shape or form am... I'm attempting to mislead anyone. I would say the majority of the clerks, certainly the majority, a vast majority, are not in favor of this piece of legislation. I... I have spoken to some off the record that they are open to the idea that I would not be placed in a situation where I have to choose between maybe two (2) good friends running for an office and I'm responsible for..."

Smith: "And I think..."

Brady: "...the votes that I'm not going to get in that situation, yes."

Smith: "I think some of them have that policy already."

Brady: "They may have a policy and they may..."

Smith: "That's their individual policy."

Brady: "I would... I would like to think they would do what we're talking about here and not do what we're talking about here, that they would not endorse, but that doesn't happen."

Smith: "I just..."

Brady: "They're... they're open to do what they wish when it comes to an election."

Smith: "I have just one more question. Just... I mean, do... would you support making county clerks an appointed position? I mean, ultimately, wouldn't that..."

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Brady: "I don't know that I would support making the county clerks an appointed position, no. I would just simply say that we got other people involved in the election process in various stages who cannot make public endorsements. Why would we not have the very people responsible for counting the votes have to follow the same?"

Smith: "Thank you. To the Bill, Mr. Speaker. I rise in opposition to the Bill. I think that I certainly understand the intent of Representative Brady here, but I think that we're maybe going a little bit too far in limiting individuals who run for public office. I mean, these folks place their names on the ballot. I don't know that we've had a whole lot of concern with county clerks running biased elections and certainly if we do, I think there's a way to handle that, but to say that a county clerk who runs for higher office, mid-term..."

Speaker Lyons: "Mike, your 5 minutes have expired. If you conclude your remarks, we'd appreciate it."

Smith: "Sure. To say the county clerk running for a higher office, mid-term, could not make an endorsement, I think is really, in my opinion, is bordering on unconstitutionality. So, I would ask the colleagues to really take a serious look at this and to vote 'no'."

Speaker Lyons: "No one further seeking response, I'll... Representative Fritchey for the point of clarification on an issue... on a question."

Fritchey: "Thank you, Speaker. And I appreciate the opportunity to be heard again. Representative, I hope you'll indulge me here. I wa... We have an issue here and I

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want to make sure that you didn't unintentionally misspeak or that you may have a different interpretation here. I now, actually, I have the text and what I understood you to say before was that an individual could... if we had a county clerk named John Doe, that they could not say County Clerk John Doe endorses Dan Brady, but that John Doe as a private person could endorse Dan Brady. I don't think that's what this... that's not what this says. I mean, you can... I can't think of a more eloquent way to put that than if you read the text of the Bill, it says that no county clerk or member of a Board of Elections Commissioners may publicly endorse any candidate. So, that doesn't say that you can't endorse using your title or your... the province of your office. It says that if you hold that office, you are precluded from making an endorsement of a candidate and that was the distinction that I tried to say before was if you felt that there was an improper or unwarranted deference being given to an endorsement because of the title of the person giving it, that makes sense. And that is a good piece of... good government reform legislation. But now we're back at the issue where I think there's a very fundamental First Amendment issue here which you are saying that even in their private capacity they cannot make an endorsement by virtue of the job that they hold here. Is there a precedence for this? Sure there is, with judges and other issues, there is, but I just... I want to make sure that you... you know, I know you well enough. I know you don't want to make a misstatement. I just want to make sure that your words match up with your intention and that

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your words and intention match up with what the Bill actually says."

Brady: "I appreciate that, Representative. And my intention and my words were the way that our Bill, my Bill, is written is that it would not preclude the individual from doing something privately. However, using their title would then make that, under the legislation, something that they would not do in the way of endorsements."

Fritchey: "Could you... could you do that again? I apologize."

Brady: "Sure. The way that legislative intent is and my interpretation in my testimony in committee as well on the House Floor is not to inhibit the individual from making a private endorsement for well a donation or something along those lines. If there needs clarification on that, I'll be happy to do that."

Fritchey: "But we're... we're talking about an endorsement. Let's again look at the example, though. Could an individual who was a county clerk without use of... Here, let's... Dan, let me... let me give you this example. An individual puts out a mail piece or maybe a fundraising invitation and here's a list of supporters on that... on that mail piece. John Smith is the county clerk. Can John Smith's name appear as a list of endorsers?"

Brady: "Absent their title to their elected office or appointed office as it... commissioner."

Fritchey: "Okay. Then... I don't want to beat this into the ground. That's not what the Bill says and I don't mean that disrespectfully, I'm not trying to cause an issue. If that's what you're trying to do, that's not what the

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legislation says as is. If it has the votes to go out, I would suggest that you take a look at it when it goes over to the Senate to clarify that what you are saying is that they cannot use their title in their endorsement."

Brady: "Correct. And I'll be happy to do that and we certainly know what the intent is and we'll be happy to, upon my word here in the House, make a change and review that if that is the situation and answers your question."

Fritchey: "And you're somebody whose word I have no problem taking. If that's what you'll look at doing, that's what you're trying to get this Bill to do, then it's a fine idea."

Brady: "Sure."

Fritchey: "But I will tell you that, if it stays as is and winds up on the statutes, it likely will be challenged and stricken. So, thank you very much for the time. I appreciate it."

Brady: "Thank... thank you and we'll certainly do what I said in looking at that to change."

Speaker Lyons: "Our final speaker will be Representative Sid Mathias and then Representative Brady to close."

Mathias: "Thank you, Mr. Speaker. Will the Representative yield?"

Speaker Lyons: "Sponsor yields."

Mathias: "Representative, I just want to make sure that I understand this when it says here, it prohibits county clerks and members of the Board of Election Commissioners in... for example, in the counties outside of Cook, if there's a challenge, the State's Attorneys Office and I'm

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not sure if it's the county president or someone else, they form a... along with the county clerk they form a three-member Board of Elections to determine the challenge. So, would this apply to anyone who would be a member of that Election Board that would hear challenges?"

Brady: "That would fall under the title of election commissioner, yes."

Mathias: "Well, I mean, they're not an election commissioner, per se, but in and a challenge they're on a Board of Election... Election Board, whatever you would call it, that... that hears the challenge. They don't do anything else, they don't count votes, obviously, but they rule on a candidate's legitimacy to be on the ballot. But they're not... through the rest of the year they're not, you know, like in Chicago, I know, they have a formal Board of Election Commissioners, but I want to make sure. Is this applying, in effect, to the state's attorney?"

Brady: "It would... as I said earlier, it would only apply to those who have, in that case, a dual title I guess. If they... they're counting the votes and if they serve on a board or commission in which they're to make decisions."

Mathias: "Decisions on who remains on the ballot or decisions on the elec... on the election itself like..."

Brady: "Well, that would... that would be a decision made on the election itself, if you're deciding who stays on the ballot. So, the answer would be yes."

Mathias: "Okay. So, you're saying then since you don't know in advance whether there's going to be a challenge, that means really state's attorneys as well as county clerks would be



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disqualified under your Bill, because they'd always be on the Election Board if there was a challenge."

Brady: "If they would have that potential, they could be, yes."

Mathias: "Okay. That's what I.. I just wanted to make sure.

Thank you."

Brady: "Thank you."

Speaker Lyons: "Representative Brady to close."

Brady: "Thank you very much, Ladies and Gentlemen of the House.

What the intent of the legislation is is to simply have those in the position of running elections not to be making endorsements of candidates running for whatever office and giving any type of appearance that there's some influence of how one should vote. If we don't try and make sure that those that count the very ballots have to follow rules that others have to follow when it comes to a recount or a question in court or some type of other issue when it comes to governance our elections, then I think we're missing a point of trying to have as clean election as we possibly can. Some of the questions that have been raised are good points, those are things that I will address should the Bill pass and with the Senate Sponsor. And I simply ask for your 'yes' vote on the legislation."

Speaker Lyons: "The question is, 'Should House Bill 5278 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. Clerk, take the record. On this Bill, there are 63 Members voting 'yes', 48 Members voting 'no', 0 voting 'present'. This Bill, having received the

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Constitutional Majority, is hereby declared passed. Representative Frank Mautino, on page 22 of the Calendar, you have House Bill 4807. Representative Mautino, 4807. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4807, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Bureau, Representative Frank Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill appropriates 8.2 million (8,200,000) from the General Revenue Fund to the Department of Veterans' Affairs for the staffing of the Illinois Veterans Home at LaSalle. This would be dollars which would be used to open the eighty (80) beds which are currently or now have been turned over to the State of Illinois by the engineering company. The Federal Government picked up two-thirds of the cost of the construction, so it's been a great improvement. We currently have about four hundred (400) veterans who are on the waiting list at LaSalle and because of the amount of turnover that we have in there it takes about two and a half to three (3) years to... for your name to reach the top of the list. So, under that structure, many of the veterans will pass away before ever getting to make use of the home and get the benefits that they deserve. The staffing levels that's in the department's budget for this year, they're set to open about thirty-six (36) beds and I appreciate that and I appreciate the willingness of the Governor to build that wing. This would

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help us to get most of those beds open, annualize that salary and I'd appreciate an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing.. The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, I take it this is just a portion of the budget figures that would be necessary through the Department of Veterans' Affairs to operate all of the veterans' homes in Illinois, correct?"

Mautino: "Actually, the.. this would go a long ways toward it. If we wanted to get the beds that are currently closed throughout our five (5) state homes, we would need about \$11.2 million (\$11,200,000) to get those beds up and running in all of the facilities."

Black: "So, even though the board says LaSalle Veterans' Homes, it would be also applicable to Quincy, Anna, all of those that are currently operating? Would they share in this money?"

Mautino: "That..."

Black: "Or would this particular appropriation be limited only to the LaSalle Veterans' Home?"

Mautino: "The way the appropriation is set up it's limiting... it's limited to LaSalle, but the moneys that are currently within the department's budget could be realigned because they're not appropriated specifically."

Black: "Okay. All right."

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Mautino: "No, it would be my hope that in the course of budget negotiations, if we ever have any, Bill, is that we could actually get the Department of Veterans' Affairs the 11.2 million (11,200,000) that could open all those beds."

Black: "Fine. Thank you very much. As always, I appreciate your forthright answers. Mr. Speaker, to the Bill. Great respect for Representative Mautino and I think he would agree, as most of us on this floor would, this is a terrible way to address appropriations and I don't know that it moves us any closer to a budget or moves us further away. The bottom line, however, is we have made certain promises to our veterans. I think it's time that we kept the promise and not only us, our fellow Legislators in Congress need to keep the promises we've made to our veterans. And while I'm not comfortable voting on twenty (20), thirty (30), forty (40), fifty (50) or how many individual appropriation Bills we will see before we get into our final budget discussions, this is one that I think we have to do and have to keep our promise. And it's not only this, we made a promise and we put it in statute many years ago that any veteran who enters the military service from the State of Illinois when they return to civilian life they will get tuition-free assistance at any Illinois college or university and we do that, no veterans are turned away, but we are not keeping our promise to that institution of higher learning. We are not paying anywhere near what we owe them for those tuition waivers. That's not right; it's not ethical; it's not what we said we would do. The situation at the LaSalle Veteran's Home is another

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example of not following through with the promises we make. On this case, I intend to vote for the measure. I think it's the right thing to do and I think it's time we start to keep all of the promises that we make and all of the election-year rhetoric we often use. Vote 'aye'."

Speaker Lyons: "Representative Mautino to close."

Mautino: "As always, appreciate the comments of Representative Black. And I'd ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 4807 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 Sullivan, Ed. Mr. Clerk, take the record. On this Bill, there are 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative McCarthy. Representative Mulligan, on page 22 of the Calendar, you have House Bill 4822. And it's my understanding that Representative Coulson will be doing the Bill on your behalf."

Mulligan: "Thank..."

Speaker Lyons: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I can't talk, so if she could do it, I would appreciate your leave of the Chair."

Speaker Lyons: "All right. That's our... that's our understanding, Rosemary, that you're unable to talk today. Our sympathies and our... our cough drops are coming your way. So, Mr. Clerk, read the Bill. 4822, Representative Coulson will be presenting the Bill."

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Clerk Mahoney: "House Bill 4822, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "The Lady from Cook, Representative Beth Coulson."

Coulson: "Thank you, Mr. Speaker. House Bill 4822 is a continuation in our working on transitioning children from school to adulthood in special education. This Bill provides that beginning with their IEP at their fourteenth birthday the IEP must include measurable postsecondary transition goals and requires coordination with other state agencies and community agencies. We have several Amendments on it, all to make the Bill much better and as far as I know there's no opposition. And I'd appreciate your support."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4822 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 111 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bob Molaro, you have, on page 19 of the Calendar, House Bill 2769. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2769, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Bob Molaro."

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Molaro: "Oh, this... this Bill is the... what is known as the Adam Walsh Act. And what we did was the Adam Walsh Act was passed by the Congress a few years back and it gave the states four (4) or five (5) years to enact legislation in the area of sex crimes that would be at least equal to the federal statute and that's what this Bill does. The attorney... the Attorney General put it together with the help of her crackerjack staff and they... this puts us in compliance with the criminal law. I mean, the Federal Law."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 2769 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 Granberg. Mr. Clerk, take the record. On this Bill, 111 Members have voted 'yes', 0 voted 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 8... 24 of the Calendar, Representative Kevin McCarthy has House Bill 5200. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5200, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The... House Bill 5200 I want to thank some of the Members in the Human Services Committee who helped work on this. It basically amends the Child Care Act of 1969,

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requires the Department of Children and Family Services to provide information that'll be on their Web site and also through our licensed daycare providers to advise parents of the need for a flu immunization. There is no mandate for the shot, but just a mandate that they'd have the information so that they would be able to make that decision on their own for their own child. I would appreciate support."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 50...' The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

Black: "I'm sorry, Mr. Speaker. I was looking at the committee vote and I noticed it was 5 to 4. Will the Gentleman yield?"

Speaker Lyons: "Sponsor yields."

Black: "Thank you. Representative, you indicated you would hold this and you have done so and Amendment #2 was added as per your suggestion... as per your commitment in committee. The only question I have essent... it appears to me that you're mandating these vaccines and I believe that's already in the School Code, so I... I don't have a particular... I don't particularly have a problem with that, but is there an opt-out provision? Is the... for a right of conscience or of fear, you know, when we're reading conflicting information about what vaccines may or may not do as a side effect. So, did you remove the specific requirement that it must be done?"



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McCarthy: "Right. As is, as the Bill after amended by Amendment #2, is just information only. This is not any mandate..."

Black: "Okay."

McCarthy: "...for the actual shot. We worked with Representative Coulson and Representative Bellock..."

Black: "Okay."

McCarthy: "...who were 2 of the 4 'no' votes and we worked it through with the daycare people. They understand that the information being available to the parents is advisable and I believe they will be supportive."

Black: "So, if the parents choose not to or just simply do not have the desired immunizations, their child will still be able to go to daycare, correct?"

McCarthy: "Correct, correct, yes."

Black: "Okay. Fine. Thank you very much."

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

Bellock: "Thank you very much, Mr. Speaker. To the Bill."

Speaker Lyons: "To the Bill."

Bellock: "We did have reservations about this Bill and I want to thank Representative McCarthy because when it was a mandate that's when those of us, who were the 4 votes, were opposed to it. He worked with us on this Bill and now it is just a suggestion of educational on the... vaccination. It is not a mandate. So, we thank Representative McCarthy for working with us. Thank you very much. We support the Bill now."

Speaker Lyons: "Representative McCarthy to close."

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McCarthy: "Thank you, Mr. Speaker and thank you, Representative Bellock. I do think this information is advisable to be distributed to our parents. This is all this will do. In the future, we may go back and look at the mandate for the immunization, but at this point we think this is the best way to go and I was very happy to work with my colleagues on both sides of the aisle. So, I'd appreciate an affirmative vote."

Speaker Lyons: "The question is, 'Should House Bill 5200 pass?' All those in favor signify by saying '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, 111 Members have voted 'yes', 0 voted 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Dan Reitz has House Bill 4789 on page 22 of the Calendar. Representative Reitz, ready to call the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4789, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Randolph, Representative Dan Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 4789 is more cleanup language from the radon Bill we did last year. It also creates a task force to look at radon-resistant buildings. I think this will help us to get... have this task force put together recommendations so that we can deal with radon which has caused tremendous problems in a lot of areas and it's something that people should be aware of."

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The cleanup language deals with structures over four (4)... four (4) stories high and just trying to make sure that we clarify the part of the Bill we passed last year. And I'd be happy to answer any questions."

Speaker Lyons: "Mr. Clerk, what's the status on this Bill, on 4789?"

Clerk Mahoney: "House Bill 4879... 4789 is on the Order of Third Reading. Amendment #1 was adopted in committee. Floor Amendment #2 was withdrawn. Floor Amendment #3 was referred to Rules and Floor Amendment #4 was adopted to the Bill."

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

Black: "Thank you, Mr. Speaker. I need help getting out of my chair."

Speaker Lyons: "We'll be right over."

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

Speaker Lyons: "Sponsor yields."

Black: "Thank you. Representative, I didn't hear the... What were you saying yes to her for? I'm asking you the question."

Reitz: "She looks better than you do."

Black: "Well, there's no question about... Name one person on this floor who doesn't. You know, I..."

Reitz: "I don't want to start that, but..."

Black: "Let me ask you a question. I couldn't hear the Chair. Is Floor Amendment #4 on the Bill?"

Reitz: "Floor Amendment #4 I... is, yes. Is the Bill."

Black: "Okay."

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Reitz: "Floor Amendment #4 became the Bill."

Black: "Becomes the Bill?"

Reitz: "Correct."

Black: "All right. Now, having grown up in a homebuilder-related family, can you tell me what a radon-resistant building is? Does it have lead walls or..."

Reitz: "No."

Black: "Just exactly what is a radon-resistant building?"

Reitz: "It's basically putting in all... everything you put in to mitigate radon. So, what the intention of... if you had a radon-resistant building, would basically be putting a pipe in that allowed..."

Black: "All right. So, ventilation."

Reitz: "...from the basement on up..."

Black: "Okay."

Reitz: "...that allowed an... astatic... astatic system so that you could install a fan later and have an electrical outlet nearby, so..."

Black: "So, it doesn't have anything to do... your intent is not that the task force would mandate building materials or type of building materials."

Reitz: "Right."

Black: "It would more likely be adequate ventilation when radon may be discovered or they have a fear that it may be discovered, correct?"

Reitz: "Correct. Trying..."

Black: "So, that there would be the necessary ventilation to remove the radon particles."

Reitz: "No. That's correct. The task force..."

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Black: "Okay. All right."

Reitz: "...is charged to basically to look at how to... just make recommendations on how this would work."

Black: "And I... fine. And the only question I have then, if... if it's a task force and it's going to make recommendations, why does the Illinois Emergency Management Agency stand in opposition to the Bill? That doesn't make any sense to me whatsoever."

Reitz: "Do what... Yeah. Initially, it was just the rulemaking part that was on this."

Black: "Oh, okay. So, it..."

Reitz: "And that was their opposition."

Black: "All right."

Reitz: "They help put together who would compromise..."

Black: "All right."

Reitz: "...parts of the task force and that."

Black: "So, their opposition was philosophical based on the..."

Reitz: "The rulemaking procedure."

Black: "...rulemaking Amendment."

Reitz: "Correct."

Black: "All right. Now, the only... the last question, should I ask you or Representative May?"

Reitz: "Representative May had this Bill originally working on and we've... we came down to a task force, but you can ask me and I will try to look at you as hard as it is."

Black: "All right. Well, if you would just ask her, because I have such respect for her abilities and I try to vote for as many of her Bills as I can, just ask her, as amended is this a good Bill? Is this a commonsense Bill that isn't

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going to add a thousand dollars (\$1,000) to the cost of a house or anything like that?"

Reitz: "She's got..."

Black: "And do the task force members get paid?"

Reitz: "No, they do not get paid and she told me she is... if you would ever be quiet, she hopes to speak in support of the Bill."

Black: "Oh, she intends to speak in support."

Reitz: "Yes."

Black: "Well, if you had told me that, I wouldn't have gotten up in the first place. Thank you."

Speaker Lyons: "The Chair recognizes the Lady from Lake, Representative Karen May."

May: "Thank you, Mr. Speaker. I do rise in support of this Bill and I appreciate Representative Reitz carrying the Bill because I just passed too many very good Bills of Representative Black and he had an Amendment. And Representative Reitz has really... with our radon awareness Bill last year brought forward this very important issue. People can actually die of lung cancer and they don't know about radon in the homes. So, it was my idea to do a task force. I would like to consider a Radon-resistant Building Code, but with objections in certain of the homebuilding quarters, I thought it was important to step back and clarify and to work out just that this would be a smart use of dollars. So, the task force is a way to approach that and I thank Representative Reitz for continuing his good work on this issue."

Speaker Lyons: "Representative Dan Reitz to close."

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Reitz: "Appreciate an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 4789 pass?' 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? Mr. Clerk, take the record. On this Bill, 111 Members voted 'yes', 0 voted 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brandon Phelps, you have House Bill 4930 on page 23 of the Calendar. Do you wish to call the Bill, Representative? House Bill 4930. Out of the record. Representative David Miller, you have House Bill 4380 on page 20 of the Calendar. Out of the record. Mr. Clerk, Rules Report."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on April 30, 2008, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendments 3 and 4 to House Bill 2405, Amendment #3 to House Bill 2747, Amendment #2 to House Bill 2748, Amendment #2 to House Bill 4370, Amendment #2 to House Bill 4403, Amendment #3 to House Bill 4612, Amendment #1 to House Bill 4854, Amendment #2 to House Bill 5037, Amendment #2 to House Bill 5204, Amendment #1 to House Bill 5205, Amendment #2 to House Bill 5229, Amendment #1 to House Bill 5282, Amendment #2 to House Bill 5310, Amendment #3 to House Bill 5516, Amendment #3 to House Bill 5703, Amendment #2 to House Bill 5901, Amendment #4 to House Bill 5908, Amendment #2 to House Bill 5970, Amendment

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#1 to House Bill 1008, and Amendment #... Correction. Amendment #1 to House Resolution 1008 and Amendment #2 to House Resolution 1048 and Amendment #2 to House Joint Resolution 76. Referred to the House Committee on Rules is House Resolution 1246, offered by Representative Granberg and House... Senate Joint Resolution 91, offered by Representative Fritchey."

Speaker Lyons: "The Chair recognized Representative Ken Dunkin for the purpose of an announcement."

Dunkin: "Thank you, Mr. Speaker. For a point of personal privilege. Ladies and Gentlemen of the House, I would like to welcome... give a warm welcome to the students and the parents of ACE Tech Charter School in my district on the south side. If we can stand and give them a round of applause. What's interesting to note about ACE Tech is they are very similar to what Washburn used to be in a 21st century form. They provide architect, carpentry, electrical and other engineering type of high school education and we're very proud to have them in our state. They are proven to be very, very successful members of our... City of Chicago students, that is. They are vying to get into that school ACE Tech all over the city and again, a welcome... welcome to our great city... to our great City of Springfield and our great state to the... here at the House of Representatives. Thank you, again."

Speaker Lyons: "Welcome to Springfield. Enjoy your day. The Chair recognizes the Gentleman from Cook, Speaker Michael Madigan."



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Madigan: "Mr. Speaker and Ladies and Gentlemen, I rise for the purpose of an announcement and this is concerned with the pendency and the consideration of a Resolution in the Senate that relates to recall. Now, all of you know the House passed a House Joint Resolution Constitutional Amendment that would permit recall in Illinois. The Senate chose not to work with the House Resolution. What they did was to work with a new Senate Resolution which was approved by their committee yesterday. I'm advised that it's been read a second time today, which would put it in position to be considered and called for the third time tomorrow. My announcement is that we will accommodate the receipt of that Resolution from the Senate in terms of our scheduling. There's a constitutional deadline for consideration of Constitutional Amendments, that deadline is Sunday. If the Resolution arrives from the Senate on Thursday, I would schedule the House into Session with the appropriate days so that we can consider the Senate Constitutional Amendment on recall before the Sunday deadline. And I'd like to advise everyone that one scenario that we might look at in this regard would be a Motion to suspend the posting requirements to permit the consideration of the Resolution in the House Committee. That Motion requires 60 votes. The Resolution like the House Resolution requires 71. I'm not in the position to specify days or times because all I know is what I just told you that the Senate has read that Resolution a second time that puts them in a position to call it tomorrow and possibly send it here, that doesn't guarantee that they will send the message tomorrow. They

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could choose when to send the message. And so for us, we have to wait until we receive the message from the Senate, keeping in mind the constitutional deadline of Sunday. I presume there might be some questions, Mr. Speaker."

Speaker Lyons: "Is there anybody who has questions of the Speaker? Speaker, maybe you did such an outstanding job that there is no need for any questions here. No such luck, Speaker. The Chair recognizes the Lady from Cook, Representative Julie Hamos."

Hamos: "Thank you, Speaker. Just one question. If... So, the final vote might be Sunday, but would it be necessary to be here before Sunday for a Second Reading or any other day?"

Madigan: "I wouldn't presume that the final vote is on Sunday. That's why I couched my remarks as I did, because we have to wait until we receive the message before you start counting days."

Hamos: "All right. Okay. Well, let me ask this..."

Madigan: "Let me add... let me add. There's the Motion to suspend the posting requirements."

Hamos: "So, let me ask the vote... the question in a different way. If it requires more than one day, is it necessary to be here on the day before the final vote?"

Madigan: "My answer to that question is basically what I've already said. Okay? That upon receipt I would expect that there'd be a Motion to suspend the posting requirement to permit a committee consideration of the Resolution. Then there'd be a requirement of Second Reading of the Resolution on the floor of the House and then there'd be a Third Reading."

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Speaker Lyons: "The Chair recognizes the Gentleman from DuPage, Representative Jim Meyer."

Meyer: "Thank you, Mr. Speaker. Mr. Speaker, I have a question. If, in fact, we do receive that document here, will we be conducting any other business in the interim between that receipt of that document and the final vote?"

Madigan: "Yeah. I would not plan consideration of other matters, but since we're here, Members are here, Members may wish to call whatever."

Meyer: "And would you need a quorum call vote indicating enough Members here in order to read it the second day and then, of course, final action would call that."

Madigan: "Our ordinary practice would be to take an Attendance Roll Call on all of these days."

Meyer: "And if you do not have a quorum, could that be read into the record for a second time that day, even though there's no quorum available?"

Madigan: "Mr. Meyer, as I'm hesitating... I can tell you my... my belief, subject to being changed by the parliamentarian. I would think that if there were a questioning of the quorum which failed, then you could not transact any business."

Meyer: "Well..."

Madigan: "Now, that's my statement and again, subject to being changed by the parliamentarian."

Meyer: "Okay. My intent is not to throw a wrench into the subject here. It's to..."

Madigan: "Well, you're doing a good job."

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Meyer: "...but only understand what the responsibility of the House Members is so that we can make appropriate plans, if we choose to support this."

Madigan: "Right."

Speaker Lyons: "The Gentleman from Lake, Representative Sid Mathias."

Mathias: "Thank you, Mr. Speaker. Is... and I'm not sure if you formulated the answer to this, but obviously because of the time frame involved, is it your intention to accept the Bill... to vote on the Bill as it comes from the Senate without attempting to make any changes to the Bill that comes over?"

Madigan: "I'm not the Sponsor of the Resolution. I presume that Mr. Franks would become the Sponsor of the Resolution and I don't plan any... I don't plan to offer any Amendments. Of course, there may be others that'll offer Amendments. I think you should understand that. I think you understand this, that were that Resolution to be amended in the House, then the Resolution would fail because of the constitutional deadline, just by virtue of the Amendment being adopted."

Mathias: "The time, yes. I understand. Thank you."

Madigan: "Now, it's... just a second. On Constitutional Amendments, everybody should understand this, on Constitutional Amendments once they're amended you've got to go back and start the clock again and read it five (5)... three (3) times in each chamber. Okay."

Mathias: "If that's the case... if that's the case, then you can't waive that right, can you? In other words, if it

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comes over on Thursday, you're saying you have to read it then on Thursday, Friday, and Saturday or some days..., obviously, leading up to a final vote on... on the third day."

Madigan: "Yes."

Mathias: "So... Okay. So, that has to be done, then we'd have to probably be in Session unless there was a Perfunctory Session where the Clerk could still read it."

Madigan: "We're not certain about all that."

Mathias: "Okay. Thank you, thank you."

Speaker Lyons: "The Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Thank you, Mr. Speaker. My question is, the deadline of Sunday is clear because it's the... the latest. What would you assume the earliest date? Would that be Saturday? The earliest?"

Madigan: "Well, again, if the message arrives on Thursday and we're able to read it on Thursday, then it could be considered on Third Reading on Saturday."

Eddy: "That's... that's the earliest and Sunday would be the latest."

Madigan: "If we get the message on Thursday and we read it in on Thursday. If we get it on Thursday, we will read it in on Thursday."

Eddy: "Okay."

Madigan: "But they may not send it until Friday."

Eddy: "Which would then extend it to Sunday?"

Madigan: "Right."

Eddy: "Thank you."

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Speaker Lyons: "The Gentleman from Cook, Representative Ken Dunkin."

Dunkin: "Thank you, Mr. Speaker. Mr. Speaker, I'm just curious as of how this Bill has become such a priority given that we just had an election a few months ago, there's going to be one at the end of the year and we still have to deal with issues of educational reform and how we fund the schools across the state, a major capital spending plan, a budget by May 31. How is it that this Bill became at the... get... got at the top of the heap in terms of priorities where we're saying Friday, Saturday, possibly Sunday?"

Madigan: "Yeah. Well, Mr. Dunkin, I think it's pretty well agreed in this Body that this has become such a priority because of Governor Blagojevich. I think that's pretty well agreed."

Dunkin: "Well, I think it's important that the... that the voters' wishes... I think that it's important that the... that voters make their determination at the ballot box, again, as they do every two (2) years in our case, every four (4) years at the constitutional level, at the Governor's level and all the other Constitutional Officers and I really think, you know, this is, you know, whatever's going to happen to the Governor or with any other officer or any other Member in this chamber or the other chamber needs to happen based on its own merit and at the ballot box. I just don't see this as a priority or Illinois voters beating down the doors or sending letters or e-mails making a major campaign of a recall. I think if we talk about reforming how we fund schools in this state, little

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children, how we pay our Medicaid bills, how we deal with the current budget that we need to deal with or address and the capital... a capital budget after almost ten (10) years, I think the people of the State of Illinois are more concerned about that than some of the other issues that may look differently to some who don't necessarily agree with everything as it relates to a recall Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Bond, Representative Ron Stephens."

Stephens: "Thank you. Mr. Speaker, last week we were... we were pretty intent on debating a Bill about redistricting and we asked for consideration of an Amendment to that legislation and you said that we couldn't be inconvenienced. I wonder what was so powerful about the redistricting legislation that many of us agree could use an Amendment that makes it different from this Bill which we don't mind the inconvenience, I support your... the Bill. I wonder what your response is to that."

Madigan: "Yeah. I'm glad you raised that question because I think your reference to my remarks concerned the Brosnahan Constitutional Amendment on redistricting and my interest relative to that Resolution was to have that considered yesterday so that given the planned Senate schedule for this week of Tuesday, Wednesday, Thursday, the Senate could consider that Resolution this week pursuant to their planned schedule. As I said in the beginning of my remarks, the House sent a House Resolution on redistricting several days ago. We did that so that the Senate had sufficient time under their planned schedule to consider

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that House Resolution. They chose not to work with the House Resolution. They chose, in effect, to take a week off from consideration of the recall matter and then use the new Senate Resolution yesterday. So, I'm simply trying to work within published schedules and be responsive to actions by the Senate. I think there's a difference between how we've considered Constitutional Amendments here and how they've done it in the Senate. As I said earlier, I've tried to do it working with the published schedules."

Stephens: "Well, that's a... that's a long response that I interpret to mean that we're doing it this way because you want to and you didn't want to... you didn't want to cooperate with us last week and I appreciate that. I appreciate the fact that you are the Speaker and you do have extraordinary ability and power here. I guess the folks that I represent want to know why can't we use that power for some very reasonable legislation. For instance, you have kept a Bill in Rules that you could move out today that has to do with tax relief for the summer for gasoline prices that are almost four dollars (\$4). You, Michael Madigan, Speaker of the House, have that ability at this moment to summon the Members of the Rules Committee, move that legislation to the floor and I dare you to do just that and let the people speak on an issue that affects every one of the families in your district. So, use your power wisely, Speaker. That's all we ask."

Madigan: "Mr. Stephens, I'd like to respond to you on your last point. Speaking personally, I would not be in favor of further depleting money in the Road Fund because I think



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it's an absolute priority that Illinois build more roads downstate, downstate, outside of the urban areas of the north."

Stephens: "I'll tell you what I'm opposed to, Mr. Speaker. I'm opposed to... to depleting the funds in the pocketbooks of the people that are paying outrageous increases in rates for gasoline. The fact that the tax relief is needed, we're talking about the sales tax on the gas, not the motor fuel tax. Give us a break, Speaker. Don't change the subject midstream. You can call that Bill out here. It'll put hundreds of dollars in the wallets of the hardworking people of Illinois. You can do it. Don't misinterpret what that Bill does. You know what it does. And we should be more concerned about the pocketbooks of the men and women of Illinois and not so concerned with continued waste of government money up here. There are more priorities, Speaker, than just the balanced book... the checkbook of the State of Illinois. The checkbooks of the men and women who keep this state going, the families of Illinois, are more important than any state agency. Bring the Bill out here. Let's vote on it. We will debate it. You can make your arguments and I'll make mine."

Madigan: "Again, Mr. Stephens, thank you and thank you for changing the topic and if it is the sales tax that you're concerned with, then I would want to spend that money on downstate school districts, so that they keep the hold harmless and the transitional assistance even though they're losing student population."

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Stephens: "You act like those are mutually exclusive and you know they're not. They are not mutually exclusive."

Speaker Lyons: "Any further questions? Seeing none, Speaker, I believe that's the last request and is there anything final you'd like to add? We're going to return to Second Readings. Members, these are... these are Amendments that just came out of Rules, so the Rules Committee Report that was read prior to the Speaker's announcement, we have a list of Bills that should be on your desk that we will be working from Second to Third. Representative Colvin, you have House Bill 2405. Representative Marlow Colvin. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2405, a Bill for an Act concerning finance. Second Reading of this House Bill. Floor Amendments 1, 2, 3 and 4, offered by Representative Colvin, have all been approved for consideration."

Speaker Lyons: "Representative Col... Representative Colvin. Take it out of the record. Representative Dan Burke, House Bill 2747. Representative Burke. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2747, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 was referred to Rules. Floor Amendments 2 and 3 have both been approved for consideration."

Speaker Lyons: "And Ladies and Gentlemen, this is a heads up. I'm working off the... it just came out of Rules... should be on everybody's desk. I'm going to work right down the list. Representative Burke."

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Burke: "Mr. Speaker, I was under the impression that this matter would be referred back to committee for consideration. I would.. I'm not prepared to proceed with this at this time."

Speaker Lyons: "Then we'll take it out of the record. Representative Connie Howard, you have House Bill 2748. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2748, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 1 and 2, offered by Representative Howard, have both been approved for consideration."

Speaker Lyons: "Representative Connie Howard."

Howard: "Thank you very much, Mr. Speaker. Floor Amendment #1 requires the Department of Corrections to issue a parole violation warrant if a parolee commits one (1) of six (6) enumerated offenses."

Speaker Lyons: "Are there any questions regarding Amendment #1? Seeing none, all those in favor of adopting the Amendment signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Anything further, Mr. Clerk?"

Clerk Mahoney: "Floor Amendment #2 has been approved for consideration."

Speaker Lyons: "Representative Howard."

Howard: "Floor.. House Amendment #2 provides that a person on parole receiving an order of protection against him shall notify his parole officer within 24 hours of being served

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with the order. This Amendment also provides that... this Amendment also adds the rules making language."

Speaker Lyons: "You seek any questions? Representative Dennis Reboletti, the Gentleman from DuPage."

Reboletti: "Well, thank you, Speaker. Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, I know that the Attorney General's a proponent of this and that it... obviously, it makes a parole officer or a parolee have to notify the parole officer that they have an order of protection. I guess my question is we can... and maybe this may not be the appropriate time and we can debate it on Third Reading, but my understanding is that orders of protection are entered into LEADS computers that the parole officer would already have access to this information and that they will be able to check and see if there was a... an active order of protection. And I see you have the Attorney General's Office with you."

Howard: "We're just attempting to codify that activity."

Reboletti: "Thank you, Representative."

Speaker Lyons: "Any further questions? Seeing none, all those in favor of adopting Amendment #2 signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. The Chair recognizes Representative Black."

Black: "I was too late and you didn't recognize me. I'll ask her on Third Reading. Thank you."

Speaker Lyons: "Anything further, Mr. Clerk?"

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

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Speaker Lyons: "Third Reading. For the purpose of an announcement, the Chair recognizes Representative Ed Acevedo."

Acevedo: "Thank you, Mr. Chairman. I rise on a point of personal privilege."

Speaker Lyons: "State your point, Representative."

Acevedo: "I'd like for yourself and other Members of the General Assembly to welcome to Springfield a group... a charter school, Namaste, that are in my district on 37th and Paulina. Welcome to Springfield."

Speaker Lyons: "The Chair recognizes the Lady from Kane, Representative Chapa LaVia, for the purpose of..."

Chapa LaVia: "Thank you... thank you, Speaker. I'm honored to stand up and welcome a group of women. It's called the American Association of University Women. It's their 127th anniversary. If we have any AAUW women, which I'm one of, they're an amazing group and they... they really do a great job in education, racial issues, what have you, so women get the best out of this country. I want to thank you for being here today. Let's give them a welcome."

Speaker Lyons: "Welcome to Springfield. Representative Gary Hannig, I believe you're running a Bill for Representative Watson, House Bill 4370. Mr. Clerk, House Bill 4370."

Clerk Mahoney: "House Bill 4370, a Bill for an Act concerning government. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Hannig, has been approved for consideration."

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Speaker Lyons: "The Gentleman from Montgomery, Representative Gary Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This is an Amendment that came from us from the Lieutenant Governor's Office and simply says that the state agency can begin a flex time or can work with us on this program at any time not just a hundred and eighty days (180) after the adoption of this Bill. So, it's just a small change and I'd ask for your adoption."

Speaker Lyons: "Any discussion? Seeing none, all those in favor of the adoption of the Amendment say 'aye'; 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. All notes have been filed."

Speaker Lyons: "Third Reading. Representative Dan Reitz, you have House Bill 4403. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4403, a Bill for an Act concerning elections. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Reis, has been approved for consideration."

Speaker Lyons: "David, I got the wrong Reis. It's Reis instead of Reitz. Representative David Reis."

Reis: "Well, which one is it? Reis, Reitz."

Speaker Lyons: "Go ahead."

Reis: "Reis. Okay. House Amendment 2 to House Bill 4403 seeks to clarify some concerns that was brought up during

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committee. Be happy to answer any question on that or just save it for Third Reading."

Speaker Lyons: "Is there anyone seeking recognition? Any questions? Seeing none, all those in favor of the adoption signify by saying 'aye'; 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, what's the status of House Bill 4612?"

Clerk Mahoney: "House Bill 4612 is on the Order of House Bills- Third Reading."

Speaker Lyons: "On the request of the Sponsor, move that Bill back to Second Reading for the purpose of an Amendment. What's your status? I believe there's an Amendment on this... on 4612."

Clerk Mahoney: "Amendment #1 was adopted to the Bill. Floor Amendment 2 was referred to Rules. Floor Amendment #3, offered by Representative Ford, has been approved for consideration."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Ford on the Amendment."

Ford: "Thank you, Mr. Speaker. I move to adopt Amendment 3 of this Bill."

Speaker Lyons: "Any questions? Representative Bellock, Representative Patti Bellock on Amendment 3. Anyone else seeking recognition? Seeing none, the Motion to adopt Amendment 3. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the

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'ayes' have it. And Amendment 3 is adopted. Anything further, Mr. Clerk?"

Clerk Mahoney: "No further Amendments. However, notes have been requested and not yet received."

Speaker Lyons: "Hold that... hold that Bill on Second Reading. Representative Patti Bellock, for what purpose do you seek recognition?"

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

Speaker Lyons: "Please proceed, Representative."

Bellock: "Thank you. Since Leader Tom Cross had to be in a meeting, I'd like to ask all the Members of the chamber to welcome his senior advisory council that's here down today visiting the State Capitol. They're up in the balcony."

Speaker Lyons: "Welcome to Springfield. Enjoy your day. Mr. Clerk, Representative Bost has House Bill 4854. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4854 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bost, has been approved for consideration."

Speaker Lyons: "The Gentleman... Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 simply changes the language so that it applies only to full-time, unionized fire departments... or fire protection districts."

Speaker Lyons: "Is there any discussion on the Amendment? Seeing none, all those in favor of the adoption of the Amendment signify by saying 'aye'; those opposed say 'no'."



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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. Representative Bost."

Bost: "Yes. Even though the Amendment has been adopted, we'd like to hold that Bill on Second."

Speaker Lyons: "Mr. Clerk, on the request of the Sponsor, move that Bill back to Second Reading. 4854, Second Reading. Representative Marlow Colvin, on page 11 of the Calendar.. on the Supplemental Calendar, you have House Bill 5037. Amendments on 5037. Mr. Clerk, what's the status of the Bill?"

Clerk Mahoney: "House Bill 5037, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Colvin, has been approved for consideration."

Speaker Lyons: "On the request of the Sponsor, we'll take that Bill out of the record. Mr. Clerk, what's the status on House Bill 5204."

Clerk Mahoney: "House Bill 5204 is on the Order of House Bills- Third Reading."

Speaker Lyons: "Bring that Bill back to the Order of Second Reading for purpose of an Amendment. Mr. Clerk, Floor Motions that are filed on House Bill 5204."

Clerk Mahoney: "On House Bill 5204, Floor Amendment #1 was adopted to the Bill. Floor Amendment #2, offered by Representative Phelps, has been approved for consideration."

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Speaker Lyons: "The Chair recognizes the Gentleman from White, Representative Phelps on the Amendment."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 5204, Floor Amendment #2 is just a correction of a drafting error. And I ask for its adoption."

Speaker Lyons: "Is there any discussion? Seeing none, all those in favor of the adoption of the Amendment signify by saying 'aye'; 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. All Motions have been filed."

Speaker Lyons: "Third Reading. Mr. Clerk, the status of House Bill 5205. Representative Wyvetter Younge. House Bill 5205."

Clerk Mahoney: "House Bill 5205, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Younge, has been approved for consideration."

Speaker Lyons: "Representative Younge on the Amendment."

Younge: "The Amendment makes the Bill subject to appropriations."

Speaker Lyons: "Is there any discussion on the Amendment? Seeing none, all those in favor of the adoption of the Amendment signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Mr. Clerk, Representative Hernandez has House Bill 5229. The status of the Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 5229, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Hernandez, has been approved for consideration."

Speaker Lyons: "Hold that Bill on Second Reading on the request of the Sponsor. What's the status of House Bill, Mr. Clerk, of 5282?"

Clerk Mahoney: "House Bill 5282, a Bill for an Act concerning local government is on the Order of Third Reading."

Speaker Lyons: "Move that Bill back to Second Reading. Are there any Amendments?"

Clerk Mahoney: "Floor Amendment #1, offered by Representative Jefferson, has been approved for consideration."

Speaker Lyons: "Representative Chuck Jefferson, we'll hold that Bill on Second Reading until we hear from the Sponsor. Mr. Clerk, what's the status of House Bill 5310?"

Clerk Mahoney: "House Bill 5310 is on the Order of House Bills-Third Reading."

Speaker Lyons: "Move that Bill back to the Order of Second Reading. Are there any Amendments, Mr. Clerk?"

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

Speaker Lyons: "Representative Bellock on the Amendment."

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Bellock: "Thank you very much. Was that on the Amendment?"

Speaker Lyons: "Excuse me, Representative."

Bellock: "I just want to adopt the Amendment."

Speaker Lyons: "Is there any discussion on Amendment #1, Mr. Clerk or Amendment #2? Is there any discussion? Seeing none, all those in favor of the adoption of the Amendment signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is amended. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Mr. Clerk, what's the status of House Bill 5703? Representative Julie Hamos."

Clerk Mahoney: "House Bill 5703, a Bill for an Act concerning aging. Second Reading of this House Bill. Floor Amendments 1, 2 and 3, offered by Representative Hamos, have been approved for consideration."

Speaker Lyons: "Representative Hamos on Floor Amendment #1."

Hamos: "Mr. Speaker, I'd like to table Amendment #1."

Speaker Lyons: "Representative, I think your Motion is to withdraw..."

Hamos: "Withdraw."

Speaker Lyons: "...Amendment #1."

Hamos: "I'm sorry, withdraw Amendment #1."

Speaker Lyons: "Representative Hamos wishes to withdraw Amendment #1. Amendment #2."

Hamos: "I'd like to withdraw Amendment #2."

Speaker Lyons: "Representative Hamos moves to withdraw Amendment #2. On Amendment #3, Representative."

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Hamos: "Thank you. Speaker, Ladies and Gentlemen, Amendment #3 incorporates Amendments #1 and 2 and also added the language with respect to rulemaking. It had no opposition in committee and doesn't have any opposition. And I'll be glad to discuss it on Third Reading."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should Amendment #3 be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #3 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative... Mr. Clerk, what's the status of 5901, House Bill 5901?"

Clerk Mahoney: "House Bill 5901's on the Order of Third Reading."

Speaker Lyons: "Move that Bill back to Second Reading for the purpose of the Amendment. Read the Amendment, Mr. Clerk."

Clerk Mahoney: "Floor Amendment #1 was adopted to the Bill. Floor Amendment #2, offered by Representative Tracy, has been approved for consideration."

Speaker Lyons: "The Chair recognizes the Lady from... on the Amendment, the Lady from Brown, Representative Jil Tracy on the Amendment."

Tracy: "Yes. Thank you, Mr. Speaker. I would like to adopt the Amendment. I wasn't aware there was an Amendment filed, but apparently the Speaker filed one for me. So, I would like to adopt it."

Speaker Lyons: "Clerk, that's Amendment #2. Mr. Clerk, Amendment #2."

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Clerk Mahoney: "Floor Amendment #2."

Speaker Lyons: "All those in favor of the adoption of the Amendment signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 to House Bill 5901 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Mr. Clerk, Representative Ron Wait has House Bill 5908. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 5908's on the Order of House Bills-Third Reading."

Speaker Lyons: "Move that Bill back to the Order of Second Reading. What's the status of the Bill, Mr. Clerk?"

Clerk Mahoney: "Amendments 1 and 2 were adopted in committee. Floor Amendment #3 was adopted by the Body. Floor Amendment #4, offered by Representative Rose, has been approved for consideration."

Speaker Lyons: "The Chair recognizes the Gentleman from Champaign, Representative Rose on Amendment #4."

Rose: "Mr. Speaker, I'm going to ask for this adoption, but I... I didn't file this Amendment. It appears to be the Speaker's general rulemaking provision which I don't have any objection to, but as the last speaker said on the last Bill, people should not be filing Amendments without talking to Members. Now, that said, this appears to be the Speaker's rulemaking provision, I don't have any problem with that, so I'm going to ask for its adoption. But I'm

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extremely concerned about the process by which this Amendment came to us today."

Speaker Lyons: "A Motion is to adopt Amendment.. Amendment #4. Representative Fritchey, do you seek recognition on the Amendment? Okay. The Motion is to adopt Amendment #4 to House Bill 5908. No further discussion, 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. Clerk, what's the status of House Bill 5970?"

Clerk Mahoney: "House Bill 5970 is on the Order of House Bills- Third Reading."

Speaker Lyons: "Move that Bill on the Order to Second Reading for the purpose of an Amendment. And what's the status of the Bill, Mr. Clerk? What's the status of the Amendment, Mr. Clerk?"

Clerk Mahoney: "Floor Amendments 1 and 2, offered by Representative Smith, have both been approved for consideration."

Speaker Lyons: "Representative Mike Smith. We'll hold that Bill on Second Reading. Mr. Status.. Mr. Clerk, what's the status of House Bill 5516?"

Clerk Mahoney: "House Bill 5516 is on the Order of Postponed Consideration."

Speaker Lyons: "Clerk, move that Bill back to Second Reading for the purpose of an Amendment. Any Amendments, Mr. Clerk?"

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Clerk Mahoney: "Amendment #1 was adopted in committee. Floor Amendment #2 was adopted by the Body. Floor Amendment #3, offered by Representative Howard, has been approved for consideration."

Speaker Lyons: "Representative Connie Howard on Amendment #3 to House Bill 5516."

Howard: "Thank you very much, Mr. Speaker. House Amendment #3, I have now lost. Can you give me a second on that, please? Thank you. House Amendment #3 adds the rulemaking language."

Speaker Lyons: "Is there any discussion on the Amendment? Seeing none, all those in favor of adopting Amendment #3 signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's been adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Clerk, what's the status of House Resolution 1008? House Resolution 1008."

Clerk Mahoney: "House... House Resolution 1008. Floor Amendment #1, offered by Representative Coulson, has been approved for consideration."

Speaker Lyons: "Representative Coulson on the Amendment to House Resolution 1008."

Coulson: "Thank you, Mr. Speaker. The Amendment removes language regarding a ratio which was at the request of the groups that we're working with because we want to be able to have the task force look at the numbers and get appropriate ratio."



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Speaker Lyons: "There any discussion? All those in favor of the adoption of the Amendment to the Resolution signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further?"

Clerk Mahoney: "No further Amendments."

Speaker Lyons: "House Resolution 1048, Mr. Clerk. Is an Amendment from Representative Poe on House Resolution 1048."

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

Speaker Lyons: "Representative Poe. Amendment #2 on House Resolution 1048. We're ready for the Amendment, Representative. Just state the Amendment."

Poe: "Mr. Speaker, Ladies and Gentlemen of the House, this Amendment, what that would do is clarify the study that the State of Illinois has commissioned. And we'd like to know what the status of the buildings in all of the State of Illinois. There's ninety-four hundred (9400) buildings and this company from Boston has evaluated them and when that report's complete, I think all the Members of the House should have that."

Speaker Lyons: "Is there any discussion? Seeing none, all those in favor of the adoption of the Amendment to the House Resolution signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Reso... the adoption of... the Amendment is adopted. Mr. Clerk, what's the status of House Joint Resolution 76?"

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Clerk Mahoney: "On House Joint Resolution 76, Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Howard, has been approved for consideration."

Speaker Lyons: "Representative, your Amendment to the Joint Resolution."

Howard: "House Resolution... House Joint Resolution 76 asks that there be a study done to determine the accountability of the community and parents for the activities of their children."

Speaker Lyons: "Is there any discussion on the Amendment? All those in favor of its adoption signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. The purpose of the announcement, the Chair recognizes the Gentleman from Cook, Representative Eddie Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This coming Monday is a special holiday for the Mexican community. Most people have been misinformed and they think that the Cinco de Mayo is the Independence Day of the Mexican... the Country of Mexico, but it's not. The 5th of May is not a Mexican Independence Day, but it should be. And Cinco de Mayo is not an American holiday, but it should be. Mexico declared its independence from Mother Spain on midnight the 15th of September 1810. And it took eleven (11) years before the first Spanish soldiers were told and forced to leave Mexico. So, why Cinco de Mayo? And why should Americans savor this day as well? Because four thousand (4,000) Mexican soldiers smashed the French

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and traitor Mexican Army of eight thousand (8,000) at Puebla, Mexico, one hundred (100) miles east of Mexico City on the morning of May 5, 1862. The French had landed in Mexico along with the Spanish and English troops five (5) months earlier on the pretext of collecting Mexican debts from the newly elected government of democratic President and Indian, Benito Juarez. The English and Spanish quickly made deals and left. The French, however, had different ideas. Under Emperor Napoleon III, who detested the United States, the French came to stay. They brought a Hapsburg prince with them to rule the new Mexican empire. His name was Maximilian; his wife, Carolota. Napoleon's French Army had not been defeated in fifty (50) years and it invaded Mexico with the finest modern equipment and with a newly reconstituted Foreign Legion. The French were not afraid of anyone, especially since the United States was embroiled in its own Civil War. The French Army left the port of Vera Cruz to attack Mexico City to the west, as the French Army assumed that the Mexicans would give up, should their capital fall to the enemy, as European countries traditionally did. Under the command of Texas-born General Zaragoza and the cavalry under the command of Colonel Porfirio Diaz, later to be Mexico's President and dictator, the Mexicans awaited. Brightly dressed French Dragoons led the enemy columns. The Mexican Army was less stylish. General Zaragoza ordered Colonel Diaz to take his cavalry, the best in the world, out to the French flanks. In response, the French did the most stupid thing; they sent their cavalry off to chase Diaz and his men, who proceeded

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to butcher them. The remaining French infantrymen charged the Mexican defenders through sloppy mud from a thunderstorm and through hundreds of head of stampeding cattle stirred up by Indians armed with only machetes. When the battle was over, many French were killed or wounded and the cavalry was being chased by Diaz' superb horsemen miles away. The Mexicans had won a great victory that kept Napoleon III from supplying Confederate rebels for another year allowing the United States to build the greatest army the world has ever seen. This grand army smashed the Confederates at Gettysburg just fourteen (14) months after the battle of Puebla, essentially ending the Civil War. Union forces were then rushed to Texas and Mexican border under General Phil Sheridan who made sure the Mexicans got all the weapons and ammunitions they needed to expel the French. American soldiers were discharged with their uniforms and rifles if they promised to join the Mexican Army to fight the French. The American Legion of Honor marched in the Victory Parade in Mexico City. It might be a historical stretch to credit the survival of the United States to those brave four hundred (sic-thousand) (4,000) Mexicans who faced the army twice as large in 1862, but who knows? In gratitude, thousands of Mexicans crossed the border after Pearl Harbor to join the U.S. Armed Forces. As recently as the Persian Gulf, Mexicans flooded American consulates with phone calls trying to join up and fight another war for America. Mexicans, you see, never forget their friends and neither do the Americans. That's why Cinco de Mayo is such a

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party, a party that celebrates freedom and liberty. There are two (2) ideals when Mexicans and Americans have fought shoulder to shoulder to protect ever since the 5th of May, 1862. Ladies and Gentlemen, we would like you to join us on behalf of the Latino Caucus at the Inn at 835 today to celebrate Cinco de Mayo on behalf of the Latino Caucus from the hours of 5 to 10. All are invited including staff. Thank you so much."

Speaker Lyons: "Thank you, Representative Acevedo, on the Cinco de Mayo celebration tonight and the information on the reading of the history. Mr. Clerk, what's the status of House Bill 4403?"

Clerk Mahoney: "House Bill 4403 is on the Order of House Bills—Third Reading."

Speaker Lyons: "On the request of the Sponsor move that Bill back to Second Reading. Agreed Resolutions, Mr. Clerk."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1238, offered by Representative William Davis. House Resolution 1239, offered by Representative Reis. House Resolution 1240, offered by Representative Osmond. House Resolution 1241, offered by Representative Currie. House Resolution 1242, offered by Representative Black. House Resolution 1243, offered by Representative Younge. House Resolution 1244, offered by Representative May. House Resolution 1245, offered by Representative Holbrook. House Resolution 1247, offered by Representative Chapa LaVia. House Resolution 1248, offered by Representative Collins. House Resolution 1249, offered by Representative Collins. House Resolution 1250, offered by Representative

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Collins. And House Resolution 1251, offered by Representative Collins."

Speaker Lyons: "All those in favor of the Agreed Resolutions signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolutions are adopted. Ladies and Gentlemen, you were given the lilac committee schedule, but Mr. Clerk, maybe we could have you go through committee schedule on the lilac piece of paper that was handed out earlier. Mr. Clerk."

Clerk Mahoney: "Immediately following Session the Appropriations and Human Services Committee will meet in Room 114, Appropriations-Higher Education will meet in Room 118, Disability Services will meet in Room 115, Homeland Security and Employment (sic-Emergency Preparedness) will meet in Room 122-B, Health Care Availability & Access will meet in Room C-1, Juvenile Justice Reform will meet in Room D-1. Two committees have been canceled for that time slot: Telecommunications which was to meet in C-1 was canceled, Railroad Safety that was to meet in Room 115 was also canceled. A half hour following Session Judiciary-Criminal Law will meet in Room 122-B and Financial Institutions will meet in Room D-1. Registration & Regulation was canceled which was to meet in that time slot in C-1, Reg & Reg was canceled in C-1. One hour following Session Higher Education will meet in Room C-1 and the Computer Technology Committee that was to be in D-1 has been canceled. Computer Technology has been canceled."

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Speaker Lyons: "The Chair recognizes the Gentleman from Fulton, Representative Mike Smith, for what purpose do you seek recognition, Representative?"

Smith: "Thank you, Mr. Speaker. For an announcement. If I could add to what the Clerk just read, for Members of the Elementary & Secondary Education Committee, our meeting is canceled tomorrow morning. That's Elementary & Secondary Education at 9 a.m. is canceled."

Speaker Lyons: "Tomorrow morning's Elementary & Secondary Education meeting has been canceled. Anything further? And the Health Care Availability & Access Committee that was scheduled for 3:00 or immediately after Session in C-1 has also been canceled. Anything further? Seeing no further business to come before the House this afternoon, Representative Gary Hannig moves that the House stand at recess, allowing perfunctory time for the Clerk. We will readjourn tomorrow at... we will adjourn tomorrow, Thursday, May 1, at the hour of 10:30 a.m. All those in favor of the Motion to adjourn signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And we will reconvene tomorrow at 10:30 a.m. Have a great evening everyone."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Ryg, Chairperson from the Committee on Disability Services, to which the following measure/s was/were referred, action taken on April 30, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #5 to House Bill 5574. Representative Harris,

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Chairperson from the Committee on Homeland Security & Emergency Preparedness, to which the following measure/s was/were referred, action taken on April 30, 2008, reported the same back with the following recommendation/s: 'do pass as amended Standard Debate' on House Bill 5756. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on April 30, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 4857, Floor Amendment #3 to House Bill 5469, Floor Amendment #2 to House Bill 5687; 'do pass Short Debate' is House Bill 5801. Representative Boland, Chairperson from the Committee on Financial Institutions, to which the following measure/s was/were referred, action taken on April 30, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is House Joint Resolution 105. Representative McCarthy, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on April 30, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is House Joint Resolution 97, House Resolution 1006, House Resolution 1070. Introduction and reading of House Bills-First Reading. House Bill 6339, offered by Representative Hoffman, a Bill for an Act concerning appropriations. House Bill 6340, offered by Representative Black, a Bill for an Act concerning education. House Bill 6341, offered by Representative Ford, a Bill for an Act concerning



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education. And House Bill 6342, offered by Representative Ford, a Bill for an Act concerning revenue. Introduction and reading of Senate Bills-First Reading. Senate Bill 2338, offered by Representative Lyons, a Bill for an Act concerning regulation. There being no further business, the House Perfunctory Session will stand adjourned."