

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

276th Legislative Day

5/30/2008

Speaker Lyons: "Good morning, Illinois. The Illinois House of Representatives will come to order. Members are asked to please be at their desks. We shall be led in prayer today by Lee Crawford, the pastor of the Cathedral of Praise Christian Center in Springfield. Members and our guests are asked to refrain from starting their laptops and to turn off all cell phones and pagers and rise for the invocation and for the Pledge of Allegiance. Lee Crawford."

Pastor Crawford: "Let us pray. Most gracious and most sovereign God, who art the giver and sustainer of our lives. We pray this day that You would bestow Your most choice blessings upon this House of Representatives. Father, I pray that You would grant them wisdom, that You would grant them strength to do what You have called them to do. I pray that this day during these most challenging and even intense times that they will not lean toward their own understanding, but Father, rather they will lean and depend upon You. Father, I pray this day for spirit of compromise. I pray for spirit of unity. I pray for spirit of commitment, commitment to do what is good and what is fair and what is just in Your sight and in what is the best interest of this great State of Illinois. We ask this in Your Son's name. Amen."

Speaker Lyons: "We'll be led in the Pledge of Allegiance by Representative Tom Holbrook."

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

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

Speaker Lyons: "Roll Call for Attendance. Representative Lang. Representative Lang, Democrats. Oh, Representative Currie."

Lang: "Representative Currie's here with the list."

Speaker Lyons: "Representative Currie. Representative Currie on the Democrats."

Currie: "Thank you, Speaker. Please let the record reflect that Representatives Brosnahan, Will Davis, and Osterman are excused today."

Speaker Lyons: "Thank you, Leader. Michael Bost, GOP."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Watson is excused on the Republican side of the aisle today."

Speaker Lyons: "Thank you, Representative. Mr. Clerk, take the record. We have 113 Members answering the Roll Call, a quorum is present. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on May 30, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2424, Floor Amendment #1 to House Bill 2750; a Motion to Concur with Senate Amendment #1 to House Bill 2859. Representative Holbrook, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on May 30, 2008, reported the same back with the

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following recommendation/s: 'do pass Short Debate' is Senate Bill 836; 'recommends be adopted' is Floor Amendment #4 to Senate Bill 526. Representative Collins, Chairperson from the Committee on Juvenile Justice Reform, to which the following measure/s was/were referred, action taken on May 30, 2008, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is Senate Bill 2743. Representative Burke, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on May 30, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to Senate Bill 2520. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on May 30, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is House Resolution 1307. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on May 30, 2008, reported the same back with the following recommendation/s: 'do pass Short Debate' is Senate Bill 848; 'recommends be adopted' is Floor Amendment #1 to House Bill 3200. Representative Lang, Chairperson from the Committee on Gaming, to which the following measure/s was/were referred, action taken on May 30, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2650. Representative Hoffman, Chairperson from the

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Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on May 30, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2388. Representative John Bradley, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on May 30, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2093."

Speaker Lyons: "The Chair recognizes the Gentleman from DuPage, Representative Mike Fortner."

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

Speaker Lyons: "Please state your point, Representative."

Fortner: "Thank you. I know yesterday was a long day for us with almost 10 hours in Session. Probably today we're looking at much the same situation and in that urgency to get done when things have been so long, we had this... we wanted to wrap things up and that's very understandable. And in the process, we ended up cutting short the debate on Senate Bill 2860 to move that previous question to get things done. Unfortunately, I didn't get a chance to raise what I think is a really important point which was reflected in the reason why I voted 'no' on that Bill. That Bill, the speakers who made their comments, I think, very correctly represented the strong sentiment of this Body and my sentiment as well, that what we want to do is protect children from the lead that they may ingest by

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putting toys or other products in their mouth. Lead that would be on the surfaces due to paint, due to pieces of metal in children's jewelry, the kind of things where they might ingest lead that would be harmful. However, as much as everyone expressed those intentions in their remarks, if one looks at the Bill, and I know there was a great deal of effort to tighten up the Bill from the original version that existed in House Bill 5789, what remained, the key controlling paragraph in that Senate Bill 2860 still left in the language that says and I quote, 'that no person may' and then there's the list of all the different forms of sales, 'or transfer the items listed in the Section that contains a total lead content in any component', I emphasize those words, 'in any component'. If the intention, as I agree, if the intention was to deal with those things you put in the mouth, which was expressed by a number of speakers, then all the other parts of the Bill that were correctly addressed, we missed the critical paragraph, the one that actually has the prohibition stuck on it. As such, this Bill would still end up forcing labeling for inaccessible components such as electronics in children's toys or other child products. I certainly believe that was not the Sponsor's intent. I think the intent that was read was accurate; however unfortunately, in this case there is plain language and as much as we'd like to express legislative intent, legislative intent, I think, cannot overrule the plain language that exists in the Bill that's now being sent back to the Senate for concurrence. And I think it's important to get on the

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record that there is that fundamental problem and I would certainly urge whatever steps might there be in the process that we need to take that into account to make it a Bill that I think would then do the right thing to regulate the surfaces that children would be ingesting lead. And I thank the Speaker for a chance to give my comments."

Speaker Lyons: "Thank you, Representative Fortner. Representative... Ladies and Gentlemen, we'll be starting on Senate Bills-Third Reading, starting on page 46 and working through the Calendar. So if you have a Bill on Third Reading-Senate Bills starting on page 46 follow with me. If you're not in your chair, we'll call you. Representative Yarbrough, Representative Karen Yarbrough has Senate Bill 62. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 62, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Karen Yarbrough."

Yarbrough: "Okay. Thank you, Mr. Speaker. So... let me get my notes here... Okay. This is Senate Bill 62. Senate Bill 62 is... has been gutted and replaced with language that's identical to House Bill 222 which passed out of this Body last year with over 100 votes. The Bill, as amended, seeks to require county sheriffs to send persons' identification to the Department of Corrections, if committed and then return it to them upon release. This measure will help people with reentry. Be happy to answer any questions."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Champaign, Representative Chapin Rose."

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Rose: "Will the Lady yield for a question, please?"

Speaker Lyons: "Sponsor yields."

Rose: "Representative, what's different from this? There was a Bill very similar to this last year..."

Yarbrough: "Yeah, House Bill 222. It's the same Bill."

Rose: "House Bill 222? It's the same Bill?"

Yarbrough: "It sits over in the... Yes, the exact same Bill to House Bill 222. It's over in the Senate."

Rose: "So..."

Yarbrough: "So, it passed out of here last year with 106 votes, I believe."

Rose: "All right. And then this is the... there's nothing different in that Bill than this one."

Yarbrough: "No, no."

Rose: "Is... Okay. Thank you, Representative."

Yarbrough: "Sure."

Speaker Lyons: "No further discussion, Representative Yarbrough to close."

Yarbrough: "I just ask for a favorable vote."

Speaker Lyons: "The question is, all those in favor of the passage of Senate Bill 62 should signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 110 Members voting 'yes', 3 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Is Representative Careen Gordon in the chamber? Representative Marlow Colvin, on page 46 of the

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Calendar, you have Senate Bill 1890. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1890, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

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

Colvin: "Thank you, Mr. Speaker. I present to the House Senate Bill 1890 that deals with surety bonds. Essentially what this Bill does, in a very simple form, is it raises the level of surety bonds from five thousand to fifty thousand dollars (\$5,000 to \$50,000) here in the State of Illinois. It's an initiative of the Capital Development Board and it was done for a couple of reasons. In particular, it allows companies, small and emerging companies, to bid on very small contracts that remove the requirement of a surety bond, which sometimes proves difficult for small and emerging companies to ascertain those bonds. At the same time, it clears up an awful lot of paperwork and backlog with respect to surety bonds because they're simply not required in the type of contract that you typically see at the fifty thousand dollar (\$50,000) mark. The Bill passed out of the Senate with a one hundred thousand dollar (\$100,000) limit. There were concerns about that given some of the type of work that would be... that would be contracted at the one hundred thousand dollar (\$100,000) mark. Fifty thousand dollars (\$50,000) was the number that was agreed on... upon by several associations... construction associations with respect to surety bond issues. The Bill is... again, was brought forth by the Capital Development

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Board. The City of Chicago and United Counties Council of Illinois are proponents. At this point, there's no opposition. I'd be happy to answer any questions."

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

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

Speaker Lyons: "Sponsor yields."

Franks: "Representative, I understand we're trying to increase the figure from five thousand to fifty (5,000 to 50,000) and the figure five thousand has been around for... for how long?"

Colvin: "I'm sorry?"

Franks: "How long had the figure of five thousand (5,000) been this... been the threshold?"

Colvin: "I can't tell you, but it's probably five thousand for at least twenty (20) years."

Franks: "Okay."

Colvin: "It was last changed in 1931."

Franks: "Okay. So, it's been a long time."

Colvin: "It has been."

Franks: "And that's what I was trying to establish because typically I don't like to vote to make it easier for people to do work without being bonded, but I guess the number hadn't moved in seventy-some years. It was probably the reason, would you agree, would be so the small projects wouldn't have to be bonded?"

Colvin: "Which is the reason the Capital Development Board brought the Bill forward. But at the same time, I think, what a healthy by-product of it is, a lot of firms that

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have always had trouble getting surety bonds will also be able to benefit too in contract amounts that are very small. They simply don't do contracts at five thousand (\$5,000), ten thousand (\$10,000), fifteen thousand dollars (\$15,000) anymore."

Franks: "Okay. Thank you very much."

Speaker Lyons: "No further discussion, Representative Colvin to close."

Colvin: "I'd appreciate an 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should Senate Bill 1890 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Cole. Mr. Clerk, take the record. There's 113 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative... Representative Careen Gordon you have Senate Bill 1865. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1865, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

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

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, Senate Bill 1865 was brought to me by a good friend of mine, Senator Noland in the Senate. Right now, under the parental responsibility law, in a civil action the... if the minor does damage to someone's property, for example, they go through juvenile courts and certain restitution can be taken care of, but there can also be a civil action for any

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other damages and also for attorneys' fees, but one, if the damaged entity is a governmental unit, they can't cover attorney's fees. So, Senate Bill 1865 would change that and secondly, it would raise the cap on those attorneys'... or on those attorneys' fees. It, in no way, means that the judge would award attorneys' fees at a higher level and in most instances the judge would award no attorneys' fees, but it would allow a governmental entity such as a municipality that would have to spend time cleaning up graffiti or any other damaged property that they may have to recover attorneys' fees civilly from the minors' parents. I'd ask for your 'aye' vote. And I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is 'Should Senate Bill 1865 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 113 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the top of page 47, Representative Ken Dunkin has Senate Bill 2160. Is Representative Dunkin on the floor? Mr. Clerk, on page 47 of the Calendar, Representative Reboletti has Senate Bill 2198. Representative John Fritchey, you have Senate Bill 2232 on page 47 of the Calendar. Out of the record. Is Representative Bill Mitchell on the floor? Representative Pat Lindner? Is she... is there a Lindner on the floor? Representative Sid

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Mathias, you have Senate Bill 2314 on page 47 of the Calendar. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2314, a Bill for an Act concerning elections. Third Reading of this Senate Bill."

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

Mathias: "Thank you, Mr. Speaker. Senate Bill 2314 amends the Election Code. It extends the time period. Today the time period is five (5) days before an election in which a hospitalized voter may qualify for the delivery of an absentee ballot. We're extending that to fourteen (14) days. And we're also giving those same privileges to voters who return home from a recent hospital stay, but are still homebound under doctor's orders and are unable to go to the polls. And I ask for your 'aye' vote."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Lady from Lake, Representative Sandy Cole."

Cole: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Cole: "Representative Mathias, who delivers the ballot to the person in the hospital?"

Mathias: "I believe it can be done by a relative."

Cole: "And where does that relative receive the ballot?"

Mathias: "I assume from the county clerk. I can give you the exact text, but I'm assuming that's, you know, the only way they would be able to get it."

Cole: "The law used to be that a precinct committeeman could deliver a ballot to the... to the hospital."

Mathias: "I'm sorry. I didn't hear what you said."

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Cole: "The hos... the previous law or current law allows a precinct committeeman or someone within the Party to deliver a ballot to the hospital, particularly in a Primary Election?"

Mathias: "Yeah. I don't think we have changed... we're not changing existing law as to who can deliver it. In fact, that... that isn't... whatever the existing law is, we haven't changed that."

Cole: "Okay. But the ballot can't be delivered... the current law is the ballot can't be delivered no more than five (5) days before the election..."

Mathias: "Right."

Cole: "...now it's no more than five (5) days... fourteen (14) days before the election?"

Mathias: "That's correct."

Cole: "Doesn't that make it... what about a person that's sick... in the hospital six (6) days before the election. They won't get the..."

Mathias: "No, no. That's the reason we're extending it. Right now, it has to be not more than five (5) days. Now, they're... now, it's not more than fourteen (14) days, so in effect, they're getting more time if they're in the hospital to deliver the... not less time."

Cole: "Thank you."

Speaker Lyons: "Representative Mathias to close."

Mathias: "This is a good Bill. Obviously, we've all had friends and relatives or... you know, that have been hospitalized and still want and desire very strongly to

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vote and this gives them that opportunity and it gives a little more flexibility. So, I ask for your 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 2314 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Harris, Scully. Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Fritchey has Senate Bill 2232. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2232, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

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

Fritchey: "Thank you, Speaker. This Bill is identical to one passed earlier by the House and passed over earlier by the Senate. I simply request an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2232 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 77 Members voting 'yes', 36 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mulligan, for what purpose do you seek recognition, Representative?"

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Mulligan: "Mr. Speaker, this Bill was really pulled fast. Nobody even had a chance to look it... read it on the thing and then you went to the vote. I had my light on, but I couldn't do it that fast. For God's sake, you had it up on the board, then you took it down, then you put it back up on the board 2 minutes later and then you called for us to vote on it. That really isn't fair and if you're going to do that all day, there's going to be a protest on this side, let me tell you."

Speaker Lyons: "Representative Monique Davis, for what purpose do you seek recognition?"

Davis, M.: "Thank you, Mr. Speaker. I have to agree with my colleague and I would ask that you reconsider the vote."

Speaker Lyons: "Representative, it's your privilege. If you wish to, you can file the Motion, so... Representative Mike Fortner, you have Senate Bill 2327 on page 47 of the Calendar. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2327, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from DuPage, Representative Mike Fortner."

Fortner: "Thank you, Mr. Speaker, Members of the House. Senate Bill 2327 directs Central Management Services to conduct a study of their high volume transaction processing systems. These are the data systems that handle in excess of fifteen million (15,000,000) transactions per hour. The study will basically determine what's the most cost-effective way that we should be handling these types of transactions. I'd be

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happy to answer any questions and would ask for your 'aye' vote."

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

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

Speaker Lyons: "Sponsor yields."

Franks: "Representative, you're trying to help CMS here it looks like. Is that correct?"

Fortner: "We're certainly trying to help them determine what's the best way to handle these types of transactions. Certainly, we do high volume data processing at CMS and we want to make sure what's the best way to handle that and the most efficient way."

Franks: "And our analysis indicates that CMS has no position and when this came to committee, CMS didn't put in a slip, did they?"

Fortner: "That is correct. I contacted CMS and their position was that there was a cost associated with the study. They anticipated there'd be savings that would make up for the cost, so they felt that those two (2) factors weighed against each other and they chose not to take a position."

Franks: "So, they can't make up their mind?"

Fortner: "I... I can't speak for them on that."

Franks: "Well, have you had a chance to look at the latest audit that came out three (3) days ago on CMS?"

Fortner: "I did certainly take a look at a substantial part of that and I would... I would suggest that these types of things we need to have this kind of oversight where we're getting reports of how are they acting? Are they acting in

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the most efficient manner possible? This will provide us with at least on one aspect of what they're doing, how they're doing that."

Franks: "I couldn't agree with you more. I pulled up the synopsis of the audit and what they said is that there were twenty-eight (28) findings this year. Now, last year there were only eighteen (18) findings by the Auditor, but out of those eighteen (18) findings, fourteen (14) of those eighteen (18) were reported, plus there was another fourteen (14). So, CMS seems to be going backwards. Would you agree?"

Fortner: "That was certainly my sense from the... the summary of the audit."

Franks: "I appreciate you helping them do their job. It appears that they're going to need a lot more help getting their job done. And for those of you that have not read the Auditor's report on the financial audit and the compliance examination of CMS, I urge you to do so. It's online at the Auditor General. Some of the highlights... 'cause I know we're going to be voting on these Bills today. When we're dealing with the pension bonds, for instance, one of the findings was that CMS's expenditure control system was inadequate to ensure that Bond Funds were utilized for appropriate purposes. It also says that the department did not provide adequate documentation to support charges billed for information technology, the facilities management, and graphic designers. As you recall, we passed a Resolution here rejecting the Governor's Executive Order which would consolidate many of

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these programs that CMS is trying to do. So, I want you to listen to this very closely. CMS has a ton of problems. It doesn't seem that they know what they're doing. They're getting worse. And Representative Fortner's Bill hopefully will help them keep their noses clean."

Speaker Lyons: "Representative Fortner to close."

Fortner: "Thank you. And the previous speaker, I think, summed up some of the problems that we see there. Though this is just one small aspect, I think it's the kind of effort that we're going to have to do to make sure that.. that CMS is running as efficiently as possible. I'd ask for your 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 2327 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Barbara Flynn. Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jack McGuire, you have Senate Bill 2340. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2340, a Bill for Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Will, Representative Jack McGuire. Representative McGuire. Jack. Senate Bill 2340. We've read the Bill, Jack, we're waiting for you."

McGuire: "Thank you, Mr. Speaker. Senate Bill 2340 amends the Illinois Controlled Substance Act... Substances Act. And it

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provides that in the prosecution for a violation relating to the unlawful manufacture, delivery, possession or possession with intent to manufacture or deliver a controlled substance or look-alike substance a law enforcement agency or an agent acting on behalf of the law enforcement agency must preserve, subject to a continuous chain of custody, specified amounts of the controlled substance... substances and must maintain sufficient documentation to locate that evidence."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2340 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Monique Davis. Representative Patterson, Milt. Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the bottom of page 47, Lisa Hernandez, you have Senate Bill 2348. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2348, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

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

Hernandez: "Thank you, Speaker and Members of the House. House Amendment #3 will replace Amendments #1 and 2. The Amendment replaces the Bill. As in House Amendment #2, the Amendment will allow any medical or health care provider under the Medicaid program to elect, in lieu of receiving

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direct payments for services... Okay. Speaker, you know, at the moment can I pull this out of the record?"

Speaker Lyons: "Clerk, take this Bill out of the record. Again, Ladies and Gentlemen, following the Calendar on Senate Bills-Third Reading, we're on top of page 48. I'll be proceeding for the rest of the morning on Senate Bills-Third Reading, so if you've got a Bill on page 48 or 49, heads up, we're going down the row. Representative Chapa LaVia, you have Senate Bill 2353. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2353, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

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

Chapa LaVia: "Yes, Speaker and Members of the House. This Bill is a... amends the Property Tax Code by repealing a Section of the Code regarding county clerks conducting property surveys. Let me grab my notes here real quick. It's an administerial office such as the county clerks to order a survey of private property is unjustified, unnecessary, and impractical. There are ample statutory provisions which require the property subdivision record of land record. This law may be... had been necessary when municipalities are being developed and added to and when property was not being properly described for taxation purposes. Today, the Plat Act and other statutory requirements for the subdivision of land sufficiently cover this matter. Repeal of this measure will be reflected of current practice in that no county clerk surveys are being done. Relevant

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cases on the statute reflect that no cases have been brought on since... appeal 1911 and all their case law is from the early 1800s. In summary, the current law is inadequate and not enforced and more recent... recently, statutory requirements such as the Plat Act and municipal zoning authorities are better enforced mechanisms. I'll take any questions."

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

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, it's my understanding that we're just repealing an obsolete statute that has not been used in a number of years and current case law and zoning rules and regulation in the Municipal Code takes care of this. The statute is just simply no longer necessary, correct?"

Chapa LaVia: "Correct. It's one of the things we get to say is we get to take a Bill off the books or the law off the books that's no longer needed."

Black: "Well, you know, when we were in the Majority a few years, we... every Wednesday we had repeal obsolete... obsolete statute Bill. Maybe you and I will want to go back to that."

Chapa LaVia: "Well, maybe we should. Thank you, Representative Black."

Black: "All right. Thank you."

Speaker Lyons: "No one seeking further discussion, Representative Chapa LaVia to close."

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Chapa LaVia: "Thank you. And I request an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 2353 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Patterson. Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dennis Reboletti, you have Senate Bill 2355. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2355, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Reboletti."

Reboletti: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Body. This Bill amends the Criminal Code and allows that after a finding of probable cause at a Gerstein hearing or after a defendant has been unfit to stand trial in cases of aggravated criminal sexual assault, predatory criminal sexual assault, and some other sex crimes, that the defendant be tested for sexually transmitted diseases, including HIV, that that information from the tests then be given to the judge, the prosecutors, and the victim in sealed documents and that will be reviewed in camera, in the judge's chambers and then that the judge will be able to give information to the victim about counseling. So, I would be willing to take any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2355 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'."

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dan Brady, you have Senate Bill 2365. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2365, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Brady: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 2365 seeks to amend the Criminal Code to raise the penalty for aggravated battery committed by a prison inmate or a person in custody as a sexually violent person and the battery involves throwing blood, seminal fluid, urine, or feces at a facility employee. It's an initiative of the Illinois Fraternal Order of Police as well as supported by AFSCME. And I'd be happy to answer any questions."

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

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

Speaker Lyons: "Sponsor yields."

Gordon: "Representative, what are you trying to accomplish with this legislation? I mean, is it a deterrent? Is it just... you feel it's another tool available to law enforcement or... I mean, what's the purpose?"

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Brady: "Well, it's really a combination of those, Representative, but most importantly taking existing language in statute and we're... we're increasing the penalty for one of these type of acts were you're threatening and endangering... further endangering the life of correctional officers or others when this type of activity occurs."

Gordon: "Well, you know as well as I do that if someone is already in custody or civilly committed as a sexually dangerous person or a sexually violent person, they already have a very long criminal history. Would... you would agree with that, correct?"

Brady: "I... I would think that they probably do have a lengthy criminal history."

Gordon: "Well, they... they would... they would have to have one in order to qualify for being one of those people and to be able to file a petition of that sort against them. And so, the situation would exist where an extended term, sentencing would already be available which would actually be longer than what you're purposing or even under the aggravating circumstances that statute under the corrections or under the Criminal Code and under the... under the Code already exists would allow the judge to give a longer sentence than what you're purposing. So, this is... I mean, I understand what you're doing, but it's almost kind of like... you know, the option is already there and the option is already there in most instances to give that person a longer sentence than what you're already purposing."

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Brady: "Well, I certainly appreciate your comments and with your background, Representative, you certainly know the ins and outs of... of the legal system more even than I do, but I'm simply trying to advance what was an initiative for the Illinois Fraternal Order of Police and do everything we possibly can in this day and age where blood borne pathogens and this type of activity has a greater risk for staff involved. And if it's not considered any form of deterrent, if it's not considered certain other things, at least it's taking and hopefully increasing the penalty from existing law. But I... I certainly respect and understand your comments and I appreciate those."

Gordon: "Thank you, Representative. Mr. Speaker, to the Bill. Ladies and Gentlemen..."

Speaker Lyons: "To the Bill."

Gordon: "...with a Bill like this I completely understand what the Representative is doing and it's truly noble and I'm a big supporter, obviously, of the FOP and the Department of Corrections and the people at DHS who deal with the people who are in custody under the SDP and the SVP statute; however, when you are eligible for a petition to be filed against you as a sexually dangerous person or a sexually violent person, you already have a long criminal history that would make you eligible for extended-term sentencing or there would already be aggravated circumstances that exist that would give you a longer term of... that would... that would give the judge available to you a longer term than what the Representative is already proposing. We've had the CLEAR Commission out there for over two (2) years,

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three (3) years now, and they've done their best with the Criminal Code. I know that we've wanted to work on Corrections Code. Representative Reboletti and I have talked about this several times, but it's something that it's not necess... it's just unnecessary to do at this point. It's... it's a Bill to feel good about and you can be tough on crime, but it's not necessary, because what we're doing here is already available to judges and in most instances the judge can give a longer sentence than what we're already proposing. I just wanted the Body to have that information. I'm not standing here saying vote 'yes' or vote 'no' because I sure don't... sure don't want to stand here and say, you know, vote for someone who's... who's being violent towards a CO or someone who has to deal with someone who's in custody due to a sexually violent person's petition, but I'm telling you that what is already available under our Criminal Code is a longer term sentence than what the Representative is proposing. Thank you, Mr. Speaker."

Speaker Lyons: "No one seeking further recognition, Representative Brady to close."

Brady: "Thank you very much, Mr. Speaker. I certainly respect the Representative's comments and actually, Representative, on this side of the aisle, Representative Bill Mitchell is in charge of my legislation that's unnecessary. So, you might want to... you might want to get with him and discuss that. He seems to be very knowledgeable in that area. With that, I'd certainly ask for an 'aye' vote on something that is very dangerous and something that certainly in any

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way, shape or form we can help protect those officers who put their lives on the line in our institutions. I certainly support it and ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 2365 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 112 Members voting 'yes', 1 Member voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mike Fortner, you have Senate Bill 2379. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2379, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from DuPage, Representative Mike Fortner."

Fortner: "Thank you, Mr. Speaker, Members of the House. Senate Bill 2379 clarifies and codifies what is generally expected to be the practice when a school district needs to withdraw or be added to a special education cooperative. This Bill doesn't really change any of the rules, but it makes it clearer in the statute how that process should go. Be happy to answer any questions."

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

Eddy: "Thank you very much. Sponsor yield?"

Speaker Lyons: "Sponsor yields."

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Eddy: "Representative Fortner, I just want to clarify one thing. This does not change anything currently as far as the process goes for a school district to pull out of a special education cooperative. Isn't that correct?"

Fortner: "That is correct. It..."

Eddy: "All this does is... is kind of codify current practice. There seems to be a rash of districts considering leaving the special ed cooperative that they are currently in and the practice has always been that all of the Boards of Education of all of the members of the cooperative by resolution have to approve and agree to that... that district leaving that cooperative."

Fortner: "That is certainly the common practice and... However, in statute it's not clear that that is the method by which it happens. This codifies that."

Eddy: "Okay. So, this... this in no way... in no way makes it easier to string school districts out. This is just codifying. And if... if there's a question as to whether or not all school districts will allow that, then the regional board of school trustees still must by a two-thirds vote allow for the cooperative... that member to leave?"

Fortner: "Yes, that is correct."

Eddy: "Okay. Thank you, Representative, for the clarification."

Speaker Lyons: "Representative Fortner to close."

Fortner: "I urge an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 2379 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Representative Dugan, Golar. Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Sid Mathias, you have Senate Bill 2382. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2382, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Mathias: "Thank you, Mr. Speaker. We had a lengthy discussion on this Bill earlier this week. I know Representative Fritchey had some concerns. We were able to give him answers to the questions that he had. I hope that... that alleviates all his concerns. I think it does. Again, this was an initiative of the DuPage County State's Attorneys Office. And I ask for your 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2382 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Holbrook. Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Kathy Ryg, you have Senate Bill 2399. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 2399... Senate Bill 2399, a Bill for an Act concerning health. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Lady from Lake, Representative Kathy Ryg."

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2399 amends the Genetic Information Privacy Act clarifying and strengthening the provisions of current law to protect against discrimination of individuals from illegal disclosure and use of genetic information. These revisions are considered necessary to further prohibit discriminatory practices of employers and other entities and to strengthen enforcement of current law. This is also very important as it harmonizes our Illinois 1998 Act with the recently enacted federal Genetic Information Nondiscrimination Act which was just signed into law May 21. The Illinois law also reaches employers not covered by the new Federal Law. There's no opposition that I'm aware of and I'm happy to answer any questions."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Mary Flowers."

Flowers: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Lyons: "Sponsor yields."

Flowers: "Representative, I'm curious to understand that the genetic law would prohibit discrimination, but it would allow for the employer to do a DNA testing? It says, provides that this new law will not prohibit an employer from conducting DNA analysis for law enforcement as a forensic laboratory."

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Ryg: "There's an exemption for law enforcement purposes."

Flowers: "But this is for the employer to do the forensic testing for..."

Ryg: "Right, as a forensic laboratory."

Flowers: "So, if the employer finds that there is more than what he's looking for in that testing, could that be a problem? I know this is supposed to be protecting the employee from being discriminated by the insurance company that the employer has contracted with."

Ryg: "I'm sorry. I missed..."

Flowers: "I'm trying to understand the reason why the employer would be requesting and requiring genetic information from the employee?"

Ryg: "I think... I think the key in that statement in our analysis is that it's for law enforcement purposes as a forensic laboratory. So, it'd be... there's an exemption that allows the DNA analysis to be used for forensic purposes not for employment discrimination."

Flowers: "But..."

Ryg: "That's... that's what the law does is protect against employment con... discrimination, so that an employee is... an employer is not able to use an employee's DNA information or genetic test information to discriminate in any way against their ability to hire or promote or any other... cover for insurance, any of those purposes."

Flowers: "I understood that part. The part that concerned me was that the employer would have this information and knowingly have it at his discretion to discriminate 'cause it would be very difficult for him not to do so."

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Ryg: "Well, that's the... the intent of this legislation is to protect an individual from their genetic information being used against them in employment and insurance coverage issues."

Flowers: "So, what would happen to the employer if they decided to try to discriminate down the road and how... how... because the employer has the DNA information of the employee, what safeguards... yeah... the employer may not fire that person that day or that week or that month, but maybe a year later."

Ryg: "Well, for the first time this would allow the employee to use their own genetic testing information in a suit against the employer. Previously, that was prohibited. So, the employee is now armed with proof that that genetic testing was used against them and there are penalties for the mishandling of information and the intentional mishandling. And so, this law would strengthen Illinois's position. Illinois residents would have a course of action under Illinois law that's even stronger than the Federal Law that was just signed into effect."

Flowers: "Thank you, Representative."

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

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

Speaker Lyons: "Sponsor yields."

Moffitt: "Representative, first of all I want to thank you for advancing, continuing to enhance the legislation we have in Illinois. Of course, it was called the Genetic Privacy Act. We started working on this I think about 1996, passed

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it I believe in '97 to create the Illinois Genetic Privacy Act. It became effective I think in 1998 and at that time we were one of the first states in the nation to have a Genetic Privacy Act. It's a very important issue. Now, Congress, I believe the U.S. House, has passed legislation with Representative Biggert taking the lead. Aren't we kind... isn't our intent with this to bring it, Illinois's law in compliance with what's going to probably be Federal Law?"

Ryg: "Yes. That's exactly the intent of this. In 1998, you're correct, and you were at the forefront in that time in passing legislation in Illinois that made us a leader in terms of protections of genetic privacy. Now, that the Federal Law has strengthened their provisions with the newly enacted legislation, this Illinois law picks up where they leave off and it further defines which employers are covered. It's typical for Federal Law to limit employers of fifteen (15) or more. We picked that up and defined even more... more employees are protected under this Act."

Moffitt: "Well, I just... I want to... I want to thank you for continuing this effort and to the Bill, Mr. Speaker. I hope the Body understands the importance of genetic information; it's becoming more and more important. Back in '96 or '97, I had a third generation ovarian cancer survivor that came to me with this issue. The Human Genome Project hadn't even been completed when we started this legislation. It... it just helps... the guaranteed privacy helps us be proactive about our own health and the statistics are overwhelming. If a woman has the breast

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can... the gene that causes breast cancer, she can have up to an 84 percent probability that she will develop breast cancer sometime in her life and if she wants to know that, I think it's important that we help people be able to know that information and know they won't be discriminated against in their employment or in their insurance coverage. Quite honestly, with genetic information we have today, we could identify a pool of people that no one would want to insure, no one would want to employ. This type of legislation helps guarantee that we don't have that kind of discrimination occur, so just commend the Sponsor. We need this legislation to continue this effort to empower citizens of Illinois to be able to use technology such as DNA testing for their own... determining their own future, identifying what problems they need to deal with and face. So, glad this is advancing. This continues to protect citizens of Illinois. Thank you. Urge a 'yes' vote."

Speaker Lyons: "Representative Ryg to close."

Ryg: "Thank you. I'll let the comments of Representative Moffitt, who was the true leader in this, stand on their own, but again, this is very significant legislation for the residents of Illinois and I believe everyone should be support. Thank you."

Speaker Lyons: "The question is, 'Should Senate Bill 2399 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having

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received the Constitutional Majority, is hereby declared passed. Representative Mautino, Representative Watson has Senate Bill 2407. Representative Mautino, do you want to present that Bill on behalf of Representative Watson? Mr. Clerk, read the Bill, Senate Bill 2407."

Clerk Mahoney: "Senate Bill 2407, a Bill for an Act concerning fish. Third Reading of this Senate Bill."

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

Mautino: "Thank you very much and I'm delighted to join with Representative Myers and other Members who have worked with Representative Watson. This is a process of about four (4) to five (5) years work from Senators Demuzio and Watson to deal with the problem of the extreme growth of the Asian Carp and the increasing number in the Illinois River. The program, as I said, right now would be a pilot program and it's increasing the levels of fish that can be taken out of the river. It's got basically a bounty that'll be paid to encourage the... to encourage the taking of the fish. And this'll be a pilot; it'll be done through DNR. And we do have some additional work to do on it. We're looking at changing some of the funding structure and it'll need an appropriation. My wish is to send it over to the Senate where it will be receiving a couple new Amendments. It currently has the Speaker's rules Amendment on it. So, from that point, we will see the Bill again here as we do know, we a couple of changes. Wanted to thank Representative Myers for his work on it and be happy to answer any questions. But with that, we do know we need

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another Amendment to it. I'd like to send it over there and continue the work that's been going on for the past three (3) years."

Speaker Lyons: "The Gentleman from McDonough, Representative Rich Myers."

Myers: "Thank you, Mr. Speaker. I fully support this piece of legislation and I urge all of our colleagues to do the same. Along the Illinois and the Mississippi Rivers we do have a... a fairly active group of commercial fishermen that do provide fish for our markets all across the State of Illinois. That endeavor, the commercial fishing activity, is being hampered by the large amount of Asian Carp that are taking over the river. This legislation is a step in trying to get the Asian Carp population under control. The commercial fishermen really want to... to do a great job of trying to clean the river up so that it can be restored back to the regular fish population we all know and understand in our... in our state. So, I encourage all Members of the Body to support this piece of legislation and like Representative Mautino said, we do still have some work to do on it and especially the funding side of it. And we look forward to bringing this back to you for further changes."

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

Reitz: "Thank you, Mr. Speaker. To the Bill. We've... we've... this is a good Bill that Representative Watson has and Senator Demuzio have a problem in that area, but it's a problem that's moving north and will continue to move north

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and get into the Great Lakes. But Asian Carp, whatever way they got here and have propagated through the floods that we've had in recent years and are in the river need to be dealt with. DNR's opposition... I've spoken to them quite a few times... their opposition really has been... well, some with the rules Amendment, but the other is just to make sure that it's... that we appropriate funds for this project and then they will sit down and try to work with the... the commercial producers and find a way to set up some sort of bounty system and to find which type of Asian Carp we really need to eliminate. So, I think... I think it's a good piece of legislation and we'd appreciate everyone's help to take care of this problem. Absent this, we're probably hoping that the Asian Carp as they move upstate will run into the Ash Borer and take care of both of those problems. Thank you."

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

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

Speaker Lyons: "Sponsor yields."

Bost: "In our... in the original studies of this on how to deal with the Asian Carp, first off, it's my understanding that they... they're a... considered a... for the lack of a better word, an enemy fish. They've been brought into the... they weren't normally from here, correct?"

Mautino: "Yes. They're... they are nondomestic fish. They were brought in and they have... they have ravenous appetites. They eat the game fish and they grow to huge sizes. And in some cases, you know, if you're out on the Illinois River

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at night, they'll... you can see them jumping. They can jump clear into and in some cases, over the boats. You're talking about a fish that's enormous in size."

Bost: "Now, there's been... there's been people reportedly hurt while driving a boat and these fish jumping in there, correct?"

Mautino: "Absolutely."

Bost: "Has there been any plans on how to... and I know that's what they were planning here... is how to get rid... how to actually bring the population down or actually drive them completely out, correct?"

Mautino: "Yes. They're... that's what they're going to do. They're looking at a number of this... different things. This is one piece of it which would allow the levels that can be taken from the river and the bounties to be brought up. Those... so the poundage can be taken and basically put to the market and sold."

Bost: "You're... generations past there was a fishing technique that was used and I know we have banned that and through IDNR, but maybe with this we might bring... consider bringing that back. That has to... the use of dynamite."

Mautino: "You'd be talking about when we used to toss M80s in the lake and..."

Bost: "Yes. And then..."

Mautino: "...catch a few fish for dinner, yeah."

Bost: "...and the perc... and the percussion was bringing..."

Mautino: "I don't think we can do that, plus I think there's a carbon release."

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Bost: "There's a carbon release when you... Okay. So, we'll probably would not be green. The other issue is they use those shockers. Is it a possibility to use those to bring the... and cull it out that way?"

Mautino: "Well, that's been one of the items that DNR and the naturalists are looking at, as well."

Bost: "Okay."

Mautino: "And it's been discussed over the past few years. As I said, this is one step that Representative Watson's and Demuzio have... have brought forward to try and start culling the numbers."

Bost: "Right, right. Ladies and Gentlemen, all joking aside, this is a very good Bill. We have to do something with these Asian Carp population to thin it down. It is actually endangering the other fish species. And I support the Gentleman's Motion."

Speaker Lyons: "Representative Mautino to close."

Bost: "Appreciate an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 2407 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Jim Sacia has Senate Bill 2415. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2415, a Bill for an Act concerning state property. Third Reading of this Senate Bill."

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Speaker Lyons: "The Chair recognizes the Gentleman from Winnebago, Representative Jim Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 2415 was sent over by Senator Millner. It's a relatively straightforward Bill, amends the State Property Control Act to require the Illinois Criminal Justice Information Authority to transfer to the Illinois Public Safety Network all pertinent books, records and other documents. I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2415 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, we have 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Mendoza has Senate Bill 2461. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2461, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Susana Mendoza."

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 2461 is identical to the Bill that we already passed out of this chamber, the House Bill 4943, that would allow for the day and temporary labor service agencies to be application agents for the ALL KIDS Insurance Act. Let me stress that they would be, once

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again in this Bill, unpaid application agents. Nothing else has changed in the Bill. And I would ask for an 'aye' vote and be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should 2461 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Joyce. Mr. Clerk, take the record. On this Bill, there are 89 Members voting 'yes', 25 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Art Turner, you have Senate Bill 2476. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2476, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

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

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. Senate Bill 2476 creates the commission to study the disproportionate justice impact. This is a commission which will look at the effect of various laws that we have passed including the Vehicle Code, Criminal Code, Cannabis Control Act and what impact they've had on minority communities throughout this state. I've had some discussions with some of my colleagues and in the very near future I want to look at this, not only the racial impact, but the also the economic impact and looking at who are the people that are... that these Criminal Code laws have the greatest effect on. This commission will be housed in the

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Juvenile Justice Commission. And I move for the adoption of Senate Bill 2476."

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

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, I have no problem with the underlying Bill or the Bill, but we have a tendency to put things in statute that then stay in there for thirty (30), fifty (50), seventy-five (75) years. We just repealed an absolute... obsolete statute earlier in the day. Would it not be wise to seek a sunset clause on study commissions like this?"

Turner: "It probably will be a good idea, Representative. We don't have one in this particular piece of legislation, but I would agree with you that a sunset provision would probably make life better with most of these commissions."

Black: "Would it be possible to do a trailer Bill? I don't know... I don't... I don't think we have time to take it out, put it in and bring it back. So, if..."

Turner: "I would... I would agree to a..."

Black: "...perhaps you can agree to a trailer Bill in the fall."

Turner: "I would agree to a trailer Bill, Representative."

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

Speaker Lyons: "Representative Turner to close."

Turner: "Yeah. Let me correct one statement that I made earlier. It's not the Juvenile Justice Commission, but it would be the... it would be the commission to study the

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disproportionate justice impact and it would be under The Center for Excellence in Criminal Justice at the Great Lakes Addiction Technology Transfer Center which is all part of the U of I. So, that's where the commission would be based, the University of Chicago. And again, I move for the adoption of Senate Bill 2476."

Speaker Lyons: "The question is, 'Should Senate Bill 2476 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative... Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 56 of the Calendar, Representative Turner, on the Order of Second Reading, has Senate Bill 2322. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2322, a Bill for an Act concerning liquor, has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2322, a Bill for an Act concerning liquor. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative... Representative Turner. Mr. Clerk, take that Bill out of the record. Roger Eddy, on page 48 of the Calendar is Senate Bills-Third Reading, you have Senate Bill 2482. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 2482, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Eddy: "Thank you very much, Mr. Speaker. My understanding is that there is a Floor Amendment that needs to be put on this. So, if that Floor Amendment's ready, we need to move it to Second."

Speaker Lyons: "Mr. Clerk, put that Bill on the Order of Second Reading. The Motions filed, Mr. Clerk? Mr. Clerk, take that Bill out of the record. Okay, Ladies and Gentlemen, I'm on the top of page 49 on Senate Bills-Third Reading. Roger Eddy, you have Senate Bill 2487. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2487, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Eddy: "Thank you, Mr. Speaker. Senate Bill 20..."

Speaker Lyons: "Representative Eddy, wait 1 second."

Eddy: "Yes, Sir."

Speaker Lyons: "Hold on, hold on. Mr. Bill... Mr. Clerk, take that Bill temporarily out of the record. And read the Rules Report."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 30, 2008, reported the same back with the following recommendation/s: on the Order of Concurrence approved 'recommends be adopted' is Senate Amendments 3, 4, 5, 8, and 9 on House Bill 824 and a Motion

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to Concur in Senate Amendment #1 to House Bill 4726; 'approved for floor consideration' is Amendment #4 to House Bill 1826, Amendment #2 to House Bill 2167, Amendments 3 and 4 to House Bill 4354, Amendment #2 to House Bill 4755, Amendment #1 to House Bill 5672, Amendment #3 to House Bill 5801, Amendment #2 to Senate Bill 326, Amendment #2 to Senate Bill 2216, Amendment #1 to Senate Bill 2287, Amendment #1 to Senate Bill 2293, Amendment #2 to Senate Bill 2400, Amendment #2 to Senate Bill 2482, Amendment #1 to Senate Bill 2512, Amendment #3 to Senate Bill 2520, Amendment #3 to Senate Bill 25... 2677, Amendments 1 and 2 to Senate Bill 2688, Amendment 1 to Senate Bill 2855, Amendment #2 to Senate Bill 2857, and Amendment #3 to House Resolution 994."

Speaker Lyons: "Okay. Representative Eddy, on page 48 of the Calendar, we have Senate Bill 2482 which is now on the Order of Second Reading and your Amendment is... is prepared. What's the status of the Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2482 is on the Order of Senate Bills-Second Reading. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Eddy, has been approved for consideration."

Speaker Lyons: "Representative Eddy on the Amendment."

Eddy: "Thank you, Mr. Speaker. I need to adopt Amendment #2 which basically does three things. The underlying Bill is cleanup language to a number of School Code items that comes from the study that was done regarding obsolete and duplicative language in the Illinois School Code. Amendment #2 is an Amendment that adds clarification

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providing that daycares keep certified copies of birth certificates on file and return the original to the parent and only one (1) copy is necessary. It's identical to House Bill 4471 that passed unanimously. And the third Section expands the ability of the Illinois Math and Science Academy to have campuses beyond the one campus located in the Fox River Valley. I'd be happy to answer any questions and request the adoption of the Amendment."

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

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

Speaker Lyons: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2482, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Roger Eddy."

Eddy: "Thank you, Mr. Speaker. During the adoption of the Amendment, I gave a pretty good explanation of the three (3) parts of the Bill. And I would just simply vo... request on 'aye' vote for the passage of the Bill and answer any questions."

Speaker Lyons: "Is there any discussion on Senate Bill 2482? Seeing none, the question is, 'Should it pass?' All those in favor of voting for the Bill signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Representative Feigenholtz. Mr. Clerk, take the record. On this Bill, there's 113 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the top of page 49, Representative Eddy has Senate Bill 2487. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2487, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Eddy: "Thank you, Mr. Speaker. Senate Bill 2487 is cleanup language to Public Act 94-1019. That Bill, if folks remember, made some substantial changes for reorganization options for local school districts, but during the drafting there were a couple of errors made. Those two (2) inadvertent errors need to be cleaned up and that's the purpose of this legislation. And I'd be happy to answer any specific questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2487 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Pat Verschoore. Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Chapa LaVia, you have Senate Bill 2489 on the top of page 49. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 2489, a Bill for an Act concerning certain individuals killed in the line of duty. Third Reading of this Senate Bill."

Speaker Lyons: "The Lady from Kane, Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. Senate Bill 2489 amends the State Prompt Payment Act and Court of Claims Act requiring that a Court of Claims to direct the Comptroller to add an interest penalty if payments of claims is not made within six (6) months after the claim is filed and all information has been submitted and required under the Line of Duty Compensation Act. Amendment #1 adds in the provision to extend the time frame of the family service member who dies in the line of duty to apply to the death benefits from one (1) to two (2) years. House Bill 5370 which passed the House with 108 on May 13, but may have missed the Senate's deadline of action on the House Bills. So, the Amendment #1 adds in Armed Forces."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2489 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mautino, Molaro. Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Michael Tryon, you have Senate Bill 2501. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 2501, a Bill for an Act concerning civil laws. Third Reading of this Senate Bill."

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

Tryon: "Thank you, Mr. Speaker. Senate Bill 2501 is to allow quick-take privileges to the Village of Lake in the Hills for their airport. There's no other use better for quick-take than a public safety improvement. And what's happened in the Village of Lake in the Hills is it's taken twelve (12) years to work out between the county, the City of Crystal Lake and Lake in the Hills Airport an intergovernmental agreement where they could relocate the runway for public safety purposes. There is a parking lot that they need a piece of that has an unwilling seller and they've been in negotiation for a year and they need quick-take authority so they can acquire this parking lot and move forward with this very important public safety provision. I would be glad to answer any questions and I hope that you can support me on this. This is very important to not only to the Village of Lake in the Hills but Crystal Lake and McHenry County as well."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2501 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 68 Members voting 'yes', 45 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed."

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Mr. Clerk, on page 49 of the Calendar, Representative Lang has Senate Bill 2505. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2505, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lyons: "I recognize the Gentleman from Cook, Representative Lou Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. The intent of this Bill is to provide an incentive for residential service providers to provide the best possible care for children in their care and then transition them to the most appropriate settings. The incentive would be based upon a performance-based rates of reimbursement. There was a lot of negotiation with the various state agencies, several of them that were involved in this process, and they really couldn't get their act together, but finally they did and so now this is an agreed Bill. I'd be happy to answer your questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is... Representative Mulligan. The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan. Is your light on, Representative?"

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

Speaker Lyons: "Sponsor yields."

Mulligan: "Lou, just because you're one of my favorite people I thought I'd ask you a question. Is there any chance this is going to be funded?"

Lang: "Well, Representative, the departments involved and it was... the state agencies along with the advocates that drafted the Amendment... there was never any discussion with

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me that there was any concern about funding. So, I presume that there's either no issue or that they believe they can handle this with the existing line items that they have."

Mulligan: "Well, when we discussed this last year, it wasn't an issue of funding and there was a problem and since this year seems to be a tight budget year, I... I agree with your Bill. I have no problem with the Bill. What I'm worried about is that there isn't any money. So, I just wanted to put on record that I hope the money would follow, because I do think there's a problem with funding."

Lang: "Hopefully there won't be. My presumption is, you know, these state agencies virtually every committee we have, virtually every Bill we have that affects their agency, if there's any dollars that they're concerned about, they're opposed to the Bill. And so, since there are two (2) or three (3) or four (4) different state agencies involved here, since they made no comment whatsoever, I have to assume that they're okay with this and support this Bill."

Mulligan: "For some reason, ours has opponents on here are Department of Juvenile Justice. Is that gone?"

Lang: "No, the de... I believe the Department of Juvenile Justice..."

Mulligan: "Our staff says it's gone."

Lang: "...they're still here. I believe... Yes, that's correct."

Mulligan: "All right. Thank you."

Speaker Lyons: "Representative Lang to close."

Lang: "Ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 2505 pass?' All those in favor signify by voting 'yes'; those

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opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 113 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Sid Mathias, I believe you're handling Senate Bill 2512 for Representative... for Leader Cross. Read the Bill, Mr. Clerk. Mr. Clerk, take Senate Bill 2512 off the Order of Third Reading and put it on Second Reading for purpose of an Amendment. Mr. Clerk, on the Bill."

Clerk Mahoney: "Senate Bill 2512, a Bill for an Act concerning education, has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Cross, has been approved for consideration."

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

Mathias: "Thank you, Mr. Speaker. Floor Amendment #1 becomes the Bill. It requires that beginning in the 2009-2010 school year school districts must incorporate an age-appropriate inter... Internet safety unit of instruction in the current courses of study, you know, taught in the district schools as determined by the school board, instead of having the course of study be added as a new unit of instruction. I believe this is a compromise and I ask that the Amendment be adopted."

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

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opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2512, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Mathias."

Mathias: "As I stated before in discussing Floor Amendment 1 that became the Bill. And I ask for your 'aye' vote."

Speaker Lyons: "The Chair recognizes the Gentleman from Jasper, Representative David Reis. For what purpose do you seek recognition, Representative?"

Reis: "Just a quick clarification for the Sponsor, if he'll yield."

Speaker Lyons: "Sponsor yields."

Reis: "This makes the recommendation voluntary as opposed to a mandate."

Mathias: "Yes, that's correct."

Reis: "Okay. Thank you."

Speaker Lyons: "Representative Roger Eddy."

Eddy: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, I want to make sure everybody's clear. The Amendment still requires school districts to provide a unit of instruction, but that unit of instruction, the length and duration, is what's up to the school district. And it also clarifies that they can... they can provide that

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instruction in a current subject rather than a new course.
It's a clarification?"

Mathias: "That's correct."

Eddy: "Okay. Because I thought you just said to Representative Reis that this makes it permissive. It only makes it permissive in that you get to choose where and how long you still have to do this."

Mathias: "Yes. I'm sorry. Maybe I misunderstood his question. I... In other words, they don't have to do a new unit of instruction. It's... the school board makes the determination. They have to do something. They must incorporate age-appropriate unit, but it can be done in their corn... in their current courses as opposed to adding a whole new unit of instruction."

Eddy: "Well, appreciate the clarification and I support the legislation and I understand it's a mandate. I hope it's something schools now with this additional flexibility can incorporate with no cost. We don't want to do unfunded type things, but it's obviously very important that we teach our kids that kind of Internet safety. And I appreciate the fact that it's been amended to allow districts the option to do it in regular classes. Thank you."

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

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

Speaker Lyons: "Sponsor yields."

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Mitchell, J.: "Representative Mathias, I had a letter just in the last couple of days from a young lady that teaches computers in one of my school districts and she thinks the Bill itself is a good idea, but she was wondering whether there was anything in the Bill that will ask the State Board of Education or someone to supply them with materials that they should teach. I know there's a list of topics, but are there teaching materials that go with that or will there be information and instruction given out to teachers so that they will know where to go? Perhaps your able-bodied assistant could answer that. She's... she's nodding 'yes'."

Mathias: "The State Board of Education will be getting the materials to them."

Mitchell, J.: "Okay. And I think most teachers feel like this is already being done in the school districts, but I think all of them would welcome some additional materials that the state board will supply. Thank you."

Mathias: "Sure."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Monique Davis."

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

Speaker Lyons: "Sponsor yields."

Davis, M.: "Representative, this is permissive now?"

Mathias: "Well, as I said before, when I said permissive, in other words, they... it's not going to be a whole new unit of instruction. It... it's... what is taught and how it's taught is going to be in the current course of study. The school districts have to do something, but they have to determine

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what it is. In other... they will determine the length of the study, what's the materials. It's all up to the school board, but they have to incorporate something into their current curriculum."

Davis, M.: "Representative, is there any idea as to what this will cost the state board in preparing these materials?"

Mathias: "I... I would think it'd be very minimal just to do the... this... to do the materials. My analysis just shows that it would have a minimal fiscal impact on the state board."

Davis, M.: "Are you familiar with the proposal that computer companies that sell or rent computers to schools will have to provide safety information for students, that the computer companies will have to provide that information?"

Mathias: "Well, I... right now, the state board has to provide it. Now, if they're... if they obtain it from computer companies, that would certainly be okay if it would lessen the cost, but it's actually the requirement is that the state board provide the resource materials."

Davis, M.: "Would this make the school liable if a student accidentally provided some information reque... not accidentally but unknowingly... provided information, for example, the name... his name or address? Would the school be liable since they're now required to teach Internet safety?"

Mathias: "I... I don't think that would be as liable as they would for any course of instruction if they taught something and someone did something illegal. I don't... it wouldn't be the... the school's responsibility. You could

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say that in almost... in many cases of courses of instruction."

Davis, M.: "To the Bill, Mr. Speaker. Realizing the dangers of young people using computers without any instruction, we certainly must support this legislation. We do know that, and I've stated this before, being on a computer is like being almost in a dark alley and if there is not parental or adult supervision, young people can become a part of or engage in things that are extremely dangerous or risky for and to them. This is a very small but significant mandate that will allow schools to provide Internet safety tips for their children. I understand it's to be taught a minimum of two (2) hours. The teachers, I guess, would have the two (2) hours of instruction and then provide that information to their students. I urge a 'yes' vote. Thank you."

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

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

Speaker Lyons: "Sponsor yields."

Lang: "Representative, I certainly support the notion of Internet safety and I'm glad somebody's talking about it, but I have a couple of questions. First, it seems to me that the Bill presupposes that every school's got a battery of computers to work with students, but it's not true that every school district has a lot of computers available to a lot of students. How do you deal with that issue?"

Mathias: "I... I don't know if... in order to teach something I don't think you... I understand it's interate... Internet

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related and the optimum would be to actually show it to them on a... on a live computer, but if you didn't have a computer, for example, or enough computers, you can still, in effect, have a unit of instruction to talk about it and basically, instruct the students as to, you know, the safety aspects without actually doing it. Yes, it would be ideal to do it with the computer and most schools, I assume, have it, but it's not absolutely necessary."

Lang: "But you would agree that to teach kids how to use filters and those types of things, the hands-on experience would be far better?"

Mathias: "That... obviously, that would be the optimum."

Lang: "All right. The only other question I have is this. There are many on your side of the aisle who would call this a mandate. This is a mandate?"

Mathias: "It's a... Yes, it's a very, very tiny mandate."

Lang: "So, my next question is, will... will Representative Bassi be adding this to her list of mandates that she reads to us every thirty (30) or forty (40) seconds? Will she be... will be... will that be coming our way?"

Mathias: "Well, unfortunately, I can't speak for another Representative. I have a hard enough time speaking for myself."

Lang: "I will yield the balance of my time to Representative Bassi. Thank you, Sir."

Mathias: "Thank you."

Speaker Lyons: "She beat you to it, Lou. She's got her light on. Representative Suzie Bassi."

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Bassi: "Thank you, Mr. Speaker. Would... if the Gentleman will yield? I rise in reluctant opposition. While understanding the need for Internet safety for young people, I think the points that have already been made speak to the fact that this is a mandate. And I will be voting in opposition to the Bill and sparing you all the reading of my list for now, but it is added to my list."

Speaker Lyons: "Representative Mathias to close."

Mathias: "Although we've tried to make some light of this, this is a very, very serious subject. Internet safety and I think we need to teach our children about Internet safety from the earliest age-appropriate time. And so, I ask for your 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 2512 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? David Leitch. Mr. Clerk, take the record. On this Bill, there are 106 Members voting 'yes', 8 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dan Beiser on page 49 of the Calendar, you have Senate Bill 2531. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2531, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Dan Beiser."

Beiser: "Thank you, Mr. Speaker. Senate Bill 2531 establishes a process for the implementation of the MDS nursing home reimbursement process. It requires the Department of

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Healthcare and Family Services to report on January 15 of '09 and each January 15 thereafter about the status of that implementation. It passed out of committee unanimously. I'd be happy to answer any questions. And I'd appreciate an 'aye' vote."

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

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, to the best of your knowledge, have we ever actually implemented the minimum data set? I mean, have we ever forward a payment based on that?"

Beiser: "Speaking with the Healthcare Council of Illinois, which is the proponent of this, they.. we have started the process. This moves it on..."

Black: "Okay."

Beiser: "...and keeps it moving forward."

Black: "All right. So, we're just continuing to try and do what we said we were going to do, I don't know, two (2) or three (3) years ago."

Beiser: "I guess the best way to say it, Representative Black, is that we should be there already but we're not there..."

Black: "I understand."

Beiser: "...but we're making small steps."

Black: "Well, I'm... I'm all for small steps, but some of us hope we live long enough to see this actually implemented. Thank you."

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

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

Speaker Lyons: "Sponsor yields."

Lang: "Thank you. Representative, I intend to support your Bill; it's a good Bill. We need to know what's happening with this issue. We need to get reports. We need to be able to follow-up, but I wanted to ask you about the role of the department here. I believe your Bill requires the Department of Healthcare and Family Services to do these reports. Is that correct?"

Beiser: "Yes."

Lang: "So, it puts a burden on them to act. Is that correct?"

Beiser: "Yes."

Lang: "I notice in my analysis they have no position on this Bill. Is that also correct?"

Beiser: "That is correct."

Lang: "So, did they give you any indication how it is that you give them a job to do and they don't have an opinion on the job?"

Beiser: "No, they did not. I have not spoke..."

Lang: "So, they didn't tell you whether they're for it; they didn't tell you they were against it. They didn't give me... you any comment; they didn't give you any proposed changes. Did they come to committee at all, Sir?"

Beiser: "No. Not to..."

Lang: "So, the state agency involved in your Bill has no opinion about your Bill?"

Beiser: "That could... that would be a fair assessment."

Lang: "In a similar way to Representative Ford's Bill yesterday, where the state agency had no opinion about his

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Bill, and Fortner today. In fact, Representative Ford's Bill yesterday involved two (2) state agencies and they had no opinion. Is that right?"

Beiser: "Correct."

Lang: "Do you find that an issue for us to deal with, as a General Assembly, that these state agencies don't seem to care at all about the legislation that affects them?"

Beiser: "I would... I would hope that we would... they would engage themselves in this process because only if everybody's engaged does it work to the best of its ability."

Lang: "Well said, Sir. Thank you very much."

Speaker Lyons: "Representative Beiser to close."

Beiser: "I simply ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 2531 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dan Burke, you have Senate Bill 2546. Representative Burke. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2546, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2546 is an initiative of... recommended by Philip Morris that would prohibit minors from using fake

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IDs to purchase cigarettes. It also places greater restrictions on the availability of cigarettes in vending machines. Be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2546 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 113 Members voting 'yes', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Beth Coulson, you have Senate Bill 2552. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2552, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

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

Coulson: "Thank you, Mr. Speaker. House (sic-Senate) Bill 2552 is a task force on criminal history record checks as well as providing that child-care providers other than a relative have their background checks created. The problem we've had is that we've got all these different laws that look at background checks and this Bill is to help coordinate and integrate and streamline those background checks in order to save money and be more cost effective for the state, but also to protect the children. And I can answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2552 pass?' All those in

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favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mautino, Molaro. Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lisa Hernandez, for what purpose do you seek recognition, Representative?"

Hernandez: "Yes, Speaker. I inadvertently pressed the red button for House (sic-Senate) Bill 2546. I'd like the record to show that it's a 'yes', I intended."

Speaker Lyons: "The Journal will so reflect, Representative. Ladies and Gentlemen of the House, I'm proceeding to the top of page 50 on the Calendar. Representative Molaro, you have Senate Bill 2558. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2558, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

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

Molaro: "Thank you, Mr. Speaker. I'm taking care of a little business here. Now... oh, this is one of my favorite Bills of all time. We have... the first part of the Bill, which was actually Representative Tracy's Bill, has to do with contractual service when they work for a veterans' home, but the second part which is something we worked on for about four (4) or five (5) years. For those of you who don't know state employees are tied in not us, the regular state employees are tied into Social Security and Social

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Security has offset. What happened was a lot of retirees put their retired prior to 1995 and they'll retire with a thousand, twelve hundred dollars (\$1,000-\$1,200) a month. When they were to die, their spouse receives about six, seven hundred (600-700) and Social Security would offset and take half of that and these poor widows are living basically trying to decide... well, I don't even want to tell you how bad they're living. We finally figured out a way, finally after two (2) or three (3) years, of figuring out a way... not only is it cost neutral, but it's almost a small plus to the state whereby there would no longer be an offset. That when some new... when a new retiree retires from the state, they come up with thirty dollars (\$30) or sixty dollars (\$60) whatever works out, 3.6 percent, and they could decide that if they were to die, their wife would... or spouse will get the... the 50 percent benefit without the offset. If we were to pass this, I know our doorman is standing right here behind me, every day I would walk in and say, how are we doing with this Bill for the last three (3) or four (4) years. You would make about three or four thousand (3,000 or 4,000) retirees sleep better at night and we figured out a way that there's absolutely no cost to the state. So, it's a wonderful Bill and I'll answer any questions if there are any."

Speaker Lyons: "Representative Molaro, is there an Amendment pending that you want to..."

Molaro: "So, yeah, what we're going to do is this... this Bill is so great, we're going to let it percolate a couple extra

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hours and I'll recall it some other time. I'd ask that it be taken out of the record."

Speaker Lyons: "In other words, we'll take this Bill out of the record. Thank you, Representative. David Reis, you have a Senate Bill 2562. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2562, a Bill for an Act concerning wildlife. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Jasper, Representative David Reis."

Reis: "Mr. Speaker, I'd like to move this Bill back to Second Reading."

Speaker Lyons: "Mr. Clerk, take this Bill back to Second Reading on request of the Sponsor. Representative Kevin Joyce, you have Senate Bill 2566. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2566, a Bill for an Act concerning foreclosure. Third Reading of this Senate Bill."

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

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2566 would create the foreclosure prevention counseling program under... underneath the Illinois Housing Development Authority. This Bill passed out of the Senate with a little bit of controversy. Representative Golar and I have worked together to remove that opposition and what we've done is put a three-year sunset on the Bill and we removed any fees and made it subject to appropriation. I know of no opposition and I'd be happy to answer any question. I thank Representative

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Golar for working with me to get a resolution on this Bill."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2566 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Kathy Ryg, Frank Mautino. Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, let's go back to Senate Bill 2558. What's the status of that Bill?"

Clerk Mahoney: "Senate Bill 2558, a Bill for an Act concerning public employee benefits, is on the Order of Senate Bills-Third Reading."

Speaker Lyons: "Take that Bill back to the Order of Second Reading. Julie Hamos, on page 50 of the Calendar, you have Senate Bill 2639. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2639, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

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

Hamos: "Thank you. Ladies and Gentlemen, this is... this is kind of a strange Bill because it started to authorize the Illinois EPA to give them fast-track authority which they are required to have under the federal Clean Air Act and that's a federal requirement. They were going to extend really for five (5) years reinstating the fast-track authority they've always... they've already had; however, the

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only thing on the Bill right now is the rules Amendment and that's basically taking it from fast track to slow track. So, we want to pass this to keep it moving, but we're hoping this will get resolved because this actually does not... was not the underlying intent. That's all I can say about this Bill in its current form."

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

Mulligan: "I don't know whether to laugh or cry over this Bill. Will the Speaker... will the Sponsor yield?"

Speaker Lyons: "Rosemary, the Sponsor yields."

Hamos: "That's just how I feel."

Mulligan: "First of all, the reason you have JCAR is because it meets year-round. So, when the General Assembly is not in, if you need to do things and normally you don't ask them to do things if you already have legislation or something that you need rules for, they do that year-round and you don't have to come back to the General Assembly. And then originally this was to fast-track rules and then you added the don't make rules Amendment to it... would take... I mean, so why even bother passing the Bill? It's kind of..."

Hamos: "You know, again..."

Mulligan: "I mean, it could get an award for being one of the most..."

Hamos: "Well, I did it..."

Mulligan: "I know where you're trying to go, but I don't get it."

Hamos: "I did acknowledge that this is going from fast-track to slow track. It sort of takes away the intent of the Bill,

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but I have been asked by the Illinois EPA to keep the Bill moving for now in the hope that this will get resolved at some point. This is not the... the purpose of this Act. The purpose of this Act is to comply with the Federal Law which does require us to have fast-track. We've had fast-track for a number of years. The business community supports that for this... for this purpose, but this now is a changed thing."

Mulligan: "I notice my Senator is a cosponsor of this in the Senate. When it came out of the Senate, did it have just fast-tracking and no rules Amendment, right?"

Hamos: "Correct."

Mulligan: "So, if it passes, it has to go back over there and be passed or have it stripped or go to Conference Committee, which we don't seem to do anymore, but it could have ended up going back to the original Bill, going to the Governor, doing an Amendatory Veto and taking out the rules Amendment so it could actually be fast-tracking, maybe?"

Hamos: "Well, I think we have a current situation where a number of Bills are in this limbo land. This is not the only Bill in this current situation. So, we're hoping at some point that this gets resolved."

Mulligan: "So, if you're asking for my 'aye' vote on this, how do you see the end of this? I mean..."

Hamos: "Well, as with the other hundred Bills in limbo land, I think there's a hope and a wish by a number of us that those Bills will move at some point and that this is... will get resolved."

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Mulligan: "Well, I don't think I have to really go any further to say that what's going on this year is strange and that your Bill might have an outcome, but it sure as heck won't be because it came out of the Body reasonably. It just has hopes of maybe sending it back to be worked on and perhaps actually turning out, but if it doesn't, you wouldn't want to slow-track it by legislation. So, I'm not quite sure what to do. You want an 'aye' vote really to send this out?"

Hamos: "Yes, please."

Mulligan: "I just... Yeah, who knows. It's confusing and some lawyer will make money on this sometime, I'm sure. Thank you."

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

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

Speaker Lyons: "Sponsor yields."

McCarthy: "Representative, there's like seven (7) or eight (8) opponents on our analysis. Are they still opposed at this time?"

Hamos: "No. Are these the business community?"

McCarthy: "Correct."

Hamos: "No. There was... there was an error; their problems are all resolved and they actually support the fast-track approach, the underlying Bill. And I'm not sure why they're still listed, but they made a special point of coming to me to say that that was an error."

McCarthy: "All right. Thank you."

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Speaker Lyons: "The Gentleman from Vermilion, Representative Bill Black. Doesn't seek recognition. Representative Hamos to close."

Hamos: "Well, Ladies and Gentlemen, maybe this Bill will be the poster child for the rule process being caught up now in its own crisis and I don't know what to say except to seek your 'aye' vote at this time in the hope that this will get resolved and that we can go back to the underlying intent which is what the Federal Law requires. Thank you. Please vote 'aye'."

Speaker Lyons: "The question is, 'Should Senate Bill 2639 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Is Representative Feigenholtz on the floor? Sara Feigenholtz? Mr. Clerk, on page 50 of the Calendar, Representative Careen Gordon has Senate Bill 2674. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2674, a Bill for an Act concerning local government. Third Reading of this Bill."

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

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, Senate Bill 2674 amends the Park Commissioners Land Sale Act to add a new Section dealing with the sale of a... of golf course land. This has to deal with the Joliet Park District and their land that they have right at Route 59

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and Caton Farm Road. They want to sell part of that land for some development and then use the money to have it... their own clubhouse for different receptions and to use it for their own purposes and for the good of the park district. However, the way that the statutes are currently written there's a cap on how much land a park district would sell. So, with this Bill we've raised, for just this one... one specific instance, we've raised that cap so that they can sell up to eight (8) acres of land and it's also written so that it can only be in a non-Home Rule county with a population greater than half a million and less than one million which Will County falls into and it also has to go to court and the people would have to obtain a court order for the sale to go through. It's... it's being requested by the Joliet Park District. It's a beautiful area and they're actually using the taxpayer... taxpayer dollars wisely instead of asking for a referendum to build a new reception area and a new clubhouse. They're actually going to use what they already have and be very wise about it. I would ask for your 'aye' vote and I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? The Chair seeks... the Chair recognizes the Gentleman from McLean, Representative Dan Brady."

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

Speaker Lyons: "Sponsor yields."

Brady: "Representative, is this legislation necessary?"

Gordon: "It is necessary, Representative, because as you and I both know, park districts are wonderful places for a lot of

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people to go out and to get together with their families, for children to play in and I don't know about you if you're a golfer, but this is a great golf course and it's going to help them out quite a bit, too, and it's going to get a place, I think it's called the Nineteenth Hole. I think the Nineteenth Hole is going to be a part of this new... new reception area that the golf course is going to build."

Brady: "Thank you very much. Have you had any opportunity to check with Representative Bill Mitchell who's in charge of necessary legislation for the Republic... Republican Caucus?"

Gordon: "I was not able to run it past the necessary legislation committee, but I did not... this did not fall under that specific agency. And I checked with the second floor, but I never got a call back from that agency. And so I hoped that I would be able to run it without having to go through the necessary legislation agency of which Representative Mitchell is the chairperson."

Brady: "Thank you... thank you very much."

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

McGuire: "Thank you, Mr. Speaker. I just rise in support of the Bill. And I would urge your vote for Representative Gordon's Bill. Thank you very much."

Speaker Lyons: "Careen Gordon to close."

Gordon: "Thank you, Mr. Speaker. I would ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 2674 pass?' All those in favor signify by voting 'yes'; those

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opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mark Beaubien. Mr. Clerk, take the record. On this Bill, there are 95 Members voting 'yes', 19 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Sara Feigenholtz has Senate Bill 2656. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2656, a Bill for an Act concerning State Government. Third Reading of this Bill."

Speaker Lyons: "The Lady from Cook, Representative Sara Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. Senate Bill 2656 is a... amends the Human Services Act. It creates a mental health working group to develop a comprehensive state plan. I'd be glad to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2656 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mike Smith, you have Senate Bill 2676. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2676, a Bill for an Act concerning local government. Third Reading of this Bill."

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

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is legislation that would allow for the City of East Peoria and the Village of Morton to increase their hotel operator's tax by 1 percent. They are part of the Peoria Area Convention and Visitors Bureau. The other communities who are a part of that organization can take this action as Home Rule communities. These are the only two (2) municipalities in the area that are not Home Rule and so they have to come to us to do this. It is an organized effort then of the communities in the Peoria area who are part of the Convention and Visitors Bureau. Obviously, the money raised through the hotel tax goes to promote tourism in the area. I know of no opposition to the Bill. Again, it's at the request of the municipalities. And I'd be happy to answer any questions."

Speaker Lyons: "The Chair recognizes the Gentleman from Peoria, Representatives David Leitch."

Leitch: "Thank you very much, Mr. Speaker. I'd like to compliment the Sponsor who's worked very, very hard on this Bill to get the agreement and the support from his community. This doesn't affect anybody else except for the communities that he's worked to get their approval from. It's very important to the tourism effort in central Illinois as this will relate to expanded marketing with the... throughout the Convention Bureau of the region. So, I, again compliment the Sponsor and would urge everybody to help support this Bill. Thank you."

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Speaker Lyons: "The Chair recognizes the Gentleman from Tazewell, Representative Keith Sommer."

Sommer: "Thank you, Mr. Speaker. This is truly an effort at the regional cooperation in central Illinois. All of these communities are actually working together on economic development and this is really a piece of that pie. And we need this tool for our communities to seek further development. Thank you."

Speaker Lyons: "No one else seeking recognition, the question is, 'Should Senate Bill 2676 pass?' All those in favor vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 64 Members voting 'yes', 48 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Al Riley, you have Senate Bill 2677. Read the Bill, Mr. Clerk. Mr. Clerk, what's the status of Senate Bill 2677?"

Clerk Mahoney: "Senate Bill 2677 is on the Order of Senate Bills-Third Reading."

Speaker Lyons: "Mr. Clerk, return that Bill to the Order of Second Reading for the purpose of an Amendment. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2677, a Bill for an Act concerning local government, has been read a second time, previously. Floor Amendment #3, offered by Representative Riley, has been approved for consideration."

Speaker Lyons: "Representative Riley on the Amendment."

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Riley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 3 is really an amalgamation of a number of Amendments. The underlying Bill has to do with extending a provision of notification to an unincorporated area which would be annexed by a contiguous town. Basically saying that if that unincorporated area is sixty (60) acres or less a written notice by certified mail must be given fifteen (15) days prior to that annexation. The other components of the Bill deal with municipalities that basically can file a petition to have property declared as abandoned if there has been no water service to that property in two (2) or more years. And finally, it allows municipalities to... to be able to waive portions of their entrance examination to police applicants when that applicant has, in fact, graduated from a police training institution and has two (2) years of tenure in their previous position. I'd like the Amendment to be adopted, please."

Speaker Lyons: "Any discussion on the Amendment? The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "State your inquiry, Representative."

Black: "Floor Amendment #1 and 2 are not going to be called. Do they need to be tabled or is... or... because Amendment 3 would be out of order unless Floor Amendment #3 becomes the Bill, correct?"

Speaker Lyons: "Mr. Clerk."

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Clerk Mahoney: "Floor Amendment 1 and 2 were both referred to Rules and not approved for adoption."

Black: "All right. So, Floor Amendment #3 then must become the Bill otherwise it would be out of order. Correct?"

Speaker Lyons: "Mr. Black, I do believe... Representative Harris (sic-Riley)."

Riley: "Floor Amendment 3 will become the Bill."

Speaker Lyons: "Representative Riley."

Black: "Okay. Fine. So, all right, that's all I wanted to know. Thank you."

Speaker Lyons: "Thank you, Representative Riley. It does become the Bill. So, on the Amendment... any further discussion on the Amendment... on Floor Amendment #3? All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #3 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Hold that Bill on the Order of Second Reading. Mr. Clerk, on page 50 of the Calendar, Representative Chapa LaVia has Senate Bill 2678. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2678, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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

Chapa LaVia: "Thank you, Speaker and Members of the House. Senate Bill 2678 amends the Tax Increment Allocation and Redevelopment Act in the Municipal Code to extend for Aurora from twenty-three (23) years to thirty-five (35)

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years. This is a priority of the City Council there. All twelve (12) taxing districts have signed letters of support. Aurora is going through some amazing downtown development. It's been very successful, residential now commercial and the River Walk. And the plans are for a Millennium-type park as well. And I'll take any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2678 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 111 Members voting 'yes', 3 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Sid Mathias, you have Senate Bill 2682. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2682, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Mathias: "Thank you, Mr. Speaker. A number of years ago I introduced legislation to help World War II and Korean War veterans get their high school diplomas if they had to leave high school in order to join our military at the time during conflicts, obviously, World War II and Korea War. And were never able to get back to finish their.. their high school education. The original intent of the Bill was to make them eligible to receive that diploma. We've now been

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asked to add Vietnam War Veterans to that list of veterans that would be eligible. The Bill is... the proponents of the Bill are the VFW and Lieutenant Governor's Office, AMVETS and the IDVA. And I ask for your 'aye' vote."

Speaker Lyons: "The Chair recognizes the Lady (sic-Gentleman) from Lee, Representative Jerry Mitchell."

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

Speaker Lyons: "Sponsor yields."

Mitchell, J.: "Representative, is this still a permissive Bill for the high schools to take part in this?"

Mathias: "I'm sorry, I didn't hear you."

Mitchell, J.: "I said is this still permissive for the... for the high schools? It's a Bill that allows them to do this. It's not mandated, is it?"

Mathias: "It's... Just one... I'm sorry."

Mitchell, J.: "I just want..."

Mathias: "The way the Bill reads and this... this new Bill now doesn't change the original law. All it does is add Vietnam Conflict veterans to it. It basically says that upon request the school board of any district that... any high school district... may award a diploma. So, it does say 'may' award..."

Mitchell, J.: "Thank you."

Mathias: "...and it would make it permissive."

Mitchell, J.: "So that... so that... the statute is still permissive."

Mathias: "Yes."

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Mitchell, J.: "Although there's been some wonderful stories come out of... of various districts where they have participated in this and been extremely heartwarming for those veterans that have requested the high school diploma. I think it's a real good move."

Speaker Lyons: "Representative Mathias to close."

Mathias: "I've attended some of those ceremonies, myself especially I remember when there was a Viet... a World War II veteran, who obviously didn't need the diploma to obtain a... better employment, but it was so moving, the ceremony, and to him and his family that and we all felt that this was another way that we can give back to those soldiers and veterans who helped our country in time of need and they were deserving of this recognition by us. So, I ask for your 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 2682 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Saviano. Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Clerk, what's the status of Senate Bill 2677?"

Clerk Mahoney: "Senate Bill 2677 is on the Order of Senate Bills-Third... Second Reading."

Speaker Lyons: "Representative Riley."

Riley: "Thank you, Mr. Speaker. Again, Amend... Yeah. I will request it to go to Third Reading. This is Amendment #3."

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Speaker Lyons: "Mr. Clerk, move that Bill to the Order of Third Reading. And read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2677, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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

Riley: "Thank you, again, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2677, as I explained before, deals with the annexation of property in an unincorporated area if that parcel is sixty (60) acres or less. This is about transparency in government, frankly, in giving those people adequate notice of what is about to happen to them. So, what this notice is, is before the ordinance is passed by the municipality, fifteen (15) days before, there will be, by certified mail, notification of all the residents in that area that their land is going to be annexed into the town. Additionally, if the annexed territory lies in a township other than the township where the municipality is sited, there will also be a ten-day notice to the township. The other provision of this Bill is that when the municipality files that they're going to annex this property, no other municipality can file for annexation for a sixty-day period. And this would basically forestall some of the... the internecine warfare that we see that occurs between towns that encompass an unincorporated area. Again, stated before, it also includes a provision that property that can be declared as abandoned, if there's been no water service to that property in two (2) or more years. In addition, police officers who are certified by the Law

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Enforcement Training Standards Board who have two (2) years of service with some law enforcement agency a municipality can waive provisions of their hiring practices for those individuals. I'll be more than happy to take questions and I would ask for an 'aye' vote for this Bill."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2677 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Beth Coulson, you're representing Representative Cross on Senate Bill 2685. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2685, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Coulson: "Thank you, Mr. Speaker. Senate Bill 2685 requires that starting in the '09-'10 school year teachers' institutes in Cook County must include instruction each year on prevalent student chronic health conditions. As we all know, there are many health conditions like asthma, diabetes, and other concerns that we need to make sure that teachers are aware of and are able to deal with as these students come through the schools. And I can answer any questions."

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Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2685 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Joyce, McCarthy, Suzie Bassi. Mr. Clerk, take the record. On this Bill, there's 112 Members voting 'yes', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we're going to Third Order of... Third Readings of Senate Bills on page 51 of the Calendar. Representative Jerry Mitchell, you have Senate Bill 2687. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2687, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I bring you Senate Bill 2687. This is a Bill that creates a mechanism to require teachers to renew their national board certified status after ten (10) years. At the present time there is none. It also increases the mentoring stipends and is supported by the National Board of Certified Teachers, High School Districts Organizations, Teacher of America, Adult and Continuing Education Association, the Illinois Business Roundtable, the IFT, the IEA. The ISBE is the only opposition only because of the money involved. Be happy to answer any questions. I sound like Suzie read..."

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

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

Speaker Lyons: "The Gentleman speak... the Gentleman yields."

Rose: "Representative, will this... will this allow these additional stipends to be credited as part of the final rate of earnings around the 6 percent cap legislation that I don't think either of us voted for?"

Mitchell, J.: "Yeah. The stipends are outside the cap. They... it will not affect the 6 percent cap."

Rose: "It will not."

Mitchell, J.: "No."

Rose: "So, they could still receive the compensation without triggering the penalty."

Mitchell, J.: "That... that's correct."

Rose: "Very well. Thank you, Representative."

Mitchell, J.: "It will not affect the districts."

Speaker Lyons: "No one seeking any further discussion, the question is, 'Should Senate Bill 2687 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Karen Yarbrough, on page 51 of the Calendar, you have Senate Bill 2707. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2707, a Bill for an Act concerning health. Third Reading of this Senate Bill."

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Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Karen Yarbrough."

Yarbrough: "Thank you, Mr. Speaker and Members of the House. Senate Bill 2707 as amended is a trailer Bill to the Smoke Free Illinois Act. It is a result of meetings with all affected persons from health organizations, Department of Public Health, state's attorneys and Sponsors of the original Act. It includes university language that exempts existing smoking research laboratories at two (2) universities and a very narrow exemption for an existing tobacco manufacturing plant. It further defines the smoking areas in long-term care facilities including veterans' homes. And since there were no rules adopted for the Smoke Free Illinois Act, we have detailed due-process language included in the Bill. There's no known opposition to the Bill and it passed out of committee unanimously. I'd be happy to answer any questions."

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

Eddy: "Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, you mentioned that this takes care of the fact that there weren't due-process provisions and rulemaking didn't do that. Could.. could you briefly describe the due process provisions that are in this Bill?"

Yarbrough: "Sure, I'd be happy to. The Department of Public Health and state certified local public health departments will issue citation. They have an administrative procedure. The citations issued pursuant to this Act shall

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include things like the name of the events and its statutory reference, the nature and the elements of the violation, the date and location of the violation, the name of the enforcing agency, the name of the violator, the amount of imposed fine, the address and phone number of the enforcement agency, the time period in which to pay the fine or to request a hearing, the verified signature of the person issuing the citation. It also has information concerning contesting a ticket and where it can be paid."

Eddy: "So, if the citation is issued, almost like a ticket to someone, as you mentioned a ticket..."

Yarbrough: "Yes."

Eddy: "...then the owner of the establishment could then appear where to protest the... the facts related to the citation?"

Yarbrough: "Okay. The hearings can be at the... like the Department of Public Health. They have them, you know, all across the State of Illinois and places like that they could appear if they wanted to contest the violation."

Eddy: "Who... who would be the adjudicator of the contest? In other words, if the business owner was contesting the facts related this citation, is there... I guess, is the county health department administrator the person that would make the decision like a judge would in a regular due process? Who makes the determination?"

Yarbrough: "Yeah. I think you're correct... one moment, please... Okay. If it's prosecuted at the local level, it would be the local authorities. If it's the Department of Public Health, it would be somebody from there."

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Eddy: "So, if I'm a... if I'm a business person who's contesting whether or not the facts or evidence related to a citation is accurate, my adjudicator could be just someone from the Department of Public Health rather than, say, a jury or... Could I request that I... I have my citation adjudicated by a jury or someone that has that type of legal standing or...?"

Yarbrough: "Are you saying that if you... is this... well, are..."

Eddy: "Well, I'm saying if I have due process and due process..."

Yarbrough: "Okay."

Eddy: "...I think includes some... an impartial arbiter making a final decision based on facts that I'm presenting, I just kind of want to know who to tell..."

Yarbrough: "Okay."

Eddy: "...my local business folks it would be."

Yarbrough: "Okay. This is an administrative process, so it's an administrative hearing. If you want to have it appealed to a court, you could do so."

Eddy: "Okay. So, there's another step. I can go through the administrative procedure, I could still disagree, and then my next step would be to go to the local court to have those due process rights which we all know we have. Okay. I appreciate that because I... I mean, right now, I have people calling me and asking me what's going to happen, if they get a fine. If the VFW, for example, allows inadvertently or purposely someone to smoke in their establishment, there is someone there that's going to receive a citation and they just would like to be able to know how to dispute it. Now, there are some exemptions in here regarding medical research. Is that correct?"

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Yarbrough: "Yes. There are two (2) universities that currently do research: SIU and the... Northwestern."

Eddy: "So, this has some strict exemptions for those folks that allow smoking indoors for medically-related research regarding smoking or the use of tobacco and that's it? That's the..."

Yarbrough: "That is correct. That's correct."

Eddy: "Okay. Representative, I appreciate the time you've taken to walk through that due process and explain the exemptions. Thank you very much."

Yarbrough: "Thank you."

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

Fritchey: "Thank you, Speaker. To the Bill. Ladies and Gentlemen, you know, if you supported the Smoke Free Act, you should support this Bill. If you opposed the Smoke Free Act, you should still support this Bill. Some of the concerns at the time were about how there would be enforcement of the underlying Act. And when the department tried to come through JCAR to deal with this or the determination was made that this is best handled approp... through the legislative process. This does fall within our purview. We are now taking steps to put in proper and fair due process proceedings. We are putting in some appropriate and very narrowly drawn and tailored limitations and exceptions. And this really is the final piece in the puzzle to what was a significant accomplishment. I urge an 'aye' vote. Thank you."

Speaker Lyons: "Representative Yarbrough to close."

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Yarbrough: "Thank you, Mr. Speaker. And I want to thank all of the advocates that worked so hard on this to make sure we got it right. I ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 2707 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Tryon, Mike. Mr. Clerk, take the record. On this Bill, there are 104 Members voting 'yes', 10 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Art Turner in the Chair."

Speaker Turner: "On page 51 of the Calendar, we have Senate Bill 2721. Representative Graham. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2721, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Graham."

Graham: "Thank you, Mr. Speaker. I have before you Senate Bill 2721. This is an initiative of the City of Chicago. This Bill amends the Code of Civil Procedure, provides that in a fore... mortgage foreclosure proceeding where a timely written notice concerning rent payment was not given to a tenant or where the tenant makes a good faith effort to keep the rent payment current, an order of possession must allow the tenant to retain possession under the lease. Provides that no forcible entry detainer action against the tenant of mortgaged real estate until ninety (90) days

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after notice of intent has been filed that... served to the tenant. I'll take any questions at this time. Thank you."

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

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

Speaker Turner: "Indicates she will."

Eddy: "Representative, our analysis indicates that you were going to hold this on Second, working with the Illinois Bankers Association on an Amendment. Obviously, you weren't able to come to an agreement on an Amendment, not that you had to hold it, but I'm just saying, you did work with them?"

Graham: "Yes. In fact, a conversation was had, a conference call was had, and it was determined that they no longer needed an Amendment. They had read... reached some clarity on the legislation, so the opposition has been removed."

Eddy: "Okay. Well, that's important to know because..."

Graham: "I'm sorry. You know what, my intentions were to state that, but thank you for bringing that... bringing that out."

Eddy: "Well, I appreciate that... knowing that while there was not an Amendment, there was an agreement and that..."

Graham: "Yes."

Eddy: "What about the Illinois Bankers Association?"

Graham: "The Illinois Bankers Association, they're now neutral. Basically, it was Chase, I think, Chase Bank who really had the issue and during the conference call they were able to work it out and they all had an understanding that no Amendment was needed."

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Eddy: "Okay. So, everybody's okay with what you're doing. Thank you very much for the explanation."

Graham: "Thank you."

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

Franks: "I... I rise... that to speak in support of the Bill. And I want to commend the Sponsor for her changes on this. I think you've made it a much better Bill. I do a lot of foreclosure work. I've... I lecture on it and this is one problem that I've seen and I never thought of this... this correction. So, I really appreciate you working. I think it's a very well-thought-out Bill. And I encourage everyone to vote for it."

Speaker Turner: "Seeing no further speakers to speak, the question is, 'Shall the House pass Senate Bill 2720... shall the House pass Senate Bill 2721?' All those in favor say 'aye'... Representative Graham to close."

Graham: "Thank you, Mr. Speaker. We know what an epidemic the foreclosure has been. It's put families in some awkward situation. This piece of legislation is very important to make sure that we not only work with homeowners, but work with tenants who are in properties who have not been named in the foreclosure suit. So, this is very important that we add some layer of protection for them as well and not add to the plight of homelessness. Thank you so very much and I urge an 'aye' vote."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 2721?' All those in favor should vote 'aye'; all those opposed vote 'no'. The

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voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'nays', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 51 of the Calendar, we have Senate Bill 2734, Representative Riley. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2734, a Bill for an Act concerning public health. Third Reading of this Senate Bill."

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

Riley: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2734 endeavors to do a couple of things. One, what it does is, it ensures the confidentiality of personal information identifying information for those people by dent of their medical condition have their information on the Illinois Health and Hazardous Substantive... Substances Registry, but it also does something else. It makes certain information from that registry that would normally not come under the Freedom of Information Act available to the news media only if the news sources take that information or take the request before a institutional review board for the protection human subjects. I'll entertain any questions you may have and I would encourage an 'aye' vote on this Bill."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2734?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting

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is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'nays', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Clerk, we have Senate Bill 2744, Representative Moffitt. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2744, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2744 is an initiative for the fire districts of Illinois. It's permissive and what it would do would be allow municipalities to require that all new firefighters be licensed as EMTs. There's no opposition. It's permissive. Supported by the Municipal League, the fire protection districts, the fire chiefs, the City of Chicago. Appreciate your support. Be happy to entertain any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2744?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. We have Senate Bill 2785, Representative Mathias. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 2785, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Mathias: "Thank you, Mr. Speaker. Senate Bill 2785 was previously discussed by this Body. I believe Representative Gordon had some issues that... and I believe that she's okay with them. We've given... gotten her the information. The Bill basically deals with giving notice to victims of someone who's turned over to the Department of Human Services because there was a verdict of not guilty by reason of insanity and to make sure that the victim knows when that person is furloughed or given a release from an institution. So, I ask for your 'aye' vote."

Speaker Turner: "The Lady from Grundy, Representative Gordon, for what reason do you rise?"

Gordon: "Thank you, Mr. Speaker. I just want to thank Representative Mathias for taking a couple extra... some extra of his time to answer my questions and to call some people to make sure that this was good legislation and it is. And I just appreciate the fact that he is doing such a good job and went out of his way to answer my questions. So, thank you very, very much, Representative. And I also urge an 'aye' vote on this legislation, Ladies and Gentlemen."

Speaker Turner: "Seeing no further questions, Representative Mathias to close."

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Mathias: "Thank you. This is a very good Bill. Thank you for your kind words, Representative Gordon. And I ask for your 'aye' vote."

Speaker Turner: "So, the question is, 'Shall the House pass Senate Bill 2785?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'nays', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, we have Senate Bill 2820, Representative Sullivan. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2820, a Bill for an Act concerning revenue, which may cited as the Homestead Assessment Transparency Act. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Lake, Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Homestead Transparency Act more appropriately should be called the Property Tax Bill of Rights. As an assessor, I see every day how people have a very difficult time understanding how their assessment is arrived to and I'm sure many of you have heard the complaints on the tax process. Outside of Cook County, we have to have a notice sent to every taxpayer when we change their assessment and it's... in our county, it's been known as the blue card. What this Bill will do is show clearly how the assessment has been calculated and arrived to, showing the percentage of change and other information

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that'll make it much easier for the taxpayer to understand what's going on, one. But, two, if they disagree, they will now know very first hand how they go about the process to appeal their assessment, where they need to go to appeal their assessment, and how they get the information to appeal their assessment. So, with that, I'll be more than happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2820?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 1 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. We have Senate Bill 2851, Representative Mendoza. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2821, a Bill for an Act concerning juveniles. Third Reading of this Senate Bill."

Speaker Turner: "2851, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2851, a Bill for an Act concerning abuse. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 2851 is an initiative that would require cross reporting of suspected animal or child abuse. Animal cruelty investigators who spot suspected child abuse in the course of their jobs would report it in writing or orally to the Department of Child and Family Services and

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similarly child welfare workers who spot suspected animal abuse would report that in writing or orally to the Department of Agriculture's Bureau of Animal Welfare. The Bill does provide criminal and civil immunity as well as confidentiality to the reporter. There are seven (7) states that already do this. Cross reporting of this nature's important because study after study suggest that a person who abuses a dog is also likely to batter a spouse or a child. The reasons for the abuse are the same and that they're because of anger management or control issues or to exert power over the weak. In the Chicago Tribune support for this Bill, they cited a study that found that in 88 percent of homes where children were abused, pets were mistreated, too. Animal abuse is a red flag for child abuse and vice versa. Cross reporting will help protect our children and the animals we love who are considered extended members of our families. I'd be happy to answer any questions and would ask for your favorable consideration. Thank you."

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

Sullivan: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, the Lady has brought forth outstanding legislation. It has been well documented that when someone's going to beat up their kid or their child, they won't think twice about the dog. Now, clearly, it's more important to deal with the child and the wife or husband or the spouse, but this type of violence breeds violence and it continues and it continues. So, if we can get ahead of

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the game by reporting this and passing this legislation, hopefully we can try and put an end or a dent into the problems that we have in society in regard to this topic. Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason..."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor... I mean, excuse me. I have an inquiry of the Chair."

Speaker Turner: "State your inquiry."

Black: "Yes, would the Clerk make note of the Amendments... any Amendments that have been adopted to the Bill?"

Clerk Mahoney: "Amendments 1 and 2 were adopted in committee to this Bill."

Black: "Okay. Thank you very much. Will the Sponsor yield?"

Speaker Turner: "Indicates she will."

Black: "Representative Mendoza, the House Amendment #2 gives immunity from liability except in the case of willful and wanton misconduct."

Mendoza: "That's correct."

Black: "Did the Trial Lawyers talk to you about that Amendment? Are they all right with that?"

Mendoza: "Yes."

Black: "Okay. Okay."

Mendoza: "Actually, it's agreed upon language between all parties."

Black: "And it's my understanding that this Bill preempts Home Rule. Is that correct?"

Mendoza: "It does preempt Home Rule."

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Black: "Okay. All of the due process rights are maintained and I'm sure it's not your intent and it wouldn't be mine that, you know how neighbors can be. Somebody says you're abusing the dog, they come out and check and they think, uh, oh, I think maybe you're... the child had a bruise too. You still get full due process rights that they're..."

Mendoza: "Absolutely."

Black: "Okay. This is a dumb question, but knowing how some people react to being given additional responsibilities, there's nothing in the language that I can see and certainly not your intent that an animal control warden or a humane officer would come to the house to investigate the report of abuse to an animal would then think he or she has the authority to also remove the child from the home."

Mendoza: "Right. That's absolutely correct."

Black: "Okay. All right. I just got off the phone with my dog and I just want you to know that Emmy Lou says that this is a good Bill and she talked to all the dogs in the neighborhood this morning and they are absolutely in favor of this Bill because anybody who would abuse an animal or a dog, I have no patience with whatsoever."

Mendoza: "Thank you."

Speaker Turner: "The Gentleman from Crawford..."

Black: "Excuse me. It's my..."

Speaker Turner: "Turn on Mr. Black, woof."

Black: "Turn me on. Thank you very much. I need to speak with my staff here for just a second. Upon reflection, my staffer thought that perhaps the question he wanted me to

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pursue would not be in order. But I would like the record to reflect, Representative Mendoza, do you own a dog?"

Mendoza: "I did own a dog, no longer."

Black: "All right."

Mendoza: "I'm a dog person though, not a cat person, but a dog person."

Black: "I'm sorry."

Mendoza: "I'm a dog..."

Black: "I refute any notion that, if I heard you correctly, you're a dog. No, you are absolutely not. And just to prove it, I'll come over and feel your nose. Am I going to get censured for that, Mr. Speaker?"

Mendoza: "Do you promise? Yyou promise?"

Black: "Thank... thank you very much. I appreciate the work you've done on the Bill. I... I think, as Representative Sullivan said far more eloquently than I, anybody that would abuse an animal and as I've said many times on this floor and in orientation meetings with Representative Lang, to serve in this Body or to be in politics you really need to have a dog because I can guarantee you when I go home tomorrow or whenever that may be the only person that is always happy to see me, regardless of how I vote, and regardless of what I did is my dog. That is true, unconditional love. You got a good Bill. Thank you."

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

Reis: "Inquiry of the Chair, first, Mr. Speaker."

Speaker Turner: "State your inquiry."

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Reis: "The Representative said that this would preempt Home Rule. Will this require 71 votes?"

Speaker Turner: "No, it will not."

Reis: "That's only... that's only for gun Bills?"

Speaker Turner: "I'm not certain if it's only for gun Bills, but I know for this particular Bill, you do not need 71 votes."

Reis: "Imagine that."

Speaker Turner: "A question of the Representative, if she'll yield."

Speaker Turner: "She'll yield."

Reis: "Representative, now, I would want to get this in my mind right. An animal... I don't know what you call them... if they see animal abuse, then they will go back and report this to DCFS if there's kids in the house or if... even if there's not kids... Help me out with that..."

Mendoza: "If the animal control worker..."

Reis: "...cross referencing."

Mendoza: "...is at a home, let's say for an animal control issue and they happen to spot evidence of child abuse, then they are mandated to report that evidence either orally or in writing through a written report to the Department of Child and Family Services. It works vice versa. If a DCFS worker is at a home and they spot evidence of animal abuse, then they would be required to report that in writing or orally to the Department of Animal Welfare at the Department... I mean, to the Bureau of Animal Welfare at the Department of Agriculture. So, it's just a vice versa on the reporting."

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Reis: "Okay. I want to be very clear. We all condone child abuse; we all condone all of that and..."

Mendoza: "No, you don't condone it, you mean."

Reis: "Well, we oppose it."

Mendoza: "There you go."

Reis: "And... but where we're a little bit concerned and we want to make sure this isn't your intent with this Bill is that this is just for home companion animals and not livestock. You know, we don't want situations where we're reported to DCFS because of someone loading hogs improperly. But we just want to make sure that's not your intent with this."

Mendoza: "Yeah. Well, Representative Fritchey is... I didn't really... I don't really want to ask you this, but he would like for me to ask you, what you're doing to your livestock that we might worry about reporting you in this capacity? I wanted to be a little bit more respectful, but I'll pose the question anyway."

Reis: "Well, Representative, you fell right into that. How's come he didn't ask that? In all seriousness..."

Mendoza: "Yeah."

Reis: "...sometimes help, you know, out of frustration someone might say that they misabused or abused a cow or a pig in loading it and would something like that be a cause for reporting to DCFS? We just want to make sure that that doesn't..."

Mendoza: "Yeah. That is not the intent of the Bill. The intent of the Bill is if somebody's visiting a home, DCFS worker in visiting a home, which would be the purpose for their being there, and they witness animal abuse, I... it's

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probably not of a cow... I would think, you know, it's of a dog or a cat or some other pet."

Reis: "I'm getting all sorts of questions here. If you might turn around and tell Representative Fritchey that he can stop by when he's down in his former hometown and load hogs with me and he would see how frustrated sometimes we get with them. So, thank you for your clarifications, Representative."

Mendoza: "Thank you."

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

Fritchey: "I... I just wanted to clarify, out of deference to the previous speaker, when I have been down there I asked his livestock how they were treating him or how he was treating them and they said, not baaad."

Speaker Turner: "Okay. So, this Bill requires 60 barks to pass. And Representative Mendoza, do you want to close?"

Mendoza: "Sure. If I would just get an 'aye' vote, that would make me very happy. Thank you."

Speaker Turner: "No further questions, the question is, 'Shall the House pass Senate Bill 2851?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? The Clerk shall take the record. On this question, 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared baa passed. On page 20... 51 of the Calendar, we have Senate Bill 2857. Read the Bill, Mr. Clerk. Mr. Clerk, take that Bill out of the record. We're now going to move to the Order of Senate

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Bills-Second Reading. If there are Amendments to be adopted, we will adopt those Amendments and then move the Bill to Third. So, starting on page 50.. 52 of the Calendar and we're going to work down the Calendar starting on page 52 and the first Bill is Senate Bill 326. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 326, a Bill for an Act concerning education has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Jakobsson, has been approved for consideration."

Speaker Turner: "The Lady from Champaign, Representative Jakobsson on Amendment #2."

Jakobsson: "Amendment #2 is a Floor Amendment and it..."

Speaker Turner: "Representative Jakobsson moves for the adoption of Floor Amendment #2."

Jakobsson: "Yes, please."

Speaker Turner: "All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments, Mr. Clerk?"

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

Speaker Turner: "Third Reading. Read that Bill again, Mr. Clerk. Representative Jakobsson, there's been a fiscal note requested on this Bill and no response to the note which... Would you like to make a Motion that the notes are inapplicable based on the fact..."

Jakobsson: "I..."

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Speaker Turner: "...that you just amended the Bill?"

Jakobsson: "Let's take it out of the record for a minute, please."

Speaker Turner: "Mr. Clerk, take this Bill out of the record. The next Bill is Senate Bill 526, Representative Hamos. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 526, a Bill for an Act concerning civil law, has been read a second time, previously. Floor Amendment 1, 2, and 3 have all been adopted to the Bill. Floor Amendment #4, offered by Representative Hamos, has been approved for consideration."

Speaker Turner: "The Lady from Cook, Representative Hamos."

Hamos: "Thank you, Speaker, Ladies and Gentlemen. Floor Amendment 4 is... Floor Amendment 4 is the Bill. It came out of E & E Committee this morning unanimously. And I'd ask for its adoption and will explain the Bill on Third Reading."

Speaker Turner: "Representative Hamos moves for the adoption of Floor Amendment #4 to Senate Bill 526. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 526, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Hamos."

Hamos: "Thank you. Ladies and Gentlemen, this Bill has two (2) parts to it: the Homeowners' Solar Rights Act which

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encourages the installation of a solar energy system in residential buildings. Again, a worked out Amendment with the various parties under what conditions these can be prohibited and not prohibited. But the second part of the Bill that I'm proud to present today is the Energy Efficient Building Code. We've seen this Bill before. I can... I'm... I'm pleased to tell you that we have had major negotiations with the homebuilders and realtors this spring and this is now an agreed Bill with them. I thank them for their cooperation and support. This will move us forward where we will join forty-two (42) other states that already have Energy Efficient Building Codes. And I'm happy to answer any questions."

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

Eddy: "Will the Sponsor yield?"

Speaker Turner: "Indicates she will."

Eddy: "Representative Hamos, I'm as thrilled as you are regarding the homebuilders in their removal of the opposition. Our analysis shows, however, there is some... some opposition that remains from the Municipal League. Can you just briefly describe what that opposition consists of, what they're concerned about?"

Hamos: "You know, again, we were trying to work with the homebuilder... I mean, with the Illinois Municipal League and I think at the last minute they are still opposed to maybe the language, but the issue really is is that when there is an annexation approach to a building, the... as I understand it, right now, that's a negotiated kind of contract between

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the homebuilder and the municipality that... which will annex the property. And what our Bill says, what the homebuilders asked for, is that they would use... the municipality would, in fact, use the minimum and maximum Energy Efficient Building Code that we have set forth in this law. What the Municipal League I think was still seeking was a privately negotiated kind of approach. So, I... I don't know that we can meet their concerns. They did bring this up in committee this morning, but the committee was not persuaded that this still isn't an important public policy to move forward as we're planning to in this Bill."

Eddy: "So... so, their opposition basically still relates to annexation issues?"

Hamos: "I... I think it's only in those situations in which there's annexation and the question would be, what would be the Building Code used in that situation. And I think what this says is that it would be as with... you know, it says it would be the Energy Efficient Building Code and again, what the homebuilders were looking for was consistency and statewide application and we erred on their side in coming up with this approach."

Eddy: "And this... this applies to new residential buildings. It does not apply to additions or any renovations, repairs to existing structures. This is simply to new residential buildings."

Hamos: "That's cor... that's correct."

Eddy: "Thank you very much for the explanations, Representative."

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Speaker Turner: "Representative Hamos to close. Seeing no further questions, the question is, 'Shall the House pass Senate Bill 526?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Saviano. The Clerk shall take the record. On this question, 109 voting 'aye', 5 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Second Reading-Senate Bill, we have Senate Bill 801, Representative Mautino. Take that out of the record, Mr. Clerk. We have Senate Bill 878. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 878, a Bill for an Act concerning regulation, has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. And no Motions filed."

Speaker Turner: "Take that Bill out of the record, Mr. Clerk. Mr. Clerk, we have Senate Bill 886. Out of the record. We have Senate Bill 970, Representative Jakobsson. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 970, a Bill for an Act concerning conservation, has been read a second time, previously. No Committee Amendments. No Floor Amendments. And no Motions filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 970, a Bill for an Act concerning conservation. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Champaign, Representative Jakobsson."

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Jakobsson: "Thank you, Mr. Speaker. This Bill creates the University of Illinois Scientific Surveys Act. And it's for the purpose of transferring the four (4) state scientific surveys which are now currently in the Illinois Department of Natural Resources to the University of Illinois Board of Trustees as an institute for natural resources sustainability."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 970?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Rose, Reboletti. The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hannig, Senate Bill 1850. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1850, a Bill for an Act concerning transportation, has been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Turner: "Third... Third Reading. Mr. Hannig, there's... Just one moment. Mr. Clerk, read Senate Bill 1850."

Clerk Mahoney: "Senate Bill 1850, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Montgomery, Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This would create two additional license plates: the U.S.

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Army veterans and the U.S. Navy plate. All the other items would remain the same for what we've done for other plates that are similar in nature. So, that's what the Bill does. And I'd be happy to answer any questions and ask for your 'yes' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 1850? All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mitchell. The Clerk shall take the record. On this question, there are 110 voting 'aye', 4 voting 'no', and 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Second Readings, we have Senate Bill 1864, Representative Ford. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1864 has been read a second time, previously. No Amendments. No Motions filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1864, a Bill for an Act concerning fatherhood. Third Reading of this Senate Bill."

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

Ford: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1864 is simply to renew the sunset date for the fatherhood... the Council on Responsible Fatherhood Act of 2008. So, I suggest an extension."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 1864?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting

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is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'nays', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 52 of the Calendar, we have Senate Bill 326. Read the Bill."

Clerk Bolin: "Senate Bill 326, a Bill for an Act concerning education. The Bill's been read a second time, previously. Amendments 1 and 2 have been adopted. No further Amendments. Notes have been requested, have been withdrawn."

Speaker Turner: "The Lady from Champaign, Representative Jakobsson."

Jakobsson: "I'd like to move it to Third, please."

Speaker Turner: "I'm sorry. Move the Bill to Third. Read the Bill again, Mr. Clerk."

Clerk Bolin: "Senate Bill 326, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Champaign, Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. With House Amendment #1, we removed the provision of the underlying Bill that... House Amendment #3, I'm sorry... Let me start over. House Amendment #1 actually made 4903 become this Bill, House Bill 4903, and this Bill is just to make our textbooks that our students are buying available in an unbundled way for them to purchase their books. Right now, if they are bundled together in a package and

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the students really want only one part, they have to buy all of them. So, this would unbundled their books."

Speaker Turner: "The Gentleman from Cook, Rep.. the Gentleman from Crawford, Representative Eddy, for what reason do you rise?"

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

Speaker Turner: "Indicates she will."

Eddy: "Representative, under the current definition would Senate Bill 326 require publishers to unbundle learning materials in math, computer science, graphic design, foreign language instruction, where separating the instructional book or textbook from the software would render each relatively useless in terms of educational value?"

Jakobsson: "Well, I think that sometimes people find that debatable whether the parts are useless and sometimes students are able to be able to use one part of that bundle. And that's what they want to be able to do."

Eddy: "But... I guess my question is, if the... the instructional book and the software are considered to be absolutely necessary together and the unbundling of one or the other would kind of just make it useless without the other. Say, a software that has to do with a certain type of Adobe that comes bundled with instruction books on how to use that software. In that type of a situation, is it your intention that they be sold separately? Because in some situations, unless that's clear, it could end up costing more to have two separate purchases and I don't think that's your intention."

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Jakobsson: "If... if the publisher is offering something bundled it can still be bundled, but they also have to offer the parts separate. So, it could be that the student has all but one part and they just want to buy one."

Eddy: "Well, I guess I want to make sure we're clear on what your intention is and I want to make sure that we get on the record whether or not it's your intention with the definition of 'bundling' that in cases where the software and the textbook are determined to be necessary components of the total instruction, your intention is that in those cases they ha... they don't have to be unbundled."

Jakobsson: "I'm not sure if I'm really following your question, Representative."

Eddy: "Well, there are situations where two items, a software and a textbook, are bundled together because they are integral parts and the instruction in the textbook is dependent on the piece of software that may be bundled together and it's... I guess my question is, in math or science or subjects where they're bundled together for the purpose of instruction and they're interrelated, I want to make sure it's not your intention that they have to be unbundled and purchased separately, 'cause that could actually, in an unintended way, cause the cost to go up. And I had the question for you ready in committee and obviously, you weren't there that day and I didn't have the opportunity to ask it or I would have at that time."

Jakobsson: "I... I think if I understand your question, if they're offered bundled, they have to be offered... they can

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still be offered as the bundle, but they do have to be offered separately."

Eddy: "Okay. I think I understand your intention. They may still be bundled."

Jakobsson: "They have to be offered both ways. If they're offered bundled, they need to be offered bundled, but if the student wants the opportunity to buy just one piece, the student should have that opportunity."

Eddy: "Thank you, Representative."

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

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

Speaker Turner: "Indicates she'll yield."

Pritchard: "Representative, I noticed you have requirements in there for the faculty and the university and the bookstores. Are there any sanctions in your Bill if they don't comply with what you're mandating that they do?"

Jakobsson: "I think maybe you're looking at something that has been amended out. What... what..."

Pritchard: "So, you're not..."

Jakobsson: "Are you talking about the pricing that the publishers have to make available to the professors?"

Pritchard: "Well, what... what books and what supplements are required of students. This is one of the requirements in the... in the Section dealing with bookstores and for publishers to indicate prices that items might be."

Jakobsson: "We... we removed..."

Pritchard: "You're saying that's no longer a part of the Bill."

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Jakobsson: "...we removed... I believe that we removed what you're referring to because we have been at the table many times with the publishers and the bookstores and this was an agreement..."

Pritchard: "So, how is this really going to help the students facing huge increases in the cost of textbooks and the bundling that's already going on?"

Jakobsson: "To have them unbundled? To be able to buy only what they need."

Pritchard: "And this would apply to reuse of books as well?"

Jakobsson: "Yes. Sometimes, you know, students are able to purchase a used book and so they can buy something used and then may need to buy just one part that's new."

Pritchard: "Okay. Do you feel that this Bill will help the issue of faculty being aware of the cost since you've taken that out of the Section, the cost of the products and what they're requiring students to buy?"

Jakobsson: "Well, we did take that out and I would hope that, you know, faculty do pay attention, but I think very often faculty are, you know, just ordering the books that they think are important for their students to have."

Pritchard: "Well, I just know that faculty value their independence and they don't want someone looking over their shoulder requiring them or forcing them to do certain things and I know that's a concern, but their actions do have impacts upon students and the cost of items."

Jakobsson: "This doesn't impinge on the faculty."

Pritchard: "Yeah. Well, I certainly appreciate your willingness to work with the parties and what you're trying

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to do here to keep the cost of books that students buy into a more reasonable level. I support your Bill."

Jakobsson: "Thank you."

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

Rose: "Representative... Mr. Speaker, for two purposes. One is the record needs to be clear. The individual who actually accidentally although... accidentally did speak into the microphone will be in the record when it's transcribed. He needs to identify himself or needs to be identified for the transcriptionist so that the record going forward is clear as to who it was that spoke into the microphone, one. But then two, I'm going to support the Bill. I mean, you got to... I mean, Mr. Speaker, it's just... you got to be clear on the record."

Speaker Turner: "Representative, I believe it was only Representative Jakobsson is this only one speaking into that microphone."

Rose: "No. Mr. Speaker..."

Speaker Turner: "We do pick up background noise sometimes behind the microphone, but she's the Lady at the microphone and doing the talking. You know."

Rose: "Mr. Speaker, I clearly heard a male voice through the microphone on the record. The transcriptionist is going to be confused. Courts, other people look back and refer back to these records. The record needs to be clear as to who was speaking. Now, it doesn't matter. I mean, she ended

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up saying the same thing in her name as a Representative. It's not a big deal, but you know, in a courtroom we have to be clear as to who's speaking when, the judge always asks the party to identify themselves so the transcriptionist can be clear as to what's happening. I mean, I would for... I would actually... I feel strong enough about this I'd make this in the form of a parliamentary inquiry. But while we're waiting for that, I'd be happy to speak to the Bill in favor of it."

Speaker Turner: "You can speak to the Bill. I'm telling you I heard Repre... Representative Jakobsson is the person in front of the microphone. She's the one that's talking. You've got people that talk around this..."

Rose: "All right."

Speaker Turner: "You know, we pick up background noise all the time."

Rose: "You know, honestly, this isn't that big of a deal."

Speaker Turner: "Right."

Rose: "The fact... at least... at least one staffer, that I'm aware of, has their name in official transcript. In fact, it's framed on her wall downstairs in 200 with her name on it, but... but..."

Speaker Turner: "Well, we could frame anybody's name that want to be... I could give them a special certificate if they want to be... Right."

Rose: "Clearly, though, Mr. Speaker, it was a male voice, it was in the record, it should be identified. Any normal Robert's Rules of Order, any normal courtroom procedure, you know, it would be on the record."

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Speaker Turner: "And I agree with you, Representative. I've heard this before about male voices and female voices, you know, things happen at times."

Rose: "You know what, it's a good Bill. I'm going to vote for it. I just think that, frankly..."

Speaker Turner: "The point... your point is well-taken."

Rose: "...and if somebody comes back at some point in time in the future and there's a lawsuit over this, there is an opponent, they're going to pull a transcript of this record and it ought to be clear, Mr. Speaker."

Speaker Turner: "Your... your point... your point is well-taken, Representative, and so we'll ask staff and others that are around microphones, please be careful so that your voice is not heard. The mike is for the State Rep that's speaking at the time, that's who I'm recognizing, background voices do get picked up. They get picked up up here, but I don't know and I do understand what you're saying. There's probably some relevance to it, but at this point, we will just encourage staff to stand back another couple of feet in terms of referencing these issues. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. For the record, my name is William B. 'Bill' Black. I represent the 104th District in the State of Illinois. I am a Representative... elected Representative from that district and I would like to know if the... if Representative Jakobsson would yield for a question."

Speaker Turner: "Representative Jakobsson, the Lady from Champaign, who was elected when and you want to..."

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Black: "Thank you."

Speaker Turner: "...go ahead and give us the rest of your information. She said she will yield."

Jakobsson: "I was elected in 2002."

Black: "Now... now, I'm confused. I didn't recognize that voice at all. You know, Representative Jakobsson..."

Speaker Turner: "Indicates she'll yield."

Black: "...and I are probably among the few left in this chamber that remember when ventriloquism was a art form of entertainment. And I just wondered, you know, we need to, for the record, indicate whether it's Edgar Bergen talking or Charlie McCarthy talking. So, all right, you know, I... I'll just tell you one thing, I'd hate to go up against Representative Rose in a court of law. I'd go in for a 5-minute disposition (sic-deposition) and I'd be there four (4) days. And... and at his rate per hour I could understand why. Representative, what I don't understand is, you have basically an identical Bill in the House, 4903, and you've amended, with some exceptions, that Bill onto this one. I know there was some potential constitutional issues with 4903 on a Freedom of Speech and there was an Article 20 submitted. Is that why you thought it would be best to tweak the Bill and put it on this Senate Bill?"

Jakobsson: "I was amending House Bill 4903 also. I was just prepared to move whichever one..."

Black: "Okay."

Jakobsson: "...seemed to be the right one to get moving."

Black: "All right. And to the issue of what Representative Eddy had mentioned earlier, if there is a... a textbook that

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comes with a CD-ROM and other materials that would be bundled under normal circumstances... if I heard you correctly... the student must be given the opportunity to unbundle the package. Is that correct?"

Jakobsson: "That's correct."

Black: "But if they wanted the accompanying material that may be... may be placed on their laptop, they're able to do that as well?"

Jakobsson: "That's right."

Black: "All right. Are you convinced there are safeguards so that the publisher won't unbundle and then the student is forced to buy the textbook, the CD-ROM, the instruction manual and any backup material that they might need for the electronic format? I mean, what I'm trying to make sure is, is that we don't give the publishers the right to say, oh, okay, you don't like the bundled version at sixty-five, ninety (65.90), we'll do the unbundled version and we'll give you the... all five (5) of the materials for a hundred bucks. So, how... how would you handle a publisher who might say, fine, we'll split the bundle and you'll pay forty dollars (\$40) more than the bundled price?"

Jakobsson: "Well, I know that seems like it could be a hypothetical situation and I would hope that the publishers wouldn't do that just to, you know, be able to gain a greater advantage to themselves. I think when they bundle them they are looking at what maybe a professor or an instructor has ordered once or twice or..."

Black: "Okay."

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Jakobsson: "...were asked for them to be bundled and they put them together that way. But sometimes students don't feel that they need to purchase new each one of those items."

Black: "Would... would it be beneficial to require that the... where the book is on the bookshelf, et cetera, to perhaps have the publisher list the bundled price and the unbundled price so that there'd be some constructive notice... the student may think it was cheaper to buy all four (4) of the components, whereas in fact it might be cheaper to buy the bundled component. I'm just, you know, these... we're dealing with pretty intelligent..."

Jakobsson: "This was..."

Black: "...young people here..."

Jakobsson: "Yeah."

Black: "...but I, and I don't think a publisher would do that, but obviously if you can make a buck in today's market, you're going to try to make a buck."

Jakobsson: "Right. But I think, you said it. We are dealing with fairly intelligent young people out here and I believe they know how to look at the price of something that's bundled or to check out the individual prices..."

Black: "Okay."

Jakobsson: "...if they just want to do that."

Black: "And then the Bill does nothing... changes nothing in current practice. If you want to sell a used textbook after the semester, it doesn't make any difference whether you try to bundle it or unbundled it, you just take it back and get the money that... that whatever the marketplace will give you for the book correctly?"

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Jakobsson: "Right. This has nothing to do with selling back these books."

Black: "Okay. All... almost all of the student government groups are in favor of your Bill, correct?"

Jakobsson: "I believe so."

Black: "Have you heard any concerns from any university personnel, particularly the campus that you represent, Urbana-Champaign, that they have any concerns with the Bill or that they... I know at one time they said it might infringe upon their academic freedom. I'm not sure I understood what that was, but I know I got a couple of letters, but..."

Jakobsson: "I have not."

Black: "...with this format I've not heard anything."

Jakobsson: "I haven't heard..."

Black: "Okay."

Jakobsson: "...from any universities..."

Black: "Fine."

Jakobsson: "...that are in opposition."

Black: "Thank... thank you very much."

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

Fritchey: "I have to fix my microphone here, Speaker, put its little hat back on. To the Bill. Ladies and Gentlemen, just... I'd ask you just to step back for a second and think about this conceptually. I think we're treading in very dangerous territory where we are going to dictate to a publisher how they are going to put up printed materials. While it may not be a First Amendment issue, I think that

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there's a conceptual problem with it dictating the means and manner by which materials must be made available or not be available. I could elaborate on it for awhile, but I'm not going to take up everybody's time on this issue. It is something to think about. I think it sets a very bad precedent, while it may be a unique one I think it's a very dangerous one just conceptually. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 326?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 108 voting 'aye', 6 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from McLean, Representative Brady, for what reason do you rise?"

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

Speaker Turner: "State your point."

Brady: "Ladies and Gentlemen of the House, will you please join me in welcoming to Springfield three (3) fine legal interns for State Farm Insurance in my home district, which are up in the gallery to my right, if they'd stand, Bernie Annor, and Megan Weiler and Patrick McAlister. If you'd give them a nice Springfield welcome and welcome to Springfield."

Speaker Turner: "Like a good neighbor. On page 53 of the Calendar, Senate Bills--Second Reading... Representative Rita, we have Senate Bill 1929. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1929, a Bill for an Act concerning regulation. The Bill's been read a second time,

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previously. Amendment #1 was adopted in committee. Floor Amendments 2, 3, and 4 have been approved for consideration. Floor Amendment #2 is offered by Representative Burke."

Speaker Turner: "Representative Rita moves for the adoption of Senate Amendment #2 to... Floor Amendment #2. Representative Rita."

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

Speaker Turner: "Representative Rita asks to withdraw Amendment #2. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's withdrawn. Further Amendments, Mr. Clerk?"

Clerk Bolin: "Floor Amendment #3, offered by Representative Rita."

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

Rita: "What I'd like to do is move to adopt Amendment #3 'cause there's Amendment number..."

Speaker Turner: "Representative Rita moves for the adoption of Amendment #3. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #3 is adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #4, offered by Representative Rita."

Speaker Turner: "Rita moves for the adoption of Floor Amendment #4. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #4 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

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Clerk Bolin: "Senate Bill 1929, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Turner: "...from Cook, Representative Rita."

Rita: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1929, it's an agreed Bill with the Electrology (sic-Electrologists) Association and the Illinois State Medical Society and the Illinois Department of Professional Regulation. It's some cleanup language which clarifies licensing... in the Licensing Act to not allow unlicensed individuals to practice without a license. Also, with the Amendments it inputted House Bill 5319 which passed the House unanimously. This also was an agreed Bill. And it missed the Senate deadline is why we put that on there. I'd be happy to answer any questions."

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

Black: "Thank you very much, Mr. Speaker. Let the record reflect, I'm Representative Bill Black, representing the 104th District in the counties of Vermilion and Champaign and I would like to know if the Sponsor will yield?"

Speaker Turner: "Representative Rita, the Gentleman from Cook, will you yield?"

Rita: "Yes."

Speaker Turner: "He indicates he will."

Black: "Where is he? Oh, there he is. Representative, I'll bite."

Rita: "What's that?"

Black: "What is an electrologist?"

Rita: "They deal with hair removal."

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Black: "They deal with what?"

Rita: "Hair removal."

Black: "Hair removal?"

Rita: "That's what I believe, yes. I just received this."

Speaker Turner: "Representative Scully. Representative Harris."

Black: "I see, I see. And honestly, this is a new one to me. Where do they normally practice other than..."

Rita: "You know..."

Black: "...perhaps the floor of the House?"

Rita: "...this... in Karen May's district, Representative. This is a Bill that was asked... that I'd ask to do and it was just turned over to me and I don't know a whole lot in detail on this. And I was told that it was an agreed upon between all the different parties and so I agreed to move this to... to go back to the Senate for concurrence."

Black: "So... so, they... they remove hair?"

Rita: "Yes."

Black: "By, I assume, electrical methods?"

Rita: "I believe so."

Black: "How much electricity do they use to remove hair? I mean, this sounds to me like they may not be a very green profession, if they're using electrolysis or electricity to remove hair. I mean, good grief, what's wrong with scissors?"

Rita: "Well, that's why we need to clean up this licensing, so that we don't have people that don't have licensing performing with this high electric voltage in..."

Black: "So..."

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Rita: "...removing the hair."

Black: "...so, a consumer would go to somebody without a license to have hair removed?"

Rita: "Yes."

Black: "I see. And just kind of walk in off the street and..."

Rita: "Well, I believe it... that there's some females that do not like mustaches, nor facial hair."

Black: "Well, my... when I had a mustache, my wife said she liked it. Is that what you're talking about, that they would take off my mustache?"

Rita: "No, not yours."

Black: "They would take off my wife's mustache?"

Rita: "Possibly..."

Black: "How dare you, Sir."

Rita: "...if she has that."

Black: "I... There are endless possibilities where I could go with this discussion, but I'm not going to go there. But it... At least you've... at least you've given me some illumination. This is a... When I first saw this, electrologist, I had no idea whether it was a person who worked for the power company on high voltage lines, but you've... you've certainly answered most of my concerns. And there's also a carnival regulation Bill in here too, right?"

Rita: "Yes. And that's some language to address..."

Black: "So..."

Rita: "...some problems that came with the original Bill that was passed last year."

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Black: "Since this is a bundled Bill, could an electrologist then work for a carnival?"

Rita: "Well, it sort of kind of... you know, they have the bearded ladies at the carnival and we sort of kind of thought it all would come up together."

Black: "Well, if the electrologists work for the carnival, then obviously there'd be no more bearded ladies."

Rita: "What's that, I didn't hear you?"

Black: "Excuse me. The man going down the center aisle, right now, is he an electrologist or has he been to one?"

Speaker Turner: "The Senator Kotowski. I think that's the Gentleman you're referring to, Representative Black."

Black: "Yeah. Senator Kotowski, are you an electrologist, Sir? Have you... are you now or have you ever been an electrologist and do you frequent one? Was he licensed? All right. Representative, I'm just glad to know that we haven't seen a budget, lots of critical Bills, but I'm just thrilled that we can spend 5 minutes on licensing electrologists. And what's... what's the grandfather? If you're a grandfather, you're... you're already an electrologist or what's that about?"

Rita: "I didn't... That's... See, there already are licensed, so we're cleaning up some language and there was some, I gue... I believe that there was some people that were supposed to have been grandfathered under there and they missed the deadline, so that it allows them so they can be grandfathered."

Black: "Okay. All right. I'll just ask one other question. What does it take to become a licensed electrologist?"

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Rita: "I'm going to have to get back to you with that."

Black: "All right."

Rita: "I'd be happy to send the electrologist over to your office to talk to you."

Black: "If you would. Thank you very much, Mr. Speaker. This has been a hair-raising experience."

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

Winters: "Thank you, Mr. Speaker. Really one line of argumentation here or questioning. Representative Rita, have we had any inductees to the Century Club yet this spring? I don't think we've had any... any fun yet with these..."

Rita: "I'd have to look at... is Ken over there? Just... is he the last one holding it?"

Winters: "We... we need a parliamentarian here. Representative Scully, I think is the registered parliamentarian for the Century Club. We need to know who the current designee is and whether we should induct another Member?"

Speaker Turner: "Representative Scully, the clerk of the Century Club. You've been recognized."

Scully: "Thank you, Mr. Speaker. To clarify the record, the current holder of the Century Club award is Paul Froehlich and this is a dispositive Bill, so a final vote on this, disposing of the Bill would qualify for membership. Thank you."

Speaker Turner: "The Lady from DuPage, Representative Bellock, for what reason do you rise?"

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Bellock: "Thank you very much, Mr. Speaker. To the Bill. In all seriousness, there are several... I don't want to see this Bill go down. There are several electrolysis people who did get caught in the window of when they regis... decided to license them, so several... about forty (40) of those people have been not able to practice for the last year and a half since that happened. So, this Bill, it was originally just for that purpose. Thank you."

Speaker Turner: "Representative Rita to close."

Rita: "I don't know if I'm going to help the Bill or hurt the Bill when I close, but this a pretty important matter to the electrologists. And I'd ask for a favorable vote so that we don't have unlicensed people practicing this profession that are not licensed that should be licensed."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 1929?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Pritchard. Dunkin. Pritchard. The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 53 of the Calendar, we have Senate Bill 1872, Representative Froehlich. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1872, a Bill for an Act concerning elections. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

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Speaker Turner: "Read... Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1872, a Bill for an Act concerning elections. Third Reading of this Senate Bill."

Speaker Turner: "...from Froehlich, Rep... The Gentleman from Cook, Representative Froehlich."

Froehlich: "Thank you, Mr. Speaker. Senate Bill 1872 does... makes one change in the Election Code. It simply provides for a uniform signature requirement in every county in the state for candidates for county office. This did not prove very controversial in the Senate where it passed 58 to 0. Be happy to answer any questions."

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

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

Speaker Turner: "Indicates he will."

Reboletti: "Representative, I saw that you picked up Senate Sponsors that represent DuPage County. Did any of those Senators live in DuPage County?"

Froehlich: "Let me take a look. I don't know. No. The Senate Sponsor though, one of them, the Chief Sponsor represents part of DuPage County."

Reboletti: "He does and I think Senator Holmes has about four (4) precincts also and again, I asked you this question before, you did vote for the Bill initially last year. It was an omnibus Bill and you did support it at that time, correct?"

Froehlich: "That's correct as one of... dozens of provisions in that omnibus Bill, yes."

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Reboletti: "And one of the reasons that we would vote for an omnibus Bill is there may be provisions that some of us like and we would like to see that move forward and other provisions we may not vote for but we kind of compromise on this omnibus Bill, so that's why we'd vote for that. That sound correct?"

Froehlich: "Likely, yeah."

Reboletti: "But why have you found this to be so egregious at this time when you didn't seem to have a problem with it last year?"

Froehlich: "Well, last year the choice was you vote 'yes' or 'no' on the whole omnibus Bill. I didn't have a choice of voting 'no' on this particular provision or I would have."

Reboletti: "Are you suggesting that maybe I should file Bills then for every other piece of that omnibus Bill so that we could... we could vote for it that way?"

Froehlich: "I wouldn't make that suggestion. That'd be up to you."

Reboletti: "We used... who contacted you to file this legislation? Any elected officials in DuPage County contact you with respect to this?"

Froehlich: "No. I thought this was a, you know, a... I thought we ought to have the same signature requirement in all 102 counties."

Reboletti: "Are you aware of how many Democrats in DuPage County filed this year for election and filed the requisite number signatures for county board?"

Froehlich: "I am aware that in the next election the signature requirement'll be based on the Primary turnout this year."

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Reboletti: "Well and I appreciate that, Representative. I guess one of my points in that not only did members for county board from your Party and members from the forest preserve met somebody running for Senate in my district and others filing for these positions didn't even bother to file the forty-three (43) signatures it would need for... to be a forest preserve commissioner. Do you think that the forty-three (43) signatures is too much to ask somebody to represent one hundred and fifty thousand (150,000) or one hundred and seventy-five thousand (175,000) people?"

Froehlich: "I think no matter which county you're talking about, one-half of one percent, whether it's a big county or a small one, is the proper proportion for ballot access."

Reboletti: "Well, these... these individuals represent more people than we do and we're... we are only asking that now they would maybe need one hundred and twenty-five (125) signatures. Are you... are you saying that's too much?"

Froehlich: "Representative, if... if you think the, you know, that it's too easy for people to get on the county board, I think the proper way to do it would be try and change that requirement statewide rather than changing it in one county out of 102."

Reboletti: "But I... I appreciate that, but what was the genesis of the Bill for you? I know you represent is a very small portion of DuPage County. Did some Democrats contact you from DuPage County or you just chose this one particular piece of legislation? I'm assuming that... I don't... I know of no elected official in those precincts that you have

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that are Republican that contacted you on this legislation?
Is..."

Froehlich: "That's correct. I... I became aware of this talking to various folks over... over months and I feel we should not have a ballot access that's 300 percent higher in one county than in every other county. You, apparently, feel it is appropriate. I don't. We can agree to disagree."

Reboletti: "Mr. Speaker, to the Bill. This Bill, of course, is an omnibus Bill. Nobody has challenged this at any particular time, Representative Froehlich voted for this measure; we all voted for this measure. Everyone in... 118 Members or whoever was here voted for this and everybody found it to be appropriate at that time. In the spirit of compromise, I would ask to have people continue to honor that vote. I did... there were measures within that Bill last year that I did not believe, something that I could not necessarily support, but I supported the... the additional signature requirement for DuPage County. I feel it's important that if you want to represent a hundred and seventy-five thousand (175,000) people, you should get more than forty-five (45) signa..."

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

Reboletti: "...that you should be able to get more than forty-five (45) signatures to do so. I know that my colleague disagrees. I would ask for a 'no' vote and a verification."

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Speaker Turner: "The Gentleman has requested a verification. Your request will be honored. The Lady from Cook, Representative Currie, for what reason do you rise?"

Currie: "Thank you, Speaker, and Members of the House. Just to say that I rise in support of this Bill. Uniformity is something that's always been important to us in the electoral process and this Bill, Senate Bill 1872, restores uniformity to the signature requirements. And as well, I just want to reiterate that nobody in the Senate had any trouble with this Bill at all. The Senate vote was unanimous and I trust that the House vote, the 'yes' vote in this chamber, will be almost unanimous as well."

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

Biggins: "Well, thank you, Mr. Speaker. I'd like to speak on what the previous speaker made a comment about the uniformity being very important and since the Cook County property tax system and DuPage County property tax systems are uniformly ununiform, I wondered if that would compare and be in line with what you just stated? But I wanted just to go over again the concept of getting more signatures. When you're campaigning for public office, you want to meet more people because in theory, if you're a good candidate and you appeal to them, the more people you meet will be more likely to vote, if they sign your petition, may be grateful for you coming to their door. We've all seen and had that experience. So, asking for more signatures is only a way of encouraging any candidate of any Party to go out and just do a little more work to

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get on the ballot. This is an effort to have government give you a pass instead of doing basic political work. Government should be... our role should be able to encourage peoples, simply future politicians, current politicians, to go meet the people as soon as they can, get them to support you from the grassroots base of political involvement by signing a sig... putting their signature on a petition. So, I urge a 'no' vote."

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

Fritchey: "Just one second, Speaker, I apologize."

Speaker Turner: "Gentleman from Cook, Representative... No, the Gentleman from Mont... McHenry, Representative Franks, for what reason do you rise? Franks."

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

Speaker Turner: "Indicates he will."

Franks: "Representative, this Bill... I remember... I remember voting for the omnibus Bill before and this... I was unhappy with this requirement as well. Does this make DuPage the only county with a heightened vote... signature requirement?"

Froehlich: "That's correct. Even Cook County which has more than five times as many people as DuPage only has the one half of one percent signature requirement. Only DuPage has a... a three times higher requirement than Cook and every other county."

Franks: "Prior to the law passing, when you needed one half of one percent of qualified electors, what did that come out to in real numbers? How many people would need to sign a

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petition to get someone on the ballot for a countywide office?"

Froehlich: "Well, based on... this is based on the... the '06 numbers, remember for the next election we'd use the '08 numbers which would be different."

Franks: "Will be much higher."

Froehlich: "Yes. But based on '06, to run countywide, they would need to collect twenty-six hundred and six (2606) signatures to run countywide."

Franks: "Now, is that under the old law of the..."

Froehlich: "This was... No, this would be under the one and a half... one... one and a half percent rule."

Franks: "So, under the old rule... law, it would have been about eight hundred and fifty (850)."

Froehlich: "Yes."

Franks: "Okay. And after an election such as 2... this presidential election year where we've seen record turnouts, that twenty-six hundred (2600) number will certainly rise."

Froehlich: "Oh, there's no question. No question, 'cause it's based on the Primary vote totals for each Party."

Franks: "Okay."

Froehlich: "And you had such a big Primary turnout that those worried that candidates won't have to col... meet with enough voters, I think that fear, you know, is certainly reduced now."

Franks: "Why would one county have to be different than the rest of the state? What benefit is it to DuPage for them

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to have a higher requirement for one to get on the ballot than, let's say, Lake County or Kane or McHenry?"

Froehlich: "Well, that's a good question. Why should you make it harder for competition to get on the ballot, especially when every county elected office is currently held by members of the same Party? You wonder why you'd want to raise the barrier triple any other county."

Franks: "Would it be your surmise that the reason they want to make it harder for challengers is so... to im... protect incumbents so incumbents would find it easier to be reelected, there'd be less challengers?"

Froehlich: "That... that's certainly a plausible explanation."

Franks: "I think we need to make it easier for people.. To the Bill. I believe we need to make it easier to get people on the ballot, not make it more difficult. When you raise the requirements for signatures exponentially and for no good reason, it smacks of partisan politics and I think the citizens of the state are tired of that. And we need to allow access, we need new blood and by setting up artificial barriers to keep people out, we are not enhancing our democracy, we're hurting our democracy. Your Bill will make it easier for people to get on the ballot from whatever Party and that's why I stand in strong support and ask for everyone to vote for it."

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

Fritchey: "Thank you..."

Speaker Turner: "Indicates he will."

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Fritchey: "Yeah, Representative, can you just walk... walk through this Bill with me, again and if you would then, what was in the... Do you remember what was in the omnibus Bill that passed through last year, what some of those other provisions were?"

Froehlich: "Well, there were some... some good provisions as I remember about... about early voting. I think, also, having to do with election judges. There were several dozen of them and I thought most of them made a lot of sense. And most of them made it easier for people to vote, not harder."

Fritchey: "As a part of what we're trying to do though is make it easier for people to participate in the process by their ability to get on the ballot, correct?"

Froehlich: "That's right."

Fritchey: "And really it doesn't matter on one level what the percentage is, but the gist of what your argument is is whatever that percentage is it should be the same in a hundred and two (102) of a hundred and two (102) counties."

Froehlich: "I think that's correct."

Fritchey: "So, what offices would be affected by this?"

Froehlich: "This would be any countywide office or any county district office, any... such as county board member, would all be affected and they wou... I want them subject to the same requirement in DuPage as in the other one hundred and one (101) counties."

Fritchey: "So, are there commissioners there elected at large or by district?"

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Froehlich: "They are elected by district, but they're three-member districts."

Fritchey: "So, how... how big is your... how big is their board of commissioners then?"

Froehlich: "I believe there's in the neighborhood of a hundred and seventy-five thousand (175,000) or so people in a district, but that... those districts are about... around half the size of the population in Cook County for their single-member district."

Fritchey: "But do you know how many districts there are?"

Froehlich: "I believe there's six (6)."

Fritchey: "So, six (6) in a board of eighteen (18)?"

Froehlich: "I believe so."

Fritchey: "And then they obviously have a board president that runs countywide, is that correct?"

Froehlich: "Yes."

Fritchey: "And so this would apply both to president... board presidential candidates, commissioner candidates, et cetera?"

Froehlich: "Yes. All county offices."

Fritchey: "Okay. Would it apply to local races within DuPage County or just countywide offices?"

Froehlich: "No, just county offices."

Fritchey: "And this would again then be on the same... on the same terms or terminology then as every other county, correct?"

Froehlich: "That's all I'm asking for, right."

Fritchey: "What was the vote in the Senate on this?"

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Froehlich: "The vote was 58 to 0 and that included Senator Cronin voted for the Bill."

Fritchey: "Senator Cronin is from DuPage, is that correct?"

Froehlich: "He is. All the Senators from DuPage voted for it."

Fritchey: "So, all the Senators, regardless of Party, regardless of location in this state, all supported this Bill?"

Froehlich: "That's right."

Fritchey: "Has anybody filed in opposition to this Bill? Were there any witness slips filed in opposition to this Bill?"

Froehlich: "No."

Fritchey: "Do you know why there'd be opposition in this chamber? Doesn't sound like there should be."

Froehlich: "Well, I... I can't think of a really good reason myself."

Fritchey: "Okay. And when would this be... and where would this law take effect?"

Froehlich: "Pardon?"

Fritchey: "Where would this take effect?"

Froehlich: "This would take effect for the... well, it'd be effective immediately, but the next county election in 2010."

Fritchey: "So, in 2010. And so, the Primary... well, we're at 2008 now, so you're talking about giving people well over a year to adjust to the new rules and to, you know, appreciate the fact that they'll have an easier ballot access, is that correct?"

Froehlich: "That's right."

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Fritchey: "So, this... it's in no way going to impact ongoing or pending elections."

Froehlich: "That's right. We're not cha... interfering with anything that's happening this year."

Fritchey: "And it's not going to affect anybody outside of DuPage County."

Froehlich: "That's right."

Fritchey: "It's not going to affect anybody running statewide or congressionally."

Froehlich: "No, not a... not a min... not a bit."

Fritchey: "So, it's really for those few dozen candidates that we want to give them the same opportunity that they receive in the other hundred and one (101) counties, is that correct?"

Froehlich: "That's correct."

Fritchey: "All right. I see my time is finally starting to wind down a little bit. I appreciate your patience in answering these questions. And I urge an 'aye' vote."

Speaker Turner: "Ladies and Gentlemen, this Bill was on Short Debate; we've moved it to Extended Debate. We've had three (3) people speak for, two (2) against. Now, the next person to speak will be Representative Eddy, the Gentleman from Crawford."

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

Speaker Turner: "Representative Eddy moves the previous question. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the previous question is put. Representative Froehlich to close."

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Froehlich: "I think we've debated this issue pretty thoroughly. I think we should have equal protection of the laws. I ask for an 'aye' vote."

Speaker Turner: "I want to remind the Members that a request for a verification has been asked on this Bill. You should punch your button and your button only. The question is, 'Shall the House pass Senate Bill 1872?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Please vote your own switch, your own switch. Have all voted who wish? The Clerk shall take the record. No, not take the record. We should talk to Representative Reboletti on the verification. Read the... the affirmatives, Mr. Clerk."

Clerk Bolin: "A poll of those voting in the affirmative: Acevedo; Arroyo; Beiser; Berrios; Boland; Bradley, J.; Bradley, R.; Burke; Chapa LaVia; Collins; Colvin; Coulson; Crespo; Currie; D'Amico; Davis, M.; Dugan; Dunkin; Feigenholtz; Flider; Flowers; Ford; Franks; Fritchey; Froehlich; Golar; Gordon; Graham; Granberg; Hamos; Hannig; Harris; Hernandez; Hoffman; Holbrook; Howard; Jakobsson; Jefferies; Jefferson; Joyce; Lang; Lyons; Mautino; May; McCarthy; McGuire; Mendoza; Miller; Molaro; Nekritz; Patterson; Phelps; Reitz; Riley; Rita; Ryg; Scully; Smith; Soto; Turner; Verschoore; Washington; Yarbrough; Younge, and Mr. Speaker."

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

Reboletti: "Thank you, Mr. Speaker. I withdraw the request."

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Speaker Turner: "The Gentleman withdraws the request. So, on this question, there are 65 voting 'aye', 49 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 54 of the Calendar, we have Senate Bill 2047, Representative Froehlich. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2047, a Bill for an Act concerning courts. The Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2047, a Bill for an Act concerning courts. Third Reading of this Senate Bill."

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

Froehlich: "Thank you, Mr. Speaker. This... this Bill... this Bill would simply make it easier to... for the Department of Healthcare and Family Services to find... to get findings and exclusions of paternity that come up in juvenile court records. This also will help the state continue federal funding for paternity testing."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2047?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Leitch. Bost. The Clerk shall take the record. On this question, there are 112 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On

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page 51 of the Calendar, we have Senate Bill 2821. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2821, a Bill for an Act concerning juveniles. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. Illinois has been a member of the Interstate Compact on Juvenile Justice since 1955. That compact has been rewritten to make it more reflective of the times in which we live and this measure would make Illinois participate.. a participant in the new version of the Interstate Compact on Juveniles. I know of no opposition, in fact, all the law enforcement, probation, and juvenile justice groups are advocates. The idea is an issue of public safety. If we participate in the compact, when enough states do so, we'll be protected against those states dumping children who are troubled and in difficulty with the law in our... within our borders without letting us know that they are here and we'll make sure that we know notify people in other states when we have a youngster who may be on probation or may have come from some troubled situation. I know of no opposition. I'd be happy to answer your questions and I'd appreciate your 'aye' votes."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2821?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And

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this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, we have Senate Bill 2857. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2857, the Bill's on the Order of Third Reading that has two Amendments approved for consideration, if the Bill's returned to Second Reading."

Speaker Turner: "Mr. Clerk, the Lady asks leave to return the Bill to Second Reading."

Clerk Bolin: "Senate Bill 2857, a Bill for an Act concerning State Government. The Bill's been read a second time, previously. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

Speaker Turner: "...from Cook, Representative Currie on Amendment #1."

Currie: "Thank you, Speaker and Members of the House. Amendment 1 to this Bill guts the Bill and creates the new Hospital Assessment Program for the State of Illinois. Currently, the Department of Healthcare and Family Services has a plan awaiting federal approval. This provides the legislative backup that could make that plan a real one. The idea is to, over a five-year period, bring in about six hundred forty million (\$640,000,000) new dollars to the institutions, the hospitals in this state, that serve the state's Medicaid clients. This proposal has been the result of very hard work, particularly by Barry Maram the director of the Department of Healthcare and Family Services, the Illinois Hospital Association, the Safety Net Hospitals, the Cook County people and the academic institutions to try to come together on a program that is

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adequately redistributive and will get the job done so that we can continue providing adequate rates for those institutions that pay for... that provide health care for the state's Medicaid clients. In addition to the basic assessment, this legislation also provides the opportunity for more disproportionate share money and intergovernmental transfer money to come to the county of Cook. That's part of the reason why that... institution supports the Bill as well. I know of no opposition to this measure. It's very important that we do that and this now because the current assessment is shortly to expire. I'd be happy to answer your questions and I would appreciate your 'aye' votes."

Speaker Turner: "The Lady from DuPage, Representative Bellock, for what reason do you rise?"

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

Speaker Turner: "Indicates she will."

Bellock: "This is a major Bill, so we just wanted to ask regarding what we spoke about last night in committee, is where will the oversight come in this Bill if something is negotiated in Washington when it comes back, if we haven't seen it?"

Currie: "Well, in the first place, the department that will take special responsibility, Healthcare and Family Services. In addition, this provides for an opportunity for peremptory rules in the event that the response from the Federal Government requires a change in our plan then that could happen through peremptory rulemaking by the Department of Healthcare and Family Services. They're a

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little anxious 'cause in the past the feds have required some changes and we don't want to delay and require the Legislature to come back to Session and make those changes. So, what we use, the mechanism we use is state plan Amendments. That is what we have done in the past and peremptory rulemaking by the department should solve that problem if changes are required by the Federal Government."

Bellock: "So, with regard to passed, Hospital Assessment Tax did not... did that not go back to JCAR?"

Currie: "I believe... and under this I... part... parts of it would and could under this Bill as well..."

Bellock: "Oh, it will. Okay."

Currie: "...but we had changed this to provide for the peremptory rulemaking which... fast track and which also would specify that rules or state-planned Amendments that come because the Federal Government required changes in order approve our plan that that could happen in a fast-track fashion."

Bellock: "Okay. Thank you very much. To the Bill. I think the Hospital Association does support this Bill. The Hospital Association said last night that all of our local hospitals have had the information regarding this Bill and how much money they would either win or lose on this. So, your local hospitals are aware of what has been going on. Thank you."

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

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

Speaker Turner: "Indicates she will."

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Black: "Representative, just for the record, we have no actual guarantee that the Federal Government will, in fact, do this, correct?"

Currie: "Correct."

Black: "And if..."

Currie: "But we are hopeful because in the past we have had plans approved by the..."

Black: "All right."

Currie: "...Federal Government. And we think this meets the requirements that the feds have set, so we are hopeful that this plan will be approved."

Black: "If it isn't, then we have a problem, correct?"

Currie: "That's right."

Black: "Would it be safe to say we have perhaps a billion dollar (\$1,000,000,000) problem?"

Currie: "Well, what we would have... what we would anticipate from this Bill, should it become law, would be about six hundred and forty million dollars (\$640,000,000) going to hospitals, an additional twenty million dollars (\$20,000,000)..."

Black: "Okay."

Currie: "...which we traditionally have put into a lockbox for community services, an additional thirty million dollars (\$30,000,000) that would go to nursing homes and eighty million dollars (\$80,000,000) for GRF. So, it's not quite a billion dollars (\$1,000,000,000), but the numbers do add up."

Black: "Okay. I appreciate that and I certainly, and I'm sure everyone does, share your concern and your hope that this

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is acted on favorably and timely by our Federal Government in Washington, D.C. Just let me, if I might, just for my own edification. I think Representative Lang mentioned this earlier in the day. Staff tells me that the Department of Healthcare and Family Services has taken no position on this Bill. Now why... why would they do that or why would they not take a position?"

Currie: "I think the answer is that some parts of the Bill are not directly related to the plan..."

Black: "Okay. All right."

Currie: "...but as I said in my initial remarks, I think we do have to owe a debt of gratitude to the director of the department and his staff in helping us to craft this thing."

Black: "Okay."

Currie: "I should have given credit to our staffs as well, you know, Kurt DeWeese, Melissa Black have been absolutely doing yeoman work on this front."

Black: "All right. Thank you very much, Representative."

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

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

Speaker Turner: "She indicates she will."

Mulligan: "Representative, would you tell me specifically what powers this Bill gives to the Department of Healthcare and Family Services?"

Currie: "Actually, nothing other than what they have today. The way this Bill is crafted the dollars would come in from hospitals across the State of Illinois then the money would

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go to Washington to be reimbursed and the distribution formula is set in the plan in the program that goes to the Federal Government. So, this is a redistributive program in which those hospitals that serve larger numbers of the state's Medicaid clients are benefited and there are specific other categories where dollars will be spent, but it will be spent by formula."

Mulligan: "Mr. Speaker, it's very hard to hear her... Mr. Speaker, it's very hard to hear. It's very hard to hear what she's saying, Mr. Speaker."

Currie: "What I said is it's a formula in the statute that is not discretionary with the director of the department."

Mulligan: "All right. Because in the past I had a disagreement with you over the discretionary powers that we were giving to Director Maram in the negotiations, part of that was going back to JCAR which gave the department, I felt, unusual discretionary powers in JCAR and that's caused problems in other areas."

Currie: "Right. Ant that's..."

Mulligan: "So, what I..."

Currie: "...that... that's why we have the peremptory powers here. That's why we also specifically rec... referenced changes that might be required by the Federal Government."

Mulligan: "All right. So, you're tightening up the discretionary powers that would go to HFS and whoever the director is currently..."

Currie: "Right, right."

Mulligan: "...Director Maram and..."

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Currie: "So... so, that would only be with respect to the payments that are approved by the feds."

Mulligan: "All right. So, the only thing they can come back to if we're not in Session to JCAR is specifically only the hospital assessment payment."

Currie: "Absolutely and only to the extent that the feds require a change in our state plan in order to approve our proposal. And this is what is traditionally happened when these assessment programs go to Washington. The idea is to do... often there is a kind of negotiation and the feds say this ought to be different, that ought to be a little different and so we change our state plan to reflect those requirements."

Mulligan: "Is the trust fund money the money that was called the lockbox money before?"

Currie: "That money will be, in this Bill, twenty million (20,000,000) will be set aside in that same lockbox as has happened in the past."

Mulligan: "Do you think it will be divided up close to what it was last time?"

Currie: "It would be up to us to make that determination; it would not be up to the department."

Mulligan: "Because last time there was some discussion and some discretion that we had over how that money was..."

Currie: "But the point is that we have that discretion if signed by the Governor. It was not discretion that was reserved for the director or the department."

Mulligan: "Are you anticipating this will be done and that the eighty million dollars (\$80,000,000) will be included in

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money incoming that can be spent on the appropriations in this year's budget?"

Currie: "Eighty million dollars (\$80,000,000) under this program on an annual basis, if it's approved by the feds, will go into General Revenue."

Mulligan: "Last night I spoke to the department briefly and I don't know what power they had to actually say that and also to Howard Peters, they seem to be... indicate that they were well along in the negotiations and that they did not anticipate a problem but sometimes that happens and it does take longer than what you anticipate, particularly with an election going on, a national election, sometimes that makes the powers that be there a little more hesitant to actually complete a program such as this. So, I think it's with some caution that you would take a look at the General Revenue Fund in receiving that eighty million dollars (\$80,000,000) in the coming year although it would be helpful. When does the current program expire?"

Currie: "Next month on the 30th day, June 30, 2008."

Mulligan: "So..."

Currie: "So, we are... we are hopeful we think that the plan that we're presenting is one that meets what the feds say... the standards that they have provided. We think this meets that standard and we are hopeful we are approved."

Mulligan: "I'm just very careful for a couple of reasons. I serve in areas of the General Assembly where it impact the decisions that we make. Also, I have a hospital in my district that is part of a large provider network that probably pays the largest amount of tax. So, even though,

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they are agreeable and they have told me they are agreeable to the Bill because their network makes out better, they are the ones that pay big time in this, so I want to be very careful on what we're doing and make sure that everything here follows what we're... what we normally do and hopefully we will get the money in time. As much as I'm not happy with the budget and whatever, I'm not unhappy with bringing federal dollars and more money into Illinois because we have a lot of needs for it. Thank you."

Speaker Turner: "The Gentleman from Cook, Representative Acevedo. Representative Currie moves for the adoption of Senate... Floor Amendment #1 to Senate Bill 2857. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Mr. Clerk, further Amendments?"

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

Speaker Turner: "The Lady from Cook, Representative Currie on Amendment #2."

Currie: "Thank you. This is a technical Amendment making sure that the outlier payment rates that we had included in the original Bill by virtue of some date changes will work effectively in the plan that is currently under consideration in Washington. I'd appreciate your support."

Speaker Turner: "Representative Currie moves for the adoption of Floor Amendment #2 to Senate Bill 2857. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments, Mr. Clerk?"

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

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2857, a Bill for an Act concerning
State Government. Third Reading of this Senate Bill."

Speaker Turner: "...from Cook, Representative Currie."

Currie: "Roll Call."

Speaker Turner: "So, the question is, 'Shall the House pass
Senate Bill 2857?' All those in favor vote 'aye'; all
those opposed vote 'no'. The voting is now open. Have all
voted who wish? Have all voted who wish? The Clerk shall
take the record. On this question, there are 113 voting
'aye', 0 'noes', 1 'present'. And this Bill, having
received the Constitutional Majority, is hereby declared
passed. On page 51 of the Calendar, we have Senate Bill
2873. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2873, a Bill for an Act concerning
revenue. Third Reading of this Senate Bill."

Speaker Turner: "Read the Bill, Mr. Clerk. I'm sorry, it's on
Third Reading. The Lady from Cook, Representative Currie."

Currie: "Thank you very much, Speaker and Members of the House.
As you know we get credits for income that we pay taxes on
to other states. In Illinois, the structure, the mechanism
for making those payments happens, involves very
complicated computations. You practically have to hire an
accountant to figure out how you make that credit work
against the Illinois income tax. The Department of Revenue
proposes a more streamlined way of figuring out how we
calculate what we owe, given what we may have paid in
another state. I know this has been a particular problem,

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the way we do it, for people who live in Illinois but earn some income in Missouri. So, it is hoped that this new mechanism, this streamlined mechanism, will make it easier for all of us who have income out of the State of Illinois to figure out what we know... what we owe this state at the end of the tax year. I'd be happy to answer your questions and I'd appreciate your support for the Bill."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2873?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 53 of the Calendar, we have Senate Bill 1908. Representative Miller. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1908, a Bill for an Act concerning education. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1908, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Miller: "Thank you, Mr... thank you, Mr. Speaker. This... what this legislation does is raise the MAP award to... excuse me... it raises the MAP cap award for the academic year to five

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thousand four hundred and sixty-eight dollars (\$5,468) for FY09, five thousand nine hundred and sixty-eight dollars (\$5,968) for FY10 and six thousand four hundred and sixty-eight dollars (\$6,468) for FY11. This is an attempt to try to get the MAP awards more reflected of today's tuitions. I ask for a favorable vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 1908?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. And on this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, we have Senate Bill 1957, Representative Holbrook. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1957, a Bill for an Act concerning public employee benefits. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1957, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Speaker. Senate Bill 1958 (sic-1957) simply allows the nonvoting annuitant member retiree on the board for IMRF the right to vote. It's an initiative of

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IMRF. It passed out of the city with... out of the Senate with no 'no' votes, passed out of our committee with no opposition or excuse me, with... unanimously and has no opposition that I'm aware of."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 1957?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. We have Senate Bill 2005, Representative Ryg. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2005, a Bill for an Act concerning local government. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. And no Motions have been filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2005, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Turner: "Representative Ryg, the Lady from Lake."

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Senate Bill simply expands the definition of 'inoperable motor vehicles' in counties of over five hundred thousand (500,000) to include those that do not have a current license plate or a license tag attached. Be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2005?' All those in favor

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should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Bost. The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'nays', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 53, we have Senate Bill 2031. Representative Holbrook. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2031, a Bill for an Act concerning local government. The Bill's been read a second time, previously. Floor Amendment #1 has been adopted. No further Amendments have been approved for consideration. No Motions filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2031, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Speaker. Senate Bill 2031 as amended by House Amendment #1 does the exact same thing House Bill 4725 did which passed out of here 110 to 0 which codifies the current practices of county board members serving on 9-1-1 boards and it also added the same as House Bill 5961 which passed out here 109 to 0 which exempted.. precluded from monthly charges the payphones from the 9-1-1 emergency. I know of no opponents to either of these Bills. Be glad to take any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2031?' All those in favor

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should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Representative Hannig. Take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, we have Senate Bill 1878, Representative Soto. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1878, a Bill for an Act concerning employment. The Bill has been read a second time, previously. Amendment #1 was adopted on the floor. No further Amendments have been approved for consideration. No Motions filed. Correction. Floor Amendment #1 was referred to Rules. No Amendments have been adopted."

Speaker Turner: "Read the Bill, Mr. Clerk. Third Reading. ..Bill."

Clerk Bolin: "Senate Bill 1878, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Soto."

Soto: "Thank you, Speaker and Members of the House. The legislation amends the Right to Privacy in the Workplace Act as it pertains to the E-Verify. This Amendment addresses an issue brought to our attention by the Department of Homeland Security in its recent lawsuit against the State of Illinois. With this new Amendment, employers are discouraged but not prohibited from participating in the employment eligibility verification system unless otherwise required by the Federal Law.

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Previously, the Federal system... Government sued the state over prohibiting employers from using the program until accuracy standards were met. Senate Amendment #2 addresses two (2) issues. We were amending the challenge portion of the law. It provides instruction on attestation forms and makes other confirming changes. Senate Amendment #2 also reflects an agreement among affected parties including the Chamber of Commerce, worker centers, and Department of Labor by removing provisions that would allow an individual to go directly to Circuit Court. The legislation is needed in order to bring the lawsuit to a close. Currently, the Attorney General's Office has requested extensions until the legislation can be addressed. Once again, the Legislature, we have that legislation before us today that would appreciate a favorable vote. Thank you."

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

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

Speaker Turner: "She indicates she will."

Ramey: "Thank you. Representative, we've obviously been going back and forth on this legis... piece of legislation. What was the original reason for this legislation?"

Soto: "It's a labor... a labor Bill and it's for the United Food Workers."

Ramey: "Not who brought it forward. Why do we have to do it?"

Soto: "Why do we have to do it? Because there has been constituents that have come to my office and they have mentioned that they have gone to apply for a job and their Social Security is kicked out. So, I've met many

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constituents that have brought it to my attention. This is what prompt me to work together with the United Food Workers on a Bill that would help them try to make the system better that would work for people who are going out to find a job to feed their families."

Ramey: "Isn't the reason for legislation because there's a lawsuit against the State of Illinois?"

Soto: "There wasn't a lawsuit when the... when the constituents came to see me about this issue."

Ramey: "There is a lawsuit now, though? And there..."

Soto: "There... there is and that's why we're changing it."

Ramey: "The language in the legislation is to do what?"

Soto: "To discourage from participation... participation."

Ramey: "Why are we discouraging participation?"

Soto: "Because it was not 100 percent accurate, but we know that it cannot be 100 percent accurate so we know that it could be maybe 98 percent, maybe 96 percent."

Ramey: "What is it now? Do you know what it is now?"

Soto: "No, we don't."

Ramey: "I have it right here. It's 99.5 percent accurate."

Soto: "Okay. So, then they don't have to be discouraged from participating then."

Ramey: "But your... the language in the Bill says discourage the use."

Soto: "This is the language that was agreed upon with Homeland Security at the federal level."

Ramey: "But why do we use discourage then?"

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Soto: "Because that's the language that they agreed upon which through the Attorney General and through Homeland Security."

Ramey: "But then wasn't that language because we were... they were waiting for them to reach 99 percent..."

Soto: "No."

Ramey: "...accuracy?"

Soto: "This is the language that they agreed upon. You... we have been talking to each other for weeks..."

Ramey: "Right."

Soto: "...and you know... I know that you know what is going on with this Bill. You know that we have been working together with the Secretary Chertoff and this is what they proposed. So, we are going on what based upon their proposal. This is not something that we came up with. This is something that we came to the table... to the middle with and this is what... through the Attorney General's Office and through the federal level..."

Ramey: "Actually, it wasn't we. It was the union came up with the language. I asked that question earlier today where the language came from and the answer from..."

Soto: "Marina?"

Ramey: "...Marina Martinez was it was their lawyers in the union and what the language actually did was satisfied the lawsuit that Illinois lost that was going to have us lose funding."

Soto: "Yes and that is correct."

Ramey: "And as you know, my disagreement with the language here of discourage and not participate, but that was the whole

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point of the original Bill was that we shouldn't be using it because they didn't like the percentages of correctness. Is that right?"

Soto: "That's correct."

Ramey: "Which... do you recall what we were at before when this..."

Soto: "It was under 50 percent."

Ramey: "Under 50 percent?"

Soto: "Yes, it was."

Ramey: "Okay. But now we're at 99.5 percent."

Soto: "And that's a plus."

Ramey: "Do you... do you believe that we should still be using the word 'discourage' then?"

Soto: "Are you reading the... the analysis?"

Ramey: "Which analysis is that?"

Soto: "Here... here. Okay. Let me read House Amendment #1. It is a hostile Amendment that eliminates language providing that until the employment eligibility verification system is able to automatically verify the work authorization system of 99 percent of employees. Then they're discouraged."

Ramey: "This is... You're talking about my Amendment?"

Soto: "No."

Ramey: "What are you talking about then?"

Soto: "Hold on, hold on, hold on."

Ramey: "Okay. Okay. I think you're reading my Amendment, which you're not accepting."

Soto: "Right. No, no, no, no, no. I'm sorry. I was... he was pointing at something else. I was reading yours."

Ramey: "Yeah. It was never adopted, that Amendment."

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Soto: "Yes. Let me just... let me just say this. Employers are discouraged from participating in any EEV unless otherwise required by Federal Law until they... until they receive 99 percent of employees verification."

Ramey: "All right. Thank you, Representative and..."

Soto: "No, thank you."

Ramey: "...to the Bill. Ladies and Gentlemen, we filed legislation last year that said not to use the system of E-Verify because there was some discussion about, you know, how accurate it actually was and as the Representative has stated, there were some people that were caught up in the system..."

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

Ramey: "Thank you, Mr. Chairman, I will... Chairman... I still have problems with the language in the legislation. It still says 'discourage' when actually we're up to 99.5 percent accuracy. I know this is to help out the workers in the specific unions and I know there are many businesses who want to use E-Verify now, such as Caterpillar and those larger businesses in the state. I would just hope that we could have done a better job with this. Thank you very much."

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

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

Speaker Turner: "State your inquiry."

Black: "Could you ask the Clerk to tell me, has Floor Amendment #1 been adopted to the Bill?"

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Clerk Bolin: "Floor Amendment #1 remains in the Rules Committee. It has not been adopted."

Black: "All right. Thank you very much. Will the Sponsor yield? Representative, did you... staff indicates that you perhaps made a... a promise in committee that you would hold this Bill on Second Reading, pending an Amendment from the State Chamber of Commerce that would perhaps substitute a word for 'discourages'."

Soto: "Representative Black, can I answer it now, yes."

Black: "And has such an Amendment been adopted?"

Soto: "No, it has not."

Black: "So, are you keeping your word or do you intend to run the Bill?"

Soto: "Can I explain? Okay. I did talk to Representative Ramey. I went to go to talk to President Emil Jones and he mentioned that we had ran out of... that, you know, it was the deadline already and that he wouldn't be hearing anymore Bills. So, that... So, I explained it to Representative Ramey. So, I did make... I mean, I did keep my promise when I said I would hold it on Second until we work it out and then I got back to Representative Ramey to let him know that Rep... that Senator Emil Jones had mentioned to me that he was not... the deadline had passed and that he wasn't going to be hearing anymore... anymore Bills."

Black: "All right. Well, thank you very much."

Soto: "And that is the reason for... for not introduce..."

Black: "Thank you, Representative. Ladies and Gentlemen of the House, to the Bill. I hope you'll look at this very

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carefully. A Bill that was passed last year was in conflict with Federal Law. The State of Illinois has been sued by the Federal Government because you cannot, in their opinion, tell an Illinois employer that you don't have to follow Federal Law. So, what was the result of the lawsuit? Now, this is what kills me about government. What was the State of Illinois's response? We won't enforce the law. So, we have a law on the books that the Department of Employment Security has told the Federal Government, we won't enforce that law. So, the law is meaningless. Now, we come back here and do a little twist and shout and say, well, we won't enforce the law, but we will discourage employers from following the E-Verify law because we don't think it's accurate enough even though it's at 99 percent. Now, I've been around a long time and let me tell you what the word 'discourages' mean when you hear it from a government official. We don't want you to do that. You know what that is? That's intimidation. You're being told by somebody who can rule against you in an administrative hearing that we don't want you to do this. That's not discourage; that's intimidation. The law in 2007 did not work. The Federal Government said we will not allow you to do that and instead of trying to figure out a way around it, this Bill should be defeated, rewritten and work with the Federal Government on employment verification. Immigration is a federal responsibility and the E-Verify is part of their task to verify and here you are voting for a Bill that says we don't care what the Federal Government says we're going to

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get around it by using the word 'discourage' rather than refuse to participate. That's wrong. That's absolutely wrong. If we're in violation of the Federal Law, we should back up and try again. Vote 'no' on this Bill."

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

Rose: "A question of the Sponsor."

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

Rose: "Representative, is the issue... is the... is the outright prohibition on the State of Illinois using the system still in this Bill?"

Soto: "No."

Rose: "Are you sure about that?"

Soto: "Yes."

Rose: "Okay. Representative, our analysis is in that it says, 'shall not participate'. The State of Illinois 'shall not participate for state employees'. Is that in there or out?"

Soto: "Yes, it is."

Rose: "That is in there."

Soto: "Yes, yes."

Rose: "Okay. That's what I thought. So... so, in other words, if this Bill passes, the State of Illinois will not be able to use a system that is 99.5 percent correct to verify the status of its potential employees. Is that accurate?"

Soto: "Yes."

Rose: "Why wouldn't we want to use this system to verify the status of our potential employees?"

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Soto: "Well, let me say this, Representative Rose. I think that if you're a state employee you have to fill out an application, you're providing your Social Security number."

Rose: "That's right, but why would we as an employer not want to go ahead and use the system that's available if it's 99.5 percent accurate?"

Soto: "It would be a waste to... to do that."

Rose: "A waste?"

Soto: "Well, you would fill out an application."

Rose: "A waste?"

Soto: "You need... you need to give them a copy of your Social Security number. Can I just mention this? We worked together, Representative Chapin Rose... we worked together on this Bill. We spent many hours to come..."

Rose: "Me and you?"

Soto: "This is part of the... one of the Bills that we worked on last year."

Rose: "Representative, I voted 'no' on this last year. Our... oh, no, no, Representative. Our Bills last year were about child support."

Soto: "Right. Child support..."

Rose: "I voted 'no' on this in committee; I voted 'no' on... last year on the floor as well, Representative."

Soto: "You had some... you had some input in this because this was one of the Bills that we worked on. We will talk about this one and I'm going to show... I'm going to pull my file and show it to you after... after this Bill is..."

Rose: "Representative, I... I politely disagree with you. Your memory's mistaken because you and I worked very well

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together on child support legislation, but not this. In fact, I voted 'no' the first time and every chance I've had I'm going to vote 'no' again, because if the system is there, why would we let the State of Illinois as an employer utilize it to make sure that a person applying for a job is a valid, lawfully resident of our state and our nation. Now, that aside, what type of liability would this put on someone who maybe knows someone should not be having a job but doesn't use the system, because they've been prohibited from using the system?"

Soto: "You know what, the language is that the employers are discouraged from using it."

Rose: "No, no. That's private employers, Representative. I'm talking about the State of Illinois as an employer. We're one of the largest employers in the state; we're the state. Why shouldn't we be allowed to use this to verify our own employees?"

Soto: "We don't believe it's necessary."

Rose: "Well, Representative, I'll politely disagree with you on that."

Soto: "Okay. And you can do that."

Rose: "We will request a verification, Mr... Mr. Speaker, we will requ... we will request a verification, Mr. Speaker. Thank you."

Speaker Turner: "Your request will be honored. ...from Cook, Representative Fritchey, for what reason do you rise? Fritchey."

Fritchey: "I was composing my thoughts, Speaker. I apologize. Representative, can you explain to me as you... what you're

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trying to do here? I have many of the same questions that Representative Rose has and despite that dialogue between you and Representative Rose, I still have these questions. So, there's a system in place that is 99.5 percent accurate that'll allow us to make sure that employers are hiring authorized employees. Why do you not want us to take advantage of that system?"

Soto: "If it is not 99 percent accurate, then they can use it."

Fritchey: "It is 99.5 percent accurate."

Soto: "Then... then they're not discouraged."

Fritchey: "Then the Bill's moot."

Soto: "Now, if it changes to 98 percent next month, then it wouldn't be."

Fritchey: "So, you're going to say... So, do you want them to require a monthly verification level and say, gee, it was 99.6 percent this month, it's 98.9 percent next month. So, one month they... they're... they have to discourage employers to use it one month you don't. And how would you know that? The system has been certified now as 99.5 percent accurate. It's been done."

Soto: "Well, I have... Because when we introduced the Bill last year and this sys... and this system has not been changed because we've been working with the Secretary of... at the federal level."

Fritchey: "With who?"

Soto: "At Homeland Security with... We've been... The Attorney General's Office has asked for an extension and they've been working with the Homeland Security at the federal level."

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Fritchey: "The Attorney General's Office has no position on this Bill, do they?"

Soto: "They're the attorneys representing this suit."

Fritchey: "But they don't support this Bill, do they?"

Soto: "They don't oppose it."

Fritchey: "But they don't support it, do they?"

Soto: "They don't oppose it."

Fritchey: "I could do this for a long time, if you want. The Attorney General's Office does not support this Bill."

Soto: "Okay. Well, we can... we can..."

Fritchey: "To the Bill. Ladies and Gentlemen, this isn't a partisan issue. It shouldn't be a partisan issue and it shouldn't be a geographic issue. We have a policy interest as a state; we have a policy interest as a country to do something very fundamental, which is making sure that we hire workers that are authorized to be hired. They have a system that's in place now. This Bill was designed to discourage people... the use of a system that was below 99 percent accurate. We have a system that is above the 99 percent threshold which then makes this Bill moot at best, disingenuous at worst. This is the type of thing now where we can accurately do what we're trying to do and protect our laws and protect our policies. And I strongly urge a 'no' vote."

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

Riley: "Will the speaker please yield?"

Speaker Turner: "She indicates she will."

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Riley: "Representative Soto, regardless of my own considerations regarding this Bill, a big part of this argument has been the accuracy of this system. Do you know who actually vetted out the accuracy of the system? In other words, if it's a proprietary system, was it the designer of the system that vetted it out and said that it's 99.5 percent accurate or was it an independent body that said it? Where does this figure come from?"

Soto: "This figure comes from Representative Ramey. He just came up with that information. I've not seen it. And we don't know any information that it has been improved since the suit was filed back maybe about five (5), six (6) months ago."

Riley: "All right. So, in the debate or in your conversations, you never heard where the 99.5 percent accuracy figure came from?"

Soto: "No, no, I never have. The last... the last time I heard it was 48 percent. It was under 50 percent."

Riley: "Okay. And that was as... as designated by who?"

Soto: "It would be from the... this information came from the United Food Workers. This is a labor Bill that I picked up that they want to... you know, they asked me to carry. So, that information came from their research."

Riley: "Okay. Understood. Thank you very much."

Soto: "Thank you."

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

Hamos: "Will the Sponsor yield?"

Soto: "Yes."

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Hamos: "So, Representative Soto, we keep throwing around these numbers, 99 percent, 99.5 percent, 48 percent. It... Doesn't this Bill really just establish a minimum threshold so that in fact, if it is 99 percent then, fine, but if it turns out to be 48 percent or 75 percent then they would be discouraged from using it?"

Soto: "Correct."

Hamos: "Well, you know, Ladies and Gentlemen, I think that the response to one of the previous speakers, who spoke against this, it is public policy in the State of Illinois to urge employers to hire the people that they are legally authorized to hire; however, it's also public policy or should be for employers to not snag in that net people who in fact are legally allowed to work, but there's a machine that somehow suggests that they're not. All we're saying here is that if there is in fact a verification system that's correct and accurate in 99 percent of the cases, great, but if it's not, then it should not be used to pick up a whole bunch of constituents who have a right to work who need a job and who are right now being excluded for the wrong reasons. That's how I understand what the problem has been. The theory is that the machine will get more accurate because the Federal Government should be put on notice by the states, including the State of Illinois, that for in order for us to go along with this program they need to have a correct and accurate system. That's all this Bill does. This is so basic that I can't really imagine why we would be against it. This says we should use it, yes; we should use it if it's accurate and that's the whole

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Bill here. And that's what I understand that Representative Soto is trying to do. I support... I would urge an 'aye' vote."

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

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

Speaker Turner: "...Bill."

Acevedo: "Based on what Representative Hamos had mentioned as far as the number that another individual had stated 95 percent... Will the Sponsor yield?"

Speaker Turner: "Indicates she will."

Acevedo: "Representative Soto, the 95 percent that was mentioned before, do you have verification of that that's a correct number?"

Soto: "No, I don't."

Acevedo: "So, you've never seen those statistics before."

Soto: "No, I haven't."

Acevedo: "Okay. To the Bill, Mr. Speaker. The... the Sponsor has reached across the aisle and has worked hard on this legislation for the past several months. The other individuals who are standing up and actually speaking up against the Bill, she's worked with them throughout the months, she's listened to their concerns, she's worked with them on this legislation, and it's totally unfair to come and say that she has not put hard work into this legislation that she has reached out to. So, based on the facts and the numbers of the statistics that were stated before, we have no proof that it's 95 percent. So, with that I urge an 'aye' vote."

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Speaker Turner: "The Gentleman from DuPage, Representative Ramey. You spoke once in debate, Sir. For what reason do you rise?"

Ramey: "Thank you, Mr. Speaker. My name was used in debate twice. I just want to answer her two questions."

Speaker Turner: "You may respond."

Ramey: "Thank you, Sir. I just want to verify with Representative Soto. We did discuss the reasons why they were not accepting my clarification in an Amendment of the language which would have made everybody a little more easy with this and taking out the words of 'discourage', but the other questions that have come up about the verification. In a... in a House Ways and Means Committee subcommittee on Social Security, May 6, 2008, Rayburn House Office Building, Washington, D.C., the company Westat verified that it was currently... that the E-Verify system was currently at 99.5 percent correct. So, that's where I got my information. Thank you, Mr. Speaker."

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

Schmitz: "I just wanted to clarify that this... the process that we went through and make sure that I'm following this because I think Representative Fritchey brought up some points that I want to make sure that I understand as well. Last Session the General Assembly passed legislation which would make it illegal for employers to use E-Verify in Illinois, correct? Yes?"

Soto: "Not illegal. It would... they didn't say it was illegal. They just... that they just..."

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Schmitz: "The Bill that passed in '07 made it illegal for employers to use E-Verify in the State of Illinois."

Soto: "Yes."

Schmitz: "Okay. So, for the state as the employer and private employers were barred by Illinois law to use E-Verify."

Soto: "That is correct."

Schmitz: "Okay. So, then the next stage was the Federal Government stepped in and says, no, you can't do that, filed the lawsuit, the state... the Attorney General stepped in and said, what do we need to do and the state said, okay, employers including the state, you can use E-Verify until we settle this lawsuit. So, there was a freeze, correct? So, they were allowed to use E-Verify."

Soto: "Correct."

Schmitz: "Okay. So, now, this Bill as proposed states that employers... private employers and government, except the State of Illinois, can use E-Verify, but we discourage you from using E-Verify?"

Soto: "If they can't verify 99 percent."

Schmitz: "Okay. If they can't ver... Who is they? That's probably what I want to get to."

Soto: "That is the E-Verify..."

Schmitz: "Okay. In E-Verify..."

Soto: "...System."

Schmitz: "...the standard's set at 99 percent of E-Verify is set by the Federal Government. The Department of Homeland Security says E-Verify, you must maintain 99 percent accuracy. That's their requirement. So, they hire an

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independent study. This last independent study came out and said 99.5 percent accurate."

Soto: "When was that study conducted?"

Schmitz: "Representative Ramey just had that study a minute ago that he had discussed with you. But that was an independent study conducted by Homeland.. Department of Homeland Security at the federal level, it said, you know, you met 99.5 percent. So, if they do not... if they do not meet 99 percent and the Department of Homeland Security finds out E-Verify is a dip below, what happens to the system then?"

Soto: "We would like the state to also monitor that standard, not just the E-Verify system at the federal level."

Schmitz: "So, the state will conduct an independent review of the system?"

Soto: "Yes. I just also want to mention since I have you and you're mentioning numbers of... the Department of Employment Security is going to bring down some numbers, too."

Schmitz: "That would..."

Soto: "Also see if we're at 99 percent. They have otherwise different information."

Schmitz: "So, that... that brings out a whole new thing. So, the state would... E-Verify would have to be 99 percent accurate in Illinois or systemwide, 'cause E-Verify's a national.. And Speaker, I know I'm running out of time, but I was trying to walk through the process here so we had it clear in our head."

Soto: "The state can set its own standards."

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Schmitz: "The state would... But isn't that what got us in trouble in the first place? The state set its own standard and the Federal Government came in and said, no, you can't do that and there was a lawsuit."

Soto: "This is discouraging not prohibiting them to use the E-Verify system."

Schmitz: "Madam, you just said the state would set its own standard on E-Verify, so that..."

Soto: "It's the same thing, it's 99 percent."

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

Schmitz: "I thought I had it there for a minute, and it was going okay, now, it looks like we added a whole 'nother round of this. The state's going to set a different standard than what the Department of Homeland Security has in their regulations right now, which originally got us sued, which got us to this point. So, with that statement... Ladies and Gentlemen, I do urge a 'no' vote. This is not cleaning up what's going on right now. In fact, by Illinois having its own standard and its own studies, I think that opens us up to another lawsuit again. Thank you."

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

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

Speaker Turner: "She indicates she will."

Reis: "Representative, what are the penalties for an employer who hires someone who does not have the proper documentation?"

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Soto: "I... I don't know. We don't... we..."

Reis: "Well, wouldn't that be something... I mean, we're taking away a tool that employers can use. What are the penalties that they might have to face if they do, in fact, hire someone who's here without the proper documentation?"

Soto: "Their... I don't have that information. I... I don't know what the penalty is."

Reis: "Do you care if they get these penalties imposed on them?"

Soto: "I think that if I was an employer I would be hiring someone who has... who... who is able to work. Who is... has the... you know, the information I need to hire them."

Reis: "Well, it's a rebuttable defense if they use a system that... You know, I'm in agriculture and farmers sometimes hire immigrant help, and they want to use this E-Verification as a tool to verify that they have, in fact, all their proper documentation that they can be here. We took that method away from them. We're still trying to take it away from them, but yet they're still exposed to these fines if someone is, in fact, here illegally."

Soto: "What we're doing is we're discouraging if they don't meet the standards. That's all this Bill does. This is a labor Bill. I mean, I think that you know that. This is a labor Bill."

Reis: "Well, I didn't like the Bill that passed taking away Illinois's ability to even use it. So, how... how are employees... employers, excuse me, supposed to verify employees now, if we can't use E-Verify?"

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Soto: "They can use it if they... if they choose to use it. Some employers will. Some employers are going to use it."

Reis: "Okay. So, right now, without the employer's ability to use the E-Verify, how are they supposed to verify the Social Security number? They just use the form that the employee fills out, a prospective employee?"

Soto: "Yes. They... what they do is that... no, no..."

Reis: "So, if they fill out... if they just..."

Soto: "Can I... can I finish? Thank you. What they will do is, if I'm the employer and somebody gives me their identification, whether it's a driver's license and maybe a Social Security card, if I'm the employer and I choose to use it, you... I could use it."

Reis: "And that's the whole purpose of this... this E-Verify is to verify those documents that the employees give to them. And I think we're putting employers in a bad situation where they're exposed to penalties and fines when we're taking the tools away from them that they use to verify all this."

Soto: "You're not... you're not mandating them not to use it, you're discouraging. If I am an employer, I'm going... if I choose use this E-Verify..."

Reis: "But right..."

Soto: "...system, I'm going to use it. There's nobody that's going to be able to discourage me from using it if I choose... make that choice to use it myself..."

Reis: "But the Bill..."

Soto: "...as an employer."

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Reis: "...you passed two (2) years ago prohibit them from using that."

Soto: "That... that's correct. But this piece of legislation corrects it."

Reis: "That's a stretch. Okay. To the Bill. Her time's running out. Representative, I still don't think that we're with this... where we need to be with this. It's... You know, my wife's family is come from there and... but I think we should also give employers all the tools that they possibly can to verify these employees. There is fraudulent cards, there's all sorts of things that go on and now the penalties are going to come back to the employer. And in agriculture we face a difficult time in trying to find enough workers, but we want to make sure the workers that we hire are, in fact, here legally and they have all the proper documentation. And I think we should be doing everything we can to encourage tools, making tools available to them rather than discouraging. I still urge a 'no' vote on this."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 1878?' There's been a request for verification. All Members should vote their own switch. All those in favor of supporting this Bill should vote 'aye'; all those opposed should vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Flowers. The Clerk shall take the record. On this question, there are 39 voting 'aye', 71 voting 'no', 3 voting 'present'. And this Bill fails. And on page 47 of the Calendar, we have

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Senate Bill 2227. Representative Lyons. Read the Bill,
Mr. Clerk."

Clerk Bolin: "Senate Bill 2227, a Bill for an Act concerning
revenue. Third Reading of this Senate Bill."

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

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. Senate Bill 2227, Ladies and Gentlemen, was given
to me by the Crisis Nursery Coalition of Illinois,
particularly by Maryville which has a facility in my
district. All they're asking for is a check-off on... for
the Crisis Nursery Fund on the state income tax form. I'd
appreciate an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall
the House pass Senate Bill 2227?' All those in favor
should vote 'aye'; all those opposed vote 'no'. The voting
is now open. Have all voted who wish? Have all voted who
wish? Have all voted who wish? The Clerk shall take the
record. On this question, there are 114 voting 'aye', 0
'noes', 0 'presents'. And this Bill, having received the
Constitutional Majority, is hereby declared passed. On
page 47 of the Calendar, we have Senate Bill 2338.
Representative Lyons. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2338, a Bill for an Act concerning
regulation. Third Reading of this Senate Bill."

Speaker Turner: "...from Cook, Representative Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. This Bill's from the community bankers and amends
the Illinois Banking Act to delete the requirement that the

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cashier in addition to the bank president must keep a list of all the shareholders. Basically, what it does now it says the president and any other officer designated by the board of directors can keep that information. In the Amendment that we put on here in the House was basically to allow... dealt with the whole issue of... of the bankers' bank which services these banks to allow the bankers' banks to... to allow their stock to be owned by their member banks without the approval of the Department of Financial and Professional Regulation and the department is fine with that. And additionally, it allows them to do a... our regular banking privileges with their own banking staff. So, I'd appreciate your support on this Bill and be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2338?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 107 voting 'aye', 0 'nays', 7 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 52 of the Calendar, we have Senate... Senate Bill 886. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 886, the Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

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Clerk Bolin: "Senate Bill 886, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 886 was sent over here by Senator Harmon to give us a little breathing room in a situation has arisen. Back in 2002 we... we licensed elevator installers and maintainers across this state. Just recently, the Fire Marshal's Office filed a rule mandating updates and inspections for residential elevators, which would primarily be in condominiums. Myself and Senator Harmon don't necessarily agree with the broad brush that they painted that with and we're currently negotiating a process where it would be more affordable and more feasible for residential condominium owners to comply with a more reasonable rule. This Bill will extend the time of compliance from 2009 to 2013 to give us some time to negotiate and keep the immediate pressure off those residential condominium owners. It is an agreed Bill. And we're looking forward to resolving the problem that is before us. And I would ask for its approval. Thank you."

Speaker Turner: "The Gentleman from Peoria, Representatives Leitch, for what reason do you rise?"

Leitch: "Will the Gentleman yield?"

Speaker Turner: "Indicates he will."

Leitch: "Why don't you just repeal this entire fiasco? I mean, we already know what's going on, the investigations that are going on, all the corruption that's occurring in the

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union where this is originating from. Why don't you just amend this, take it out of the record, and repeal the whole darn thing?"

Saviano: "That may be an option, but unfortunately, now the Fire Marshal has some concerns and they... they are using that law to enforce public safety on elevators. Now, we may not need the licensure to do that if there's another method to track and identify these... these residences and public... other public place. We're hoping..."

Leitch: "Well, I'm sure that can be resolved in some other fashion. I mean, this has just been a disgrace since it was first introduced, not only by motive, but by substance. And if there's a Section that deserves to be completely repealed, I would suggest it's this one. Thank you, Mr. Speaker."

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

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

Speaker Turner: "Indicates he will."

Bost: "Representative, there was an Amendment, but it was not adopted and that would have made it to where this would have only affected what, condos..."

Saviano: "Residential condominiums."

Bost: "...residential condominiums, right? But... but the way it is now it affects... everything is rolled back. Is that correct?"

Saviano: "No, no, no. It... it's... it... what it'll represent is, of course, you know your... your public office buildings, places like that, they already have contracts with big

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elevator companies that maintain their facilities on a regular basis, so it wouldn't concern them. Your larger apartment buildings and.. that have public access, those already have contracts with... with elevator companies. Your smaller condos don't. They use it as... as need basis and the rule put on a very onerous burden on your smaller condominium residences, so that's what we're focusing on right now."

Bost: "All right. That being said... Okay. Now, I want to get into the... actually the meat of your... and I know that this is just an extension, I understand that. But I was one of the 17 who voted against it and the concern I had as a downstate... in downstate is, if you look at the problems that existed in our elevators downstate, basically our local communities could put code in place to put sensible safety measures in place rather than having this at the state level. And if that... and that is the case with this law now. Is Chicago in this?"

Saviano: "Is Chica... Well, Chicago..."

Bost: "Is Chicago in the existing law?"

Saviano: "No, because they have... they're exempt because they have, through their own fire department their own building... building department..."

Bost: "Building department..."

Saviano: "...they have their own system."

Bost: "That's what I just said because..."

Saviano: "Theirs is much more rigid than what was proposed in the rule, by the way."

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Bost: "Okay. You say it's much more rigid. Do you know how many accidents have occurred in elevators and where they have occurred in the State of Illinois over the last twenty-eight (28) years?"

Saviano: "We don't have any..."

Bost: "Well, we don't have that..."

Saviano: "...accurate information on that."

Bost: "Okay. Well, we have... we have reports that a majority of those do occur in Chicago and the amount that have occurred downstate is very minimal. And the problem I have with this is, once again, we made a decision to regulate, but we're not going to regulate Chicago, they've already got their rules in place. But the rules of the other cities throughout the State of Illinois that had code in place, those weren't good enough, so we had to put this to force this down the... down the throats of everybody else. Now, the problem that does exist that... that we put these extra expenses, costs, and costs whenever we don't have the accidents on my people... I have a couple communities that have elevators that maybe go seven (7) stories or eleven (11) stories, but for the most part they're one (1) or two (2) stories. But still we shove this down statewide, I voted against it beforehand, I know that this is just going to make it to where it's extended and it should make it better, but my 'no' vote is going to be probably in protest just because I don't think we should've ever passed it in the first place. I do believe and agree with my seatmate that we should take it out, simply draft a Bill to repeal

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the whole thing and allow us as downstate to set our own regulations based on our own communities. Thank you."

Saviano: "I think... just in response to that. Senator Sullivan is echoing your concerns and he's working with Senator Harmon on that. I'm pretty much letting those two (2) guys guide this ship and I would just suggest you communicate with them, they'll be helpful."

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

Moffitt: "Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Moffitt: "Representative, certainly some concerns have been expressed. I've had concerns brought to me in my district. One of them was in a building that the very people that installed it came back a year or so later and inspected it and found quite a few things that were not in compliance, identified where they could be purchased. One... one... just one example was a telephone in the elevator, the one they recommended, was about four times the price of what was actually acceptable. Do you think this does anything to address problems like that? And that sure seems like a conflict of interest that people putting it in would come back and inspect it. Does that..."

Saviano: "Representative, the law's in place for that purpose. If they were to file a complaint with the State Fire Marshal's Office, they would be hauled in front of their disciplinary committee and given a hearing to see why that... that scenario occurred. I, personally, just had a situation in my district where you had three (3) elevator

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companies bidding on a... on a project and one was double what the other two were and I filed a complaint and currently on June... July 12 they're going to be appearing in front of the State Fire Marshal's Office on that complaint. So, you could utilize the mechanism already in place to file complaints as... as they occur."

Moffitt: "I think part of what we need to do is get that word out. Now, that is... We did resolve the problem that was brought to me in part by using the State Fire Marshal's Office. A question for you and my question was directed at the Bill as to what this... what problems this would relieve. Are the elevators in this Capitol inspected?"

Saviano: "In this Capitol?"

Moffitt: "Yes."

Saviano: "I would imagine. I don't see any certificates on the..."

Moffitt: "And by whom?"

Saviano: "Probably... probably the... I don't know. I really don't know. City of Springfield. I... I don't... You know, the Secretary of State has the ability to maintain the building. You have the Fire Marshal's Office. I would imagine the City of Springfield comes over here."

Moffitt: "Well..."

Saviano: "Maybe the chief of staff or the Speaker maybe inspects it."

Moffitt: "Well, it's just... I ride in a lot of elevators and the only one... the only place I've ever been trapped, not that it was an accident, but... the only place I've ever been trapped for an extended length of time was in State of

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Illinois elevators and I just wondered who... Marlow Colvin and I, Representative Colvin, we... Representative Colvin and I held a caucus in the elevator one day about an hour long waiting to be rescued. And I just wondered... wondered if inspections shouldn't help relieve that, but this is the only place I've been trapped in elevators. So, I do think we need to look at it. This may address some of the problems, but I'm concerned about potential conflicts of interest that appear to be there. Thank you."

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

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

Speaker Turner: "To the Bill."

Mathias: "I just... as the other speakers before me have indicated that we've had a lot of complaints from condo owners and boards in my district. In fact, earlier this year I actually introduced a Bill which is still in the Rules Committee to make sure that the people appointed to the Elevator Safety Board represent the municipalities which was, I believe, the original intent of the Bill, not just that they live in a municipality. I know Senator Garrett has introduced a Resolution in the Senate urging the Governor to appoint individuals who truly represent municipalities, two (2) to three (3) municipality positions on the board. So, I... I also agree with Senate Bill 886, but it doesn't go far enough but maybe will give us some time when it's passed that we can review the whole Bill, the safety board, whether we really need this Bill. I mean, it's one thing if... for new condominiums to pass rules

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for the future, but to go back to some of these older condominiums that really, especially in many cases that are small condominiums who really can't afford to make the repairs that are called for by the rules. I think we need to reinvestigate this and I urge an 'aye' vote on this Bill."

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

Black: "Yes. Thank you very much, Mr. Speaker. This Bill has been up and down and down and up. I move the previous question."

Speaker Turner: "Representative Black moves the previous question. The previous question is put. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the previous question is put. Representative Saviano to close."

Saviano: "Thank you, Mr. Speaker. This would give us some time to reexamine the whole situation. I appreciate the comments of all the speakers. And again, I would refer them over to Senator Harmon and Senator Sullivan and also myself and hopefully, we can resolve this. I would ask for an 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall the House pass Senate Bill 886?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 88 voting 'aye', 26 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared

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passed. On page 54 of the Calendar, we have Senate Bill 2033. Representative Leitch, David Leitch. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2033, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #4, offered by Representatives Leitch, has been approved for consideration."

Speaker Turner: "The Gentleman from Peoria, Representatives Leitch on Amendment #4."

Leitch: "Thank you very much, Mr. Speaker. Amendment #4 simply permits a Home-Rule unit to withdraw from a Storm Water Management District. The underlying Bill would enable Peoria County to join those other counties who seek to have stormwater districts. This is what the city withdraw. I'd ask for its approval."

Speaker Turner: "Representatives Leitch moves for the adoption of Amendment #4 to Senate Bill 2033. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #4 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2033, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Peoria, Representatives Leitch."

Leitch: "Thank you, Mr. Speaker. This would permit Peoria County to join some other counties and create a stormwater district. It also permits the city to withdraw and the

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third piece of it permits an economic development area when there's more than fifteen million dollars (\$15,000,000) being invested and it relates to an area near Mapleton which is being developed and has some very exciting potential. I would just simply ask for your support."

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

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

Speaker Turner: "Indicates he will."

McCarthy: "Representative, our analysis says that the Taxpayers' Federation is an opponent. Is that true?"

Leitch: "I see that on my analysis. I don't know why they're... why they would be, but..."

McCarthy: "So, they haven't spoken to you and..."

Leitch: "I have not heard a word from them, no."

McCarthy: "Okay."

Leitch: "And I didn't see them in committee either."

McCarthy: "Okay. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 2033?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? ...shall take the record. On this question, there are 73 voting 'aye', 41 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representatives Leitch, we have Senate Bill 2034. Read the Bill, Mr. Clerk."

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Clerk Bolin: "Senate Bill 2034, the Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions have been filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2034, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Turner: "...from Peoria, Representatives Leitch."

Leitch: "Thank you very much, Mr. Speaker. All this Bill does is permit homeowners with private sewage to report once every three (3) years instead of one (1) year, every year. So... I know of no opposition to this."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2034?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 81 voting 'aye', 33 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Second Readings, we have Senate Bill 2083. Representative May. Read the Bill, Mr. Clerk. Karen May. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2083, the Bill has been read a second time, previously. Amendment #1 was adopted..."

Speaker Turner: "Mr. Clerk, she's saying take it out of the record. Mr. Clerk, we have Senate Bill 2098. Read the Bill."

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Clerk Bolin: "Senate Bill 2098, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2098, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Graham."

Graham: "Thank you, Mr. Speaker. We passed this, the House version of this Bill, out once before and I'm asking for an 'aye' vote again. This allows the Treasurer to create a State Treasurer Financial Education and Savings Not-for-Profit Corporation. This Bill passed out of the House before. This is just the Senate version of it. I urge an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2098?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, we have Senate Bill 2135, Representative Ramey. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2135, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Bassi, has been approved for consideration."

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

Ramey: "I would like to table Amendment #2."

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Speaker Turner: "Gentleman asks..."

Ramey: "Withdraw... withdraw."

Speaker Turner: "...the Gentleman wish... wishes to withdraw Amendment #2. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is withdrawn. Further Amendments, Mr. Clerk?"

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

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2135, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Ramey: "Thank you, Mr. Speaker. We discussed this Bill a little over a week ago. There were some current concerns about the language. I have talked to the people that had concerns with the Bill and they understand what we're trying to do here. So, all I'm asking for then is an 'aye' vote."

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

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

Speaker Turner: "Indicates he will."

Graham: "Representative, can you tell me the genesis of your Bill?"

Ramey: "This came from the Cook County State's Attorneys Office and the Kane County State's Attorneys Office. They had an issue where a juvenile who had been adjudicated escaped under... while under it... while in jail. And when they went

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to prosecute him on the escape, this... the Supreme Court ruled that in the law that we passed a few years back concerning escape for adults that it did not apply to the juvenile who'd been an adjudicated. And as you know, adjudication means that they could have been charged with a felony, but since they're underage they are then adjudicated."

Graham: "So, what does your legislation do?"

Ramey: "Just codifies the law that will include then the juvenile who is adjudicated that if they escape and a person that helps in that escape can be charged with the crime of escape."

Graham: "Will they be charged as the same as an adult..."

Ramey: "No."

Graham: "...although they are a juvenile?"

Ramey: "No. They will... they... What we have to do is in the Criminal Code have to write the code in and then when it applies to a juvenile, then all the juvenile rules will then go in. So, they would... the child is a juvenile when the crime occurs, they will be charged as a juvenile."

Graham: "Thank you, Representative."

Ramey: "You're welcome."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass...' I'm sorry. The Lady from Cook, Representative Monique Davis, for what reason do you rise?"

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

Speaker Turner: "Indicates he will."

Davis, M.: "I think we... Did we talk about this before?"

Ramey: "Yes, Ma'am."

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Davis, M.: "And we asked what will be the penalty?"

Ramey: "Correct. The charge then is of escape. Right now, we had to have... I believe your original question was, what do we do now? Well, they can't charge him with escape because the law doesn't allow it. So, what they would do is just go back into the system. So, there was no reaction to breaking the law. I mean, there was nothing that could be done to him."

Davis, M.: "Couldn't the judge... or didn't the judge have the discretion?"

Ramey: "No. Because they took it to the Supreme Court and the Supreme Court said it doesn't apply to them, because the language of the original law doesn't include a juvenile who has been adjudicated."

Davis, M.: "And your Bill..."

Ramey: "It just codifies... makes it clear that in the language now if a person is charged with escape and they are a juvenile who has been adjudicated, then they can charge them with that escape and then continue on under the Juvenile Code."

Davis, M.: "Well, what would be the penalty?"

Ramey: "Just a moment, Representative. A Class B misdemeanor."

Davis, M.: "And a Class B..."

Ramey: "Less than six (6) months."

Davis, M.: "...misdemeanor will warrant what kind of punishment?"

Ramey: "Up to or less than six (6) months in jail."

Davis, M.: "Additional time?"

Ramey: "Additional time for that charge."

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Davis, M.: "If I remember correctly, Representative... one of our Representatives over here, she stated that if a misdemeanor was committed then that person would be sentenced under the misdemeanor... under the misdemeanor code and his escape punishment would be less, less than if the person committed a felony and attempted to escape. Do you understand? Is that correct, where there's a difference in the penalty based upon the crime the person is incarcerated for?"

Ramey: "Well, what we're defining here is an adjudication when they have been charged what could be a felony. So then that escape or a person that's helping in that escape would then be charged and if they are a juvenile, then it would be a misdemeanor charge."

Davis, M.: "So, no matter what the previous crime had been if it's a misdemeanor, they'll always be charged or punished with a misdemeanor punishment. Is that correct?"

Ramey: "The charge would be defined if you're in the facility or if you're on home... a home detention, if you're on an electronic bracelet, but the specifics of the Bill were being directed at the specific case of the adjudication."

Davis, M.: "To the... You know, like, I'm just wondering is, have there been a rash of escapes of youth from criminal incarcerations? Have..."

Ramey: "There hasn't been a rash, Representative. The thing is is that it occurred. And when they went to charge, what they found out is because the law was not completely written, the Supreme Court ruled that it doesn't apply. So, we had to clarify the language to include the juvenile who has been adjudicated, because what we're looking at

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here is they could have been charged with a felony. Okay. So, that's what the court wanted us to do. That's why it passed the Senate without any 'no' votes and we're over here just to clarify the language."

Davis, M.: "So, we've... we've only had one case. Is that correct?"

Ramey: " This is the only case I know of. That's... that's why it came to me. I represent part of Kane County. They had a case out there and that's why they were part of the legislation. This originated with the Cook County State's Attorney. They never expressed to me how many cases occurred, but they understood the need to make sure that this was all covered."

Davis, M.: "We... I don't know of any, but you know, I'm considering the cost... the cost of this increased, you know, pen... keeping people in jail longer. I just..."

Ramey: "It's hard to hear you, Representative. Can we get a little quiet, Mr. Speaker? Please repeat."

Davis, M.: "No, I just... I'm considering the cost. You know, what I say... with the misdemeanor, a B misdemeanor. They'll be incarcerated six (6) months longer or..."

Ramey: "No. That, as you expressed earlier, could be at the discretion of the judge. What we're specifically using is this is a tool for them to use on a... juveniles who have been adjudicated because they could have been charged with a felony and gone to jail. So, what we're looking for in an escape, you know, more violent criminals actions and so now the charge can be applied and yeah, there my be some

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extra cost, but we're hoping that then they're not trying to escape."

Davis, M.: "Well, like you said, we've only had one that you know of. But anyway, thank you for your reply."

Ramey: "Yes, Ma'am."

Davis, M.: "I think..."

Speaker Turner: "The Lady close."

Davis, M.: "...overkill. I think it's overkill. I don't think this legislation is needed and I would just urge a 'no' vote. Thank you."

Speaker Turner: "Representative Joe Lyons in the Chair."

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

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

Speaker Lyons: "Sponsor yields."

Gordon: "Thank you. Representative Ramey, if you have a juvenile who's fifteen (15) or sixteen (16) and he's on an electric bracelet and then you have... and he's on an electric bracelet for a misdemeanor charge, what would be considered a misdemeanor charge, if he had been an adult when he committed it. But he's on a misdemeanor charge, electronic bracelet and then an adult, a nineteen-year-old or a twenty-year-old attempts... helps him try to escape. So, they try to break the bracelet. What level of offense, misdemeanor or felony, is that adult going to be charged with?"

Ramey: "I... I don't think this language was addressing that and not being a prosecutor, as you are, I wouldn't be quite

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sure how to answer that, but I guess it would be aiding an escape."

Gordon: "So, it's a felony."

Ramey: "For the adult it would be a felony."

Gordon: "So, someone who's on a juvenile bracelet for maybe possessing a Class C amount of weed, someone who just potentially helps him break a bracelet is going to be charged with a felony, not a Class IV felony, but he's going to be charged with a felony, correct? 'Cause that's what we're now doing with... with the juveniles who... who... because of the Supreme Court case."

Ramey: "I'm getting a lot of..."

Gordon: "That's... that's what your legislation says."

Ramey: "Is that what that... well..."

Gordon: "Did you know... did you know that?"

Ramey: "Yes, Ma'am. That's, as I understood it, yes."

Gordon: "Okay. Now, also, if your juvenile that you have in cus... that he's in custody and he is in custody for a misdemeanor and he has a bracelet on, he has an ankle bracelet on for a misdemeanor, once again, say for possessing some... some amount of... a Class A amount of marijuana, what would be considered a Class A misdemeanor as an adult and he tries to break the bracelet, do you know how... and they tried to revoke him or resentence him to the home monitoring and he's, you know, fifteen (15) or sixteen (16) at the time, do you know exactly how long or the potential sentence that he could then serve for that misdemeanor amount?"

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Ramey: "Are you... and I... it was hard to hear you, again.
There's a lot of noise over here."

Gordon: "Well, I don't know how it... why it should be hard. I'm
right next to the... to the microphone."

Ramey: "Well, now that you..."

Gordon: "So, do you want me to say it again?"

Ramey: "...now that you raised your voice, I did hear you better.
Yeah, if you could repeat the question, please."

Gordon: "You have a juvenile who is on home monitoring. He is
on an ankle bracelet for what would be considered a Class A
misdemeanor, let's just say it's Class A possession of
marijuana. That would be a Class A if he were charged as
an adult, but he... he's not... it's not a Class A because it's
under the juvenile statutes. He attempts to break his
bracelet and so they charge him with escape, but they also
charge... they also try to revoke him, to revoke his sentence
of home monitoring for what... for the original charge of
possession of marijuana. Do you know the potential
sentences that he faces with the revocation and the
escape?"

Ramey: "That I would not know, Representative."

Gordon: "What..."

Ramey: "I am not a prosecutor and I don't believe that's what
the Bill is directing to."

Gordon: "Well, the... Well, it is actually, because... you should
'cause he's now... he could potentially be held in custody up
to the age of twenty-one (21), Representative. Up to the
age of twenty-one (21), which is a... which is a tougher
penalty than what he would get if he was charged as an

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adult felon. So, while I understand... while I absolutely understand what the Supreme Court case says and why we have to fix this, what you're doing to fix this is disproportionate to the rest of the statutes that we have in the State of Illinois. We have juveniles who can now face time as juveniles that are longer sentences than that they would face as a felon. Can you hear me now that I'm speaking in the microphone?"

Ramey: "I understand what you're saying, Representative."

Gordon: "Do you have a problem with that, Representative. Do you have a prob..."

Ramey: "To make it disproportion..."

Gordon: "...do you have a problem with how that works?"

Ramey: "I... I... Do I have a problem? If there is a portion... a disproportionality, yes, I would have a problem with that. But the idea of this, as I answered earlier to another spea... question, the Cook County State's Attorney, Kane County State's Attorney, they dealt with the case specifically and they brought in the language for the Bill."

Gordon: "Well, I..."

Ramey: "And as I said earlier, in the Senate there were no questions of this. We answered some questions earlier that had issue with the Bill and answered those questions."

Gordon: "And you answered my questions last time and now the questions that I'm asking today have absolutely nothing to do with those questions from before, but now I've looked at the language, I've thought about this, I've talked with some other attorneys in this Body and this language that

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you're trying to pass today out of this Body that... to deal with a Supreme Court case that I agree with, that we have to deal with, is problematic, Representative. So, if you want to put it before the Body for a vote, that's fine, go right ahead, but I suggest that you pull it out of the record, that we change the language so that it's proper..."

Ramey: "Well, Representative..."

Gordon: "...and so that we deal... and so that we deal with this in the same way that we would deal with the criminal statutes in any other way to make it fair..."

Ramey: "Well..."

Gordon: "...and proportionate for juveniles..."

Ramey: "...to answer your question, Representative..."

Gordon: "...in the same way we would make it for adults."

Ramey: "...I will... I thank you for your comments, but I will put it up for a vote."

Gordon: "All right. Thank you. To the Bill, Mr. Speaker. Ladies and Gentlemen, this Bill is improper. It will be found improper if reviewed by an Appellate Court and I urge your 'no' vote."

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

Reboletti: "Thank you, Mr. Speaker. To the Bill. I thought I was back in law school a few moments ago when Representative Ramey was being asked some interesting questions about if sentences run consecutive or concurrent, if it should be felonies or misdemeanors. I've charged escape cases when people are on home monitoring and we're not locking them up and then... or they don't report to jail

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on the weekends, instead of having to be there all week, and get a Class B misdemeanor warrant for them which would run consecutive, as a former speaker knows, because it is considered to be an on-bond or in-custody offense. This is not going to be held unconstitutional. This is simply following the Supreme Court ruling to make sure that we are in compliance with the Supreme Court and I would urge an 'aye' vote."

Speaker Lyons: "Representative Ramey to close."

Ramey: "Ask for an 'aye' vote. I thank all the comments from the Representatives today."

Speaker Lyons: "The question is, 'Should Senate Bill 2135 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Boland, Lang, Karen May. Mr. Clerk, take the record. On this Bill, there's 94 Members voting 'yes', 18 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Rose, for what purpose do you seek recognition?"

Rose: "Mr. Speaker, we haven't had a Century Club in a while."

Speaker Lyons: "What?"

Rose: "Perhaps you could draw lots."

Speaker Lyons: "On page 54 of the Calendar, Representative Karen May, did you want to run Senate Bill 2083? What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2083, a Bill for an Act concerning finance, has been read a second time, previously."

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Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons: "Take that Bill out of the record. Representative Nekritz, you have Senate Bill 2128. What's... Out of the record. Dennis Reboletti, you have Senate Bill 2142. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2142 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Take that Bill out of the record on the request of the Sponsor. Raymond Poe, you have Senate Bill 2159. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2159 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2159, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Sangamon, Representative Poe."

Poe: "Yeah, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that passed the Senate 53 to 0 and is supported by the Illinois State Police. This was suggested by the Springfield Police Department. The detectives believe that the significant harm that can be caused to a child, but there was a gap in the sentencing were a misdemeanor to Class X felony and this would add a Class III felony for things that wasn't totally permanent disabled the person. So, I'd ask for a favorable vote."

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Speaker Lyons: "Is there any discussion on the Bill? Seeing none, the question is, 'Should Senate Bill 2159 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Smith, you're next on the Calendar. Not in the chamber. Representative Mendoza, on the Order of Senate Bills-Second Reading, on the top of page 55, you have Senate Bill 2216. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2216, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative John Bradley, has been approved for consideration."

Speaker Lyons: "Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 is identical to House Bill 5323 which passed the chamber with 91 votes. It amends the Prevailing Wage Act to require laborers, mechanics, and other workers employed by a public body, be that state, unit of local government, school districts, et cetera, to demolish a fixed work to at least be paid the general wage that's paid for similar work in the county. Currently, the laborers, workers, and mechanics are paid the general prevailing wage for construction of a fixed work and maintenance, repair, assembly or disassembly on equipment

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and the Department of Labor applies the prevailing wage to demolition work when there is subsequent construction. House Amendment #2 simply expands the Act to cover demolition. I'd ask for the adoption of the Amendment."

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

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

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2216, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Lyons: "The Lady from Cook, Susana Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2216 amends the Day and Temporary Labor Services Act to allow for a day and temporary labor service agency to recover attorney's fees and court costs in a civil action against a third-party client for breach of contract regarding services provided by the agency in the event that the agency prevails. The day and temporary labor agencies are required currently to pay their laborers even if the third-party client does not pay for the work performed. So, when agencies sue to recover their fees, they end up losing money because the attorney's fees and because of the high court costs. So, the only thing this Bill does is it addresses this issue by allowing the agencies to be able to recover their legal fees. I would ask for your support and be happy to answer any questions."

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

Fritchey: "Inquiry of the Chair. In light of the Amendment that just went on the Bill, do we have a germaneness issue here? We... we had an Amendment that went on regarding prevailing wage and I'm just trying to figure out how these two (2) tie in."

Speaker Lyons: "Representative, let me check with the parliamentarians on that inquiry."

Fritchey: "Thank you, Sir."

Speaker Lyons: "I'll get back to you. Maybe we can take another question in the meantime. Representative Roger Eddy, the Gentleman from Crawford."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, the... the underlying Bill..."

Mendoza: "Yes."

Eddy: "...is the day labor portion, but you amended it, as the previous speaker mentioned, with a House Bill 5323 I think was the original Bill that was sent over and stalled."

Mendoza: "That's correct."

Eddy: "I think the previous speaker was referring to the germaneness of that Bill to the prevailing wage underlying Bill. And you don't seem to think that there's an issue related to those?"

Mendoza: "I mean, the original House Bill 5323 was not my legislation, but we do think it's important enough and there is a germaneness in terms of the Labor Act which is why the two (2) were lumped together."

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Eddy: "Okay. So, 5323 is a Bill that deals with prevailing wage and adds demolition to the requirement that prevailing wage be applied to?"

Mendoza: "I'm sorry. Representative, could you repeat that?"

Eddy: "Is there a prevailing wage category for demolitionists?"

Mendoza: "There is, yes. There... there is..."

Eddy: "Is... is it called that?"

Mendoza: "...currently right now there is. If the... if the work is going to continue after the demolition, then they currently get the prevailing wage. The only thing this does is it allows the prevailing wage when if you only get up to the demolition and there's no subsequent job still to be done. That's my understanding."

Eddy: "Well, what's the category of the... is it a laborer? Is that the category of prevailing wage that... are those the workers that do demolition work? Are they laborers?"

Mendoza: "It's laborers, mechanics and..."

Eddy: "Heavy equipment operators as far as..."

Mendoza: "...other workers that are in that category."

Eddy: "Okay. Why doesn't prevailing wage already apply to those categories if it's a public works project that involves demolition? Has there been an abu... has there been a problem? 'Cause I can't... I don't understand how... why demolition doesn't already fall into that category."

Mendoza: "Sure. That's a great question. My understanding is that there has been a few instances with local municipalities, local government bodies, that have not opted to pay the prevailing wage which is what... for those specific demolition only related projects which is why we

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thought this was important enough to bring it to the Body for consideration and correction, frankly."

Eddy: "So, their claim is that the public works project has to do with only the portion of that project that constructs."

Mendoza: "Exactly."

Eddy: "And... and..."

Mendoza: "And not the demolition portion."

Eddy: "But with the Department of Labor, if they're contacted regarding this issue, their interpretation has always been that demolition counts toward prevailing wage if you're using for the public portion. Is that right?"

Mendoza: "Yeah. I would agree with, too, yes, which is why I think all this does is basically treat the demolition worker in a fair manner as every other construction project would and should be treated."

Eddy: "Okay. Ladies and Gentlemen of the House, to the Bill, very quickly. You may want to check your 5323 Roll Call on this. There was a lot of opposition for, I'm sure, various reasons. It's an interesting question that was asked regarding the germaneness of this issue and I would just hope that folks at this hour of the day, as we're getting a little late, will pay a little attention to this Bill knowing that it... a Bill that had some opposition has been amended on to this. Thank you."

Speaker Lyons: "Representative Mendoza."

Mendoza: "Yeah. The only clarification I would make to that is that I'd be happy for people to take a look at their vote history on House Bill 5323. I would counter that. I wouldn't consider it to be a great amount of opposition to

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that Bill. I'd... it still did pass with 91 votes. Hopefully, we'd be able to keep those same votes intact. That would make me pretty happy. Thanks."

Speaker Lyons: "Representative, there are numerous discussions going on on this Bill. Ladies and Gentlemen, the parliamentarian will address the issue on the germaneness."

Parliamentarian Ellis: "Representative Fritchey, on behalf of the Speaker in response to your inquiry, germaneness objection is timely only when the Bill is on Second Reading and so as the objection was raised on Third Reading, the Motion is untimely."

Speaker Lyons: "Representative Fritchey."

Fritchey: "To the parliamentarian and I appreciate the response. A little dismayed, but I appreciate it. But just for clarification, in a situation like this when an Amendment is on... when an Amendment's called and the Bill's immediately rolled to Third Reading, when would the appropriate time be? While it's still on Second Reading, I'm assuming?"

Speaker Lyons: "When we're doing the Amendment on Second Reading, John, that's what I'm being advised."

Fritchey: "Thank you, Speaker."

Speaker Lyons: "On the Bill, Representative Dugan. Representative Lisa Dugan."

Dugan: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Dugan: "Thank you, Speaker. I just wanted to clarify, Representative. The demolition part of this Bill with the House Bill 5323, is it not so that the Department of Labor

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considers demolition work only when there's subsequent construction? So if there is just a demolition project, then the Department of Labor doesn't consider that then prevailing wage no matter how it's paid, if there's not subsequent construction, correct?"

Mendoza: "That's correct."

Dugan: "So, this would take care of those particular problems where there's just demolition that we're saying that prevailing wage should be paid if public funds are used, whether there's subsequent construction or not, correct?"

Mendoza: "Absolutely right."

Dugan: "Thank you."

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

Mathias: "Will the Representative yield?"

Speaker Lyons: "...yields."

Mathias: "Early on in your... in the... when you were describing the Bill, you mentioned the issue of attorney's fees."

Mendoza: "Oh, that's for the underlying Bill, yes."

Mathias: "Right. And you stated that if the agency would win a lawsuit they would be allowed to collect their attorney's fees?"

Mendoza: "Their attorney's fees and court costs, yes."

Mathias: "And what would happen if they lost the lawsuit?"

Mendoza: "Then they don't recover it. This is only if..."

Mathias: "Right."

Mendoza: "...in the event that they..."

Mathias: "But what about the... the defendant who they sued? Shouldn't it, in all fairness, shouldn't it be that the

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prevailing party would... would be entitled to attorney's fees. It shouldn't be just one party to a lawsuit and the other party would not be able to get their attorney's fees."

Mendoza: "Well, I think this is a... it's an interesting scenario only because in this particular case the party that is suing has to actually pay for the employees out-of-pocket and then when they don't get... even if they don't get paid by that third party. So, this is the only reason why they'd even be bringing a lawsuit. They... I would have to basically pay my employee even if the third-party contractor decides not to pay me. So, there really isn't an instance where I don't know why the third-party employer would be suing the day labor agency since they're the ones who have to pay the day labor agency not... not the opposite."

Mathias: "Well, but... but let's say there was an affirmative defense that they didn't do the work properly or something like that where they lost the lawsuit. I mean, it's... obviously, in any lawsuit that that could happen, in which case let's say, you know, the defendant who's bringing it would still have to pay their own, you know, the company, the client, would still have to pay their own attorneys and you have... even if they won the suit they wouldn't be able to get their money back and..."

Mendoza: "But they would not have had to pay for the employees' work."

Mathias: "Right."

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Mendoza: "They obviously didn't pay, so that's why they're being..."

Mathias: "But if they prevailed, that means they were right in not paying them and therefore, I mean, otherwise they would lose, right? If they... either they're going to win or lose the lawsuit, so if they prevail in the lawsuit... for whatever reason, let's say the employees didn't do the right job, they broke something, they did something where..."

Mendoza: "Yeah."

Mathias: "...the judge finds that the plaintiff, the laborer wasn't entitled to their money. Shouldn't it be fair on both sides... should it be the prevailing party who would get attorney's fees not just the plaintiff?"

Mendoza: "Yet... in this Bill, I'm not allowing for attorney's fees. What we're doing is just simply saying this Bill is specific only to the Day and Temporary Labor Services Act and it only allows those folks to be able to sue to recover their court costs and attorney's fees. In the cases where the third-party employer does not pay them, but yet they do pay the employee. So, I think that's fair. Now, you bring up a good point. I don't know that that's... that's not the impetus behind this Bill."

Mathias: "Yeah. I mean, it's not to me a deal breaker."

Mendoza: "Sure."

Mathias: "I'm just pointing it out that when we do these things and we try to help one side or the other that, obviously, to be fair it should always be the pre... if you're going to allow for attorney's fees, it's very common to do it to the prevailing party rather than just the plaintiff."

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Mendoza: "Point well-taken."

Mathias: "Thank you."

Speaker Lyons: "Representative John Bradley."

Bradley, J.: "Well, we've reached that time of year where things metabolize and metamorphosize and my prevailing wage Bill has ended up on this Bill 'cause it stalled in the Senate. So, I would ask people to support that."

Speaker Lyons: "Representative Mendoza to close."

Mendoza: "I just want to thank all of the Members for their attention to this and would respectfully ask for their favorable consideration. Thank you."

Speaker Lyons: "The question is, 'Should Senate Bill 2216 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Schock. Mr. Clerk, take the record. On this Bill, there are 87 Members voting 'yes', 25 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mike Smith, on the bottom of page 54, Senate Bills-Second Reading, you have Senate Bill 2163. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2163, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2163, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Smith: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is an initiative of the Commerce Commission affecting 9-1-1 service. The Commission feels that this legislation is necessary due to the trend nationally for the... in the next generation of 9-1-1 systems. As we see more and more phone service moving to the Internet, this... these companies are often nontelecommunication companies and they're limited in their operation to 9-1-1 systems. So, this would create a certificate of 9-1-1 system provider authority which would be issued to those companies by the ICC. I would be happy to answer any questions. I know of no opposition. And I'd ask for a favorable vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2163 pass?' All those in favor signify by saying 'yes'... voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative David Reis, for what purpose do you seek recognition, Representative?"

Reis: "Thank you, Mr. Speaker. On... a point of personal privilege."

Speaker Lyons: "State your point."

Reis: "On Senate Bill 2216, my switch was inadvertently voted 'no' and I wish to be recorded as a 'yes'."

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Speaker Lyons: "Representative, the Journal will so reflect. Representative Dan Burke, on page 55 of the Calendar, Senate Bills-Second Reading, you have Senate Bill 2239. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2239, the Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2239, a Bill for an Act concerning special districts. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Dan Burke."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2239 would amend the Metropolitan Water Reclamation District Act. This Bill would allow interest earned on any money in any Metropolitan Water Reclamation District Fund to be transferred to their retirement fund. Be happy to answer any questions."

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

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, I'm... my memory is a little foggy, but I thought the Internal Revenue Service ruled some time ago, which is what got the Illinois Teachers' Retirement System in trouble, that unless you were funded at a certain level you could not use interest income to further reduce your pension debt or is this under a different kind of statutory authority?"

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Burke: "If you give me a minute, I'd..."

Black: "Okay. That's fine."

Burke: "...I'll get that answer for you. If you had something further, if we can... Representative Black, did you have something further to inquire about while we..."

Black: "No, I was just... I was just curious, because I... I remember when the ITRS... when we fell below the ninetieth percentile, the Internal Revenue Service wouldn't let the fund use its interest income... as I recall they weren't paying down debt they were subsidizing the retired teachers health insurance so this... this would be different, quire frankly."

Burke: "Can we return to your initial question?"

Black: "Sure, that's fine."

Burke: "The answer is that you cannot transfer money out."

Black: "Okay. But you can't... as long as you're keeping it within the retirement system..."

Burke: "That is correct."

Black: "...then you're allowed to do that."

Burke: "That is correct."

Black: "Okay. Fine. Thank you."

Speaker Lyons: "Seeing no further discussion, the question is, 'Should Senate Bill 2239 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Washington. Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. John Fritchey, you

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have Senate Bill 2256. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2256, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Mr. Clerk, take that Bill out of the record on the request of the Sponsor. What about 2285, Representative Fritchey? What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2285, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2285, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Fritchey: "Thank you. Senate Bill 2285 is an initiative of the National Commission on Uniform State Laws. It deals with having a codified set of rules in place for emergency responders in times of natural disasters such as Hurricane Katrina, et cetera. About six (6) states have adopted this already. It's going to be the intention of the Commission to have all states adopt it. We know of no objection to the Bill. IEMA is okay with the Bill. We believe it's a good step toward having a uniform set of standards across the country so that we can get health providers and emergency responders where we need them when we need them. I request an 'aye' vote."

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Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2285 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Sara. Mr. Clerk, take the record. On this Bill, there's 113 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Bob Molaro has Senate Bill 2294. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2294, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2294, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Bob Molaro."

Molaro: "Well, can I... can I ask you this just to make sure. House Amendment #2 was never adopted. Is there a way we could find that out?"

Speaker Lyons: "Mr. Clerk."

Clerk Bolin: "Floor Amendment #2 remains in committee, has not been adopted."

Molaro: "Okay. Thank you. Well, we'll run the Bill. Well..."

Speaker Lyons: "Mr. Molaro, you're... you're... you want to withdraw?"

Molaro: "Pardon me?"

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Speaker Lyons: "What's your pleasure with the Bill? We just moved it to Third."

Molaro: "I... Well, let's see. Well, it has to go back to the Senate anyway. I'll run the Bill."

Speaker Lyons: "Mr. Molaro on the Bill."

Molaro: "Thank you."

Speaker Lyons: "On Senate Bill 2294."

Molaro: "Senate Bill 2294, after all the orations, it comes down to something pretty simple. In Illinois law, what we did about ten (10), twelve (12) years ago, when you're revoked or suspended for DUI charges or reckless driving and then you get caught driving while your license is revoked for a DUI, then it's raised to a different level. We changed it some many times we missed the word 'original'... We have a problem, Houston?"

Speaker Lyons: "No."

Molaro: "Oh."

Speaker Lyons: "No, we were listening to you, but we're having a little discussion up here. Nothing..."

Molaro: "Oh, sorry, sorry. So, anyway, we forgot the word 'original' when we changed it so many years ago. We keep changing these DUI laws. So, all this does is put the word 'original' back, so when you want to raise it to a felony the original revocation or suspension must be DUI-related, reckless driving-related. It can't just be for parking tickets. I'm going to have something whispered into my ear for a minute. Okay. So, that's... that's what the Bill does."

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Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2294 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, 113 Members have voted 'yes', 0 voted 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jack McGuire, you have Senate Bill 2301. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2301, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Lyons: "Mr. Clerk, we'll hold that Bill on the Order of Second Reading. Representative Nekritz, you have Senate Bill 2313. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2313, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Nekritz, has been approved for consideration."

Speaker Lyons: "Representative Nekritz on your Amendment."

Nekritz: "Thank you, Mr. Speaker. Floor Amendment 1 represents a... an agreement to some technical changes between some of... the Solid Waste Agency of Northern Cook County and the Solid Waste Agency of Lake... of Lake County as well as some language that was requested by the Attorney General."

Speaker Lyons: "Is there any discussion on the Amendment? Seeing none, all those in favor of its adoption signify by

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saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Representative Nekritz on Floor Amendment #2."

Nekritz: "I'm sorry, Mr. Speaker, could we... could we table Amendment #1?"

Speaker Lyons: "The Lady's made a Motion to Table Amendment #1. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and tab... the Amendment #1 is tabled. Mr. Clerk."

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

Speaker Lyons: "On Floor Amendment #2, Representative Nekritz."

Nekritz: "It's exactly what I described for Floor Amendment #1."

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

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

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2313, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Elaine Nekritz."

Nekritz: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is a significant piece of legislation dealing with

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electronic waste and how we handle that in the State of Illinois. It's the result of many, many months of negotiations with hours and hours worth of meetings and it will solve the problem of 87 percent of all electronic waste being thrown away and only 13 percent recycled. It sets up a program by which the manufacturers will engage recyclers and local governments to recycle this material keeping it out of landfills. And I'd like to thank Representative Holbrook for all of his work on this 'cause he was a significant player in all this. I mean... I urge your 'aye'... your 'aye' vote."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, is there a... any type of registration necessary by those recyclers with the EPA?"

Nekritz: "Yes, Representative. They have to be... there is a... I don't know that you would call it registration and I... but they have to be certified that they are not dumping the material or sending it overseas. They actually have to be... there is an assurance within the Bill to make sure that they're doing the right things with these materials."

Eddy: "Is there a cost involved with registering?"

Nekritz: "I'm sorry?"

Eddy: "Is there a cost involved to be..."

Nekritz: "For the recyclers?"

Eddy: "To... yeah, to become a certified recycler?"

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Nekritz: "Not... not... and I don't believe they pay a fee to the... to the state, do you mean?"

Eddy: "Right. In the underlying Bill, our analysis indicates that there is a... they're subject to a registration fee to become a certified recycler of electronic products."

Nekritz: "There may be a fee, Representative. I'm not... I'm not 100 percent sure."

Eddy: "I appreciate... I appreciate that."

Nekritz: "But I do know that the recyclers have been a part of the negotiations and are... and have... are agreed to whatever... they're not one of the opponents to the Bill."

Eddy: "I'm sorry. They're not opposed?"

Nekritz: "They are not."

Eddy: "Well, our analysis shows that there's a registration fee. They're subject to a fee of five thousand dollars (\$5,000) to become a registered recycler and that that could be for participating recyclers an annual fee then of two thousand dollars (\$2,000) to continue. And I just wondered if that was something that you had knowledge of. Apparently, it's not something that you have direct knowledge of, you would have said..."

Nekritz: "I do not and I have to tell you, I mean, this was... there's been, I as said, there's been months and months of negotiations, so I don't... and I was not a party to those. Those really occurred over in the Senate and so I'm not privy... I'm not as well versed as I might be on that... on that particular type of debate. But I... but I do know, again, that the recyclers that have been en... enthusiastic

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supporters, 'cause this is going to get them a lot of business."

Eddy: "Okay. Electronic devices it includes computers, monitors, televisions, printers taken out of service and residences are include... a person's home is included in this?"

Nekritz: "This is only residential electronic waste. It does not apply to businesses."

Eddy: "Okay. But some electronic devices are not included in this recycling requirement? There are some things that are not included? The list... the list I read..."

Nekritz: "That I... I think that... I think like a radio would not be included."

Eddy: "Okay. The list that I read, is that pretty inclusive: a computer, a computer monitor, a television, or a printer?"

Nekritz: "And MP3 players, and palm pilots and all those kinds of things are the things that are... that the recycling... that can be counted toward the recycling goal."

Eddy: "Is there continue... any opposition? You said you've worked and you've gotten some agreement from recyclers. Are you aware of any opposition? I think the Manufacturer's Association, a group called the Information Technology Industry Council might still be opposed and if so and you have knowledge of what the reason for their opposition is, could you share that?"

Nekritz: "Yes. I believe that the... that the remaining opposition has to do with the penalties that are assessed on manufacturers that don't meet their recycling goals. But in... throughout the negotiations there was... we did give

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significant... we did scale the penalties back significantly and they don't go into effect for two (2) years after... until two (2) years after the Bill becomes eff... becomes effective. And the... we lowered the threshold at which the penalties would go into effect, so you only are penalized if you meet... if you don't achieve even 65 percent of your recycling goal."

Eddy: "What's the penalty? That's... I mean..."

Nekritz: "I believe it's in the thousands of dollars, but I..."

Eddy: "In the thousands of dol..."

Nekritz: "...I think it's like a per... per pound fee."

Eddy: "Okay. Representative, I appreciate your patience in answering the questions. I've been listening to the rest of the debate. I know it's a problem that needs to be solved. I'm a little bit concerned, but I'll certainly listen to others comments on this issue. Thank you."

Nekritz: "Thank you."

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

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, on page 23 of your Bill, line 21, the registration fee for the program for the year 2010 for a manufacturer of electronic goods is five thousand dollars (\$5,000)."

Nekritz: "Oh, that's not the recycler, that's the manufacturer."

Black: "Well, I understand that."

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Nekritz: "Okay. All right. I..."

Black: "There's also a fee for the recycler."

Nekritz: "Okay. Yes."

Black: "The registration fee for a manufacturer is five thousand dollars (\$5,000) with an automatic increase every year for an inflation factor. Now, does this include any and all manufacturers of electronic goods, worldwide, if they sell a product in the United States of America?"

Nekritz: "If they're selling products into Illinois, yes."

Black: "How much money would the registration fee bring in? There are thousands of these companies."

Nekritz: "Representative, I know the fee... I know the fee was set at an amount that would simply cover the cost to the EPA to administer the program. So, it was not hundreds... it was not..."

Black: "Hell, with that kind of money it ought to run the whole agency."

Nekritz: "Well, Representative, I..."

Black: "There probably... seriously, a thousand (1000) manufacturers that do business in the State of Illinois."

Nekritz: "Oh, no. There are not... there are not a thousand (1000) that do these kinds of..."

Black: "Oh, my God. I just... I just went in the TV store and there were forty-eight (48) different brands."

Nekritz: "And there... yes, there are different brands, but there's only about four (4) or five (5) television manufacturers that make all those different brands."

Black: "Oh, I... I don't know. I think... I think you need to go back at a TV station. There are South Korea, Japan, China,

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Thailand. There used to be some made in the United States, but now I see why they don't anymore. On page 32 of the Bill, the recycler will pay a registration fee in 2010 of two thousand dollars (\$2,000) and will go up every year by inflation factor. Why would a recycler want to do that?"

Nekritz: "Because, Representative, under this Bill, they're going to have a lot more material to recycle and they make money out of the products that are in these... that are in these electronic devices. This will be a significant boon to their businesses, so I think it's... that's... they're viewing this as a very small price to pay in order to get the electronic material that they need to recycle and make money in their business."

Black: "So, if I want to go in the recycling business, I get to pay a two thousand dollar (\$2,000) registration fee and I hope people will bring me their electronic goods, right?"

Nekritz: "No. This will guarantee that they'll bring you their electronic goods."

Black: "How's that?"

Nekritz: "Well, the manufacturers have an annual goal of a certain amount of tonnage that they have to meet and if... and they have to then funnel that through the recyclers. Right now, there's a very minimal amount of electronic waste that's being recycled in Illinois and this will increase that dramatically."

Black: "So, somebody's going to bring me an iPod to recycle and that's going to help me pay my two thousand dollar (\$2,000) registration fee?"

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Black: "Repre... Representative, they're going to bring you more than their iPod. There's... there's..."

Black: "Well, you have to remember..."

Nekritz: "...thousands and thousands of tons of electronic material that are sitting..."

Black: "Representative, you have to remember..."

Nekritz: "...I have a lot of it in my basement right now waiting for an opportunity to recycle it..."

Black: "Representative, you got to..."

Nekritz: "...and the anti... if this... in other states this has worked to create significance in..."

Black: "Mr. Speaker, I want some time back. I didn't ask for how the Bill was invented."

Speaker Lyons: "All right. Mr. Black, proceed with... let..."

Black: "You know, this is what... this is what happens. This is a well-intentioned Bill, well-meaning Sponsor. A manufacturer, hundreds of them, thousands of them, they're going to pay five thousand dollars (\$5,000)... who's going to enforce it? If I put an iPod in my garbage can, am I going to go to jail? Not... not at... you know, what's... what's the garbage... the solid waste hauler going to do? As long as he doesn't knowingly know there's an iPod in the trash, he's going to take it to the landfill. And look at the penalty Section: Ten thousand dollars (\$10,000) for a violation and ten thousand dollars (\$10,000) a day that if you continue to violate. You know what's wrong with this country today, if there's a market as the Lady says, the market will take care of this. If there's money to be made, people will get into that market. I grew up in an area... and she doesn't

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know anything about my area... do you think in an area where there are some of the biggest towns are twelve hundred (1200) people that we're going to have hundreds of recyclers come down to our area. No. But if there's a market, we'll have a recycler, but not at these prices, not at these fines, not at these laws. You know, I grew up in an era where we called these people junk dealers and you looked down your nose at a junk dealer, but by God, they were fifty (50) years ahead of their time. They knew to go out and collect, some of them in pushcarts, pots and..."

Speaker Lyons: "We'll give you another minute, Mr. Black."

Black: "Thank you very much. You are not going to go and start recycling by being punitive to the manufacturer, punitive to the recycler. This kind of money discourages people from doing it, not encourages. This is a very diverse state. This kind of money is obscene. Pay for the program? This program ought to pay to run the entire IEPA. You know, at some point, I've had it. I'm of a different generation. The marketplace took care of junk when I was a child; it'll take care of it today if you just let the marketplace work and quit trying to make criminals out of everybody and anything and everything. Vote 'no'."

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

Tryon: "Thank you, Mr. Speaker. I rise in strong support of the woman's Bill. If she would yield, I'd like to speak directly to the Bill. Wow, that's a little pricey. I'd actually like to compliment the work that's gone into this Bill that Representative Nekritz has put in, time that we

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spent in committee talking about this. This is needed legislation in Illinois. When the junkman, fifty (50) years ago, picked up junk he didn't pick up computers. They didn't have computers fifty (50) years ago. When you look at the component pieces that are in computers, there's some very serious problems in trying to dispose of them. We need mechanisms to dispose of them. They need to be recycled. We have people throughout the Chicagoland area, throughout the State of Illinois, who have three (3), four (4), or five (5), six (6) old computers sitting in their garage with nowhere to put them. We have people burying them in the trash. When we do this type of legislation, it creates a market. That market, and I believe in the market-driven system of economics, will employ people. We have people employed differently with this Bill than we have today. There will be many jobs created throughout the State of Illinois in this, in fact, when you look at what recycling jobs are created, it's estimated that every thousand... every thousand tons of obsolete electronic equipment will create fifteen (15) jobs through the recycling chains. I think that's good policy on how to handle this. I think this is a good Bill. This is good for the environment. It's good for the consumer. It's good for the homeowner. It's... And when you're talking about fines, McHenry County happened to be the first county in the State of Illinois to have a countywide recycling ordinance. And that same language of not knowingly or knowingly putting something in that's supposed to be recycled is in our recycling ordinance, too. This is

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consistent with laws that have been done in other states. Minnesota has had a huge success with a similar program as being proposed here and I would like to see us be able to do this in Illinois. This is needed legislation. And I would urge an 'aye' vote."

Speaker Lyons: "Ladies and Gentlemen, this Bill was on Short Debate. I'll put it on Standard Debate. We've had two (2) people talk in support of the Bill, two (2) people talk in response. The next speaker is Representative Holbrook will be the third speaker in support and then we'll let one (1) more speaker in response. Representative Holbrook."

Holbrook: "Thank you, Speaker. To this Bill. I want to compound... commend Senator Garrett and Representative Nekritz on this Bill. We're behind the curve in Illinois on e-waste. It's becoming a national crisis and an international crisis. This Bill came out of the Senate 52 to 0; there's a reason for that. In all the meetings we held with these haulers and manufacturers, not one of them complained about the registration fee. It was some of the goals we set that they asked on recycling and I think that we were more than open. And we were... I think we met most of their needs. When you see the people that are in favor of this, our landfill people are in the favor of it, our recyclers are in favor of it. There's no problem with them. It's the manufacturers. The vast majority of them are neutral. When you look at the big producers of Dell and General Electric and Motorola, they're... they're not opposed to this Bill. There was some questions about whether printers were going to be put in and that's what

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brought a couple of the folks to the table in opposition. This is a good Bill. This is a Bill that should come out of here with 100 votes. It's needed. If we don't do it, we're behind the curve already and it's going to get nothing but worse and we're going to pay for it just like when we didn't regulate landfills before. We're... we're... today we put monitors in... wells around these pits because of what the leachy that's leaking out of it and the heavy metals. These are... it's a crisis in our nation and it needs to be addressed and Illinois is behind the curve. This brings us into the ballpark. There's nothing out of line with this Bill compared to what other states are doing and I support this Bill 100 percent. And I would urge an 'aye' vote."

Speaker Lyons: "Ladies and Gentlemen, we've had three (3) people in support, two (2) people in response. Representative Winters, are you in response to the Bill?"

Winters: "I'm not yet sure of that, but I do have some specific questions of the Sponsor."

Speaker Lyons: "Sponsor yields."

Winters: "I believe you stated that the fees were set with EPA's best estimate of what it would cost to run the program and there are escalators in here, some type of inflationary annual change. Is that a fair statement?"

Nekritz: "That's... that's the way I understand it, Representative."

Winters: "If, in fact, the program is oversubscribed, if we end up with a lot of recycling companies that are interested and we find out that the monitoring costs are less than EPA

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estimates, is there any language in here that would reduce the fees to the level that would simply make this a self-sustaining program?"

Nekritz: "Representative, there is some... some language in the Bill that requires the EPA to do a top to bottom audit of the entire program including the fees after three (3) years and... and report back to the General Assembly on that so that we would have an opportunity to go back in and relook at that with some very solid information about how the program is running."

Winters: "That would then be our opportunity if, in fact, it is a smooth running program that we could reduce the fees on the manufacturers and recyclers to more closely manage their cost in conjunction with what the EPA cost is."

Nekritz: "If the numbers showed that, sure."

Winters: "Another question that is on the consumer who ends up with five (5) TVs in his basement, decides it's going to be cheaper than, you know, maybe there isn't any recycler in his county, maybe he is in rural Illinois where, as Representative Black said, twelve hundred (1200) people is probably not going to support a recycling company and decides, you know what, there's an old ravine on the side of the hill, there's a lot of other TVs out there, I think I'll just dump my there. Would that be a finable offense? Would there be a fine if he disposes of the TVs or other electronic goods?"

Nekritz: "I don't believe there's fines. There is a landfill ban in here. I don't believe that there are fines on individuals for doing that. But one of the ways that we

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address that issue is that in meeting the manufacturer... the manufacturer's goal for the recycling tonnage in a... in a more sparsely populated area they get, I believe, it is double the amount of credit for that tonnage. So, that there's an incentive in those area... in those rural areas to... to engage recyclers there and to engage collection points. So, there's... there's a very strong incentive in the legislation to get that done in the rural areas."

Winters: "And what was that incentive, again? They get a higher..."

Nekritz: "They get... there's a couple of different incentives in here. I believe that for rural areas they get double the amount of incentive or double... double the credit for the amount of tonnage if it's in a rural area."

Winters: "So, you're saying, there might be incentive for them to go out and explore old ravines and pull out old TVs and remove those from the environment?"

Nekritz: "There might be for some recycler, yes."

Winters: "And as... as far as you know, there is no penalty for an individual, it would only be recycling companies that would be penalized?"

Nekritz: "There's a landfill ban, yes."

Winters: "There's a ban of dropping in the..."

Nekritz: "There's a ban on the landfill."

Winters: "Yeah. So, you can't... you can't dispose of it in a landfill."

Nekritz: "Right. So..."

Winters: "You can't throw it in a dumpster and hope to hide it or cover it and then if you just find someplace else,

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because a lot of rural residents may not have dumpsters available. And there are counties, I believe, where they are allowed to burn the rubbish. So, anything like that they... and throw the glass out. Don't worry about it."

Nekritz: "Well, but I think we have that same issue with the landfill bans we have on white goods and tires and that kind of thing as well."

Winters: "Well, I'm still uncertain on this because this I don't feel got a very good hearing in the committee. We were tired at the end of the day and I think we didn't fully vet this... this Bill as it came out of committee, but I... that's all the questions that I have."

Speaker Lyons: "A request has been made to honor the last two (2) people speaking, so Representative Howard then Representative Leitch and then Representative Ryg... Representative Nekritz to close. First, Representative Connie Howard then David Leitch."

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

Speaker Lyons: "Sponsor will yield, Representative."

Howard: "Representative Nekritz, you perhaps know that as chairman of the Computer Technology Committee for the House of Representatives, I have vowed that every home in the State of Illinois should have a computer. May I ask whether or not your plans have anything to do with perhaps making certain that I can see that through to fruition?"

Nekritz: "Yes, Representative, I believe it does. In addition to having the incentive for collecting tonnage in rural areas, the recyclers and the manufacturers also get a... an

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add... also have that same kind of incentive if they refurbish and reuse the equipment as well. So, I think that this will allow for us to collect more equipment, refurbish it, and make it available at less cost."

Howard: "When you say make available, do you mean sell or give?"

Nekritz: "That would be, I believe, up to the recycler."

Howard: "Okay. I'm... I'm concerned about making certain that things are affordable for people. As I collect all kinds of computers in my office and get them refurbished, I give them to the families who cannot afford them. I would certainly hope that once this committee or task force is in place that they will then consider making certain that these pieces of equipment are given free of charge to those families who cannot afford them."

Nekritz: "And Representative, I may have misspoken and I apologize that I'm not as familiar with that part of the Bill, but I believe that it does have to do also with making that... making those computers available for, you know, like for not-profit groups and that kind of thing. But I'll... I'm... I'll double-check on that and get... and let you know for sure."

Howard: "I am certainly hopeful that that's the case. Thank you."

Nekritz: "Thank you."

Speaker Lyons: "The Gentleman from Peoria, Representatives David Leitch."

Leitch: "Thank you. Will the Lady yield?"

Speaker Lyons: "Lady yields."

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Leitch: "For years I've been working with a recycler in Peoria who is funded predominately by DCCA grants or DCEO grants now and their ability to market these. Why do we need EPA to administer this program?"

Nekritz: "Well, Representative, someone has to... the EPA's role in this is to establish the goals for the tonnage of... amount... material that needs to be recycled, evaluate how much is coming in each year and then adjusting the goals on that basis, making sure that the landfill ban is enforced and those kinds of things."

Leitch: "I can understand how they may have a role in the landfills and so forth, but there simply must be a better and more practical way to accomplish the end and the very worthy end of this legislation than trying to go through an all too dysfunctional state bureaucracy to rely on it to do something as important as this. The other concern that I..."

Nekritz: "Wait, Representative, could I just respond to that? The EPA is not running the program. The program is run by the private sector. It sets goals... the EPA sets goals, but it's the manufacturers that actually collect the mater... that arrange to have the material collected and got... and get to the recyclers. So, the EPA is not running the program. That's the California-style model that we elected not to go to here in Illinois."

Leitch: "What is the role for the people who are already operating a not-for-profit corporations throughout the state and I notice were described, at least in our analysis, as underserved, although the people with whom I'm familiar in Peoria, are doing an extraordinary job of

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reaching out to get various electronic and other items for recycling."

Nekritz: "Representative, I think this should.. I think this should enhance their ability to do that because now they're... the manufacturers are going to be paying people and investing in opportunities to recycle and so this a new pot of money out of... for which they should... out of which they should be able to... to get some additional assistance."

Leitch: "Well, thank you. To the Bill. I'm very concerned about the implications of this Bill. I think the goals of this Bill are extremely important. I would simply hope that we could find a far more practical way to do it rather than relying on an already overworked bureaucracy. Thank you."

Speaker Lyons: "Representative Nekritz to close."

Nekritz: "Thank you, Mr. Speaker. Again, this has been a Bill that's been negotiated ad nauseam and many of the initial opponents have now become either proponents or neutral on the Bill. And among the manufacturers that support the Bill and among the groups that support the Bill are Apple, AT&T, the Illinois Recycling Association, the Clay County Rehabilitation Center, PC Rebuilders and Recyclers, the National Solid Waste Association, Waste Management, and Kane County, the Environmental Law and Policy Center, and the Sierra Club. This has been a really excellent effort to come to an agreement or... and grant you it's not total agreement, but to come as close as we can get on as Represen... as one... as many of the former speaker... speakers indicated a very significant problem of these products

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entering into our waste stream and the arsenic, lead, cadmium, and many of the other toxins that are in these products find their way into our... into our waste stream and into water systems. So, I... this is an excellent work product and I urge your support."

Speaker Lyons: "The question is, 'Should Senate Bill 2313 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Randy Ramey. Mr. Clerk, take the record. On this Bill, there are 74 Members voting 'yes', 38 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative John D'Amico."

D'Amico: "Thank you, Mr. Speaker. I move to table my Motion to reconsider on Senate Bill 2294."

Speaker Lyons: "The Gentleman makes a Motion to Table his Motion to reconsider Senate Bill 2294. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And your Motion to reconsider is tabled. Ladies and Gentlemen, we're moving to page 56 on the Order of Senate Bills-Second Reading, Representative Dan Burke, you have Senate Bill 2326. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2326, a Bill for an Act concerning finance, has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Lyons: "Third Reading and read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2326, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

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

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2326 amends the State Property Control Act to move up the deadline for the Annual Real Property Utilization Reports so the report or annual update of it is submitted to the director of CMS by July 31 rather than October 30 of each year. And the Bill is in essence giving the CMS agency the opportunity to facilitate the preparation of its budget. I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2326 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Fritchey, Miller, Dave Winters. Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Toni Berrios, you have Senate Bill 2349. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2349, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Berrios, has been approved for consideration."

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Speaker Lyons: "Representative Berrios on Amend... Floor Amendment #1."

Berrios: "Thank you, Mr. Speaker. Floor Amendment #1 adds the language of House Bill 5469 to the Senate Bill."

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

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

Speaker Lyons: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2349, a Bill for an Act concerning criminal law, which may be referred to as the Child Protection Act of 2008. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Toni Berrios."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2349 creates the Child Protection Act of 2008. This Bill was previously passed in the House under House Bill 5687. It's the exact same language. And what it does is it prohibits sex offenders' contact with minors using electronic communications such as the Internet. And now with the Amendment, which was House Bill 5469, we are just making sure that child predators do not use the Internet."

Speaker Lyons: "Is there anyone dis... seeking to question the Sponsor? Seeing none, the question is, 'Should Senate Bill 2349 pass?' All those in favor signify by saying 'yes';

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those... All those in favor of the Bill should vote 'yes'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 113 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Kathy Ryg, you have Senate Bill 2400. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2400, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Ryg, has been approved for consideration."

Speaker Lyons: "Representative Ryg on the Floor Amendment."

Ryg: "Thank you, Mr. Speaker. The Floor Amendment guts and replaces to become the Bill. It provides for a technical correction and removes the Home Rule preemption because the Bill no longer applies to public agencies."

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

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

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2400, a Bill for an Act concerning health. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Lady from Lake, Representative Kathy Ryg."

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Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2400 creates the Biometric Information Privacy Act which will be applicable to private entities doing business in Illinois. It sets collection and retention standards while prohibiting the sale of biometric information. It provides exemptions as necessary for hospitals, organ donation efforts, licensed fingerprint vendors working with State Police doing background checks and private subcontractors working for a state or a local unit of government and banks that are covered under Federal Law. State and local government use of biometrics will be covered through the establishment of a study committee with key government stakeholders to review current policies and practices and make recommendations for improvement by January 2009. This Bill is especially important because one of the companies that has been piloted in Illinois, Pay By Touch, is the largest fingerprint scan system in Illinois and they have recently filed for bankruptcy and wholly stopped providing verification services in March of 2008. This pullout leaves thousands of customers from Albertson's, Cub Foods, Farm Fresh, Jewel Osco, Shell, and Sunflower Market wondering what will become of their biometric and financial data. The California Bankruptcy Court recently approved the sale of their Pay By Touch database. So, we are in very serious need of protections for the citizens of Illinois when it comes to biometric information. I know of no opposition to the legislation and I'll attempt to answer any questions."

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Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2400 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bill Black, you have Senate Bill 2413. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2413, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2413, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Black: "Thank you very... thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. There's no registration fee in this Bill, whatsoever. It's identical to House Bill 5074 that passed the House 109 to 0. It's a request from the Illinois Community College Board. When we changed their term of office, they had to have staggered terms and then they were sworn in at a different time than any other elected official. They've now caught up with their staggered terms and all they're asking for is that they go back to being sworn in within fourteen (14) days after the

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election rather than the following month. Be glad to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2413 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Paul Froehlich. Mr. Clerk, take the record. On this Bill, there's 113 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Acevedo. Is Representative Eddie Acevedo in the chamber? Mr. Clerk, what's the status, on the top of page 57, of Senate Bill 2595?"

Clerk Bolin: "Senate Bill 2595, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Mr. Clerk, on page 57 of the Calendar, Representative Bob Pritchard has Senate Bill 2691. Read.. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2691, the Bill has been read a second time, previously. No Committee Amendments.. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2691, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Pritchard: "Ladies and Gentlemen of the House, following the tragedy that occurred at Virginia Tech a year ago, the

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Governor appointed a task force to look into the security and safety of our public universities. Their report created a Campus Security Enhancement Act which is reflected in this particular Bill. In this Bill, it requires public universities, community colleges, independent, not-for-profit and for-profit higher education institutions to develop an emergency response plan, to develop an interdisciplinary and multijurisdictional campus violence prevention plan, and requires county and major municipality emergency management and Illinois Emergency Management Agency coordinators to assist in the planning and training process of the plans. This is a good Bill that has support. It passed out of the Senate unanimously. And I ask for the House's concurrence."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2691 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Kevin Joyce. Mr. Clerk, take the record. On this Bill, there's 111 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Careen Gordon. Is the Lady in the chamber? Mr. Clerk, Representative Suzie Bassi has Senate Bill 2719. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2719, the Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading, Mr. Clerk, and read the Bill."

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Clerk Bolin: "Senate Bill 2719, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "The Lady from Cook, Representative Suzie Bassi."

Bassi: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. This... this is the Bill, the Cindy Bischof GPS tracking Bill that has already passed the House unanimously 114 to 0 and went to the Senate with a couple of technical changes. The Senate, because of a procedural issue, decided to place it on a shell Bill. The shell Bill's number was 2719. I want to thank the 42 House Sponsors that are on this Bill with me and the 16 Senate Sponsors. It passed the Senate unanimously. Talks about when a person violates an order of protection they can be subject to... for a GPS tracking. And I would ask for your support again."

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

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

Speaker Lyons: "Sponsor yields."

Black: "Thank you. Representative, is this an unfunded mandate?"

Bassi: "No, Sir. It does not..."

Black: "Oh, I'm sorry."

Bassi: "It does not ask for..."

Black: "I'm sorry. I'm looking at the wrong Bill. This doesn't have anything to do with the School Code?"

Bassi: "Not a thing. It's the Criminal Code."

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Black: "But it has GPS in it?"

Bassi: "It has GPS tracking and if you beat your wife, you could be subject to having to wear it."

Black: "I thought that stood for the Georgetown Public Schools. I'm sorry."

Bassi: "Right."

Speaker Lyons: "Seeing nothing further on the issue, the question is, 'Should Senate Bill 2719 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Milt Patterson. Mr. Clerk, take the record. On this Bill, there's 111 Members voting 'yes' and 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 57 of the Calendar, Representative Bob Pritchard has Senate Bill 2733. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2733, the Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading, Mr. Clerk, and read the Bill."

Clerk Bolin: "Senate Bill 2733, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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

Pritchard: "Ladies and Gentlemen of the House, this Bill comes as a result of a situation in the northeast suburbs community where a municipality used TIF funds to demolish or otherwise remove a historic resource. And what this

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legislation does is prevent the use of TIF funding under certain circumstances so that those that wish to preserve historic places have time and the ability to do that. There are exemptions for this. There are no alternatives. And it is a piece of legislation. I ask for your support."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2733 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mark Beaubien, Carolyn Krause, Marlow Colvin. Mr. Clerk, take the record. On this Bill, there are 108 Members voting 'yes', 2 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of Senate Bill 2718?"

Clerk Bolin: "Senate Bill 2718, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2718, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, Senate Bill 2718 creates a... an exception to the hearsay rule called forfeiture by wrongdoing. What specifically occurs is that if a criminal defendant is the one who does an act of wrongdoing; i.e., murders a witness who is going to

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testify against him. Then there can be a hearing held by the judge and the judge can determine by a preponderance of the evidence that whether or not the statements that would have been made by that witness are admissible at trial. It would be held outside the hearing of the jury. It would be determined whether or not those are credible statements. There are other parts of the criminal statutes that these types of statements are let in; for example, when a child makes statements of regarding sexual... sexual exploitation and sexual abuse, and the same language is what we have put into this statute. It passed out of the Senate unanimously and it is a... an initiative of my good friend and my former employer Will County State's Attorney, James Glasgow, as well as the former employer of my good friend and colleague, Representative Dennis Reboletti. This is a voice that is... a Bill that will give a voice to the victims... of crime victims... a voice to the victims of crime that will... that are going to be silenced by someone who think that... who thinks that they are going to be able to get away with something by committing another act. It's all about the victim in this case to make sure that they have their day in court and to make sure that our communities remain safe. I would urge your 'aye' vote and I would be happy to answer any question."

Speaker Lyons: "The Chair recognizes the Gentleman from DuPage, Representative Dennis Reboletti."

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

Speaker Lyons: "Sponsor yields."

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Reboletti: "Representative, let me read you a couple questions to you for legislative intent. Is it the intent of your legislation to overturn any of the common law principles of forfeiture by wrongdoing that the Illinois courts have embraced including those set out in People v. Stechly and People v. Melchor?"

Gordon: "All right. No. People v. Stechly and People v. Melchor are well set out in the common law. That is not my intent at all, Representative."

Reboletti: "And paragraph (g) of the Bill was included to assure that Illinois courts would view this as cumulative of those legal principles and not exclusive of them."

Gordon: "Exactly. There were... there were several discussions among people, one including yourself and that is the specific reason for paragraph (g) in this legislation, Representative."

Reboletti: "To the Bill, Mr. Speaker. Ladies and Gentlemen of the House, I think this is a very important landmark piece of legislation. We have cases in the State of Illinois that go unprosecuted because the victim of the crime has been killed, but has told someone else beforehand that this was going to happen to them and then absolutely does happen to them, but the prosecutors have no recourse. I think this will take care of that. And I would urge an 'aye' vote."

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

Durkin: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

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Durkin: "Representative, would you consider this legislation procedural in nature and not substantive?"

Gordon: "I'm sorry. There was some noise going on behind me. Could you repeat that, Representative?"

Durkin: "I think it was the pizza coming up from them. They just ate. Anyway, I guess... I guess the question is, you would consider this Bill procedural in nature and not substantive, correct?"

Gordon: "Absolutely. It's not the... it's not the trial. It's procedure prior to the trial..."

Durkin: "All right, procedural. So, in effect..."

Gordon: "...like a motion to in limine."

Durkin: "Correct. And in effect, that if there was a case that's already existing in the system, you would be able to retroactively apply this to it... you would be able to retroactively apply this law in a case which is currently in the system, correct?"

Gordon: "Correct."

Durkin: "Because it is procedural."

Gordon: "Correct."

Durkin: "Thank you."

Speaker Lyons: "Representative Gordon to close."

Gordon: "Thank you, Ladies and Gentlemen. As you all know, I... I was a former prosecutor, but I keep a prosecutor's heart, but at all time my interest has always been justice. And for many years, I was a voice for the victims of crimes as a prosecutor, as an assistant state's attorney, and as an assistant Attorney General. When I came to the House of Representatives, I wanted to continue that work and this

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Bill, Senate Bill 2718, does continue that work. I would ask for you to help me to continue that. Give a voice to the victim of crime and give me your 'aye' vote this evening. Thank you very much."

Speaker Lyons: "The question is, "Should Senate Bill 2718 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Jefferies. Mr. Clerk, take the record. On this Bill, there are 110 Members voting 'yes', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, on page 58 on the top on Senate Bills-Second Reading, Representative Connie Howard has Senate Bill 2788. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2788 has been read a second time, previously. No Amendments. No Motions filed."

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2788, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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

Howard: "Thank you, Speaker. Senate Bill 2788 amends the Chicago Park District Act to allow the Chicago Park District to sell, lease, or otherwise convey all or a portion of district-owned property that is used solely and exclusively as office or administrative space. It seems that the park district has office space that they may or not feel a need to use in the near future and they want to

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have the ability to sell it if they so desire. I will take questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 2788 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 109 Members voting 'yes', 2 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 58 of the Calendar, Representative Kathy Ryg has Senate Bill 2824. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2824 has been read a second time, previously. No Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Mr. Clerk, leave that Bill on the Order of Second Reading on the request of the Sponsor. Mr. Clerk, Representative Mathias has Senate Bill 2855. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2855 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Mathias, has been approved for consideration."

Speaker Lyons: "Representative Sid Mathias on the Amendment."

Mathias: "Thank you, Mr. Speaker. What Floor Amendment 1 does it basically adds to the Bill and states that a... that this Section applies if a person is at least eighteen (18) years of age and the victim is under eighteen (18) years of age. And I ask for your 'aye' vote."

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

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

Speaker Lyons: "Third Reading, Mr. Clerk. And read the Bill."

Clerk Mahoney: "Senate Bill 2855, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Mathias: "Thank you, Mr. Speaker. This Bill is an attempt also in response to that tragic case that happened in Missouri with the... over the Internet. We currently have a law on the books in Illinois called the Harassing and Obscene Communications Act. What Senate Bill 2855 as amended... as amended does is basically enhances the penalty to a felony if the perpetrator is an adult and if the victim is a minor. This removes the opposition from the Illinois Association of Criminal Defense Lawyers and the ACLU. And I ask for your 'aye' vote."

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

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

Speaker Lyons: "Sponsor yields."

Fritchey: "Representative, you've done something I don't think I've seen before. You have the appellate prosecutors and the public defenders both opposed to this Bill."

Mathias: "But obviously now, they're no longer."

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Fritchey: "Excuse me?"

Mathias: "I said I believe with this Amendment it removes that."

Fritchey: "No."

Mathias: "Oh."

Fritchey: "You said it removed the criminal defense lawyers and the ACLU."

Mathias: "Oh, I'm sorry, I didn't hear..."

Fritchey: "But the appellate prosecutors and the public defenders are still listed in opposition. I'm just curious how you have lawyers on both sides of the bar thinking this is a bad Bill."

Mathias: "I did not... I'm just trying to look at my... As I said, that was not on my computer that's why I'm... I apologize... I... The only ones who actually testified in committee... put a slip in, was the ACLU and that's who I've basically working with to try to remove their opposition."

Fritchey: "Well, let me ask you a question then and I'll take you at your word. Your analysis shows no other opposition to this?"

Mathias: "I do not see any other... nor has anybody contacted me and I believe that this Amendment... and I don't want to speak for anybody else, but I... but the intent of the Amendment was to remove this opposition."

Fritchey: "Okay. Fair enough. Thank you."

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

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

Speaker Lyons: "Sponsor yields."

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Graham: "Representative, can you... what... where did you get this piece of legislation from?"

Mathias: "It's a Senate Bill, so it came from the Senate from a Senate Sponsor."

Graham: "So, you just happened to like it and pick it up and decided you would advance it?"

Mathias: "And also... well, it was a good Bill and it was similar to a Bill... I have a House Bill that you may... may or may not see here later today or tomorrow that I've amended... put the same Amendment on. Actually, the... it was the Senate Democratic staff that worked with us very closely to get the... along with our staff to get the Amendment done and to work out... to take away some of the opposition."

Graham: "So, explain to me what exactly this piece of legislation does?"

Mathias: "It simply... we have a red... already a Harassing and Obscene Communications Act that is currently a law. All we're doing is saying is if the victim is a minor and the perpetrator is an adult, it enhances the penalty to a Class IV felony. That's all the Bill does."

Graham: "And so, what is a Cla... what do receive for a Class IV felony?"

Mathias: "That would potentially... could be a one (1) to three (3) years and a monetary fine. I think it's... I'm not sure it's ten thousand (10,000) or there is a monetary fine. It is still probationable."

Graham: "So, this is in case of if an adult does some harassment of a minor by way of the Internet?"

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Mathias: "I'm sorry. It's noisy in here. I can... I could not hear the whole comment that you made."

Graham: "Is this legislation focusing on whether an adult harasses a minor via the Internet?"

Mathias: "That would be... that could be one possible avenue, yes."

Graham: "So, the other way is that an adult could harass a minor, you're saying, is by which telephone or some other form like that?"

Mathias: "There's a whole list of..."

Graham: "My que..."

Mathias: "...there's a whole list of... it says harassment through electronic communications. There's a whole list of what that means. It's defined in the... in the original law."

Graham: "I guess my only concern, and I do understand the protections that we're trying to put in place to stop kind of unnatural behavior with people, but this kind of borders on the line of stalking?"

Mathias: "Well... it... this... Yeah, this... all this does is enhances the penalty if a minor is involved."

Graham: "I understand that."

Mathias: "Right."

Graham: "My question on top of that... I totally understand what you're saying that this legislation does, but it almost kind of sounds like we're kind of doubling up on a piece of law that's already in effect like stalking."

Mathias: "Well, stalking is a separate crime and a separate offense and would not be by... you know, unless you were stalking..."

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Graham: "We're just calling it a little different here, Representative. I mean, harassing and all that stuff is another form of stalking to me and I just, you know, I'm just... just concerned that sometimes we do a lot of legis... and I commend you. I'm not really trying to take away the effects of your legislation, but sometimes we do a lot of 'feel good' legislation here and we kind of like double up and it seems like some of this stuff is covered under the law already in the stalking condi... provision."

Mathias: "Stalking has to be in person where this has... is basically not done in person."

Graham: "Well, the person has to do the electronics. The computer isn't communicating on its own."

Mathias: "Right."

Graham: "So, it's still a person doing the communication."

Mathias: "Yes. Yes, it's just that the stalk... the stalking is done when you're physically following somebody as opposed to doing it on the Internet when... when the Internet is just basically a tool of, you know, as opposed to your body being the stalker or the Internet is..."

Graham: "One last comment, Representative."

Mathias: "Yes."

Graham: "If I was stalking you by way of that computer, you would feel my presence, so I don't know the difference. Thank you."

Mathias: "Thank... and thank you."

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

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

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Speaker Lyons: "Sponsor yields."

Nekritz: "Representative, is House Amendment #1 a gut and replace Amendment?"

Mathias: "Is it a what? I'm sorry."

Nekritz: "Does it gut the underlying Bill?"

Mathias: "Yes. It actually changes the Bill so that the.. really the Amendment.. the way it was written, it actually deletes the original language of the proposed Bill and just substitutes the effect of that and really it takes the original law and just enhances a penalty if there's a minor involved."

Nekritz: "So, the eff.. so, we don't change.. we no longer change the elements of the offense of harassment?"

Mathias: "No."

Nekritz: "All we do.. all we're doing is changing the penalty?"

Mathias: "That's correct."

Nekritz: "Okay. Thank you."

Speaker Lyons: "Representative Mathias to close."

Mathias: "Hopefully, there have been a number of Bills this year dealing with that unfortunate situation. In Missouri, as you know, the prosecutors in Missouri we're unable to charge anyone at that time. Hopefully, we can send a message by enhancing this penalty that when you harass a minor it can lead to tragic circumstances. And so, I ask for your 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 2855 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Representative Feigenholtz, Granberg. Mr. Clerk, take the record. On this Bill, there's 109 Members voting 'yes', 1 Member voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules Report."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 30, 2008, reported the same back with the following recommendation/s: 'approved for floor consideration' is a Motion to Table Amendment #1 to Senate Bill 1415, a Motion to Table Amendments 1 and 2 to Senate Bill 2348, also approved is Amendment #2 to Senate Bill 1415 and Amendment #4 to Senate Bill 2348. On the Order of Concurrence 'recommends be adopted' is a Motion to Concur in Senate Amendment #1 to House Bill 946, a Motion to Concur in Senate Amendment #1 to House Bill 1432, a Motion to Concur in Senate Amendments 1 and 2 to House Bill 3106, a Motion to Concur with Senate Amendment #1 to House Bill 4178, a Motion to Concur with Senate Amendment #1 to House Bill 4206, a Motion to Concur in Senate Amendment #1 to House Bill 4207, a Motion to Concur in Senate Amendment #1 to House Bill 4216, a Motion to Concur in Senate Amendment #1 to House Bill 4255, a Motion to Concur in Senate Amendment #1 to House Bill 4402, a Motion to Concur with Senate Amendment #1 to House Bill 4578, a Motion to Concur with Senate Amendments 1 and 2 to House Bill 4583, a Motion to Concur with Senate Amendment #2 to House Bill 4602, a Motion to Concur with Senate

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Amendment #1 to House Bill 4683, a Motion to Concur in Senate Amendments 1 and 2 to House Bill 4754, a Motion to Concur with Senate Amendments 1 and 2 to House Bill 5077, a Motion to Concur in Senate Amendment #1 to House Bill 5101, and a Motion to Concur with Senate Amendment 1 to House Bill 5768."

Speaker Lyons: "Mr. Clerk, continuing on the Senate Bills-- Second Reading on page 58 of the Calendar, Representative Ford has Senate Bill 2858. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2858 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2858, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Ford: "Thank you, Mr. Speaker and Members of the House. I move for the passage of Senate Bill 2858. And the Bill simply bans trans fat in schools. And it doesn't affect anyone in this Body, just the schools. And I ask for an 'aye' vote."

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

Eddy: "Would the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Eddy: "Well, Representative, thanks for the heads up. Appreciate you coming over and letting me know you were going to call this Bill. Ladies and Gentlemen of the

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House, this particular Bill was debated in the Education Committee. It failed to receive the... the necessary votes on the first try. Representative Ford has been diligent in attempting... for the passage of this Bill, but I think it has some... some important flaws that we need to pay particular attention to. First of all, there is a process in place whereby school menus can be relieved of whatever type of dietary... dietary supplement or fat or calories or whatever, in fact, it's been used. It's already been used. One of the flaws of this Bill is that it absolutely takes any objection by school districts out of the process by banning trans fats without... without school districts having the opportunity to present testimony regarding costs and other factors that could cause a problem. Now, if the Gentleman would like to see trans fats eliminated from school menus or school districts, the proper way to do it is to go through the process that allows for districts to have the opportunity to... to meet and object to that... that proposal and then if it happens it happens as it has before. Secondly, whenever students or school districts impose this mandate, it will result in higher-priced meals for children. There's absolutely no debate about that fact. In fact, during testimony at the committee level, a witness stated such that this would have an impact and students would have to pay more. It makes absolutely no sense to me why we, in the General Assembly, would bypass any input and automatically increase prices for students around the state. It's a mandate that already has an avenue. And I would urge this Body to reject this idea,

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number 1, but reject the process being bypassed. The process in place allows ample opportunities for input. The Representative is bypassing that. Mr. Speaker, I respectfully request that if this Bill does receive the requisite number of votes for passage that there be a verification of the Roll Call. And I would ask this Body to reject this and vote 'no'."

Speaker Lyons: "Your verification has been acknowledged, Representative Eddy. The Chair recognizes the Gentleman from Cook, Representative Lou Lang."

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

Speaker Lyons: "Sponsor yields."

Lang: "Representative, I'm reading my analysis and it talks about food served in public schools. Is that correct? The analysis says we're talking about trans fats in food served in public schools."

Ford: "Yes."

Lang: "So, it doesn't affect private schools."

Ford: "Right."

Lang: "What about the food that teachers eat at schools, does it affect them?"

Ford: "No."

Lang: "Is there an exemption for that in the Bill?"

Ford: "Well, it's designed for the students, but if teachers decide to eat what's served at the school, then..."

Lang: "Well, so I know it's designed for the students, but I want to make sure the language is specific."

Ford: "Yes."

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Lang: "We reviewed the Bill. It only applies to the students, right?"

Ford: "It... it applies to whatever's served in the school, all school lunches and things that's served in the school whether vending machines or..."

Lang: "Well, so then, if the teachers eat at the same location, they're going to have no trans fats as well, right?"

Ford: "It's a... it's a great benefit for them. I guess..."

Lang: "Right."

Ford: "...they might."

Lang: "So, I guess my real question is when I retire from the General Assembly, I become a substitute teacher, I'll have to bring my own Fritos to school with me. Is that right?"

Ford: "Well, that's right and Fritos don't always have to have trans fats, you know."

Lang: "Well, but the really good Fritos do. Thank you, Sir."

Ford: "And I'll bring you Fritos, if you want."

Speaker Turner: "Representative Turner in the Chair. The Lady from Cook, Representative Flowers, for what reason do you rise?"

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

Speaker Turner: "To the Bill."

Flowers: "Ladies and Gentlemen of the House, I rise in support of House... Senate Bill 2858. And I was listening to some of... one of the previous speakers and he was stating that it should not be up to the schools... or this Bill would not allow it to be up to the schools. Quite frankly, it really shouldn't be, because when you take into consideration it's the parents that have to take care of the children when

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they have an obesity problem. It's the parents that have to take care of the children when they have a heart problem. It's the parents that have to take care of the children when they're suffering from diabetes because of the trans fat; the trans fat that our tax dollars is going to give to our children to fill their arteries. Now, ordinarily under certain circumstances, some people could call this child abuse because you are knowingly and willingly giving children something that you know that could make them sick. And when you take into consideration we just passed legislation here talking about methamphetamine and how we would sever the relationship between parent and child if that parent knowingly and willingly put that child in harm. Here our parents in this state do not want to put their children in harm. They want their children to be able to eat the proper food, but the Board of Education... the State Board of Education, is not looking after the children's best interests. The school district is not looking after the children's best interests. So therefore, we need this type of legislation. Take the garbage out of our schools. And I just want to say, in closing, that one of the previous speakers talked about rejecting this particular piece of legislation because of... it bypassed the authorities for the schools to make the decision. Well, one thing I do know that if we don't pass this type of legislation, the children will have to have a heart bypass. And unfortunately, unfortunately, our children are going to live longer and be sicker as a result of what we, the adults, are doing to them today.

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They have no control. The parents have no control. So, we're simply asking our tax dollars to do the best thing for our children, put the proper food in. And I want to say in closing, the animals at the zoo do not deal with trans fat. They are fed fresh fruit and vegetables. We can at least give the children of the State of Illinois the same food that we give the animals in the zoo. It's in their best interests. Thank you very much and I urge a 'aye' vote."

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

Rose: "I object. You're trying to ban me, Representative. You're trying to ban me. Mr. Speaker, I hate... Mr. Speaker, earlier I had said we haven't seen a Century Club in a long time. I suggest this. I suggest this."

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

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

Speaker Turner: "Indicates he will."

Patterson: "Representative, by eliminating trans fats will you then cause a healthier eating environment? Is that correct?"

Ford: "Yes, Representative."

Patterson: "I thank you. I think that's the bottom line. I support this Bill. Thank you."

Speaker Turner: "The Gentleman from Lee, Representative Jerry Mitchell, for what reason do you rise?"

Mitchell, J.: "Thank you, Mr. Speaker. The Sponsor yield?"

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Speaker Turner: "Indicates he will."

Mitchell, J.: "Representative Ford, you and I had quite a lengthy discussion on this Bill and I believed you agreed to hold this on Second and try to reach an agreement on... on the rulemaking portion of this particular Bill. I assume you weren't able to reach that agreement because the Bill is here without any kind of an Amendment. I don't think there's too many people that agree that the diet of youngsters should not contain oils with trans fats that prepare the food. What we object to is simply closing the door on school districts having input, not deciding for themselves, but having input into the process by holding meetings across the state as we do in the rulemaking process and then allowing the schools to understand what the rules for the elimination are. That's the step that was eliminated by changing it from rulemaking for the elimination to just simply banning. Now, you know, school districts have improved yearly. The latest report on the dietary conditions of students is that the obesity problem at schools is turning around. School districts are doing that on their own. They are not unaware of the problems with fried foods and the use of trans fats. What we object to is the fact that you simply say that school boards, school districts across the State of Illinois, don't have any say-so, but originally that's what the Bill did, it allowed that. I don't know why that got left out of the process and I know that you tried to look at that part... the possibility of putting that process back in. It's not there; therefore, I can't support this Bill. And as far as

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the animals in the zoo, Representative, I don't know one self-respecting tiger or lion that lives on fruits and vegetables. Thank you, Mr. Speaker."

Speaker Turner: "The Lady from Will, Representative Kosel, for what reason do you rise?"

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

Speaker Turner: "Indicates he will."

Kosel: "You said you would hold this Bill until you could reach an agreement or until you could work on an agreement. Can you tell me what efforts you've made to work on an agreement?"

Ford: "I've done everything that I said I would do."

Kosel: "Which is?"

Ford: "I've met... There were a couple of objections and a couple of Representatives asked me to obtain information. I've done that and I've spoke with..."

Kosel: "What information was that?"

Ford: "I can't remember right now, but I know did what I was supposed to do, Representative."

Kosel: "I move the previous question."

Speaker Turner: "Now, Representative Kosel, you're out of order with that request. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill."

Speaker Turner: "...Bill."

Black: "We have already spent more time on this Bill as to whether or not we should ban trans fats from public schools

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by edict of the Illinois General Assembly than we will spend on the fiscal '09 budget for education. Mark my word, mark my word. No matter how you feel about trans fats and what children eat, why... why would any of you run for a locally elected school board? Why would you go to school board meeting? How many of you have taught school? How many of you've had cafeteria duty? I had cafeteria duty for two (2) years. If you had... if you could see the food that is wasted because the kids don't like the way it tastes, it would shock you. Ladies and Gentlemen, it is not our role to take on every conceivable, imaginable wrong and try to correct it. This is an issue that should be decided by your locally elected school board, the school nurse, the parents, the teachers. They are perfectly capable of making these decisions. And somebody earlier said, well, they don't want their tax dollars spent on something that contains trans fat. Well, your tax dollars will be spent on something probably more expensive that will replace trans fats like canola or olive oil. It isn't going to cut costs; it will increase costs. And the bottom line is I've seen Legislators come in and out of this floor in the last hour eating enough trans fat in pizza. We could drown in the trans fats that have been consumed in this chamber in the last two (2) hours. When all is said and done, why is it we can always find the time to tell locally elected school boards you can't sell soda pop, you can't sell cookies, you can't sell candy bars, you can't serve food that has trans fat. We've already spent more time on this Bill, as I said earlier, than we will spend

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discussing the fiscal '09 budget for education. If we spent as much time worrying about why kids can't read, can't compute, can't do basic math, we'd all be better off. This issue is imminently solvable by your locally elected school board. They are a local unit of government. They levy taxes, they collect the taxes, they hire teachers, they operate budgets, they build school buildings, they operate school buses, they decide what textbooks they're going to purchase, they decide how many school buses they'll have, they decide how they're going to try and pay the electric bill and the gas bill and the..."

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

Black: "Thank you very much. The band parents in most of the schools in my districts sell all kinds of things to help support their marching band or their concert bands so they can go to various contests. As I read this Bill, one of the best ways that they've had to do this is to sell various candy products. This Bill effectively says you can't do that. It... it's not an issue that we need to be involved in. Let locally elected school board members, teachers, parents, school nurses make these kinds of decisions and what we should be doing is worry about where the hell the money's going to come to support K-12 education. Why don't we debate that for an hour and a half rather than debate what kind of fats or what kind of food kids should eat? That's not our job. Our job is to provide the money not some silly Bill like..."

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Speaker Turner: "Ladies and Gentlemen, we have moved this Bill from Short Debate to Extended Debate. I've heard from five (5) people who are proponents, there's three (3) who have spoke as opponents. The next opponent, I assume, will be Representative Dunkin. Representative Dunkin."

Dunkin: "I'm a proponent."

Speaker Turner: "You're a proponent. Fine."

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

Speaker Turner: "...cates he will."

Dunkin: "Representative, what initiated this measure?"

Ford: "Well, I believe the need. The epidemic of childhood obesity that costs... that diabetes, heart disease and all the diseases that cost this state so much money to cure or to treat."

Dunkin: "Okay. So, there's a health need directly associated with some local school councils being inactive or not taking any actions in terms of the well-being and health of their students?"

Ford: "Yes, Sir."

Dunkin: "Okay. To the Bill. Ladies and Gentlemen, in this chamber I've seen... we've seen... we've voted on a number of issues that deal with recycling, for example. The proper disposal of telephones, of computers, cleaning the environment, cleaning the air, cleaning... you know, having healthy farms, having healthy buildings on the inside so we won't become sick or ill. What's wrong with the State of Illinois taking the lead on taking care of its most precious jewels, our children, who are in school? There's nothing wrong with adding value, a dietary value, for young

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people who simply don't have the options... a lot of... in a lot of these... especially a lot of these public schools in terms of what is being fed to these young people on a day-to-day basis for breakfast, for lunch, and even an afterschool snack in some of these afterschool programs at the school. I simply think that it's important..."

Speaker Turner: "Members... Ladies and Gentlemen, we... that is a tornado warning that is being expressed at this point. Members... Members can go to the... you can go to the rotunda or the basement. I would not ad... I would not advise leaving the building, but you can go to the rotunda or the basement. The House shall be in order. There's work to be done. We're going to be here for 10 minutes just to get a few things done. In the meantime, Mr. Clerk, will you read... On Supplemental Calendar #1, we have Senate Bill 836. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 836, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Mr. Clerk, we have Senate Bill 848. Read the Bill."

Clerk Mahoney: "Senate Bill 848, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 2743. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2743, a Bill for an Act concerning local government. Second Reading of this Senate Bill."

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Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. On the Order of Resolutions, we have... Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1356, offered by Representative Hamos. House Resolution 1357, offered by Representative Hamos. House Resolution 1358, offered by Representative Jefferson. House Resolution 1359, offered by Representative Jefferson. House Resolution 1360, offered by Representative Durkin. House Resolution 1361, offered by Representative Cross. House Resolution 1362, offered by Representative Tryon. House Resolution 1363, offered by Representative Jakobsson. House Resolution 1364, offered by Representative Golar. House Resolution 1365, offered by Representative Rose. House Resolution 1366, offered by Representative Rose. House Resolution 1368, offered by Representative Ryg. House Joint Resolution 138, offered by Representative Saviano."

Speaker Turner: "Representative Currie moves for the agreed... the adoption of the Agreed... Representative Currie moves for the adoption of the Agreed Resolutions. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Crawford, Lee... The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, a point of personal privilege and I want to be serious for just a moment. I'm not being critical of

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anybody, but if we are to use the tunnels in the future for an evacuation because of severe weather, I would urge those responsible to study what went on tonight. It was extremely hot down there. I was worried about Representative Younge. We had a major hassle getting her a chair. There was no water. There was no ventilation. We weren't even allowed to go in the Rathskeller for any purpose. If we're going to be down there as we were for 30, 45 minutes under those conditions with people who might not be in the best of physical health, I think Secretary White or whoever's responsible needs to find out how we're going to handle that. I appreciate the fact that we were safe, but I was concerned about some people being overheated, no water, no automatic external defibrillators, no nurse, no medical attention, if it'd come to that and quite frankly, I'm not even sure who was in charge. I... I'm glad that we're safe. I'm glad there was no damage. I understand there is damage somewhere in the city, in places in the City of Springfield, but if we have to go through that again, I would hope somebody and I mean this in all sincerity and I'm not being critical, we need to do a little study. I think we could prepare a little better than what we were today."

Speaker Turner: "Representative, your point is well-taken. Unfortunately, in the next 10 minutes, we may have to go back down there again. We'll try to be as accommodating as we can, but Mother Nature and when she calls, we have no real control. But your... your point is well-taken and I'm certain that we will be prepared for the next visit or we

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will start to prepare now for the next visit back to that tunnel. But the reality is is the Weather Bureau and the Weather Channel is saying that we may have to go back in the next 10 minutes. They expect the next storm to be worse than the one that just passed through. And so, we can pray. Representative Black, I would also advise the Members that that's probably the safest place to be in this town right now. So, the reality is is... Right. I understand there are problems, but we would... I would not encourage Members to leave the Capitol, talking about going to your hotel or going home. I don't think you'll make it safely, so the safest place to be right now is in the Capitol Building. The Gentleman from Lake, Representative Mathias, for what reason do you rise?"

Mathias: "I was wondering if you could give us some idea about tomorrow's schedule, so we know whether we should check out tonight out of our hotel, I mean, for tomorrow checking out or whether we're going to be here late enough that we may want the... need the room for the following Sun... Saturday night."

Speaker Turner: "Representative, there will be committees tomorrow morning at 8:30. We will start Session at 9:30, but based upon what's happening this evening there's a good chance that we will work late tomorrow evening. So, I would... probably advise the Members that they should plan on spending the night tomorrow night unless they want to drive home in the middle of the night, but it will be a late night tomorrow night just based upon the fact that we were

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not able... you know, this... time lapse here where we're not able to finish all of our work."

Mathias: "Thank you, thank you."

Speaker Turner: "Mr. Clerk, Committee Reports."

Clerk Mahoney: "Committee announcements. Tomorrow, Saturday, May 31, 2008, at 8:30 a.m. the Electric Utility Oversight Committee will meet in Room 114, at 8:30 a.m. the Electric Utility Oversight meets in Room 114. At 9 a.m. the following committees will meet. At 9 a.m. Juvenile Justice Reform will meet in Room 122-B, Personnel & Pensions will meet in Room 115, Executive will meet in Room 118, Labor will meet in Room C-1 and Revenue will meet in D-1. All those committees will meet at 9 a.m."

Speaker Turner: "Representative Currie now moves, allowing perfunctory time for the Clerk, that the House stands adjourned 'til 9:30 tomorrow morning. The House will stand adjourned, allowing perfunctory time for the Clerk, 'til 9:30 a.m. tomorrow morning. Be safe and let me say, you don't have to rush to leave the building right now. I would advise the Members personally to stick around the building until the next storm pass through. But we are officially adjourned until tomorrow morning at 9:30, allowing perfunctory time for the Clerk. The Lady from Cook, Representative Collins, for what reason do you rise?"

Collins: "Thank you, Representative Turner. Juvenile Justice Reform Committee won't meet in the morning."

Speaker Turner: "The Juvenile Justice Reform Committee has been canceled for tomorrow morning."

Collins: "Right."

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Speaker Turner: "They will not meet tomorrow morning. The House is officially adjourned until tomorrow at the hour of 9:30 a.m., allowing perfunctory time for the Clerk. We would advise all of the Members to be safe in your travels. Think wisely about whether you leave the building now or wait until the storm pass over it. And the House is officially adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of Resolutions. Introduction of Senate Joint Resolution 93, offered by Representative Coladipietro referred to the House Committee on Rules. Introduction of House Bills-First Reading. House Bill 6655, offered by Representative Tryon, a Bill for an Act concerning local government. Introduction and reading of Senate Bills-First Reading. Senate Bill 790, offered by Representative Hannig, a Bill for an Act concerning finance. Senate Bill 872, offered by Representative Brady, a Bill for an Act concerning regulation. Senate Bill 874, offered by Representative Flowers, a Bill for an Act concerning regulation. Senate Bill 1013, offered by Representative Currie, a Bill for an Act concerning criminal law. Senate Bill 2708, offered by Representative Biggins, a Bill for an Act concerning health. And Senate Bill 2912, offered by Representative John Bradley, a Bill for an Act concerning revenue. There being no further business, the House Perfunctory Session will stand adjourned."