

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

262nd Legislative Day

5/7/2008

Speaker Hannig: "The hour of 11:00 having arrived, the House will be in order. The Members will be in their seats. Members and guests are asked to refrain from starting their laptops. Turn off all cell phones and pagers and rise for the invocation and for the Pledge of Allegiance. We shall be led in prayer today by Dr. Don Miller, who is the pastor of Coal Creek Bible Church in Fairview, Illinois. Dr. Miller is the guest of Representative Smith."

Pastor Miller: "Let us pray. Almighty God, we humbly and yet confidently call upon You today and ask that You would grant wisdom, strength, and courage to those assembled here. We thank You for being so gracious to us that You've granted us the privilege of calling the greatest nation on earth our home. A nation built on the ideals of liberty, freedom and opportunity where even a meager farm kid can grow up and be granted such a privilege as I have been granted today. As voices are heard and decisions are made, it is my prayer that You grant unity over discord, clarity over confusion, and may each of us be free from pride and arrogance. With hearts of gratitude and appreciation, we today remember the brave men and women from Illinois who are faithfully serving their country. Grant them safety and may their families know how much their sacrifices are appreciated. We also thank You for those who work so hard each day throughout our state, people whose diligent efforts so often go unnoticed. It is not our prayer that You bless what we do, but rather may we do what You bless. I pray this in the name of Jesus, my Lord, Amen."

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

262nd Legislative Day

5/7/2008

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

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

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

Currie: "Thank you, Speaker. Please let the record reflect that Representatives Dunkin, Flowers, Gordon, Washington, and Rich Bradley are excused today."

Speaker Hannig: "And Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives Watson, Tracy, and Mulligan are excused today."

Speaker Hannig: "Mr. Clerk, take the record. There are 109 Members answering the Roll Call, a quorum is present. Representative Verschoore, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Verschoore: "I'd like everyone to join me in giving a Springfield welcome to fifty-four (54) junior high students from Westmer School District, which is my district. They're over here and a few in the back. So, thanks a lot."

Speaker Hannig: "Welcome to Springfield. Representative Cole, for what reason do you rise?"

Cole: "A point of personal privilege, please, Mr. Speaker."

Speaker Hannig: "State your point."

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

262nd Legislative Day

5/7/2008

Cole: "I have a Girl Scout group from Woodland Middle School here today, 3574: Molly, Nia, Morgan, Bridget, Sierra and Stephanie. Please join me in thanking them for coming to Springfield and welcome."

Speaker Hannig: "Welcome to Springfield, ladies. Representative Eddy, for what reason do you rise?"

Eddy: "A point of personal privilege."

Speaker Hannig: "State your point."

Eddy: "I also want the House to please welcome a group of Girl Scouts from Crawford County, Illinois, to the Capitol today."

Speaker Hannig: "And welcome to Springfield as well. Mr. Clerk, read the Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Howard, Chairperson from the Committee on Juvenile Justice Reform, to which the following measures were referred, action taken on May 7, 2008, reported the same back with the following recommendations: 'recommends be adopted' is Floor Amendment #1 to House Bill 2310 and Floor Amendment #6 to House Bill 4988. Representative Nekritz, Chairperson from the Committee on Railroad Safety, to which the following measures were referred, action taken on May 7, 2008, reported the same back with the following recommendations: 'recommends be adopted' is Floor Amendment #4 to House Bill 5159. Representative Mendoza, Chairperson from the Committee on Drivers' Education & Safety, to which the following measures were referred, action taken on May 7, 2008, reported the same back with the following recommendations: 'recommends be adopted' is Floor

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

262nd Legislative Day

5/7/2008

Amendment #1 to House Bill 4861. Representative Jakobsson, Chairperson from the Committee on Human Services, to which the following measures were referred, action taken on May 7, 2008, reported the same back with the following recommendations: 'recommends be adopted' is Floor Amendment #3 to House Bill 5492. Representative Dugan, Chairperson from the Committee on State Government Administration, to which the following measures were referred, action taken on May 7, 2008, reported the same back with the following recommendations: 'do pass Standard Debate' is House Bill 6334. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measures were referred, action taken on May 7, 2008, reported the same back with the following recommendations: 'recommends be adopted' is Floor Amendment #3 to House Bill 838, and Floor Amendment #1 to House Bill 5801; 'do pass as amended Short Debate' is House Bill 5845. Representative Lang, Chairperson from the Committee on Gaming, to which the following measures were referred, action taken on May 7, 2008, reported the same back with the following recommendations: 'recommends be adopted' is Floor Amendments 2 and 3 to House Bill 4758. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measures were referred, action taken on May 7, 2008, reported the same back with the following recommendations: 'do pass as amended Short Debate' is House Bill 5032. Representative Holbrook, Chairperson from the Committee on Environment & Energy, to which the following measures were referred,

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

262nd Legislative Day

5/7/2008

action taken on May 7, 2008, reported the same back with the following recommendations: 'recommends be adopted' is Floor Amendment #2 to House Bill 4762. Referred to the House Committee on Rules is House Resolution 1272, offered by Representative Jakobsson."

Speaker Hannig: "On Supplemental Calendar #1, under the Order of House Bills-Second Reading, is House Bill 6334. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 6334, a Bill for an Act concerning appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Biggins, for what reason do you rise?"

Biggins: "Well, Mr. Speaker, thank you for recognizing me. I'd like to also recognize in the gallery the fine Chamber of Commerce from the Village of Westchester in Cook County, part of my district. Also, Karen Yarbrough represents part of the chamber... part of Westchester. Would they... Please acknowledge them in the gallery, the Westchester Chamber of Commerce."

Speaker Hannig: "Welcome to Springfield. We're going to begin with some Third Reading Bills. Representative John Bradley, you have House Bill 562. Representative Bradley? Out of the record. Representative Bellock, you have House Bill 4747. Mr. Clerk, read the Bill. Pardon? Okay. I'm advised, Representative Bellock, that we need to adopt an Amendment. So, Mr. Clerk, is there an Amendment that's pending?"

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

262nd Legislative Day

5/7/2008

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

Speaker Hannig: "So, Representative, would you wish to return this to Second Reading and adopt the Amendment? Do you wish to return it to Second? You just want to proceed. Okay. So, Mr. Clerk, read the Bill on Third."

Clerk Mahoney: "House Bill 4747, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. This Bill allows the Illinois Housing Development Authority to make or purchase... or participate in mortgage loans to parents of children with disabilities and mental illness to finance the purchase of a home."

Speaker Hannig: "The Lady has moved for the passage of House Bill 4747. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed... Excuse me. Is there a question?"

Bellock: "That was putting the Amendment on?"

Speaker Hannig: "Okay."

Bellock: "Right."

Speaker Hannig: "My apologies, Representative, I thought we were going to proceed without the Amendment."

Bellock: "Oh, I'm sorry. I thought we were adopting the Amendment."

Speaker Hannig: "Okay. So, there... So, Mr. Clerk, let's move this back to the Order of Second Reading."

Bellock: "Okay."

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

262nd Legislative Day

5/7/2008

Speaker Hannig: "And now the Lady has explained the Amendment. All in favor of the Amendment say 'aye'; opposed 'nay'. The Amendment is adopted. Are there any other Amendments, Mr. Clerk?"

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

Speaker Hannig: "Okay. So, we'll move this back to Third Reading now. Okay. Representative Bost, you have House Bill 5546. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5546, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Bost."

Bost: "Yes, thank you. Mr. Speaker, is there an Amendment for that?"

Speaker Hannig: "Mr. Clerk, could you tell us the status of any impending Amendments?"

Clerk Mahoney: "Floor Amendment #2 was adopted to the Bill. Floor Amendment #1 was withdrawn."

Bost: "That's fine. Thank you."

Speaker Hannig: "So you wish to proceed?"

Bost: "Yes, Mr. Speaker. Thank you."

Speaker Hannig: "Okay. So, Representative Bost."

Bost: "House Bill 5546, it simply provides that if a military person is stationed overseas for ninety (90) days or more that their license fee cost will be reduced to half price. Be glad to answer any questions."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 5546. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted

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

262nd Legislative Day

5/7/2008

who wish? Have all voted who wish? Have all voted who wish? Representative Patterson and Colvin, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Turner... Representative Brauer, you have House Bill 5621. Representative Brauer. Out of the record. Representative Chapa LaVia, you have House Bill 4139. Do you wish us to read this Bill? What do you think, read the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4139, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Chapa LaVia."

Chapa LaVia: "Yes, Speaker and Members of the House. This Bill has to do with agencies, our universities and our community colleges as far as giving the police officers who are on the campus of those... those institutes the ability to carry their weapons, if they are certified to carry their weapons on campus. Some of the universities have called and voiced their concerns about this. But with the recent shooting at Northern, I put this Bill in last year to see if we'd get any opponents onto it, but since then and the issues that happened at Northern, their police force was armed. There are some issues with the municipalities as far as who's able to carry on the campuses, but we're going to be ironing those issues out in the Senate. I do not have any opposition at this time to this Bill."

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

262nd Legislative Day

5/7/2008

Speaker Hannig: "The Lady has moved for the passage of House Bill 4139. And on that question, the Lady from Kane, Representative Lindner."

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

Speaker Hannig: "Indicates she'll yield."

Lindner: "Can you tell us what the practice was before? Did each campus determine this or... before this, what happened?"

Chapa LaVia: "Yeah, that's correct, Representative. The campus board of directors, if you will, would decide whether or not their police officers, regardless if they were certified to carry and certified by the state, were unallowed to do so based on university procedures."

Lindner: "And at one time the junior colleges, I think, were against this. Are they on board now?"

Chapa LaVia: "Right, right. Yes, they are."

Lindner: "They are, okay."

Chapa LaVia: "And specifically Waubonsee."

Lindner: "Okay."

Chapa LaVia: "And the person who brought this Bill are the Illinois Police Association and the Association of Chiefs of Police is for it, the Illinois Campus Law Enforcement Administration. Roy Garcia is the one that brought this to me from Aurora University. So they've talked it over with Waubonsee and some of the community colleges and although it's not perfect for them, they do agree the safety of their students and the teachers, faculty is very important."

Lindner: "Thank you very much."

Speaker Hannig: "Representative McCarthy."

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

262nd Legislative Day

5/7/2008

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

Speaker Hannig: "Indicates she'll yield."

McCarthy: "Representative, I'm sorry that it... I'm still trying to get my computer up and running here and now is this... is this the Bill that we talked about a long time ago that overrules the university's decision..."

Chapa LaVia: "Correct."

McCarthy: "...as to whether or not to allow their peace officers to carry their weapon?"

Chapa LaVia: "Correct, if the officers are certified. I mean, they're a police department... I mean poli... just like our regular law enforcement that's certified to carry, they have to go through all the mental analysis of capacity to carry. And that's why one of the opponents on here is the Coalition Against Domestic Violence, 'cause they thought that they weren't restrained by the same issues that law enforcement period is as far as mental capacity to carry a weapon, but they are and if there's any domestic violence in that officer's history, then they're taking away their right to carry. But yes, initially, that was and this was last year when this came in discussion. So, now, in this year in light of what happened at Northern and talking with the Illinois Campus Law Enforcement Administration and all of the universities and community colleges, they've come to the realization that today is... was not two (2) years ago, and the safety of our kids on the campus and faculty has totally changed with issues of terrorism, with bomb threats. And there's more that we need to be working on

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

262nd Legislative Day

5/7/2008

but this is just, they felt, a start to get in the door of making sure that everybody's protected on the campuses."

McCarthy: "I think that, of course, is a lofty goal. And I finally got this thing up and running, so I see that this came through Judiciary, not Higher Education, which we thought it was going to come through earlier. And I think you know, that at the time when we first discussed it, there were universities who have chosen... the private universities have chosen that they will not..."

Chapa LaVia: "Right."

McCarthy: "...honor, request to have their university police carry weapons. They don't feel it's in their best interest."

Chapa LaVia: "Okay."

McCarthy: "And I remember I expressed to you at the time that I think they have a right as a university to stand up and say, if we think it's in our best interest for our... you know..."

Chapa LaVia: "Right."

McCarthy: "...the atmosphere in our university not to have this..."

Chapa LaVia: "Right."

McCarthy: "...to overrule them on behalf of the officers that are probably part-time there, full-time on another force, I just don't understand the rationale for that."

Chapa LaVia: "Well, I don't mind. I don't mind to keep the discussion open, but sometimes we do laws down here that most people don't like for the safety of the well-being of the citizens of the state, whether it's, you know, stop smoking ban. You know, whether it's seatbelts."

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

262nd Legislative Day

5/7/2008

McCarthy: "Right."

Chapa LaVia: "This is another thing..."

McCarthy: "And this does cover..."

Chapa LaVia: "...a tragedy... it's a tragedy that we have to come to this."

McCarthy: "I agree."

Chapa LaVia: "But if Northern didn't have their police officers armed and that... it was their procedure to have them armed, they were qualified, they were certified to carry, that situation could have turned out differently. Even though the kid did end up, you know, committing suicide quickly, it could have turned out totally different. So I understand the concerns and fear... and the fear."

McCarthy: "I don't want to argue about Northern. I don't want to argue about what..."

Chapa LaVia: "And the fear."

McCarthy: "Yeah. I don't want to argue about what happened in DeKalb."

Chapa LaVia: "Right."

McCarthy: "But because that individual took his life himself at the end of it, whether they had weapons or not made really little difference to the total outcome. He decided to kill himself after he shot the five (5) people, so, I mean..."

Chapa LaVia: "Right."

McCarthy: "...whether the guys came, and they did come later with weapons..."

Chapa LaVia: "Right."

McCarthy: "...but at that point it made no big difference."

Chapa LaVia: "Yeah."

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

262nd Legislative Day

5/7/2008

McCarthy: "But I really think that the... the right of the universities to stand up and say we feel that the atmosphere we want to have, we do not want our police walking around with weapons on them. I mean, we have countries that feel that way and they have a much less murder rate than the United States of America. So, I just... I think that this is a right of a university. I mean, they're up there, if they want to make the decision, I think it's their right to make that decision and us overruling them and telling them that the people that they hired that are trained police officers from another jurisdiction should be able to overrule the individual university, I think is all wrong and I'll be voting 'no'."

Chapa LaVia: "Yeah and I understand it..."

McCarthy: "And I would hope that the Body would look at this very, very carefully."

Chapa LaVia: "And I respect your decision on that. I had a discussion about... I mean, since this came from a private university, Aurora University, 'cause the president of the Illinois Campus Law Enforcement Administration is from Aurora University and I did, like I said, I know our discussions and things have changed since even when... since we've talked about it and the situations, that I would be willing to negotiate, sitting down and manipulating this so it's the state universities, 'cause they get dollars from us."

McCarthy: "Yeah."

Chapa LaVia: "So I'd be willing to massage this, to sit down and discuss stuff. I have no problem with that."

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

262nd Legislative Day

5/7/2008

McCarthy: "That's... that's what I had hoped for, when I thought it was coming through Higher Education. I thought we'd do it that way. And I'm not blaming you in any way. None of us know how Bills end up in certain committees as opposed to others."

Chapa LaVia: "Right."

McCarthy: "So, I don't think there's any kind of chicanery here."

Chapa LaVia: "Yeah."

McCarthy: "But I can promise you if it would have come through Higher Ed I think we would have had a more difficult time and a longer discussion to work out some of those kinks before it went forward. So I would urge the Members of the Body to look at this very carefully and vote 'no' or 'present'."

Chapa LaVia: "Okay."

Speaker Hannig: "Representative Pritchard."

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

Speaker Hannig: "Indicates she'll yield."

Pritchard: "Representative, there's a number of communities and universities that have created gun free zones. Does this legislation do anything to deter their rights to try to prevent guns from coming into certain areas?"

Chapa LaVia: "No, this is solely for the police departments or the law enforcement agents of that campus university to be able to carry their weapon."

Pritchard: "Do you have examples of where law enforcement agents have not been able to control a situation because they weren't given the opportunity to carry deadly force?"

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

262nd Legislative Day

5/7/2008

Chapa LaVia: "Well, the study that was done, and we can go on a pretty lengthy discussion on this if you wish, the study that was done from the Virginia Tech and the other two (2) campuses have... are the reason for the discussion of this piece of legislation with the campus police association or law enforcement. On the issues of reactory... reaction time to the issue, I mean, the thing that happened on your campus was tragic and yes, he did commit suicide; however, had there been a police officer that was a student in that classroom and was certified to carry a weapon, he would have been able to do so, and I'm sure the time on the... the reaction time would have been a lot quicker. But there are findings, and if you'd like, I can discuss that with you. We can get you the information on that."

Pritchard: "Thank you. I understand that in this Bill you've also put in some very good precautions about the suitability of the officer to carry a weapon. Could you enumerate what some of those precautions are?"

Chapa LaVia: "Hold on one second."

Pritchard: "While you're looking for that, I think it is important that we understand that this legislation does require certain proficiencies and certain abilities. Certainly, if the officer is unsuited and doesn't do training, those would obviously be logical reasons why an individual would not be granted the authority to carry a weapon."

Chapa LaVia: "Correct. Correct, Representative. It is the same situations that we would require our law enforcement in the state, whether it's State Police, whether it's a

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

262nd Legislative Day

5/7/2008

police department in the state and municipality to have the same requirements. They have to go through the same training, the mental faculty of that person, et cetera, et cetera. No priors as far as domestic violence and what have you and so forth and so forth. I mean, the restrictions are very high. These aren't... these aren't security guards, they're officers. They're sworn in officers for the state..."

Pritchard: "And I would just say, Mr. Speaker, to the Bill, that I think we have to be realistic and understand that in any given situation when an individual wants to do harm to others and carries a dangerous weapon, be that a gun or a bomb, or some other device, that police officers and justice of the peace have to have means to counteract that. As the Sponsor of this legislation has indicated so clearly, in the case of Northern Illinois University many of us have wondered and I think the same could be true with Virginia Tech and many of the other universities, that if there was a second gun in that room by a person that was trained and well-qualified, might they have been able to control and limit the amount of danger and loss of life that has occurred. I think it's very prudent that we move cautiously in this area, but I think this legislation gives us that good caution and a good standard that we should move forward and I encourage everyone's support of this legislation."

Speaker Hannig: "So we've had two (2) speak in favor and two (2) in response. Representative Black, you're recognized next for 5 minutes."

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

262nd Legislative Day

5/7/2008

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

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

Black: "Representative, since we first discussed this Bill I have been contacted by some community college trustees. Let me share their concerns with you. Let's say that an elected board of trustees at a community college, a smaller college in all likelihood, was to pass a resolution of the board saying we do not want and will not allow an armed security guard on our campus in our employ. Some of the trustees say that this Bill would override their authority to make such a resolution."

Chapa LaVia: "It's not security guard. They have to be a police, peace officer, law enforcement. Security guard, this is not giving them the ability to carry. It's only for law enforcement, sworn officers of the State of Illinois. It has nothing to do with security guard."

Black: "So, in other words, if the institution does, in fact, not hire nor have in their employ a peace officer under the laws of the State of Illinois..."

Chapa LaVia: "This wouldn't affect them."

Black: "...this would not affect them at all."

Chapa LaVia: "No. This is for law enforcement, certified law enforcement agents of the State of Illinois..."

Black: "Okay."

Chapa LaVia: "...that are campus police. Police is and law enforcement are the key words here."

Black: "Okay."

Chapa LaVia: "You can't have security for... security guards."

Black: "Okay. So..."

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

262nd Legislative Day

5/7/2008

Chapa LaVia: "Cause I used to be a security guard. I used to be a security guard for metro... metropolitan in Aurora and I was armed, but this would not pertain to me. They can't hire security guards..."

Black: "Okay."

Chapa LaVia: "...and have them armed and then fall under this piece of legislation."

Black: "Yes."

Chapa LaVia: "It doesn't do it."

Black: "I recall reading that when you were a security guard there was absolutely no crime in your area."

Chapa LaVia: "Absolutely."

Black: "So, I know you did a good job."

Chapa LaVia: "I did a phenomenal job."

Black: "What happens if the human resources office hires a campus security officer and unbeknownst to the human resource officer, that person is, in fact, a sworn peace officer or was at one time let's say had retired from the Illinois State Police. Then the retired trooper shows up on campus with his or her gun. The board of trustees said, no, no, no, we don't want that on our campus. It seems to me we have a confrontation then between who runs that campus, the board of trustees or the sworn officer who's coming out of retirement to be a campus security officer who now says, you hired me, I'm a retired trooper and I am going to carry my weapon."

Chapa LaVia: "This only pertains to qualified and individuals that are certified. If you're talking about... didn't we

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

262nd Legislative Day

5/7/2008

just pass a piece of legislation allowing retired law enforcement..."

Black: "I believe we did."

Chapa LaVia: "...to carry weapons?"

Black: "Yes."

Chapa LaVia: "I'd have to check into that a little bit more, but I'm sure, I'm pretty sure it's active..."

Black: "Okay."

Chapa LaVia: "...law enforcement agents. It's not retired."

Black: "So, it's your intent that no campus will be, as a result of this law, no campus will be put into a position whereby they have to say it is our policy that our campus officers not be armed? So, it isn't retrospective then, is it? If they currently have a campus, whatever they call them, security officers, police force, but by action of that board they are not allowed to carry weapons, would this Bill then overrule what had been a resolution of the board for twenty (20) years?"

Chapa LaVia: "Yes. If... not security guard. Once again, they're not security guard."

Black: "Right."

Chapa LaVia: "Most campuses, the universities more so than the community colleges, have campus police. Police and law enforcement, key words. They can't be security guards; they have to be sworn in officers in the State of Illinois. Then they have the ability to carry their weapons if they're certified to carry their weapons. So we overrule them on that issue, okay."

Black: "Okay."

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

262nd Legislative Day

5/7/2008

Chapa LaVia: "But if it's a community college though that doesn't have a police force then they're not... they don't have to do anything. We're saying if you have a police force active on your campus and they're certified by being certified annually and have the mental capacity and have nothing in their backgrounds to take it away from them, that they should have the ability to carry their weapons on that campus."

Black: "Regardless of the board policy."

Chapa LaVia: "Regardless of what the board feels or what they think. Just because we live in a day and time where we have people that are mentally ill out..."

Speaker Hannig: "Representative, your time has expired. Would you like to finish answering the question, Representative, and then we'll let Representative Black finish his remarks."

Chapa LaVia: "Unfortunately, we live in a time and a place where we have people that have mental issues and that are found on the campus with our most precious possessions. I mean, very few of our kids get to college these days, everybody. And once they're there I'm sure the parents and the kids should be... I mean, we have the ability to make sure that they're safe."

Black: "Thank you very much, Mr. Speaker, and thank the Sponsor for her answers. I really think we have a definitional problem here. I'm not sure of the distinction between a security guard and a sworn peace officer; they may be one and the same. I'm just not sure under Illinois law and I

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

262nd Legislative Day

5/7/2008

think that's a critical part of this Bill. But I thank you for your time, Mr. Speaker."

Speaker Hannig: "We've had three (3) speak in response and two (2) in support and the rules would provide for one additional speaker in support. Does anyone wish to speak in support? Representative Riley in support? Okay. Representative Fritchey in support? No? In support, Representative. Representative Fritchey."

Fritchey: "I actu... I actual... I may be. I've got a question and I think it will be helpful. I think the Sponsor would agree to that to get this on the record. You're trying... you're trying to draw a distinction between a security guard and a peace officer. Are you sure, and I'm asking this in all good faith, that the distinction you're trying to draw is a correct one? Under the statu... under the statutes that we had looked at, I believe that a security guard would be considered to be a peace officer under the provisions of the Illinois statutes."

Chapa LaVia: "Okay. The intent... the intent of this legislation is to exclude security guards from this piece of legislation as it lies in statute today."

Fritchey: "I understand that and the Speaker called on me in good faith, though, I'm not going to... I'm not going to derail that. I will say that be cautious because I'm not sure your intent, your stated intent in this case could contravene the language of the statutes. So I just wanted to raise that."

Chapa LaVia: "Right."

Fritchey: "I'm going to keep my comments neutral."

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

262nd Legislative Day

5/7/2008

Chapa LaVia: "Right. And I know speaking, if the Bill passes out of here we will be working on an Amendment for two (2) areas that I see right now. And I've already discussed this with the Senate Sponsor so..."

Fritchey: "Thank you, Speaker."

Speaker Hannig: "Representative Chapa LaVia to close."

Chapa LaVia: "I want to thank all my colleagues for their spirited debate. It's always an honor to be able to be able to speak about Bills to get more different ideas and general ideas. I think this is a very important piece of legislation, although not everybody is happy with it, but we're at a time and a place in our history where I have constituents now that call universities and say do you have a police force on campus that's armed. Because of all the things we live with, our children shouldn't have to. So, I hope to have the support of the Body to move this through. It might need a little mending on the other side, but I think it's a start. Thank you for your discussion. I'd hope an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Osterman, Feigenholtz, Burke, Black, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 91 voting 'yes' and 18 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Sacia, for what reason do you rise?"

Sacia: "Point of personal privilege."

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

262nd Legislative Day

5/7/2008

Speaker Hannig: "State your point."

Sacia: "Ladies and Gentlemen of the House, along with having the privilege of being a State Representative, I have the privilege of representing the greatest area in Illinois, that being Jo Daviess County. We have visiting with us today a group from Galena which is in Jo Daviess County. And I would like to mention to you on June the 13th and the 14th, the Tourism Committee has already been invited there, but we have quite an event planned in Jo Daviess County for the weekend for Legislators. We have an opportunity with some of the bed and breakfasts and other agencies in that area to get a state rate. And it's a great opportunity for everyone to visit one of the greatest areas of this great state on June the 13th and 14th. But would you welcome Mayor Tom Brusch, a group from Galena as well as Dubuque, Iowa. They're up there on the Democrat side. Thank you."

Speaker Madigan: "Speaker Madigan in the Chair. Would the staff retire to the rear of the chamber and would the Members please take their seats for the purpose of some remarks from a special guest. So, again, if the Members would please take their seats. We're very pleased today to have with us a very special guest, Mr. Georges Rioux is the Consul General from the government of Canada to three states in the Midwest; Illinois, Wisconsin and Missouri. We're all relatively familiar with the relationship between our country and the country of Canada. For as long as I can remember it's been a very peaceful border, although early in our history there were times where there were disagreements. We're pleased that there is a harmonious

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

262nd Legislative Day

5/7/2008

relationship now between America and Canada and there are several issues where the Canadian government interacts with the government of the State of Illinois and the other governments of the Midwest. And so let me present to you the Consul General to the Midwest from the Canadian government, Mr. Georges Rioux."

Consul General Rioux: "Mr. Speaker, Ladies and Gentlemen of this distinguished House on behalf of the government of Canada, best greetings and it's really a pleasure to be here this morning. I want to thank you for this honor and I would like to thank you for taking time from your busy agendas this morning to greet me. This is the third time that I have visited Springfield during my tenure in the Midwest. I've only been here a year and a half and I'm always pleased to be here in the heartland of this wonderful country. Actually, as one of the first French Canadians to be posted as Consul General to the Midwest and Chicago, in particular, I feel right at home with all your French names and your fine history. Illinois is the crossroads of the continent and Canadian ties here run deep. Some of you may not realize that Canada is your state's number one trading partner, as we are for 35 other states. Last year cross border trade between Canada and the Land of Lincoln was a whopping thirty-seven point eight billion dollars (\$37.8). In fact, the states I cover, Illinois, Missouri, and Wisconsin do more trade with Canada than we do with the twenty-seven-member countries of the EU combined. Many people I know would guess that China or India is this country's largest trading partner. But here

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

262nd Legislative Day

5/7/2008

is an interesting not, for every dollar you sell to China, you sell four (4) to Canada and three (3) to Mexico. Illinois and Canadian-U.S. trade supports more than three hundred thousand (300,000) jobs in this state. In other words, NAFTA and free trade has yielded positive results for us all. When it comes to energy, Canada and Illinois have another win-win story. For the past several years, Canada has been the largest supplier of energy to Illinois. Nationwide, Canada is a proven partner in sustaining North American energy and economic security. We are now the USA's single largest and most reliable source of energy. Last year we supplied about 18 percent of your imports of crude and refined oil products, more than any other country in the world. In addition, Canada provided 86 percent of all of your natural gas imports and approximately one-third of the uranium used in your nuclear power plants and quite a chunk of it used right here in Illinois. In five (5) to six (6) years when the Wood River refinery has been upgraded, three (3) of Illinois's largest refineries will be refining 100 percent of Canadian oil. We also have a strong common interest in promoting energy efficiency and in developing and deploying new and cleaner energy technologies. We are working together on energy, science and technology, stimulating innovation as I know you are doing at many fine universities and laboratories in your state. We are also joint custodians of this other life-giving resource that are the Great Lakes. We are truly fortunate to share what is surely one of the best pieces of real estate in the world. We are indeed a global village

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

262nd Legislative Day

5/7/2008

with a global economy, and the action of one country undoubtedly impacts on the other. I am confident, that going forward, Canadians and Americans alike, will meet the challenges what lie ahead.. which lie ahead. We will confront them by being strong at home, strong internationally and most importantly by being strong partners. This is what North American competitiveness is all about. Thank you again for this great honor and I wish you the best of luck for the end of your Session."

Speaker Madigan: "The Consul General will be available in the well to greet those who wish to spend time talking to him. So, Georges, thank you very, very much for joining us and for your very kind remarks and Mr. Hannig will resume the Chair. Mr. Hannig."

Speaker Hannig: "Mr. Clerk, would you read House Bill 2248."

Clerk Mahoney: "House Bill 2248, a Bill for an Act concerning regulation. Second Reading of this House Bill. Floor Amendments 1 and 2, offered by Representative Turner, have both been approved for consideration."

Speaker Hannig: "So, Representative Turner on Amendment #1."

Turner: "Thank you, Mr. Speaker. Amendment #1 basically replaces everything after the enacting clause. This is a shell Bill originally and it creates the legislation which is basically cleanup legislation to deal with the Home Nursing Agency Licensing Act that we passed in January 2006. Amendment 1 and Amendment 2, between the two (2) of them, what they do is they redefine or revises the definition of a home nursing agency to include home health aid services provided under the direction of a licensed

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

262nd Legislative Day

5/7/2008

nurse. And that's all that this legislation does. It also includes the second Amendment as a rulemaking Amendment."

Speaker Hannig: "Is there any discussion?"

Turner: "I move for the adoption of Amendment #1."

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

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

Speaker Hannig: "Representative Turner."

Turner: "And Amendment #2 is just the rulemaking Amendment, technical in nature only. I move for the adoption of Amendment #2."

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

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 2467."

Clerk Mahoney: "House Bill 2467, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Turner."

Turner: "Thank you, Mr. Speaker. 2467, we're going to hold that legislation. If you'd take it out of the record, Mr. Speaker, we're not going to call that."

Speaker Hannig: "Okay. So, we'll take that out of the record. And we're going to return to the Order of Third Readings and Representative Flider, you have House Bill 4198. Representative Flider. Out of the record. Representative

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

262nd Legislative Day

5/7/2008

Leitch, you have House Bill 4647. Out of the record. Oh, I'm sorry. I didn't see Representative Flider wished us to read his Bill. So, Mr. Clerk, read House Bill 4198."

Clerk Mahoney: "House Bill 4198, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Flider."

Flider: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This legislation would prohibit electronic communications directly from one person to another who would be a minor with the intent of knowingly intimidating or causing emotional distress to another person. And this is legislation that is designed to deal with cyber bullying and it places into Illinois law or fills a void which is similar to a void that occurred in Missouri when a young lady named Megan Meier had committed suicide after an episode of cyber bullying. We have worked very closely on this legislation with the state's attorneys and the Attorney General's Office. We have worked with AT&T and so we think this is a very good Bill. The State Police have advised us on this as well and I'd ask for your support."

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

Fritchey: "Thank you, Speaker. It may be an omen. I think my microphone is falling apart here. Will the speak... will the Sponsor yield?"

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

Fritchey: "Thank you. Representative, are you... you're aware that there is a civil tort under the law right now for

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

262nd Legislative Day

5/7/2008

intentional infliction of emotional distress. Is that correct?"

Flider: "I've been made aware of that by the ACLU, yes."

Fritchey: "And, basically what that says is, that if you were to say something to somebody and that... that statement, that the person that made that statement knew that the comments would inflict severe emotional distress or there's a high probability that their conduct would cause severe emotional distress and that it actually caused that distress, then they would be liable under civil law. What this Bill would do is say that something that would not be actionable if I said it face-to-face with you would be actionable if I sent it to you in an e-mail. Are you aware of that?"

Flider: "Well, I think this is a unique circumstance, because quite candidly I do think there are a number of laws and a number of ways that law enforcement could deal with situations where somebody may be threatening another person. So, in this instance, we have a situation where somebody may be threatening another person or may be intimidating them electronically, and that other person has no clue as to who they are or why they're doing that."

Fritchey: "Well, understood, but again, what we're... Here, let me back up for a second here. I get what gave rise to this, I get what you're trying to do and let me address this mainly to the Body. Ladies and Gentlemen, please pay attention to this. This may not seem like an interesting piece of legislation. I don't mean that derisively. But what is... what could happen under this legislation is a real derogation of existing law today. A comment that is made

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

262nd Legislative Day

5/7/2008

face-to-face today would not give rise to any type of liability; not civil liability, not criminal liability. If that same comment was made between two (2) people via an e-mail, we would now be creating a criminal offense for a statement that if said face-to-face creates no liability whatsoever. We oftentimes need to change legislation to keep pace with technology; however, this is one wherein trying to keep pace with technology we are really going to turn the law inside out. I don't believe that this law would up... would be... would withstand court scrutiny. I obviously mean no reflection on the Sponsor. I understand what he's trying to do. But if you care about passing constitutional laws, if you care about passing laws that make rational sense, this is not the law to pass. This is not the Bill to vote on. Furthermore, under the law today, we have a content of inchoate crimes, and it talks about an attempt or conspiracy that there has to be an ad... that has to be done in advancement of a crime. This legislation would make a Class IV felony for the sending of an e-mail with a vague and undefined intent, if you did not have the intention or if you had a broad intention to commit or to inflict emotional distress. So, if you send an e-mail that could fall under that criteria, you would now become a felon if charged under this. I know this sounds like it may be more appropriate for a law school discussion or a classroom discussion, Ladies and Gentlemen, this is, I don't believe legal. It's bad policy. It's poorly drafted. It does not comply with the statutes that we have on the books. It will not withstand court scrutiny.

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

262nd Legislative Day

5/7/2008

Please take a look at what you're doing. Read the analysis and take a look. This isn't an issue of whether or not we think that people should be... have protection for cyber bullying. This isn't about whether or not we think that people that use the Internet and hide behind a cloak of anonymity to intimidate and threaten people don't deserve to be punished. They do deserve to be punished. This is not the right mechanism by which to inflict that punishment. Thank you."

Speaker Hannig: "So, this is on Short Debate. And we'll put it on Standard Debate so we can debate it a bit longer. And Representative Reboletti, you're recognized for 5 minutes."

Reboletti: "Thank you, Mr. Speaker. To the Bill. I understand what Representative Fritchey is talking about. I share some of his general concerns with the Bill. There is merit to the Bill because if you call somebody on the phone and threaten them you could be charged with phone harassment. I don't think necessarily people should get a free pass if you do it via electronic means, but when you just start to discuss about obscenities and you make civil things criminal, there could be some issues. So, I would ask if the Gentleman might take it out of the record for a moment so that we might take a look at some language we might be able to add on the Senate side to make sure that the Bill is con... holds constitutional muster."

Speaker Hannig: "Representative Flider."

Flider: "Representative, while I certainly appreciate your sentiment and you know, I would tell you that this law was drafted with the assistance of the state's attorneys of the

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

262nd Legislative Day

5/7/2008

State of Illinois. It has the review and the support of the Attorney General of the State of Illinois. Those are prosecutors; those are attorneys whose opinions I respect very highly. Now, what I would also suggest to you, however, is if there is some way that you know this could be improved down the road to make it irrefutably in somebody's opinion a better Bill without destroying the intent or without making this Bill impossible to pass, then I would certainly consider that. But I would suggest we're coming upon the deadline and we need to pass this Bill and move it down the road."

Reboletti: "I don't necessarily have a problem with that, just that if we're going to make laws and if what Representative Fritchey is talking about, if we give the prosecutor the tool, the first case, when this happens, there's going to be an appeal and this law could be found unconstitutional and all these prosecutions and investigations will go for naught. So, I want to make sure that either in this Body or the other, that we have corrective language to make sure that it is constitutional."

Flider: "And I appreciate that. Of course, we'll never really know that until it would pass the test of the court."

Reboletti: "Thank you."

Speaker Hannig: "Representative Stephens."

Stephens: "Will the Gentleman yield for a question?"

Speaker Hannig: "Indicates he'll yield."

Stephens: "Representative, does your Bill or could you point to me in the statute where we define 'emotional... emotional distress'? Well, Representative, I think it's defined in

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

262nd Legislative Day

5/7/2008

other areas in the statute. My point is, the... No, I don't mind helping. If an eighteen-year-old through electronic means, a text message, or Facebook account, or through other means is intimidating, say a seventeen-year-old that plays on the opposing teams... opposing... neighboring town's basketball team, taunting, causing emotional distress, saying you know what, you're no good. You can't jump, you can't block my shot, you can't stop me. You're too short, you're too weak, you're not strong enough to defeat us. You're not strong enough to beat me, you're a loser. And that seventeen-year-old experiences emotional distress, it seems to me that this legislation would kick into... to action. Is that right?"

Flider: "Well, I would say a couple of things. When this legislation was initially drafted it was very broad. And so the drafting of this legislation is meant to narrowly describe certain situations and certainly we'd have to look at law enforcement and look to prosecutors to determine whether in fact somebody had committed a crime which would..."

Stephens: "But Representative, your Bill says 'to knowingly intimidate or cause emotional distress to another person.'"

Flider: "With the intent to cause physical harm. Pretty clear."

Stephens: "So, in the case that you... that I think caused this, in the St. Louis region, is that right?"

Flider: "That's correct."

Stephens: "What was the physical harm that they intended to happen, that they intended to happen?"

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

262nd Legislative Day

5/7/2008

Flider: "So, Representative, we have..."

Stephens: "What was the physical harm that they intended to happen?"

Flider: "Representative, we have a choice here."

Stephens: "Did they intend for this girl to commit suicide and did they state it in any message?"

Flider: "We have a choice here..."

Stephens: "Did they intend to... for her to commit suicide and if so, how did they state that in the electronic message?"

Flider: "We have a choice here."

Stephens: "Did they or not?"

Flider: "I don't know."

Stephens: "They did not."

Flider: "That would be up to their prosecutors. But let me..."

Stephens: "They did not."

Flider: "But..."

Stephens: "And if they did, that's already covered. I think the right and the left can..."

Flider: "So, Representative... so, Representative, here we have two (2) choices and you can..."

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

Flider: "You can look at..."

Stephens: "To the Bill, Mr. Speaker."

Flider: "...the law and you can..."

Stephens: "Mr. Speaker."

Speaker Hannig: "Representative... Representative Flider, this is Representative Stephens's 5 minutes and so he can use it as he wishes. And it's to the Bill, Representative."

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

262nd Legislative Day

5/7/2008

Stephens: "I think what we have here is... if this tragic case in the St. Louis region, I think that the Attorney General's response to that is necessary. I think this Bill needs work. It's not often that you'll see the left and the right rising in opposition to a single piece of legislation, and I think that's what we have here today. This is... the intent of the Representative is good, but this thing needs a lot of work. There's no sense trying to address this problem if we know beforehand that it's already flawed, the solution is flawed. So I suggest that you take it out of the record. Let's work with the people on both sides of the aisle and make this a better Bill before we move it."

Speaker Hannig: "We've had three (3) speak in response and one in support. The rules would provide for two (2) additional speakers in support. We see any supporters? Representative Molaro, you're recognized for 5 minutes in support."

Molaro: "Thank you. I'll be as quick as I can. This goes to the Sponsor too. First of all, I voted for the Bill in committee and I'm definitely going to vote for it on the floor. Even though, I do want to say this so we can get legislative intent. Representative Stephens and a few other people just spoke and they're absolutely correct in the sense that and we may disagree on the outcome, in the sense that as it's written it really doesn't do what you're trying to do. So let me just say this, I think we have to do something, you're correct. I think we don't want it to be where people are so ruthless over the Internet that it

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

262nd Legislative Day

5/7/2008

causes great bodily harm, even if the person being attacked does it to themselves. We should stop that, okay. But if you do read it, and this is why I think it needs work, but I think we should possibly pass this, have the Senate do the work because I don't know what's going to happen in this building. If we don't get some of these Bills out this week, they may never be called in the Senate, so I agree taking out may not make sense. However, let me point out again at what Representative Stephens said, it says, 'cause you have the words 'or'. If you look at the Bill it says, 'to only to or' and it says on line 7 if you go to full text, it says, 'or cause emotional distress to another or with the intent to harm'. So that means you don't have to have intent to harm. That's what 'or' means. Maybe you meant to put 'and' in the Bill and that's what I think we're talking about here, that we got to really tighten up that... and it comes here, so what he's talking about, you're going to have two (2) high school seniors. And I know, Bob, you don't want, this so you have two (2) high school seniors, one eighteen (18), one's seventeen (17). There are two (2) girls. One talked to the boyfriend of another, she gets on the Internet and says, hey, you're a fat pig; you're never going to get a date. Ask every girl here, you're never going to do it. And she does it three (3) or four (4) times. That definitely, the girl can be emotional distressed, cry and she can't go to school. I don't want to make that eighteen-year-old a Class IV felon. Now, if you read the Bill and you have to read what it says, unfortunately, that's how we do it in Illinois. It says,

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

262nd Legislative Day

5/7/2008

'knowingly intimidate or cause emotional distress to another person who's 18 and the victim's 17'. I don't think under those circumstances you would want, under the fact pattern I just gave you, under the way the Bill's written they would be a Class IV felon. I don't think you want it where two (2) girlfriends who are having an argument over a boy and one calls another one a fat pig, I don't think you want her to be a Class IV felon. I don't think so. So my point would be, let's pass the Bill knowing full well what you're trying to do, see if in the Senate they could sit with the criminal bar and a few other places because state's attorneys don't want to be against a Bill that helps them prosecute people. And see if we can make this right and get to what you want to do. So I say we'll vote for the Bill, but you would have to admit that it has some work to do to clear up the 'or' because you did say with the intent but you do have 'or' written in the statute. So, thank you, Bob."

Speaker Hannig: "Representative Reboletti, you've spoken in debate. For what reason do you rise, Sir? We're still looking for one additional speaker in support. In support. The rules would provide for three and three. Representative Rose, would you like to speak in support? Representative Rose."

Rose: "Mr. Speaker, I would move for unlimited debate or at least be allowed to ask a question of the Sponsor."

Speaker Hannig: "We can put it on unlimited debate."

Rose: "We're... we're... I'm joined by my... put your hands up."

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

262nd Legislative Day

5/7/2008

Speaker Hannig: "It's okay, Representative, we'll put it on unlimited debate."

Rose: "All right. Thanks."

Speaker Hannig: "I'm just trying to move along. Representative Rose, we'll recognize you for 5 minutes."

Rose: "Thanks. I appreciate that, Mr. Speaker. Bob, here's the concern and the Bill deadline has been moved to May 23rd. There are real problems with this Bill. You've heard John Fritchey tell you that, I think you heard Dennis Reboletti tell you that, I'm going to tell you that and I'm going to give you the perfect example. Okay? If I take a swing at you and miss, that's an assault, that's a misdemeanor. If I e-mail you that I'm going to take a swing at you and never take a swing at you, that's a Class IV felony. That's called a proportionality problem under the United States Constitution and that gets well beyond the First Amendment problem that was just raised by Representative Molaro and previously raised by Representative Stephens. I'm not against what you're trying to do here, Bob, but we've got two (2) weeks. I'm asking you as a friend to take this from the record and let's try to figure it out. I don't... I mean, I don't think anybody here wants to vote against what you're trying to do. I think we just got to make sure we got it right in the first place."

Flider: "Okay. Thank you."

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

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

262nd Legislative Day

5/7/2008

Graham: "Thank you, Mr. Speaker. I rise in total opposition to this piece of legislation. I think that we spend a lot of time increasing penalties on everything from our youth to people in the streets. I think this is an excellent opportunity for us to put some funding in our schools for the purposes of having counselors. We want to punish our students to the max and we know that recent history has shown us that kids have a lot of issues when they go to school. I think that we should take time and have some training classes in school to tell the kids, you know, how damaging it is to go on the Internet and threaten and do different things. I think this legislation is just the wrong approach to a problem that we're having. Also, how would you get the word out? How would you, you know, get to the children to inform them that this is something that they shouldn't be doing?"

Speaker Hannig: "Representative Flider, would you like to answer the question?"

Flider: "Yes. Well, I would simply say that... Let me just say this, Representative Graham, and if you would just indulge me answering your question. Let me just say this, that I don't think anybody here wants an imperfect piece of legislation to pass. I know that there are a number of Bills like this that have been introduced and some have passed over from the Senate. I cannot tell you exactly what the language is on this Bill or on those Bills rather, but I could tell you that with regard to this Bill it is important that we get it right. And I could tell you that

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

262nd Legislative Day

5/7/2008

it was drafted with the assistance of the State Police,
with the assistance of the..."

Graham: "The State Police are..."

Flider: "...of the prosecutors and the assistance of the Attorney
General, but because of the concern I would be willing to
pull it out of the record. My hope, my hope,
Representative, and all of the others, the attorneys here
who have concerns is that we can, as a Body, as a unified
Legislature, come up with an approach that we can all live
with. I know there are several vehicles out here. People
feel very strongly about this. At the same time, I think
we all know everybody who's addressed this understands that
there's a need to deal with this issue. So, you know, with
your assistance and I'd certainly appreciate any guidance
or any... any ideas you have on it to improve this
legislation, I'd be happy to incorporate that into this
legislation or any other legislation. But at this time, I
would like to pull this out of the record."

Graham: "Thank you. You're going to pull it out? Okay."

Speaker Hannig: "So, out of the record at the request of the
Sponsor. On page 5 of the Calendar, under the Order of
House Bills-Second Reading, Representative Moffitt, you
have House Bill 2819. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2819, a Bill for an Act concerning
regulation. Second Reading of this House Bill. No
Committee Amendments. Floor Amendment #1, offered by
Representative Moffitt, has been approved for
consideration."

Speaker Hannig: "Representative Moffitt."

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

262nd Legislative Day

5/7/2008

Moffitt: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What House Bill 2819 would do would bring municipal parks... give them the same treatment as what we did for park districts on whether or not they had to have AEDs in outdoor facilities and ones that were not attended. This was an initiative by one of my local communities. When committee... the Heart Association would like some possible changes and I agreed to hold it on Second. I talked to the lobbyist for the Heart Association today and she said they were not ready and she thought the best thing to do was to go ahead and move this. So, I want to say to everyone, we've kept that commitment with the Heart Association. We expect to have an Amendment in the Senate due to some additional clarification. But this would just give municipal parks the same guidelines as what we gave to park districts earlier in this Session, and that's what the Amendment does and becomes the Bill."

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

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

Speaker Hannig: "Third Reading. Representative Washington, you have House Bill 4742. Wish us to read that Bill, on Second? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4742, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Washington, has been approved for consideration."

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

262nd Legislative Day

5/7/2008

Speaker Hannig: "Repre... I believe Representative Hamos was going to handle this Amendment. Is the Lady in the chamber? Okay. I saw her earlier, so we'll come back to it. Out of the record. Representative Hoffman, you have House Bill 4550. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4550, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 5157."

Clerk Mahoney: "House Bill 5157, a Bill for an Act concerning alternative dispute resolution. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman, has been approved for consideration."

Speaker Hannig: "Representative Hoffman."

Hoffman: "Yes, this simply removes railroads from the Bill and only deals with seamen."

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

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 5158."

Clerk Mahoney: "House Bill 5158, a Bill for an Act in relation to public employee benefits. Second Reading of this House Bill. No Amendments. All Motions have been filed."

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

262nd Legislative Day

5/7/2008

Speaker Hannig: "Third Reading. Page 30 of the Calendar, under the Order of Resolutions, is House Joint Resolution 132, Representative Crespo."

Crespo: "Thank you, Speaker, Members of the House. House Joint Resolution 132 rejects the recommendation of the Compensation Review Board that would boost the salaries of state officeholders approximately 12 percent. The current system that we have, as a freshman I've seen this, does not work, folks. We saw this happen last year. I think a better process or procedure would be to require concurrence of both House and Senate and have it signed by the Governor. In the meantime, the question is what do we do? I think before we consider any pay raise of any kind, we need to take into account the struggles that our constituents, the people of this state, are going through. A couple of years ago we would talk about foreclosures, we would talk about people losing jobs and we would think about certain districts, certain parts of town, but folks, we're beginning to see now more and more, regardless of the district, it's happening in our backyards. People are losing their homes, they're concerned about their jobs; they're losing their jobs after 10, 15 and 20 years. I've talked to folks who are actually tapping into their pension so they can pay for their children's tuition in college. I think we need to consider as well the timing of this proposal to get a salary increase. We need to address some of the issues that we currently have. We have a deficit in our state budget. We have to address school funding, health care issues, roads and bridges. I think we need to

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

262nd Legislative Day

5/7/2008

address the issues and concerns of a lot of our State Representatives in this House. Representative Ford, for example, I'd love to help him get a school in his district. I want to do it for Representative Ford as well as for the kids in his district. We want to help the folks downstate, Representative Mitchell, and make sure they get funding for their roads and bridges as well. Listen folks, when we came to this House we all ran for this seat. The seat that does not belong to us, it belongs to the people that we represent. The microphone belongs to the people we represent. And before we address or take care of our needs, we need to take care of the needs of the people that send us here. So I would ask... it's a good Resolution, that you folks please join me. It should be a bipartisan Resolution. We need to speak with one voice. We need to let the Senate know that this is the way to go and we need them to get on this Resolution as well. Thank you, Speaker, Members of the House. Be happy to answer any questions."

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

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

Speaker Hannig: "Indicates he'll yield."

Black: "Thank you. Representative Crespo, when did you file your Resolution?"

Crespo: "Representative, we... I've been talking to staff. For quite some time. I filed the Resolution a couple of days ago."

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

262nd Legislative Day

5/7/2008

Black: "And do you have any idea when the Republican Sponsor put in an identical Resolution?"

Crespo: "No, Representative."

Black: "Do you think it might have been before yours?"

Crespo: "It could have been. Again, as I mentioned a little bit ago, as a freshman Legislator I'm looking at this process, I think it's flawed. I talked to staff and I want to do something about this and I introduced my Resolution independent of not knowing there was something else out there, Representative."

Black: "Inquiry of the Chair, if I might."

Speaker Hannig: "Certainly, Representative."

Black: "We sometime ago said we were going to go down the Calendar and take things in order. That didn't last long. How does House Joint Resolution 132 get called before House Joint Resolution 118?"

Speaker Hannig: "Representative, it's simply on the Calendar and so we called the Bill (sic-Resolution)."

Black: "Oh, it's simply on the Calendar. I see. So, if a Republican House Joint Resolution had been #1, we'd still call HJR 132 first?"

Speaker Hannig: "Representative, we may or we may not."

Black: "Okay. Well, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. We can't even... we can't even be bipartisan on a Resolution to reject the Compensation Review Board report. We're going to play games with this, competing Resolutions. The Republican House Joint Resolution is #118; the Democrat House Joint Resolution is #132. So we'll call 132 first. You know, at

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

262nd Legislative Day

5/7/2008

this point in my service in the General Assembly, I don't care which one you call first. I don't care who the Sponsor is, I don't care what speeches you want to give. I've sponsored these Resolutions in the past. Some of them have passed, some of them haven't, some of them have been hijacked, some of them haven't. I don't care anymore. So rather than get up here and make our obligatory 30 minute speeches about me too, me too, me too, me too. The trick, Ladies and Gentlemen, the trick of rejecting a Compensation Review Board report is to make certain that the Senate votes on HJR 132. Both chambers must vote on an identical Resolution. I'm not concerned nor interested who gets the credit this time around. Let's just do it right. No speeches, no pontificating, let's reject the Compensation Review Board report that is absolutely flawed, absolutely does not take into consideration the economy. This Body's apparent failure to do anything to address the problems facing the people of this state, maybe, maybe, we can agree on a Resolution regardless of the number, regardless of whether it's a Democrat or a Republican Sponsor, let's just can the rhetoric, let's vote on the Resolution, stand up and be counted. You're either going to vote for this and reject the Compensation Review Board or you're going to play silly political games and hope the Senate doesn't react and vote for this identical Resolution. I hope they'll come to their senses and vote for it. I intend to vote 'aye'."

Speaker Hannig: "Representative Miller."

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

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

262nd Legislative Day

5/7/2008

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

Miller: "There's no analysis, Representative, on this. Are... is your intent to disapprove the report or the report's finding or what about the report that you just don't like, except the fact that it's offered a pay raise?"

Crespo: "Representative, the intent is to stop the pay raises. Whether it, you know, whether it's the report or whatever it is, the intent here is making sure the same thing that happened last year does not happen again. The way the process is right now, it's so difficult to stop this. And again, there should be a better process. In the meantime..."

Miller: "So why don't you... hold it. Hold it right there. Then why don't you introduce a legislation eliminating the compensa... comp... the Compensation Review Board and the review as opposed to that report. And I guess the significant difference is the fact that if this group, if this Review Board has been designated by the General Assembly to at least come up with some sense of finding, are you disagreeing with the methodology that they're using, are you disagreeing with the... their findings of it, or what are you exactly disagreeing with except the fact that you just disagree with the end result. Then why don't we just eliminate the Compensation Review Board by the end of the day?"

Crespo: "Well, Representative, I disagree with two (2) things. The process itself I think we need to revisit and I think that's going to require more debate, it's going to take a little bit longer. I also am opposed to the fact that they have found that we should get an increase of close to 12

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

262nd Legislative Day

5/7/2008

percent and the timing... I'm not saying it's a bad idea, Ladies and Gentlemen, believe me. I know you guys work very hard and I know for some of these folks here this is very important. However, this is very difficult for us today to go back to our district and tell the people of the State of Illinois, we have failed you. We have failed education; we have failed health care..."

Miller: "Hold it. Who did you say failed? Whoa, whoa, whoa. Who did you say failed what?"

Crespo: "Collectively, folks, we have to look at all of us and make sure we get things done. The opinion of our constituents, the people of the State of Illinois, they're not looking at Representative Miller, they're not looking at that side, they're saying, guys, get it done. And before you do that don't even consider getting a pay raise and taking care of yourself first, take care of the needs of the state. That's the first thing we need to do. That is the intent of this Resolution and..."

Miller: "And what I would argue... I would argue and I rarely would ever speak in this, but I think we need to be fair here. And some of your comments they're sort of... I find interesting. I mean, someone... I've supported education funding reform, yourself and others have not. I've supported pension reforms, some in this chamber have not. So we can sit and talk about all the woes of the government and yet... and try to say that this will solve them. And of course, there's other issues and of course, there's other groups that need additional funding. I would be the first one and have actively done that. But I would argue with

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

262nd Legislative Day

5/7/2008

you though by saying this, this sort of... to me this indicates that the work of the Compensation Review Board is null and void, and if that's what you're saying then why don't you introduce legislation eliminating the Compensation Review Board?"

Crespo: "Representative, that's a very good point and I think it's something we definitely should consider. In the meantime, this Resolution wants to make sure that some way, somehow we make sure that the same thing that happened last year does not happen this year, and we can look at our constituents, the people we represent and say, hey, we care about your needs first before we even consider this. Does the Board... Compensation Review... Review Board, hey, they serve a purpose. Two (2), four (4), six (6) years from now, hey, it might be the right time. I don't know."

Miller: "Do you know when this takes... do you know when this takes effect?"

Crespo: "I believe next year."

Miller: "Do you know what the budgetary concerns are in terms of if a pay raise is enacted?"

Crespo: "I don't have the totals."

Miller: "So, you're saying reject something from the Compensation Review Board that will have a budgetary impact, but we don't know what the total of the amount is going to be."

Crespo: "That is very easy to get and I can get that. But most importantly, Representative, we need to send a strong message to the State of Illinois, to the people we

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

262nd Legislative Day

5/7/2008

represent, that we are going to take care of their needs first before we consider doing this."

Miller: "I guess... To the Resolution and hopefully, I can extend maybe just... You know I've never sat up here and argued about pay raises and things like that. I think everybody can justify why they should be paid, why we shouldn't be paid. But I would argue this, though, when somebody makes an analogy of education funding which has been near and dear to my heart with pension reform and some Members haven't lifted a finger to help out and some have. And so to sit and compare what we get compensated, and some of us I think in this chamber have other careers, that we do have lost income and that's a choice that we choose to make. However, when we don't know the..."

Speaker Hannig: "Could you bring your remarks to a close please."

Miller: "When we don't know the budgetary impact of this, as the Sponsor said, then it isn't fair to us to cut our nose to spite our face. It is politically expedient to vote for this Bill (sic-Resolution) and I expect this Bill (sic-Resolution) to pass, but the true measure I think is to understand exactly where are we trying to go. Part of the reason in which the Chicago City Council had bumped up salaries was to try to attract a diverse group of individuals to run for public office. It's a fact. And so whether we agree with the Chicago City Council, what they should be paid; the mayor of Country Club Hills, what he get paid or whether the Members of the General Assembly should get... be paid, there's an independent board doing it.

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

262nd Legislative Day

5/7/2008

If we don't want a pay raise then maybe we should eliminate the independent board."

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

Wait: "Yes. The speaker... may I ask you a question or Mr. Crespo?"

Speaker Hannig: "Yes, the Gentleman will yield."

Wait: "Will you yield? Yes. It's a little hard hearing back here. It's a little noisy. When did you say you filed your Resolution?"

Crespo: "This was filed, I believe, Representative, a couple of days ago."

Wait: "Couple of days ago. Did you know I had the same Resolution and mine was filed about five (5) weeks ago on April 1st?"

Crespo: "No. I think Representative Black mentioned that, Representative. I was not aware. I was just looking at the issue. As a freshman Legislator I talk to staffers sometime and I thought we should do something."

Wait: "Well, anyway I'm glad that you're following my lead. And you know we discussed this Bill (sic-Resolution) yesterday and I'm glad... I think we have probably brought it to everybody's attention how important this is that people are really hurting out there. And this certainly, we should set the example and should not be giving ourselves a pay raise when everybody else is hurting out there. So I just thank you, Representative Crespo, for following my lead and if you would, please, since yours got out before mine, if you would add me as a cosponsor to your Bill (sic-Resolution). Thank you very much."

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

262nd Legislative Day

5/7/2008

Crespo: "I definitely will. Thank you, Representative."

Wait: "Hyphenated..."

Speaker Hannig: "Representative Stephens."

Stephens: "Well, Mr. Speaker, to the Resolution. I don't know, we had a vote yesterday on whether we wanted to debate this issue and I believe the Representative didn't want to debate it yesterday. I'm disappointed and I think the people of Illinois are disappointed by just more and more politics. I think most of us agree that now is not a good time to accept a pay raise. Whether you agree with that or not, the bottom line is the process. The people really are sick of the political shenanigans that take place in Washington and here in Springfield. And this is just another example of it. Rather than debate the concept, rather than to debate the idea, rather than to debate the Resolutions in the order in which they were filed which is some reflection of the degree of concern, Representative Wait's Resolution lingers in Rules Committee. One of your targets on the Democratic side gets to call his Resolution immediately. People are tired of that. I think in the fall elections you're going to see a huge rebellion against the status quo here in Springfield. Nothing works right under your administration. And I say your administration, I'm talking about Democrats in the House, Democrats in the Senate, and Democrats on the second floor. Thank you."

Speaker Hannig: "Is there any further discussion? The Gentleman from Sangamon, Representative Poe."

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

Speaker Hannig: "State your point."

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

262nd Legislative Day

5/7/2008

Poe: "I would like to introduce Girl Scout Troop 6342 up here in the gallery. And our staffer, Colleen Atterbury, her daughter Kaitlin is a member of this group. So let's give them a big hand."

Speaker Hannig: "Welcome to Springfield. Representative McCarthy."

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

Speaker Hannig: "Indicates he'll yield."

McCarthy: "Representative, as a... I think earlier witnesses had said there's... there's no analysis for the Resolution. Do you know what the pay raise would be on July 1st of this year?"

Crespo: "Give me one second, Representative, I can tell you exactly. Well, it varies, Representative. The Governor, for example, his pay raise would go from one hundred seventy thousand dollars (\$170,000), one hundred seventy thousand, nine hundred and seventeen (\$170,917) to one ninety-two, seven seventy-three (\$192,773), a 12 point..."

McCarthy: "Do you know the percentage? I was more interested..."

Crespo: "Twelve point eight (12.8) percent increase."

McCarthy: "And where'd you get that number from?"

Crespo: "...percent the increase would be 11.7."

McCarthy: "Where did you get that number from? That's no where near the number I got from the... our analys... our analysis of HJR 118. On HJR 118 it says the Legislative Branch salaries by 1 percent each of the next two (2) fiscal years. Do you have any idea what this is going to save the state budget if this rejection goes through?"

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

262nd Legislative Day

5/7/2008

Crespo: "Well, as I had mentioned to Representative Miller, Representative, I don't have the exact numbers but I think the fundamental question and issue here is the message we're sending the State of Illinois. We need to make sure that we take care of their needs first. When you have folks who are not... who are not getting any pay increase, on the contrary they're losing their jobs, for us to say we're okay we're going to allow this to happen, is wrong. I am not saying that we don't deserve the raises. I'm saying the timing is wrong. Whether it's..."

McCarthy: "Well, it seems like the timing is wrong especially because you don't even have the numbers to tell us what we're going to save, to tell us what the percentage is and that's when the timing is wrong. If you could wait a couple days, have the staff do an analysis of it so when it comes up on our computer it doesn't say there's no analysis, we're put in the position where we have to go back and look at the Resolution that was filed by the Republicans in order to have any analysis whatsoever. There's a lot of questions on that analysis, and here you're going forward, plus it says in the, you know, the analysis here about the judge's salaries will go up. Are you aware of the fact that all the different times we've rejected this, the judges put in a lawsuit and they're going to get it anyway, 'cause the Constitution protects that pay raise. So the money you think you may be saving by the judges salaries, I'm going to tell you right now, after July 1st they'll file the Motion. It'll be heard once again. Whatever court it goes to is going to approve

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

262nd Legislative Day

5/7/2008

it. So they're going to get their pay raise. So... but well you're standing there and saying that any pay raise is not warranted at this point. Now, last year or the year before, the Chief Sponsor of the Resolution was at least honest enough that he said if the pay raise does go through I'm not even going to accept it. I thought that was a very honorable move. You know, I don't know what charities he sent this back to in the last six (6) months or whether he sent it back to the state itself, but you know that was an honorable move on that Chief Sponsor's point. Are you making that same statement today?"

Crespo: "Maybe so, Sir."

McCarthy: "Maybe so was the answer?"

Crespo: "I'm hoping... I'm hoping we don't even have to make that decision. Let's pass this Resolution and that's a nonissue. That's a nonissue. That is a..."

McCarthy: "The Resolution has to pass both Houses before this is a nonissue."

Crespo: "That's correct."

McCarthy: "So what I'm saying, I'm going to vote 'no' on the Resolution because if the pay raise does come through, that one House or either does not accept it, I am definitely going to accept that. I think I work very hard for it. I don't want to put us in a position or another General Assembly in the position five (5) or six (6) years from now where the raise is going to be like 13 or 18 percent or something and then it's politically damaging on anybody and it's hard to justify. If we start this cycle again where we start turning down these 1 percent raises, it's going to

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

262nd Legislative Day

5/7/2008

accumulate and then some future Assembly is going to have to pass a raise when it comes to the point that they're living well below the means of the average citizen in their district. Now, maybe some districts that's not true. But I know in the district I live in I don't think we're overpaid, I don't think my constituents feel I'm overpaid. I, for years, have voted against this Resolution. I get no calls from my district. When people ask me about it at a public meeting, some of them think we make what the U.S. Congress makes, a hundred and twenty (120), a hundred and forty thousand (140,000). When you tell them what our salary is, I think they think we earn our pay, especially in years like last year. So, I just say that if a person really doesn't want this they can vote for the Resolution. If the pay raise comes through, I would say if I voted against it I would return the money. I'm not going to... if... if I voted for it, I mean. Since I'm voting against it, I will gladly accept that money."

Speaker Hannig: "Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Durkin: "Representative Crespo, you said earlier that the process is flawed. Explain to me the flaws in the process of how we compensate ourselves."

Crespo: "The process itself right now, if we look at what happened last year, Representative, the way it works is very difficult to stop. I think the right way to do this is just basically make sure we have concurrence from both

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

262nd Legislative Day

5/7/2008

the House and the Senate and take a positive vote on the pay raise and have the Governor sign it."

Durkin: "It doesn't seem like what we're doing today is solving the process, but I'm going to give you an opportunity to perhaps solve the process. For the last two (2) years I've introduced Bills. Currently, I have one that's sitting in the Rules Committee, 5266, that says that both chambers must vote an 'affirmative' vote to get the pay raises, seems pretty commonsense. That is what every elected official in the State of Illinois who is compensated on any board has to do it through an 'affirmative' vote. To me, we're asking people to make a lot of sacrifices. We had a lot of sales tax increases last year. But... but we have to be honest with the people in this state, and this is a joke of how we go about compensating ourself where a 'yes' vote means a 'no' vote; a 'no' vote means a 'yes' vote. Why don't we just take this out of the record? You've got some influence with the Speaker. Ask him to put House Bill 5266 in committee, let us pass it out of the House and then let's get to your Resolution after that. Let's stop the nonsense. It's embarrassing that we're telling people throughout the state how we're compensating ourselves, they don't understand it. And quite frankly, I couldn't even explain it to the people that are here in the rafters 'cause they would just shake their head and they said, this is child's play. So I would ask you, take this out of the record, go to the Speaker, tell him to put House Bill 5266 in committee. Let's pass it out of the House, send it over

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

262nd Legislative Day

5/7/2008

to the Senate and then let's take up your Resolution after that. Will you do that?"

Crespo: "Well, Representative, I think as I mentioned to the other Representative before, Representative Miller, we should revisit the process. I've no doubts about that. But what's before us right now is House Joint Resolution 132 that hopefully, I'm hoping we can all agree on this, at least most of us, put pressure on the Senate to jump on this Resolution as well and make sure that we stop it from happening."

Durkin: "Let's be realistic. The Senate, we're never going to put any pressure on the Senate. The only pressure we're going to put on the Senate is if we pass a Bill that's going to change this ridiculous process that we go through every two (2) years where we have to reject the compensation recommendation from the board and the Senate as well, otherwise our salaries go into effect. We're not getting to the root of the problem with what you're doing today. I know what you're doing but the fact is if we're going to be serious about the way we compensate ourselves and be truthful to the people of the State of Illinois, go to the Speaker, tell him to get 5266 out of Rules where we could actually act like grown men and women. Thank you."

Crespo: "Thank you."

Speaker Hannig: "Representative Fortner."

Fortner: "Thank you, Mr. Speaker. I rise in support of the Member's Resolution. Will he yield for a question?"

Speaker Hannig: "Indicates he'll yield."

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

262nd Legislative Day

5/7/2008

Fortner: "Representative, on the Resolution, when... assuming that we are able to pass this and the Senate is able to pass this and we put a stop to this year's pay increase, if in a future General Assembly, say two (2) year's from now they fail to do so, what happens to this current recommendation from the Compensation Review Board?"

Crespo: "Well, my understanding, Representative, is that they're treated individually so it all depends when it comes up, what the circumstances are and you know, how we decide what those pay increases should be if, in fact, they agree that there should be pay increases."

Fortner: Well, one of the things I saw that happened with the last time that we dealt with this issue when this chamber voted not to accept the pay raises, but that was not echoed on the other side, was, in fact, there was a very substantial pay increase not just due to the Compensation Review Board's recommendations of this current cycle, but in fact, because of the fact that in previous cycles both chambers had rejected the Compensation Review Board's recommendations. It turns out that under current State Law that if that's rejected but if at later time in the next cycle it's not rejected, not only do you get the current compensation, but in fact, you get the previous cycle's compensation. So we're talking about flaws in the process which I completely agree with you on. To me this is a fundamental flaw in the process that if we have a case where both chambers agree and say 'no', it is not really 'no'. We have... we're stuck with this process where it is not a substantial 'no', it's only a temporary 'no' and that

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

262nd Legislative Day

5/7/2008

if a future General Assembly chooses to accept the pay raise, all the back Compensation Review Board packages then come into effect as well. Would you agree with me that that's a fundamental problem that we ought to address?"

Crespo: "Well, as I mentioned before, Representative, I think we have two (2) isolated issues here. Number one, the process itself and I agree with many of you, many of the folks on this side, we need to revisit that process. It is... it's not right. And the main thing right now is, folks, the timing. This country's going through some tough times. The people of the state are going through some tough times. It's so wrong to accept this and we need to stop the train now."

Fortner: "I completely agree with your... your... the second part of your statement, the assessment. I also agree we ought to revisit it. To the Bill. I do support the Gentleman's Resolution. I would like to bring this Body's attention, if we in fact go ahead and revisit this issue, as I agree with the Representative, we should, I would bring your attention to House Bill 255 which was introduced last year, was not called, sits in Rules, which would in fact fix this very problem that I just addressed that should we jointly reject those pay raises that our 'no' would truly mean 'no'. It would not be 'no', but maybe later we're going to change our mind. It would... the 'no' that we would say to the public would really be 'no'. So I would encourage all those Members who agree with myself and I think with the Sponsor that we need to reform this system. Please take a look at House Bill 255, which I think would reform one key

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

262nd Legislative Day

5/7/2008

flaw in the system and that is on the retroactivity of the pay increases when cases where this chamber in concurrence with the Senate has said 'no'. I urge an 'aye' vote."

Speaker Hannig: "Is there any further discussion? Then Representative Crespo is recognized to close."

Crespo: "Thank you, Speaker of the House, Members of the House as well. I think we all agree that we need to revisit this process. I think that's a nonissue. What's really the intent of this Bill (sic-Resolution)? Folks, these are difficult times for a lot of the people that we represent. I had mentioned earlier when... in the past when we used to talk about foreclosures, people losing their jobs, we would think about certain parts of the city, certain parts of the state where that would happen. Folks, I can bet that many of you can walk up and down the streets where you live, and you've seen friends; you see neighbors losing their homes, afraid of their jobs. This is the wrong timing. Folks, we need to let our constituents, we need to let the people that we represent, know that first and foremost we need to take care of their needs before we even consider anything that's going to benefit us. And listen, I agree you all work very hard and I also agree that we ran very hard to get these seats, but again, I remind you, these seats are not ours, these microphones are not ours. Our folks sent us here to occupy these seats and we need to make sure that they know and they feel confident that we're going to take care of their needs before we take care of ours. And again, I thank you all for the debate and I ask for your support."

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

262nd Legislative Day

5/7/2008

Speaker Hannig: "The question is, 'Shall House Joint Resolution 132 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 60 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 94 voting 'yes' and 8 voting 'no', 6 voting 'present'. And House Joint Resolution 132 is passed. Representative Joyce, for what reason do you rise?"

Joyce: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. I rise on a point of personal privilege."

Speaker Hannig: "State your point."

Joyce: "Thank you, Mr. Speaker. Ladies and Gentlemen, it's my great honor to introduce a group of young people that mean a lot to me. They're from St. Cajetan School on the southwest side of the City of Chicago. The eighth grade class, their teachers and parents are up on the Democratic side of the gallery. It's the same school that my kids go to and the same school I went to. Please welcome them."

Speaker Hannig: "Welcome to Springfield. Representative Pritchard."

Pritchard: "Yes, Mr. Speaker, I rise to a personal point of privilege. Ladies and Gentlemen of the House, I draw your attention to the Speaker's gallery in front of the chamber where a contingency from Northern Illinois University is joining us today to celebrate the career of a head football coach, Joe Novak and his wife Carole, who have joined us today to recognize the many contributions they have made to a great university in our state. And joining Joe and Carol today are President John Peters, their board of trustees

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

262nd Legislative Day

5/7/2008

and many representatives of the university along with Senator Burzynski, I believe, up there. But I think what's most important is as we finish a school year and celebrate many of the victories of our athletic teams and as our students, then it's important to remember that we have many important and value-laden mentors, teachers, coaches that are helping these young people establish their lives and their career. Coach Novak comes to us with lots of experience at Miami and Indiana, the University of Illinois, but at Northern Illinois University as head coach for many years he set more than a winning attitude, he set an example for young men that were a part of that program that really changed lives. And among all things, they had to learn that they were at the university for an education, that they were there to build a successful life, not just to play a sport, and that they were there to represent Northern, represent the best traditions of that institution, and then finally to win. I think it's important at this age when not a lot of coaches are able to retire at their choosing from a great institution, that we have an example before us today and I ask you to join me in the House Resolution 846 which we have passed earlier that recognizes this individual, that recognizes the contributions and the values, but most importantly recognizes that there are great mentors and individuals in this state and those best values are the ones that we ought to be contributing and congratulating. So please join me in congratulating Joe and Carole Novak."

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

262nd Legislative Day

5/7/2008

Speaker Hannig: "Representative Fritchey. Representative Poe, you have House Bill 4192. Do you wish us to read that Bill? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4192, a Bill for an Act concerning finance. Third Reading of this House Bill."

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

Poe: "Yeah, Mr. Speaker, Ladies and Gentlemen of the House, basically what this is, is a Bill that would protect moneys collected by the Historic Preservation sites, not to let those funds be swept."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Jerry Mitchell, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Moffitt, you have House Bill 4644. Out of the record. Representative Hernandez, you have House Bill 5259. Do you wish us to read that Bill? Do you wish us to read that Bill, Representative, 5259? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5259, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Hannig: "While she's getting her notes together, I think Representative May wanted to make an announcement. So, Representative May."

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

262nd Legislative Day

5/7/2008

May: "Yes, thank you, Speaker. We have a very special evening planned. The Conference of Women Legislators' fundraiser is tonight and it's a cabaret. Some wonderful cabaret acts, so we hope that you will all be there to see our ever popular Majority Leader Barbara Flynn Currie in a sultry cabaret number. We've got Representative Bob Biggins, who is looking in a day in the life in one of the offices, I don't think we're telling anybody which one it is, one of the major constitutional offices under the Capitol dome, Senator Kwame Raoul, Representative John Bradley, and then our little hottie dance number with Toni Berrios and Senator William Delgado, Willie Delgado. They are really hot on the dance floor. Then Brad Burzynski has a number for us. Senator John Cullerton is always famous for his impersonations. And then our closing number, we have a team, a bipartisan team of Representatives Pat Lindner and Joe Lyons. So, it is an all-star show. It's not the capers, it's just a cabaret, it's a small number. But join us at the cabaret, 5 to 7 at the Hilton tonight with the Conference of Women Legislators' fundraiser. Thank you."

Speaker Hannig: "Thank you, Representative May. Now the Clerk has read House Bill 5259 for a third time and Representative Hernandez you're recognized to present the Bill."

Hernandez: "Thank you, Speaker and Members of the House. House Bill 5259 amends the Illinois Public Aid Code and the Community Service Act to provide that in any calendar year in which there is a cost of living increase in Federal Supplemental Security Income benefits or Social Security

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

262nd Legislative Day

5/7/2008

Administration payments, the Department of Healthcare and Family Services shall increase the per diem Medicaid rate by an amount equal to the increase for total SSI benefits or Social Security Administration payments for intermediate care facilities for the developmentally disabled. I ask for your 'aye' vote. Thank you."

Speaker Hannig: "The Lady has moved for the passage of House Bill 5259 and on that question, the Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, let me ask you just one question about the Social Security pass-through, something that Representative McCarthy and I and Representative Lyons, Repre... the list could go on and on. As your Social Security might increase due to the cost of living, we've never been able to allow the recipient in a care situation to keep more of the Social Security check for personal needs. I think it's thirty-five dollars (\$35.00) right now and it's been that way..."

Hernandez: "Yes."

Black: "...for more than 20 years. The point in your Bill that I wanted to ask, it appears to me that whatever their Social Security might increase, ten dollars (\$10.00) a month, twenty dollars (\$20.00) a month, whatever it is, automatically is passed... is going to be passed along to the institution providing the care, correct?"

Hernandez: "Correct."

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

262nd Legislative Day

5/7/2008

Black: "Why wouldn't there be a formula where the individual who needs the care gets to keep some of his or her Social Security for a personal needs allowance? Things like snacks, a trip to the beauty shop in a long-term care facility, of things of that nature. The only thing that concerns me about your Bill is that it seems to make certain and put in statute that whatever the increase of Social Security is, that goes to the institution and then the state will, on a formula, match that increase. And I just... I'm not sure that we ought to put that in stat... Well, it's already in statute and that's why we have to change it. I'll try to pass my Bill again at a later date."

Hernandez: "Right."

Black: "I just think that people in long term care or palliative care or rehabilitative care or whatever, should be able to get an increase every few years in their personal needs allowance. And when we pass these kinds of Bills, we then put in statute that any increase in their Social Security automatically goes to the institution providing the care. And I understand that and I understand how costs go up, but then we have to by statute see if we can't increase their personal needs allowance and we've tried for the last seven (7) or eight (8) years and the department always testifies in opposition and the Bill doesn't pass. But I'll continue to try and it's... and I apologize, it's not fair of me..."

Hernandez: "No, no, no. that's fine."

Black: "...to ask you to change your Bill at this point in time. And I don't disagree with what your Bill is trying to do, I

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

262nd Legislative Day

5/7/2008

guess I'm just making an unpaid political announcement that at some time, some time, we need to look at that personal needs allowance."

Hernandez: "And I understand. I could..."

Black: "And increase it least ten (\$10.00) or fifteen dollars (\$15.00) a month. And I'll look, I'll look to you for... for assistance the next time I try it."

Hernandez: "Okay."

Black: "Thank you."

Hernandez: "But I can assure you that it's not going to be reduced, that remains at least. Thank you."

Speaker Hannig: "The Gentleman from McHenry, Representative Franks."

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

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

Franks: "I want to follow up on Mr. Black's comments because last year we both passed Bills that would increase the personal allowance to fifty dollars (\$50.00) and it was not heard in the Senate. I think one of them and another one, I'm not sure, ever made it to the Governor's desk. But I see here in our analysis that we have two (2) opponents, the Illinois Department of Human Services and Department of Healthcare and Family Services. Can you tell us why they're opposed?"

Hernandez: "It's probably because of the increase, but it's a very minimal increase, and that's really solely why."

Franks: "I'm sorry, I didn't hear, an increase of what?"

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

262nd Legislative Day

5/7/2008

Hernandez: "It's... it's a... it's a... I believe it's about a three million dollar (\$3,000,000) increase which is the only reason why they said they would be opposed."

Franks: "Why would it cost them anything if the Social Security is increasing, why would there be any cost at all to the state?"

Hernandez: "This is what they... this is what they came back to me with."

Franks: "I think that their analysis is absolutely flawed, but we see that a lot in this administration. Mr. Black had made a point about the... the additional moneys for the personal needs allowances and we all voted for it. That passed unanimously. And I'm wondering... and I know he had said he didn't think this is probably the right time to change this Bill, but I think it might be. Because we have time, they just extended the deadline. Would you consider doing an Amendment, moving this to Second, keeping your Bill as it is but within it increase on a percentage basis that if for the personal needs allowance, which obviously we're not getting passed in this state, possibly give them 10 percent of any increase? And that way they'd be able to share as well and we'd help the seniors' lives and we'd also make sure that these very important providers are getting paid. But I think with this Bill it might be our best vehicle to get our seniors and the disabled folks in these facilities more money. And it might be... if you'd consider possibly moving it to Second, making that Amendment whatever you'd like on a percentage basis. But I

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

262nd Legislative Day

5/7/2008

don't see how anybody could vote against this Bill and I'd think we'd be able to get it done."

Hernandez: "I understand, Representative, but I am going to ask if it can pass out of the House. This is a Bill that I did try passing last year and it never got read. It was al... it just never got to that point. So this is my second try. Let's try and see if we can do that on the Senate."

Franks: "That's fine. If you would tell the Senate Sponsor and if we can bring it back that way..."

Hernandez: "Absolutely."

Franks: "...I think we can keep moving it. But I really think this is an outstanding vehicle, because I think if we tie those two (2) together we'll be able to get both halves instead of just one. So I'd encourage an 'aye' vote on this. Thank you."

Speaker Hannig: "Representative Bellock."

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

Speaker Hannig: "To the Bill."

Bellock: "The reason this Bill is being done is that it's addressing the Social Security money going to ICF/DDs and to CILAs which is parallel to what is now going to long-term care facilities. So even though I support what Representative Black and Representative Franks were talking about, I think that they would have to address the issue because I don't know if the payment of the thirty-five dollars (\$35.00) in long term care nursing home facilities would be the same in IFs... the CILAs. So I think that we would have to address that issue but just to point out that this is to address the issue of the ICF/DDs and the CILAs

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

262nd Legislative Day

5/7/2008

to parallel them along with what the long term care facilities are receiving now when the increase of Social Security goes through."

Speaker Hannig: "Representative Lang."

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

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

Lang: "Representative, I wanted to tell you right up front I totally support your Bill. It's an excellent Bill and it's something we need vitally in the State of Illinois, but I do have an interesting question to ask. I see in my analysis that both the Department of Human Services and the Department of Healthcare and Family Services are opposed to your Bill. Did they say why in committee?"

Hernandez: "Actually, what they said to me is because of the... the small increase on it and that's basically the only reason why that they were going to go against the Bill."

Lang: "Did anybody ask them if they had an opinion on the substance of the Bill?"

Hernandez: "I didn't bother."

Lang: "Yeah, but they didn't offer one, did they?"

Hernandez: "No, they did not."

Lang: "Ladies and Gentlemen, I find... I've really had enough of this. I've been yelling and screaming at people from the administration in committee now for a couple of weeks. I don't know if you're fed up with this as well as I am but every day members of the administration come before committees of the House and they have nothing to say. Are you for the Bill? No. Why? We don't know or we can't afford it even though it's the General Assembly that

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

262nd Legislative Day

5/7/2008

appropriates money. And then you say, well all right, let's get past the money, what about the Bill? What about the public policy of the Bill? And they never have an opinion. They didn't in the Gaming Committee today. The Department of the Lottery didn't have an opinion about whether we should raise the age at which you can buy a lottery ticket. Imagine the Department of the Lottery had no opinion about that. And I think it's time in our committees that we hold the administration's feet to the fire and make them tell us. They have a responsibility to lead on public policy in the state. I can't imagine that a person's elected Governor, he has no opinion whatsoever about public policy. So it's time that we tell them to stop sending flunkies to our committees that don't have answers and to send people to our committees to answer questions about public policy in the State of Illinois. I hope you'll join me in this because I'm not going to let this go anymore. So this is a fair warning to those on the second floor, I am not going to let your people get away with not answering questions in our committees."

Speaker Hannig: "Representative Stephens."

Stephens: "Well, Mr. Speaker, on this side of the aisle we couldn't agree more. We think that instead of sending flunkies who can't answer questions, they should send flunkies who can answer questions."

Speaker Hannig: "Representative Hernandez to close."

Hernandez: "I'd just ask for your 'aye' vote. Thank you."

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

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

262nd Legislative Day

5/7/2008

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

Winters: "A point of personal privilege, Speaker. Ladies and Gentlemen of the House, tomorrow morning between 8:00 and 10:00 in Room 413 of the Stratton Building we'll have three (3) University of Illinois professors who worked on the United Nations Intergovernmental Panel on Climate Change. And one professor from the University of Alabama to be discussing whether climate change is happening; what the science is behind it. The format is basically going to be for Legislators to ask questions and the four (4) professors then will give some response. I think it will be an outstanding opportunity for us to try to understand climate change and how we as State Legislators can help or hurt, depending on what the view of science is. So, once again, 8:00 to 10:00 tomorrow morning, Room 413 in the Stratton Building. Thank you."

Speaker Hannig: "Mr. Clerk, read House Bill 2308, 2308."

Clerk Mahoney: "House Bill 2308, a Bill for an Act concerning local government's, on the Order of House Bills-Second Reading. No Committee Amendments. Floor Amendment #1, offered by Representative Riley, has been approved for consideration."

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

262nd Legislative Day

5/7/2008

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

Riley: "Thank you, Mr. Speaker. Basically, House Bill 2308 allows for the annexation of three (3) parcels of land to the Metropolitan Water Reclamation District. Two (2) parcels are in the Village of Matteson for a mixed-use residential project and the third parcel is in the Village of Olympia Fields for a health care facility."

Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'. Excuse me, Representative Sullivan, did you have a question?"

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

Speaker Hannig: "Indicates he'll yield."

Sullivan: "Representative, are the parcels that want to be anne... are these parcels that want to be annexed in or is there... so there's an agreement to come into this voluntarily?"

Riley: "That's correct."

Sullivan: "Okay, then..."

Riley: "They've gone..."

Sullivan: "...that's really all I wanted to know."

Riley: "...they've gone before their requisite city councils and everything's approved."

Sullivan: "Okay. Thank you."

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

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

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

262nd Legislative Day

5/7/2008

Speaker Hannig: "Third Reading. Represen... Excuse me, Representative. Mr. Clerk, on that last Bill, I was advised that that needs to remain on Second Reading. So House Bill 2308 can stay on the Order of Second Reading. House Bill 6313, Representative Colvin. Do you wish us to read this on Second? Representative Colvin. Out of the record? Okay. Representative Monique Davis, you have House Bill 2212. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2212, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Monique Davis, has been approved for consideration."

Speaker Hannig: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. Floor Amendment #1 merely says that if a local school council member loses his or her child through death, that that member can remain on the local school council until his or her term is up. We had a terrible incident in Chicago in which little Blair Holt, whose father Mr. Holt sits on the local school council at Percy Julian and Blair was killed as he sat on a school bus... on a bus on the way home from school. And there was some mean-spirited people who thought Mr. Holt should resign from the LSC. He's a police officer, he enjoys working with children and the majority ruled and he did remain on that council. Based on the number of deaths that are occurring in the City of Chicago to children in Chicago, we would ask for a favorable vote that will allow parents of children who are on the local school council, if

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

262nd Legislative Day

5/7/2008

their children are killed or if their children die, they can remain for the end of their term. I will be ready to answer any questions."

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

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

Speaker Hannig: "Third Reading. Representative Mathias, you have House Bill 4266. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4266 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mathias, has been approved for consideration."

Speaker Hannig: "Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Floor Amendment 2 sets forth a formula that we worked out with the State Board of Education to reimburse school districts for funding that they lost last year because of the delay in implementing the budget and the 'bimp' Bill. The state board is now neutral except for the... the rulemaking Amendment. I know of no opposition to the Amendment and I ask for your 'aye' vote."

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

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

Speaker Hannig: "Third Reading. Representative May, for what reason do you rise?"

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

262nd Legislative Day

5/7/2008

May: "Yes, please, on House Joint Resolution 132, I wish to be recorded as a 'yes' vote. I was having lunch and flew out, so I am a 'yes' vote on House Joint Resolution 132. Thank you."

Speaker Hannig: "The record will reflect your intentions, Representative. Representative Munson, you have House Bill 5584, Representative Munson. Out of the record. Representative Holbrook, you have House Bill 5159. Do you wish us to read that Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5159, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. Floor Amendment 3 and 4, offered by Representative Holbrook, have both been approved for consideration."

Speaker Hannig: "Representative Holbrook, what's your pleasure on Amendment #3?"

Holbrook: "I would like to table Amendment #3 and 2 and adopt #4."

Speaker Hannig: "Number 3 is withdrawn, Mr. Clerk. Are there further Amendments?"

Clerk Mahoney: "Floor Amendment #4 has been approved for consideration."

Speaker Hannig: "Representative Holbrook on Amendment #4."

Holbrook: "Amendment #4 becomes the Bill. It allows for the railroad to... we've authorized their police force to be sworn officers now, to put their standards and policies and guidelines before the Law Enforcement Training and Standards Board. Currently, the policies must only be filed with the Board and made public. It also allows for a

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

262nd Legislative Day

5/7/2008

system review, objective review, as most other police departments have on complaints on that police department. If we could, I'd just like to adopt the Amendment and then when this thing gets on Third we can debate the merits of the Bill, since the Amendment becomes the Bill."

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

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

Speaker Hannig: "Third Reading. Representative Rose, you have House Bill 5912. Representative Rose? Out of the record. Representative Joyce on House Bill 4651. Representative Joyce, 4651? Out of the record. Representative Jefferson, you have House Bill 5739. Do you wish us to read that Bill? Out of the record. Representative Mautino, you have House Bill 4808. You wish us to read that Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4808, a Bill for an Act making appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. We're going to return to the Order of Third Readings. And Representative Fritchey, you have House Bill 4844. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4844, a Bill for an Act concerning animals. Third Reading of this House Bill."

Speaker Hannig: "Representative Fritchey."

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

262nd Legislative Day

5/7/2008

Fritchey: "Thank you, Speaker, for calling this piece of legislation. Ladies and Gentlemen, this is a Bill that you may have heard of. This had to deal with the issue of humane euthanasia of animals. Let me tell you first and foremost that through the work of the proponents of the Bill and the time on behalf of representatives from the veterinarians... Illinois Veterinary Association this is... there are no objectors to the Bill. Unbeknownst to many of you, in a number of places throughout this state cats and dogs are still put down in what's considered to be a very inhumane manner. And if you ever saw the video I think that you would agree, and that is to have them put into a gas chamber, essentially, oftentimes numerous animals at one time and gassed until they're dead. This could take 20 to 30 minutes; it doesn't always work the first time. There is a better, faster, cheaper, more humane way to do this through lethal injection. It's what the overwhelming number of shelters and facilities use. This legislation will prescribe that lethal injection shall be the method that shall be used; however, it also recognizes that in unfortunate circumstances there are still times that using carbon monoxide to put down an animal may be either the only alternative or even the most humane alternative available to put down that animal. But even in those cases we'll now regulate how that is going to be done, so that in these unfortunate circumstances we can minimize the impact of this. As I said, there are a number of proponents to the Bill. There are no opponents to the Bill anymore. I'd like to thank the individuals from Chicago English Bulldog

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

262nd Legislative Day

5/7/2008

Rescue group as well as the ASPCA and the Humane Society for their help. I'd be happy to answer any questions; otherwise, I'd request an 'aye' vote."

Speaker Hannig: "Is there any discussion? The Gentleman from Lake, Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, this is a great piece of legislation. My family, as many of you know, are a family of veterinarians and I grew up as a vet tech working in my dad's clinic. I have... Thank you, Mr. Stephens. I have attended to many of these euthanasias of animals, and I can tell you right now the practice of putting an animal in a decompression chamber and gassing them is barbaric. To euthanize an animal is a very simple injection of sodium pentothal. They drop, they go to sleep and it's painless. And it's the most humane way of putting an animal down. I commend the Sponsor for this legislation. I personally would not like to see the Amendment on there, but I know that there was an agreement that was worked out and I commend you and please vote 'aye'."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of the Bill. I'd just like to commend the Sponsor who worked very hard with the opponents to get everyone on board. What's been happening with these animals is a disgusting practice and sometimes around here we have to transcend all kinds of things and just do the right thing, and this is one of those Bills."

Speaker Hannig: "Representative Reis."

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

262nd Legislative Day

5/7/2008

Reis: "Thank you, Mr. Speaker, to the Bill. I know the Representative worked hard on this Bill, four (4) Amendments before he finally got all the opposition removed from the veterinary society. I moved 'do pass' on that Amendment to get it out, so mark that occasion, Representative Fritchey. He's worked hard on this Bill to make it very, very narrow and to remove the opposition so I encourage everyone to support the legislation."

Speaker Hannig: "Representative Mautino."

Mautino: "Thank you. I also commend the Sponsor of the Bill for working with the veterinarians and some of the other groups who have to oversee or perform the use of these chemical injections. Are they now, the veterinarians, they're completely fine with it. One of the concerns was that someone untrained in handling the same lethal injections that we would give were there a death penalty. It's the same chemicals used, same schedule narcotics. It can only be handled by vets in this situation and those who are licensed?"

Fritchey: "Correct. And a lot of people may not realize that in Illinois we license animal euthanasia technicians. We want to make sure that we have the proper safeguards for those individuals and for veterinarians who will be present if there were to be a gas euthanasia required. What some people don't realize is that that is not only barbaric to the animal; there have been cases where the improper administration of the gas has resulted in the death of the shelter worker who has tried to do this. So we're trying to make sure, first and foremost, is that this is only done

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

262nd Legislative Day

5/7/2008

in extreme circumstances and then if it is done, it is going to be done by qualified individuals and in those cases when we have, as you referenced, lethal injection of an animal, that the person that's performing that lethal injection has been trained to do so, is licensed to do so and is doing it in conformance with the laws and regulations of our state."

Mautino: "And that's... I appreciate you. I know how hard you've worked on that Bill and I do appreciate those answers. Those chambers are used and should be used in only the most extreme situations, and that's usually done when you have a dog that's... is vicious, violent, and presents a risk to those workers. So, I mean, you've defined those situations very well and I commend you for that."

Fritchey: "Thank you. I appreciate it."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2649."

Clerk Mahoney: "House Bill 2649, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Hannig: "Representative Molaro."

Molaro: "Thank you, Mr. Speaker. This does one simple thing, so I want to make it clear and everybody understands

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

262nd Legislative Day

5/7/2008

exactly what this Bill does. In Illinois now, there's several dating services and this is pay for dating services. Costs you about thirty (\$30.00), forty bucks (\$40.00) a month and they do a nice job putting one person in touch with another. And basically what it does, as you well know, in the State of Illinois and under the Adam Walsh Act if you're a convicted sex offender then by law you're not allowed to get on these sites, but what they do is a lot of these dating service's sites, they just say hey, it's already legal, they don't do any checking. So what we have is we have the ability of a lot of sex offenders, who have been convicted sex offenders and they're registered on the national sex registry that get on these sites. There are some companies that check and do these background checks; there are some companies that don't. So all we're doing in the State of Illinois is asking that when you get on the Web site of these dating services that the dating services just put a box, we do check the national registry or we don't check the national registry. We're not forcing anybody to do anything else. We're just saying that a person should know whether they checked the national registry of sex offenders. If they don't, then you do it yourself; if they do, that's fine. It's a simple Bill that just has you check whether or not you do the national sex registry. The Attorney General is in support of this Bill, they signed in in support. And we would ask for a favorable Roll Call."

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

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

262nd Legislative Day

5/7/2008

Representative Lindner's asking for recognition.
Representative Lindner."

Lindner: "Yes, thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Lindner: "Representative, is there anybody in opposition to this Bill?"

Molaro: "Just the internet date... the Internet dating services who don't provide this are in opposition."

Lindner: "And could you tell me what their opposition is?"

Molaro: "Well, they... they were in committee and I forget exactly what they said, but my thinking is the opposition is that it would cost them seventy-eight cents (\$.78) to do this and they don't want to pay the seventy-eight cents (\$.78)."

Lindner: "Well, Representative, I don't think that's what their opposition is. I think... Wouldn't this legislation actually be harmful, particularly to women because of the fact that if there's a disclaimer on the Web site then the woman would trust that and think that everything would be okay, where actually the sex offender registries even say on them that there's no warranty as to the reliability of the information in them. So I think... don't you think this legislation would in fact be harmful to women?"

Molaro: "I couldn't disagree more. In other words, what it would do is it would stop a bunch of sex offenders from getting on and both myself, Representative Bradley, other Republicans have voted for it, including the Attorney General of Illinois all think it would be better. As you

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

262nd Legislative Day

5/7/2008

know, the Attorney General is taking a lead role on this and their people have signed in... in support of this, we are in support of this and I think that what it will do, any time you can keep a sex offender off, I think it's the best thing we can do and I think this will keep sex offenders off of these dating sites."

Lindner: "All right. Representative, how many times has this been a problem? Can you give me some examples?"

Molaro: "Examp... I'm sorry, say that again."

Lindner: "I missed his answer."

Molaro: "I can't hear her. I'm sorry."

Speaker Hannig: "You need to repeat your question, Representative Lindner."

Molaro: "Representative Lindner, I just didn't hear you."

Lindner: "I said how many times has this been a problem? Can you give me some examples?"

Molaro: "Yeah. There have been many people who have been arrested that are sex offenders that are in dating services, MySpace, and there are many where their probation... they've been arrested and their probation had been violated because they're in these sites that they shouldn't be in as a condition of their supervised release."

Lindner: "Representative, can you give me any specific examples? You're just giving a general answer."

Molaro: "You mean people's names? No, I don't have their names, but I mean they've been prosecuted..."

Lindner: "No, names of when this had happened?"

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

262nd Legislative Day

5/7/2008

Molaro: "Yeah, it's been happening in the State of Illinois and throughout the United States where people have been prosecuted for being on these sites, 'cause it's illegal for them to be on the sites. I don't have their names. I could get them for you."

Lindner: "I don't want their names, I just wanted specific examples. How many other states have this legislation, do you know?"

Molaro: "New Jersey passed one that's even more restrictive. There are states that have passed more restrictive. The way we've done it is least restrictive. This particular way, we are the only state that will do it this particular way."

Lindner: "All right. Representative, are you aware that anybody who... any citizen actually can check the sex offender registry at any time that they want to?"

Molaro: "Yes, I am aware of that."

Lindner: "So, don't you think at some point people ought to take personal responsibility for that and not put that on the industry?"

Molaro: "Yeah, I do. But I got to tell you, I'm actually... I'm appalled that they don't already do it. I would assume that when a dating service takes my daughter's forty dollars (\$40.00), they check whether the guy that gets on there is a sex offender. I'm appalled that they don't. They tell me they don't check to see if he's on the sex offender list and I think that's ridiculous. Should my daughter check? Absolutely, but she's nineteen (19), twenty (20), twenty-three (23) years old. I think that

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

262nd Legislative Day

5/7/2008

these dating services, if they're going to take my daughter's a hundred and twenty dollars (\$120.00) for three (3) months they should at least check to see who's on the sex... national sex registry and that's why we have the Bill."

Lindner: "Well, I disagree with you. To the Bill. I do think this Bill would be very harmful to women because I think it would set up the kind of situation then where people would trust that there are no sex offenders on that registry and even the FBI and the Illinois State Police say on their registry that they make no warranty as to the reliability of the information. So there still could be sex offenders on the registry and I think this is bad legislation."

Speaker Hannig: "Representative Reboletti."

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

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

Reboletti: "Representative, we had talked about this in committee and I made a suggestion to you and to the Sponsor of a previous Bill that maybe you just require match.com or whomever just to have those links on the Web site, so that the person who is going to be on the Web site using the service could do their own check. Is this... this would go a step farther to... a step further to say that they're doing the check themselves."

Molaro: "No, I agree with you. We should put those on so they can do the check themselves. We're in agreement."

Reboletti: "Okay. Thank you."

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

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

262nd Legislative Day

5/7/2008

Molaro: "Well, I just think that myself, Representative Bradley, many Republicans voted for it in committee, people here, the Attorney General of the State of Illinois is taking a lead role. Feels like this would certainly help protect our women and some of our teenagers who are eighteen (18), nineteen (19) years old. And all it does... remember, it doesn't require anything, all it does is disclose. If you do the background check, fine; if you don't, we will go and link up and do it as Representative Reboletti said, we can do it on our own. All this says is whether or not they do it so we know whether they do it; and if they don't, we'll go do it ourselves and be personally... responsibility. It's a great Bill. It protects our children, it protects our women and I think it deserves a lot of 'yes' votes. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Patterson, Dunn, Coulson, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 98 voting 'yes' and 10 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative McCarthy, for what reason do you rise?"

McCarthy: "Thank you, Mr. Speaker, a point of personal privilege, please."

Speaker Hannig: "State your point."

McCarthy: "Thank you, Mr. Speaker. In the upper balcony behind the Republican side, I'd like to welcome the students and

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

262nd Legislative Day

5/7/2008

Ms. Eickmann from Our Lady of Guadalupe School in Chicago, Illinois. So, thank you for coming. Let's give 'em a welcome from the House of Representatives."

Speaker Hannig: "Welcome to Springfield. Representative Jefferson, do you wish us to read House Bill 5739? Representative Jefferson? Out of the record. Mr. Clerk, what is the status of House Bill 5788?"

Clerk Mahoney: House Bill 5788 is on the Order of Consideration Postponed."

Speaker Hannig: "Return that to the Order of Second Reading at the request of the Sponsor. Mr. Clerk, read the Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1271, offered by Representative Dunn and House Resolution 1273, offered by Representative John Bradley."

Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Agreed Resolutions are adopted. Representative Davis, Will Davis, for what reason do you rise?"

Davis, W.: "Thank you, Mr. Speaker, a point of personal privilege."

Speaker Hannig: "State your point."

Davis, W.: "Thank you, Mr. Speaker. Ladies and Gentlemen, in the gallery are students from Lady of Guadalupe School in Homewood. Would you please stand and be recognized. Thank you very much, Ladies and Gentlemen of the House, for recognizing the students."

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

262nd Legislative Day

5/7/2008

Speaker Hannig: "Mr. Clerk, could you give us the committee cancellations for the day."

Clerk Mahoney: "The following committee has been canceled: the Approps. General Services Committee that was to meet in D-1 has been canceled. Appropriations-Public Safety will meet in Room 114. Public Safety will meet in Room 114."

Speaker Hannig: "Are there any announcements? Then Representative Currie moves, that allowing perfunctory time for the Clerk, that the House adjourn until Thursday, May 8, at the hour of 11:00 a.m. All in favor say 'aye'; opposed 'nay'. The Motion is adopted and the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Yarbrough, Chairperson from the Committee on Appropriations-Public Safety, to which the following measures were referred, action taken on May 7, 2008, reported the same back with the following recommendations: 'do pass short debate' House Bill 6339. Introduction and reading of House Bills-First Reading. House Bill 6630, offered by Representative Beaubien, a Bill for an Act concerning vehicles. House Bill 6631, offered by Representative McAuliffe, a Bill for an Act concerning State Government. House Bill 6632, offered by Representative Holbrook, a Bill for an Act concerning courts. Introduction and Reading of Senate Bills-First Reading. Senate Bill 2231, offered by Representative Saviano, a Bill for an Act concerning liquor. House (sic-Senate) Bill 2479, offered by Representative Molaro, a Bill for an Act concerning public employee benefits. House...

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

262nd Legislative Day

5/7/2008

Senate Bill 2562, offered by Representative Reis, a Bill for an Act concerning wildlife. Senate Bill 2887, offered by Representative Hannig, a Bill for an Act concerning finance. There being no further business, the House Perfunctory Session will stand adjourned."