

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Speaker Lyons: "Good afternoon, Illinois and the Illinois House of Representatives will come to order. Members are asked to please be at your desks. We shall be led in prayer today by Dr. Edward E. Evans, who is the pastor of the First United Presbyterian Church in Centralia, Illinois. Dr. Evans is the guest of Representative Cavaletto. Members and guests are asked to please refrain from starting their laptops, and turn off all cell phones and pagers. And our guests are also asked to please rise and join us in the invocation and the Pledge of Allegiance. Reverend Evans."

Reverend Evans: "Almighty God, in the year 1834, You blessed Abraham Lincoln as he served his state for eight years as a Member of this Illinois House of Representatives. And we're proud that Abraham Lincoln went on to serve as President, to save the Union, to stop the evil of slavery. And as You supported our leaders of the past we now ask for Your gifts of wisdom, compassion, and courage to be with these honorable Representatives as they carry out President Lincoln's vision of a government that is of the people and by the people and for the people. We ask for Your heavenly blessing to guide our state and country in these challenging times, help us to protect the widow and orphan, care for the needy, repair our roads and bridges, develop our schools and colleges, create jobs, and build good and caring communities. Lord God, help unite every citizen of Illinois to do our best to be part of the answers that are needed. We pray that we, the public, along with these honored Members of the Illinois House of Representatives

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

will all work together to keep our state and country great as a holy light of freedom to our world, Amen."

Speaker Lyons: "We'll be led in our Pledge of Allegiance by Representative Eddie Jackson."

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

Speaker Lyons: "Roll Call for Attendance. Leader Barbara Flynn Currie, Democrats?"

Currie: "Thank you, Speaker. Please let the record show that Representative Joyce is excused today."

Speaker Lyons: "Thank you, Representative. Representative Mike Bost, GOP?"

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives Durkin and Representative Mulligan are excused on the Republican side of the aisle and everybody else is here, ready to do the work of the people."

Speaker Lyons: "Thank you, Michael. Mr. Clerk, take... Mr. Clerk, take the record. There's 115 Members present, we have a quorum and are prepared to do the work of the people of the State of Illinois. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on May 13, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is Senate Bill 1282, and Senate Bill 2289; 'do pass as amended Short Debate' is Senate Bill 1267, and Senate Bill 1783. Referred to the House Committee on Rules

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

is House Resolution 386, offered by Representative Senger. House Resolution 390, offered by Representative Bost. House Resolution 391, offered by Representative Miller. And House Resolution 393, offered by Representative Stephens."

Speaker Lyons: "Representative Chapa LaVia, for what purpose do you seek recognition, Representative?"

Chapa LaVia: "Thank you, Speaker and Members of the House. If I could please have House Bill 1995 moved back, taken from Third back to Second, please."

Speaker Lyons: "Representative, we will... we will get on that. 1995?"

Chapa LaVia: "Okay. 1995, thank you."

Speaker Lyons: "Representative Raymond Poe, for what purpose do you seek recognition, Sir?"

Poe: "Mr. Speaker, Ladies and Gentlemen of the House, we have a basketball team in the Speaker's Gallery. And if we could, we'd have..."

Speaker Lyons: "Representative Poe, hold on one second on that. We'll get right back to you."

Poe: "Okay."

Speaker Lyons: "Representative Poe, I'll get right back to you. Clerk, what's the status of Senate Bill 1995?"

Clerk Mahoney: "Senate Bill 1995 is on the Order of Third Reading."

Speaker Lyons: "Move that Bill back to the Order of Second Reading on request of the Sponsor. Mr. Clerk, what's the status of Senate Bill 314?"

Clerk Mahoney: "Senate Bill 314 is on the Order of Third Reading."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Speaker Lyons: "Mr. Clerk, move that Bill back to the Order of Second Reading on request of the Sponsor. Mr. Clerk, put House Resolution 383 on the board. And the Chair recognizes the Gentleman from Springfield, Representative Raymond Poe."

Poe: "Mr. Speaker, Ladies and Gentlemen, can we have the Clerk read the Resolution and the synopsis.. and then we'll move."

Speaker Lyons: "Mr. Clerk, on the Resolution."

Clerk Bolin: "House Resolution 383, offered by Representatives Poe and Brauer, congratulates the Springfield High School Girls Basketball team on its fourth place finish in the Illinois High School Association Class 3A Girls Basketball State Tournament."

Speaker Lyons: "Representative Raymond Poe."

Poe: "You know, many times we, in the chamber, want to welcome people to Springfield, welcome to the chamber, but these girls played right in the shadow of the Capitol, right down at the end of the street. And we want to congratulate them, winning the fourth place in the state. And their record was 26 wins and 3 losses and we just want to congratulate them and welcome to the Capitol that you can look from your school every day and see. And we appreciate all the hard work of the coaches and the parents, everybody that goes along and helps the team be successful. So, let's give them another big round of applause. Thank you."

Speaker Lyons: "Congratulations, ladies from Springfield High School. We are very proud of you, congratulations. All those in favor of the adoption of the House Resolution signify by saying 'yes'; those opposed say 'no'. In the

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

opinion of the Chair, the 'ayes' have it and House Resolution 383 is hereby unanimously adopted. Representative Sandy Pihos, for what purpose do you seek recognition?"

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

Speaker Lyons: "Please proceed, Representative."

Pihos: "Yes, Representative Patti Bellock and myself would like to enthusiastically welcome to Springfield today our very dedicated nurses from Advocate Good Samaritan Hospital in Downers Grove, Illinois, which was just named one of the top 100 hospitals in the United States. If they would stand."

Speaker Lyons: "Congratulations, Good Samaritan. We're proud to have you in Springfield today. Enjoy your day. Representative Golar, for what purpose do you seek recognition, Representative?"

Golar: "Yes, Mr. Chairman, point of personal privilege."

Speaker Lyons: "Please proceed."

Golar: "Yes, I would also like to... reach out to and introduce the men and women here today from the Advocate Health Care on behalf of myself and Representative Ed Sullivan. I also have a group here from a school in my district, Tilden High School. These young people have come down to rally around school closings. And so they're here with two of their leaders which is Mrs. Falangas and Mrs. Grant. Welcome to Springfield. Let's give them a Springfield welcome. Thank you."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Speaker Lyons: "Welcome Tilden, have a great day here today in Springfield. Representative Careen Gordon, for what purpose do you seek recognition?"

Gordon, C.: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Lyons: "Please proceed."

Gordon, C.: "Ladies and Gentlemen, I would like to introduce to you again Dugan Huber, this is Representative Dugan's grandson. I've had the pleasure of introducing him to the Body each year he's come down and taken a look at what we've done. The first year he was asleep and I very kindly asked Representative Lang and Representative Black to keep it down that day, but this year he's ready to go. So let her rip, Ladies and Gentlemen, 'cause he's ready to go."

Speaker Lyons: "Thank you, Representative. Ladies and Gentlemen, we'll be starting on Third Reading Bills. We're going to start on the Calendar on page 2. There's, of course, a few exceptions on holds from the different Bills for different reasons, but we will be running down the Calendar. So if you have it today, please pay attention if your name is going to be on page 2 or page 3 and we will... on page 3. We will start on page 3 of the Calendar. Representative Sandy Pihos, on page 3 of the Calendar, you have Senate Bill 27. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 27, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Pihos."

Pihos: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a Bill that we've worked on very diligently

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

this year. It creates the Endangered Missing Persons Advisory Bill. This originated out of a Silver Alert Bill and what we found out is we have a lot of missing endangered persons that we cannot reach out and do a thorough search for without this kind of legislation in place. So, I would be happy to answer any questions and I would appreciate a 'yes' vote."

Speaker Lyons: "Is there anyone seeking recognition? Seeing none, the question is, 'Should Senate Bill 27 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 Poe, Jerry Mitchell, back row. Representative Poe. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative John Fritchey, on page 3 of the Calendar, you have Senate Bill 38. What's your pleasure? Mr. Fritchey? Out of the record. Representative John Bradley, you have Senate Bill 65. Representative John Bradley? Senate Bill 65, John. Out of the record. On the top of page 4, Representative Pat Verschoore, you have Senate Bill 77. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 77, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Rock Island, Representative Pat Verschoore."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Verschoore: "Thank you, Mr. Speaker. Ladies and Gentlemen, what this Bill does is it allows for the student loans, or not student loans, student contributions for 529s and what it would allow is an employer to match up to \$500 and would be able to carry that forward for five taxable years. So, it's a good Bill and it's something that would help get more people... or more students in college and help them pay for their education. I'd be glad to answer any questions."

Speaker Lyons: "Is there any discussion? 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'm looking at our analysis and it says that the Taxpayer Federation of Illinois... I'm looking for you... is opposed. Why would they be opposed to this Bill?"

Verschoore: "Yes. Well... well, they're saying... because of the tax con... or whether we'd lose revenue, I guess, for the state they're said... and it's hard to imagine how many people would take advantage of this, how many employers. So, it's pretty hard to... hard to guess that. Now, I did get some information from the... from the Treasurer's Office and they said the most it could lose in income would be \$800 thousand."

Franks: "I think it's a great Bill and I'm really glad you're carrying this Bill and I think we should ignore their opposition, because we need to have a way to help our children go to... go to school. And what a great way to do



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

it and I really appreciate you thinking out of the box on this Bill."

Verschoore: "Thank you very much. I appreciate that."

Speaker Lyons: "Seeing no further discussion, all those in favor of the passage of Senate Bill 77 should 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? Art Turner. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Al Riley, you have Senate Bill 84. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 84, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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

Riley: "Thank you, Mr. Speaker, Members of the House. Senate Bill 84 essentially makes a modification to the Metropolitan Transportation... Metropolitan Transit Authority Act, Section 41, by simply stating that no civil action should be commenced in any court against the Authority by any person for any injury to his or her person, unless it's commenced within one year from the date of the cause of action accrued. This is somewhat similar to a Bill that I had, House Bill 2424 that's over in the Senate. But essentially the language that I just spoke of... essentially becomes the Bill. I'll answer any..."

Speaker Lyons: "Is there any discussion? Seeing none, the questions is, is Senate Bill... David Reis, do you seek

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

recognition on this Bill? Representative? Representative  
Reis, you have questions of the Sponsor?"

Reis: "Yes. Will the Sponsor yield?"

Speaker Lyons: "The Sponsor yields."

Reis: "Representative, we still have in our analysis that the  
CTA and RTA are opposed to this. Can you talk about the  
genesis of the Bill and where they're at on this?"

Riley: "Well the genesis of the Bill, Representative is... is  
pretty well known. This is a Bill that Senator Silverstein  
had and of course I had House Bill 2424 that passed out of  
this Body. It essentially addresses what's viewed to be,  
sort of, an egregious use of Section 41. I had a  
constituent who received serious injuries from being in an  
accident with the CTA, with a CTA bus, and every...  
everything accrued to her as not being at fault. The CTA  
was at fault and because of a... something that was left out  
in her... the form that she filled out to get redress, her  
case was totally thrown out, never to surface again. And  
so this essentially makes modifications to Section 41.  
This is somewhat different from my Bill, but it's similar  
in that... you know, we're trying to make modification to  
Section 41 to have people be able to have their day in  
court, if you will. The CTA, of course, is in opposition  
to this Bill, but they did not show up at all at the... when  
I appeared before a committee."

Reis: "I understand... Thank you for that answer,  
Representative. But I understand the City of Chicago's  
against this as well. I mean, this could easily cost the

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

city and the RTA and the CTA more money in liability suits.  
Is that correct?"

Riley: "I don't think so, simply because, you know, people can sue right now, this is a very narrow... narrowly tailored class of individuals, you know, who... everything was proven that they were not at fault, so I really don't see this as being a Bill that will all of the sudden make a lot of people come out of the woodworks with frivolous lawsuits. They're being dealt with right now. What is does..."

Reis: "So then, what's the reason for their opposition? It's going to cost them more money."

Riley: "Believe me, their opposition is just like opposition to a lot of measures that we have. They probably don't think that it's needed, but I think that... that history and the egregious nature of Section 41. And also it's been, you know, difficult to deal with in court. I just think that... that this is a good Bill and will not cause the kind of actions that you are talking about."

Reis: "Are the trial lawyers in support of this Bill?"

Riley: "Yes, they are."

Reis: "I think that's all that needs to be said. Thank you, Representative."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Lang. Representative Lou Lang, do you... is your light on? Do you have to ask a question of the Sponsor?"

Lang: "No, I want to comment on the Bill, thank you, Mr. Speaker. I rise in support of the Gentleman's Bill. When he first brought the House version of this to the Judiciary

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Committee it was in a slightly different form, but this is a better form. There's no reason that a person should be prohibited from following their legal right to file a lawsuit simply because they've misfiled a form. We're not talking about a statute of limitations that the General Assembly has set regarding... regarding the filing of a lawsuit, we're talking about a piece of paper. There's no reason that that piece of paper is necessary and therefore, I think the Gentleman's on the right course or I would recommend 'aye' votes."

Speaker Lyons: "The Chair recognizes the Gentleman from Vermilion, Representative Bill Black. You no longer seek recognition? Representative Riley to close."

Riley: "Thank you very much for your indulgence and I request 'aye' votes."

Speaker Lyons: "The question is, 'Should Senate Bill 84 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? Gordon, Representative Pritchard. Mr. Clerk, take the record. On this Bill, there are 82 Members voting 'yes', 32 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Clerk, Representative Turner has Senate Bill 48. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 48, Bill for an Act concerning torture. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Turner."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the committee. This Bill has been before this Body before. We passed it the last Session and it was not signed. Basically, it creates the Illinois Torture Commission... Torture and Release Commission. This commission is a fully independent entity that would be under the Illinois Human Rights Commission. There are eight voting members on that commission that are all to be appointed by the Governor and approved by the Senate. The commission must have their first meeting within one... one month of the appointment. Basically, they will be... they will have the following duties and powers. They will determine which cases will be reviewed. These are cases that have been... where torture has been alleged, I think within the last five years. Claims of torture must be referred to the commission by any court, agency, or person. The commission may conduct inquiries into claims of torture until it receives a signed agreement from the convicted person. This commission... the impetus for this was brought about as a result of the Burge police tortures and the allegations that have been made over the years. Most recently, the Federal Government indicted Mr. Burge on the grounds of lying, to put it mildly, and this commission would just sort of take off from those alleged allegations and move forward. And I move for the adoption of Senate Bill 48."

Speaker Lyons: "Mr. Black, do you wish to speak to this Bill or do you want to be called on after the vote? Do you want to speak to this Bill?"

Black: "Yes, if I might. Mr. Speaker, will the Sponsor yield?"

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Speaker Lyons: "The Sponsor yields."

Black: "Thank you. Representative, this is not an opened-ended Bill, but I want your assurance, it is specifically targeted towards alleged wrongdoing by a Chicago Police official, correct? It doesn't allow unfounded or unfounded accusations throughout the State of Illinois to be the subject of this commission's inquiry, does it?"

Turner: "It's primarily focused at the City of Chicago. I don't think it would be... it would preclude another allegation if it was from... one made elsewhere. But most of the torture claims thus far has all come from Cook County and it's all centered around that particular case."

Black: "Okay. And there... there's no sunset clause in the Bill. I just wondered, and it's probably too late, I'm not going to ask you to do that, but this might be something, when the investigation is complete that might be an idea to repeal and only use it when we need it, but that... I'm not about to ask you to do that. But I do appreciate your clarification on the targeted implication of the Bill. Thank you."

Turner: "That's correct, Representative."

Speaker Lyons: "The Gentleman from DuPage, Dennis Reboletti."

Reboletti: "Thank you, Speaker, will the Sponsor yield?"

Speaker Lyons: "The Sponsor yields."

Reboletti: "Representative Turner, if the commission has some type of finding, they bring some witnesses in with their subpoena power, what would they be looking to do after the subpoena's been issued and they've talked to the individual. Are they looking at then, filing some charges

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

through the State's Attorney's Office of Cook? Would it be a civil lawsuit that the Cook County State's Attorney's Office would bring? What would be the remedy that we would be seeking here?"

Turner: "The purpose of this would be, basically, to look at the cases where torture has been alleged to see if, in fact, the allegation is substantiated, if, in fact, there was torture. Then their cases could be reopened and they would then be able to proceed to try to get some legal redress, but that's the... that's the intent."

Reboletti: "Do we know how many defendants this could potentially affect? I know that there's been some stories in the Chicago media about this. Do you have any... a general idea?"

Turner: "I don't have a specific number, Representative, and I'd hate to just arbitrarily throw a number off the top of my head."

Reboletti: "Well, I appreciate that also, and are you aware if the State's Attorney of Cook County has been investigating these claims to make sure that the convictions were... the commander was part of the investigation? Are they already investigating these cases to make sure that the convictions were rightfully obtained?"

Turner: "I do know that the State's Attorneys Office was looking, in fact, at least the former state's attorney, was looking, I assume that that has not changed at the... the State's Attorney Alvarez has continue... continued with those investigations, currently and so there is... there has been some movement. I think that, again, as I mentioned earlier

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

that more than 20 alleged torture victims are now sitting in the Cook... in prison, so there's at least 20 cases that we're aware of."

Reboletti: "And also, as I'm looking at our analysis, it talks about the... this commission has the ability to... to grant immunity and that's something I find somewhat interesting that they're not a... Speaker?"

Turner: "Mr. Chairman, I can't, I'm having a hard time hearing him."

Speaker Lyons: "Ladies and Gentlemen, please, the noise level on the floor is very loud. There's an important discussion going on between Representative Turner."

Turner: "If you could repeat that, Representative."

Speaker Lyons: "If we could have more order on the floor, it would be appreciated."

Reboletti: "Thank you, Speaker. Representative Turner, I guess one of my concerns here is that this commission could grant absolute immunity to a witness. Now, usually that is only done by the state's attorney who is going to agree not to prosecute somebody or give them some type of deal because they may have been involved in this activity that they're investigating. Are you concerned that this group would then be able to give immunity? And would that immunity then be transferred over to the Cook County State's Attorneys Office or the Illinois Attorney General's Office or the Federal Government for that matter?"

Turner: "You're speaking of witnesses that would come before this commission to testify? Am I correct, Representative?"



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Reboletti: "That's correct. It said that... that you would grant... potentially grant immunity to witnesses."

Turner: "Representative, granting immunity to the witnesses is really not the issue. I mean, if the facts are there, then the question is... the commission will decide, is whether that case should be reopened or not. I don't think that this is a matter of witnesses coming forward that have been accused or where the state's attorney is even in a position to talk about granting immunity. But just to get that case re... in fact reopened. But they would not, this is not the intent of the commission is to say, look, I'm going to give you immunity as a witness and you come forward. I don't think that that's the... that's not the approach at all that I anticipate or I envision this commission moving forward with."

Reboletti: "Well, I just have some concerns about that language, not so much about the... the general idea of the Bill, because if there are people wrongfully imprisoned, they should be released as... as soon as possible. I'm just a little concerned about a commission of people that are not elected or appointed and are not judges or sworn judicial officers granting immunity in... in dissent of that immunity. So, that's one of the concerns I do have."

Turner: "Well, it's a fairly reflective... I mean, I think the commission, they may not be current judges, but we... at least it's made up of one retired circuit judge. There's a former prosecuting attorney, certainly, a law school professor, criminal defense attorney, and three members of the public, plus the former public defender. So, I think

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

it's a well-rounded commission in terms of the experience in the people involved with dealing with this issue."

Reboletti: "And since the last time you brought this Bill, I think it was last Session, Commander Burge has been indicted by the Federal Government for perjury, I believe."

Turner: "That's correct."

Reboletti: "Okay, thank you."

Turner: "Thank you, Representative."

Speaker Lyons: "Representative Turner to close."

Turner: "I just move for favorable adoption of Senate Bill 48."

Speaker Lyons: "The question is, 'Should Senate Bill 48 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 LaShawn Ford? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Miller you have Senate Bill 69. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 69, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Cook, Representative David Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. Senate Bill 69 deals with the issue of fee splitting. It clarifies language based on a... a lawsuit that was brought forth in terms of... of how fees could... can or cannot be split. And I ask for favorable consideration."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative John Fritchey."

Fritchey: "Thank you, Speaker, will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Fritchey: "Representative, it's kind of awkward for us to do this this way and I meant to talk to you about this, previously. Was there an Amendment put into this Bill that dealt with prohibiting percentage rents in leases?"

Miller: "I believe so.. If you're talking about with the.. the retail merchants had an issue concerning the Bill and an Amendment was put into this Bill to deal with their concerns. Mr. Speaker, we're going to take this out of the record. I'll confer with my seatmate."

Speaker Lyons: "Clerk, take the Bill out of the record. Representative Berrios, for what purpose do you seek recognition, Representative?"

Berrios: "Point of personal privilege."

Speaker Lyons: "Please proceed."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Today, we have the Illinois Association of Hispanic State Employees visiting Springfield. They are up in the gallery and I would like to give them a warm Springfield welcome."

Speaker Lyons: "Welcome to the Capitol, enjoy your day. Representative Black."

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

Speaker Lyons: "State your inquiry, Sir."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Black: "I heard the fearful rumble of thunder outside, I don't know whether it was a message or the forecasters yesterday said that we might have tornados. And it was about a year ago this time that we all had to run down to the basement as you'll recall and hide. And there was no water. I just wanted to know, can we take our own water with us and maybe a... maybe a stadium seat or something? We were down there for an hour as I recall last year. Nothing to eat, nothing to drink, nobody to tell us what to do. I was looking to Chief of Staff... Chief of Staff, Mr. Mapes, to tell us what to do last year, and somebody said he was hiding under a desk in the Rathskellar, but it was locked. I couldn't get in to check with him. So, are we covered this time? I mean, are we going to have all... we've taken the necessary precautions?"

Speaker Lyons: "Representative Black, being the... I'm sure, a good Boy Scout that you were, you are always prepared for these types of crises?"

Black: "Oh, I don't ask for me. 'Cause you're absolutely right. I even have an AED in my back pocket. But I just want to make sure that those who were not in scouting, and were not an Eagle Scout, that they are amply prepared and will be taken care of in case we have to hide in the basement, due to this weather that the forecasters said yesterday doesn't look good, doesn't look good at all. So, we are prepared?"

Speaker Lyons: "We're prepared as we can be, Mr. Black."

Black: "All right."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Speaker Lyons: "Probably not as prepared as we should be, but as prepared as we can be."

Black: "All right. Well, I'll say... I'll tell you this, if I see Chief of Staff, Mr. Mapes, leave the chamber suddenly, let the record reflect I will be following him very quickly."

Speaker Lyons: "Mr. Black, for the record, I believe in case we have to leave the chamber, your office is the closest and your refrigerator has a lot of things to drink in it. We'll set out there first, Representative Black. Ladies and Gentlemen, on page 74... page 3 of the Calendar, Senate Bill 74, Representative Mike Smith. Senate Bill 74. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 74, a Bill for an Act concerning regulation. Third Reading."

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

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is legislation at the request of the Commerce Commission and it would make a number of changes with regard to 911 system providers. I'm sorry. It would create a certification program for 911 system providers. Currently, there is none. And this would require all 911 system providers to be certified with the Commerce Commission. This would help the Commerce Commission, in their opinion, bring our 911 systems in compliance with some changes that are taking place at the federal level. I'd be happy to answer any questions."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 74 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 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Careen Gordon. Is Careen Gordon on the floor? Representative Karen May, on page 4 of the Calendar, you have Senate Bill 125. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 125, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

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

May: "Thank you Speaker, Ladies and Gentlemen. Senate Bill 125 is an initiative of Lake County and it has to deal with re... a recycling clean construction debris. If we can get more of our construction debris recycled, we will divert 20 percent of the waste in our landfills, in fact some TV. stations have said it would be even up to 40 percent. Currently, Cook and DuPage County have allowed the siting of clean construction debris facilities without siting and we are adding Lake and Will to the statutes. This is again, I repeat, not waste, it is clean construction debris."

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

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

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Speaker Lyons: "The Sponsor yields."

Cole: "Representative May, is... is there a reason why we would want to remove local siting from a facility like this?"

May: "Yes, it's... it's... there is a reason, it's to encourage the recycling and diverting from our landfills clean construction debris. We are not, however, removing local control. All local zoning laws would still apply. As you're well aware in Lake County we have local zoning through our municipalities and through the county. They still have to comply with all local zoning laws. And this allows it... act... actually adds a new protection from the law that's been in place since '97, 1997. It adds protection that they will get an... a permit from the Illinois EPA."

Cole: "Representative, are you aware that over 50 percent of the municipalities in Lake County do not have a zoning ordinance regarding facilities like this?"

May: "Repre..."

Cole: "Because the current law in Illinois requires that a facility like this receive a local zoning process, a local siting process."

May: "Representative, it's... they still... a facility like this would still need to go through local zoning."

Cole: "And local..."

May: "And local zoning is... the county also has a zoning map and the... I'm advised by Swalco that there will be new special re... information handed out on zoning and siting of facilities. This is clean waste, there are no smells involved. It is construction debris. It is not considered waste under the law. Cook and DuPage County have

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

successfully done this for over 10 years. There are 32 facilities in Cook County, there are 3 in DuPage and there have not been any complaints because they are sited in industrial areas."

Cole: "Representative, my question was, are you aware that 50 percent of the municipalities in Lake County do not have provisions in their zoning ordinances regarding a facility that grinds asphalt or a facility that grinds construction debris such as large blocks of concrete?"

May: "Representative, are you suggesting that the... the 50 percent of these municipalities do not have zoning maps? Because it's my understanding that there are zoning laws for all the municipalities in Cook... in Lake County. So, you're not suggesting that they don't have zoning laws, and zoning of industrial..."

Cole: "No, my questions was... within... there are zoning ordinances, but within those ordinances they have to have provisions for all the types of uses within their municipality and because this particular use was never allowed by State Law in these counties, they don't have provisions within their zoning ordinances to address the type of things they need to address for a very dirty and loud process that gets involved with processing large blocks of concrete. So, each one of those municipalities has their own ordinance that would deal with all sorts of uses. This particular use in half the municipalities has never been anticipated, because it was not part of the allowed kinds of pollution control facilities that have been allowed in the state before. So yes, or a com... I'm



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

answering your question, yes, municipalities do have zoning ordinances, but there's a lot of uses within those ordinances that were never anticipated by those municipalities years ago because they were unlawful."

May: "But Representative, I would... I... I thank you for your concern, but I would remind you that they still have the local control with their zoning ordinances."

Cole: "Not if... not if within their zoning ordinances they don't address this issue."

May: "And they could... they could... they could... they could change them. They could change them."

Cole: "Well, they can't once we make it law, because then it would be... they... they have no grandfathering provision within their ordinance. Once we make it law..."

May: "And Represent..."

Cole: "...they have to comply with the siting, or they'd be sued by the... by the business then that would... oh, you know, want to put one of these facilities."

May: "I understand your concern about grandfathering, which is expressly why I added Amendment... Floor Amendment #1 making clear that if there were any illegal sitings or any illegal uses in the past that they would not be grandfathered in. And I thank Representative Fortner also, for his concern, and this addressed his concern by doing this. We are making it perfectly clear that if there are any illegal sitings or anything that did not comply with the law, this will not affect them. It will not allow them to fit into."

Cole: "Representative May, that wasn't my..."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Speaker Lyons: "Representative Cole, your time limit is up. If you could conclude your questions in the next minute, we'd appreciate it."

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

Speaker Lyons: "Go ahead, Representative."

Cole: "Local siting is a process by which local municipalities in the county can provide extra protections for the residents outside of a municipality that may be siting a facility like this. I could only tell you a facility like this is very loud. These are grinders of concrete. They... the Illinois EPA does not have inspectors for noise ordinance... for noise pollution. Municipalities don't have the wherewithal to hire the experts to do this. The local siting process gives those municipalities the resources, the money, to hire the experts to help them with the zoning. I'm against this ordinance, not because I'm against recycling wood. I'm against this ordinance because it's a very noisy process recycling, permanently, concrete and I think a local siting provision that we currently have in State Law is wise and I will advise my fellow Members to vote 'no'."

Speaker Lyons: "Any further discussion? Seeing none, Representative May to... Representative Bill Black, do you seek recognition on this Bill?"

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, when I first read this I thought it was tightening control over construction debris landfills. But

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

upon a... upon hearing Representative Cole's questions and rereading of the analysis, it seems to me that it is loosening, somewhat, local control over the siting of a construction debris landfill. Would that be a fair statement?"

May: "Representative, if I could just say that part of your analysis would be correct, but not... it's not landfills. These are transfer and processing stations; it is not a landfill."

Black: "You're right, I stand corrected. It is a transfer station where construction debris could be dumped, and then these machines grind it up into reusable form..."

May: "It is sorted."

Black: "...and then truck it out, correct?"

May: "Mmm. It is sorted so that it doesn't divert into..."

Black: "Okay."

May: "...the waste stream... doesn't divert into our landfills."

Black: "All right."

May: "We will reduce 20... by 20 percent at least, what is going into landfills."

Black: "Yeah. I stand corrected and I appreciate that. And that I think is a good thing. But whenever you restrict local siting, I've... I've been around some of these construction debris recycling centers and Representative Cole was correct, they can be very noisy and very dusty, very... not labor intensive, but vehicular intensive for that period of time. What, in a nutshell, what limitations would this Bill put on a local community that would not want that temporary recycling facility within a half a mile

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

of the city limits or half a mile of this or that? I mean, it seems to me that you're limiting local siting rather... rather... I shouldn't say eliminate... your limiting local siting, rather than expanding local siting control."

May: "Representative, yes, and I... I appreciate your concern. I believe that there are ample protections for local control with local zoning. And I can just add that... this... a similar law, this similar concept has been in place since 1997 with 35 facilities; 32 in Cook County, 3 in DuPage, and there have not been, I mean, one is in Northbrook, and they've... that's in my district, they came to me. There have not been complaints that we're aware of. There is also a protection that if any local people would ask, they could get a hearing. The local siting that the... you know, what the state calls local siting allows for hearings. But if anyone would suggest that there was a sensitive area, the EPA could, indeed, ask for local hearings and indeed, would ask for local hearings if anyone suggested that they wanted them. But there are ample local controls for our communities and for the counties. The two counties that are affected, Lake County, has a local zoning map for the county for unincorporated areas."

Black: "All right. Just two questions, if I could. Many counties do not have a countywide zoning ordinance. What happens if that... I mean, the counties that you're mentioning, I'm sure do but..."

May: "This law only applies to those two counties."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Black: "Okay. And the last question is, what's the life span generally of one of these facilities? A year, two years, five years?"

May: "I honestly don't know the answer to that."

Black: "Okay. Thank you very much."

May: "I mean, some of them, I think of the 35 that are in existence, they've been in existence for quite a while. And quite frankly, I... I hope that they have a long life span. This is... the ultimate goal is to divert this clean debris from our landfills."

Black: "All right. Thank you."

Speaker Lyons: "Representative Fritchey."

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

Speaker Lyons: "The Sponsor yields."

Fritchey: "Representative, I... I listened to your responses to Representative Black, but I... I still don't know that I understand the rationale for allowing them to be outside of the local siting process. I mean, how... how is this a benefit to the community, though?"

May: "It is a benefit to the community because we will get businesses that want to be in the business of recycling clean construction debris. Now, 20 to 40 percent is going into our landfills and the local site..."

Fritchey: "Well, but we're not, but you're, but this..."

May: "If you could let me finish, please. The local siting process costs hundreds of thousands of dollars. So, for the green, the green jobs communities that want to recycle, that is an impediment."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Fritchey: "Well, but, it's not as if these businesses are not allowed to operate today. They simply have to go through a community review process. Now, the analysis says that in addition to the EPA having to be the ones to hold the public hearings. So, therefore, if there were even going to be public hearings, it now becomes a state cost rather than a local cost, so all taxpayers would have to bear the brunt of that. But additionally, it then says that the agency would have to permit new general construction facilities in these counties. So, while there could be... the way I'm reading the analysis and tell me if it's wrong, is that while there could be hearings, the EPA would still have to issue the permit. Or the local agency would still have to issue the permit in those counties. I guess, what I'm trying to ask is, the way I read the analysis, while there may in fact be a hearing, that hearing would not be allowed to stop the location of the facility."

May: "Representative, the... the hearing would be a local hearing and if the local municipality felt, I think that if there were an outcry, they... they wouldn't site it there."

Fritchey: "Well..."

May: "We're just... we're trying to say for something that under the law cre... a clean construction demo debris is not considered waste on the law. One could argue that the requirement of local siting with hundreds of thousands of dollars of costs was in error requiring local siting because it is not considered waste under our law."

Fritchey: "Well no, but local... but local... the cost to go through the siting process is the cost of doing business."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

And what I'm getting at, though, is this, the control goes away from the local authority, then if there is going to be a public hearing it will be held by the EPA and regardless of what happens at that local hearing, they're still required to issue the permit in any event. So, what happens now is, rather than a business absorbing the cost and making it's case to the community, state taxpayers would now absorb the cost and would be unable to stop any siting application."

May: "Representative, thank you, and you refer to the analysis. The person who wrote the analysis is suggesting and I would concur that the local feelings and the public hearing would be taken into account."

Fritchey: "Well, here... but the sentence... the sentence that I'm looking at in the analysis, and since the author is right there, if I'm misconstruing it, just let me know. It says the agency... in the last sentence in the background section, for those of us who aren't on this side of the aisle, it says the agency would have to permit new general construction facilities in these counties. So, while there will be a local hearing, they'd still be required to issue a permit in any event."

May: "The author of that statement said they would still take it into account."

Fritchey: "They would still take it into account, but they'd have to issue the permit. So, then now these permits become automatic upon application, regardless of what the outcome of the local hearing is, correct?"

May: "Representative, I would... I would..."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Speaker Lyons: "Representative Fritchey, your time has expired. I'll give you a minute to please conclude that question. Go ahead, Representative May."

Fritchey: "Thank you, Speaker, I appreciate that."

Speaker Lyons: "Representative May, were you going to answer John's question?"

May: "Yes, Representative, you are from Cook County. And for over 10 years now, these... these have been sited in Cook County without the benefit. The existing law allowed this in Cook County and DuPage County without the benefit of an EPA hearing. We are adding the added protection."

Fritchey: "No, but they had... but they had... but they had a... but they had a local hearing and a number of folks are not happy with the way some of those have been sited. So, that's exact... that's exactly my point is that you are opening up for Lake County what has been an adverse experience for many people in Cook County. But I do appreciate your answers. To the... to the Bill. Ladies and Gentlemen, I think you'd want to take a look at the analysis of what this Bill does, because I don't think what people think it does and what it actually does are the same thing. Thank you."

Speaker Lyons: "The Gentleman from Cook, Representative Anthony DeLuca."

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

Speaker Lyons: "The Sponsor yields."

DeLuca: "Representative, just a couple of quick questions. What is the percent of the construction and demolition waste that must be recycled?"



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

May: "Well, I believe Chicago requires 50 percent, but to my knowledge there is not a percentage for most of the state. You know, and it went hand and glove when Chicago started allowing these... these to be sited without the long drawn out process. They found facilities such as these 32 that were able to process the clean construction debris."

DeLuca: "Is there a percentage included in this Bill?"

May: "Of what must be recycled?"

DeLuca: "A percentage requirement?"

May: "No."

DeLuca: "Which agency, if there's not a permit required, which agency would be charged with the inspection of the facility?"

May: "Which agency? The EPA. This is in the Environmental Protection Act."

DeLuca: "Okay, so they would conduct the inspection, EPA?"

May: "Yes."

DeLuca: "If there is not a percentage, a minimum percentage requirement, what would prevent the facility becoming a full-blown transfer facility with the exclusion of municipal solid waste?"

May: "You're saying what if they sneaked in and started putting food waste or something?"

DeLuca: "No, not sneaking in, if... if they do not bring any municipal solid waste in and all they did was bring in construction and demolition material."

May: "Yes."

DeLuca: "And all they did was transfer it out, it becomes a full-blown transfer facility, not a recycling facility."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

May: "This... this allows transferring and handling of mat... clean construction debris."

DeLuca: "I understand, but if there's no minimum requirement of the recycling that must take place, someone can open up a facility like this, without a permit, bring construction and demolition material in and just trans... it just becomes a C and D transfer facility."

May: "They... no. The... the... they have to allow... they have to abide by all local zoning laws and they need a permit from the Illinois EPA. They can't just open up. They would be in violation."

DeLuca: "How does it affect landscape waste? Same process?"

May: "It's a different section of the law. We dealt with that in other Bills, other years."

DeLuca: "Okay."

May: "This is clean construction debris, not landscape waste."

DeLuca: "Okay. I still don't know how it can operate without a minimum requirement for recycling. Without a minimum requirement it just becomes a C and D transfer facility."

May: "Oh, you're... you're saying what's the business model or why would people do this, because they can take their clean construction debris and make money off of it. So, we're killing two birds with one stone. We are diverting it from the waste stream; we are helping the construction industry by paying them for their construction debris. A company would pay them for the loads they bring in."

DeLuca: "I understand that. All I'm saying is that there's nothing that's going to prevent it just becoming a C and D transfer facility as opposed to what you're trying to

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

accomplish here. What you're trying to accomplish here is wonderful. The problem is, without a minimum requirement, then you're not accomplishing what you're trying to. That's the only point I'm trying to make and I appreciate your answers. Thank you very much."

Speaker Lyons: "Representative Mark Beaubien."

Beaubien: "Yes, thank you, Mr. Speaker. I'd like to yield my time to my seatmate, Sandy Cole, whose name was also used in debate. Thank you."

Speaker Lyons: "Representative Cole."

Cole: "Thank you. Representative, I'd like you to get back to the local siting process that you're removing in this Bill. Could you tell me what the local process... what the local siting process is? You're removing it from this very important Bill that's always been State Law. What is a local siting process?"

May: "It is conducted by the EPA. They hold public hearings for sitings of... landfills and other things and waste. This is not defined as waste. The reason we think this doesn't belong..."

Cole: "Thank you for your... thank you for your explanation of local siting. Who really holds the local siting meetings, is not the EPA. You mentioned in your comments that the county takes care of this, but I don't think you're aware that a local siting process is a process by which the county can be the siting officer. If you have... what you're doing is you're deferring the process of public testimony, the process of a hearing, the process of a expert testimony and you're eliminating it because the waste hauling

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

industry does not want to pay the money so that the local authorities don't have to."

May: "Representative..."

Cole: "This Bill isn't about recycling or composting or taking things out of the landfills. This Bill specifically takes away the provision that the waste hauler must pay \$100 thousand to the local authorities so they can hire experts so that they can hold the public hearings, so that they can hold the public meetings, so that the local residents have some say in the noise and the dust and the transport and the... this very obnoxious type of industry that's going to affect them."

May: "Representative..."

Cole: "When you remove local siting, all you're doing is removing the public testimony that's required by law and that testimony and those hearings are paid for by the business that wants to put in this facility. I could only stress that the reason why the county becomes the primary local siting authority is because the municipality is only responsible to the residents that live in their municipality. They are not... their zoning does not apply outside their corporate limits where another municipality could exist or unincorporated residents exist. This really takes away... exactly what Representative Fritchey stated... you're taking away the ability of the people, the people of the county that you want to site this in, from having the ability to change whether one of these facilities could actually go next to their home. Because once you make it law that that local siting process is eliminated, a

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

municipality cannot say no unless they want to be sued by one of these large companies that says the state gave us authority to put it here, we got an EPA permit. And it really doesn't matter what you say at the public meeting, it really doesn't matter what you say at the public hearing, which by the way is not a hearing, it's a public meeting, they're saying, doesn't matter, we'll get the permit and the municipality much... must... must comply with it."

May: "Representative, you talk about the public hearing. The..."

Cole: "No, I'm talking about the local siting."

May: "Yes."

Cole: "You're removing local siting."

May: "And... that are part of the process. It is mandated in that, but the Illinois EPA still has the require... they don't have the requirement, they still are allowed."

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

May: "If there's anyone who is questioning if they can call for a public hearing."

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

May: "We are not taking away the right of a public hearing."

Cole: "To the Bill, Mr. Speaker. A local siting does guarantee a public hearing. The Sponsor of the Bill is removing local siting. This is a trick bag. I recommend that everyone vote 'no'."

Speaker Lyons: "Representative May to close."

May: "Yes, thank you very much. As I've stated, this is a way to divert 20 to 40 percent of... the... the clean construction debe... debris from our landfills. Clean construction debris

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

is not waste. One can argue it should not have been in the local siting to begin with. This will allow us the green collar jobs; it will spur an industry. People will be paid for the construction debris instead of going into landfills. There is adequate local protections. The zoning ordinances for the county, it only applies to Lake and Will. Other counties, such as Cook and DuPage, have been doing this for over 10 years without problems. There are adequate local safeguards and... and while it's not mandated, it allows for the EPA if there is any question, allows for public hearing, allows for people to be heard. I ask for an 'aye' vote."

Speaker Lyons: "After extensive debate the question is, 'Should Senate Bill 125 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 75 Members voting 'yes', 37 Members voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Debbie Graham on the floor? Representative Graham? Representative Lisa Hernandez, you have, on page 4 of the Calendar, Senate Bill 141. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 141, a Bill for an Act concerning criminal law. Third Reading."

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

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Hernandez: "Thank you, Speaker. Senate Bill 141 amends the Criminal Code by creating the offense of criminal street gang recruitment of a minor. The new offense is committed when a person threatens to use... the use of physical force to coerce, solicit, recruit, and induce another person to join or remain a member of a criminal street gang, or conspires to do so, by the means of Internet, or by the means of telecommunication device. I ask for an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 141 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? Michael McAuliffe, Ron Wait? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Sid Mathias. Sid, on page 5... 4 of the Calendar... Out of the Calen... Out of the record. Representative Jay Hoffman, you have Senate Bill 156. Jay? Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 156, a Bill for an Act concerning criminal law. Third Reading."

Speaker Lyons: "The Gentleman from Madison, Representative Jay Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 156 is simply a technical change which brings the Code of Corrections into conformity with the Methamphetamine Control and Community Protection Acts use

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

of the terminology methamphetamine manufacturing material. Currently, the Code of Corrections erroneously uses the phrase methamphetamine manufacturing chemical. This is an initiative of the appellate prosecutors, State Police, FOP, as well as the Sheriffs' Association."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should Senate Bill 156 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 May. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Patti Bellock, you have, on page 4 of the Calendar Senate Bill 209. Out of the record. Representative Andre Thapedi, you have, on page 4 of the Calendar Senate Bill 211. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 211, a Bill for an Act concerning criminal law. Third Reading."

Speaker Lyons: "The Gentleman from Cook, Representative Thapedi."

Thapedi: "Thank you, Mr. Speaker and Members of the House. Senate Bill 211 amends the Criminal Code to make clear that aggravated assault and aggravated battery may be committed by using an air rifle. Aggravated assault with an air rifle is a Class A misdemeanor and aggravated battery with an air rifle is a Class III felony. Senate Bill 211 includes as cosponsors many of the criminal law experts



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

here in this House on both sides of the aisle and I urge an 'aye' vote.

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 211 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hannig, you want to be recorded? Mr. Clerk, take the record. On this Bill, there's 111 Members voting 'yes', 0 voting 'no', 4 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Feigenholtz, you have Senate Bill 212. Out of the record. Representative Pritchard, you have Senate Bill 214. Moving to page 5 of the Calendar. Representative Jack Franks, on top of page 5 of the Senate Bill-Third Reading Calendar, you have Senate Bill 243. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 243, a Bill for an Act concerning vehicles. Third Reading."

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

Franks: "Thank you, Mr. Speaker. This is a Bill that some of you may have remembered from about 10 years ago. Then Senator Madigan and myself had carried this Bill dealing with secret compartments in vehicles. There was a recent Supreme Court decision that indicated that the way we had drafted the Bill was too broad. And this would limit it to conform with that Supreme Court Bill, so it would require a criminal intent if one were to use a secret compartment for

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

illegal activities in a vehicle. And I'd be happy to answer any questions."

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

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

Speaker Lyons: "The Sponsor yields."

Fritchey: "Representative, I'm actually one of the guys that spoke out about this the first time on this very issue. And so I just want to make sure that we've got this right. This legislation now has been drafted in such a way to fully comport with the ruling of the Supreme Court not to try to find another way to go around that?"

Franks: "You were right before."

Fritchey: "And that doesn't happen too often, so..."

Franks: "You know, I grew up on a farm, John, and we have a good saying that occasionally a blind hog gets an acorn, but you're actually right a lot more than you know. And you were right then. I think our intention was good, but we just, we didn't draft it properly. This should, as I'm told, that this will comply with the recent Supreme Court case the People v. Carpenter and make the necessary changes."

Fritchey: "Okay. Better late than never. I just wanted to make sure that whether we were trying to find another way to deal with it or if this was simply accepting what the Supreme Court said and just falling in line, but it sounds like it's the latter."

Franks "It is. We're accepting what the Supreme Court said and we're changing the Bill accordingly."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Fritchey: "Perfect. Thank you very much."

Franks: "Thank you."

Speaker Lyons: "Seeing no further discussion, the question is 'Should Senate Bill 243 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 Rita, Representative Thapedi. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Toni Berrios, for what purpose do you seek recognition, Representative?"

Berrios: "A point of personal privilege."

Speaker Lyons: "Please proceed."

Berrios: "I would like to wish... everyone to help me wish my seatmate Susana Mendoza happy birthday today. She turns 21."

Speaker Lyons: "Happy birthday, Susana. Representative Fritchey, for what purpose do you seek recognition?"

Fritchey: "I don't know if it's a point of personal privilege Speaker or an inquiry of the Chair. It just dawned on me that Representative Franks tried to take advantage of my urban district by giving me some old colloquialism about a blind hog occasionally finding an acorn. And I'm wondering if he's either referring to a squirrel or that hogs unbeknownst to me actually eat acorns. I think one way or the other I was duped and he just knew that I would be so ignorant on the issue that I couldn't even respond for a few minutes. I wouldn't even know where to start with

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

this, so Representative Franks, at some point I would like a clarification that it's either the squirrels that find the acorns or that hogs eat acorns."

Speaker Lyons: "Representative Franks, for a clarification."

Franks: "I think Mr. Fritchey needs to get out more. Having grown up on a farm in Morengo and still living on the family farm and we do have pigs, I'd like John, to invite you and your family to come out and we'll teach you how we... how we slop the hogs."

Fritchey: "Now... now... now, I don't if that's a... I don't know if that's another country euphemism, Jack, but I don't want to be anywhere where you're sloppin' the hog, but I appreciate your time."

Speaker Lyons: "Thank you, Gentlemen. Representative Jakobsson, you have on page 5 of the Calendar, Senate Bill 263. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 263, a Bill for an Act concerning education. Third Reading."

Speaker Lyons: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. Senate Bill 263 repeals the language in the University of Illinois Act that requires the minimum age of 15 years of age as the statutory state requirement for entrance into the University of Illinois. The other state universities and colleges don't have that requirement for... and so this would allow a 14-year-old to attend the University if that 14-year-old meets all of the other requirements of having the right course work and passing the right tests."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Winnebago, Representative Dave Winters."

Winters: "Thank you, Mr. Speaker. Naomi, I wanted to ask if you happen to have any very young medical students that are trying to enroll at the University of Illinois named Doogie? Is that the purpose of the Bill?"

Jakobsson: "No, that's not the purpose of the Bill, Mister... Representative."

Winters: "I had hope there that we might have another prime time series based at the University of Illinois, but you're disappointing me on that account."

Jakobsson: "Oh, sorry about that."

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

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

Speaker Lyons: "The Sponsor yields."

Franks: "Representative, I understand now that the age is 15 and we're trying to change it to 14."

Jakobsson: "That's right."

Franks: "I guess my question is why do we even have an age requirement? If one is able to do the university work at any age, why should we prohibit them?"

Jakobsson: "I'm sorry, I misspoke. We are removing the age requirement."

Franks: "That's what this Bill does?"

Jakobsson: "Yes."

Franks: "Thank you, that's what I was hoping it would do. Thank you."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Speaker Lyons: Seeing no further discussion, the question is, 'Should Senate Bill 263 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 Flider. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 1 person voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Frank Mautino, you have Senate Bill 264. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 264, a Bill for an Act concerning local government. Third Reading."

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

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This changes the titles of president and vice president of a municipal power agency or municipal gas agencies. It allows them to be called presiding officer and alternate presiding officer. I know of no opposition. Appreciate an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 264 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 Flider, Representative Hannig, Lou Lang? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Clerk, on page 4 of the Calendar is Senate Bill 29. Read the Bill, Mr. Clerk. Representative Rose, I'm sorry. Mr. Clerk, Senate Bill 89. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 89, a Bill for an Act concerning revenue. Third Reading."

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

Gordon, C.: "Mr. Speaker, there's a... a Floor Amendment that was filed that needs to be adopted."

Speaker Lyons: "Representative, we've been advised that that... that Amendment is still in Rules, so we'll have to take that Bill out of the record temporarily."

Gordon, C.: "Okay, thank you."

Speaker Lyons: "Okay. Representative David Miller, on page 5 of the Calendar, you have Senate Bill 275. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 275, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. Senate Bill 275 amends the Loan Repayment assist... Assistance for Dentists Act by providing that the term dental payments include compensation for services under the Covering All Kids Health Insurance Act and the Children's Health Insurance Act. I ask for a favorable consideration."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should Senate Bill 275 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mautino. Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Miller, don't sit down. We have Senate Bill 276. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 276, a Bill for an Act concerning public health. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Cook, Representative David Miller."

Miller: "Thank you, Mr. Speaker. Senate Bill 276 amends the Administrative Code for the Department of Public Health to allow the Division of chief of dental health to be a licensed dentist in the United States or Canada, as opposed to just from Illinois. I ask for favorable consideration."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 276 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', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Tom Holbrook, you have Senate Bill 316. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 316, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

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

Holbrook: "Thank you... thank you, Speaker. Senate Bill 316 is a simple Bill. It simply notifies facilities where people that are applying for their Medicaid that the Department of Healthcare and Family Services notify of the final status of that application. I know of no opposition to the Bill and... several groups are in favor of this. It'll just help those families as they work their way through some difficult times and give them some help."

Speaker Lyons: "Any recognition? Anybody seeking recognition? Seeing none, the question is, 'Should Senate Bill 316 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 Colvin, Representative Mendoza. Marlow. Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 5 of the Calendar, Representative Elaine Nekritz has Senate Bill 369. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 369, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

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

Nekritz: "Thank you, Mr. Speaker. Senate Bill 369 is a modification to the General Assembly's retire... retirement plan that would make our salaries calculated... or for all

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

future Members of the General Assembly, would make our salaries calculated the same way that others are so that it would be 4 consecutive years in the last 10. I would urge your support for this. It's good pension reform."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 369 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? Randy Ramey? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Dan Burke. For the purpose of an announcement, Representative?"

Burke: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. On a point of personal privilege, if I might be permitted. I'd like to introduce some great friends of mine, some super firefighters from the City of Berwyn, in my district. Guys, stand up and say hello to the House of Representatives. Welcome to our chamber."

Speaker Lyons: "Thank you, firefighters. Enjoy your day at the Capitol. Mr. Clerk, on page 5 of the Calendar, Representative Dan Reitz has Senate Bill 450. Representative Reitz? Dan? I'm sorry to interrupt the phone call. Would you like to call that Bill, Representative? Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 450, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

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

Reitz: "Thank you, Mr. Speaker. Senate Bill 450 is a great Bill and I will tell you about it in a second. Does anyone have any questions? Oh, no, please, Senate Bill... we shall just wait on this. I don't think it does anything. Let's take this Bill out of the record."

Speaker Lyons: "Thank you, Representative. We'll take that Bill out of the record. Ladies and Gentlemen, on page 6 of the Calendar, Mr. Clerk, we have Senate Bill 590. Representative Mike Smith on Senate Bill 590? Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 590, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill is similar to other Bills we've done already this Session in terms of extending the life of the tax increment financing district for the City of East Peoria. Actually, there are two TIFs involved here. It would extend them from 23 years to the maximum, 35 years. I know of no opposition. I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is 'Shall Senate Bill 590 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Phelps, Representative Danny Reitz? Mr. Clerk, take the

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

record. On this Bill there are 108 Members voting 'yes', 7 Members voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Elaine Nekritz, Representative Nekritz you have on page 6 of the calendar, Representative you have page... on page 6 of the calendar, Senate Bill 591. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 591, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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

Nekritz: "Thank you, Mr. Speaker. Senate Bill 591 is the extension of a TIF in Des Plains. And the reason we are doing this is that... that ultimately this extension will save tax payer dollars. The TIF has not been very successful, we need to refinance it and the only way we can do that is to extend the TIF. And I'd ask for your support."

Speaker Lyons: "Is there any discussion? Seeing none, the question is 'Shall Senate Bill 591 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 109 Members voting 'yes', 4 Members voting 'no', 1 Member voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Barbara Flynn Currie, you have Senate Bill 1133. Read the Bill, Mr. Clerk."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Clerk Bolin: "Senate Bill 1133, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Lyons: "Majority Leader Barbara Flynn Currie."

Currie: "Thank you, Speaker and Members of the House. This is a measure that cleans up the current right to privacy in the workplace act. It specifies responsibilities of the Department of Labor so that employers may know how effective e-verify is, the e-verify federal system is, in identifying the legal status of potential workers. I know of no opposition to the Bill. I'd be happy to answer your questions and I'd appreciate your support."

Speaker Lyons: "The Chair recognizes the Gentleman from DuPage, Representative Randy Ramey."

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

Speaker Lyons: "The Sponsor yields."

Ramey: "I have... Leader, I appreciate your work on this piece of legislation as you came to me with the Bill and we worked together to fix the language. We didn't want to have another ruckus debate as we did before on previous legislation. As I understand now, we clear up this legislation that we created a couple of years ago that the Federal government sued us, correct?"

Currie: "Correct."

Ramey: "And as you stated there is no current opposition?"

Currie: "There's no opposition and I think... I think what we have now is a Bill that will work effectively to protect workers and it also will give good solid information to employers who seek to use e-verify. And I appreciate your help in making this work."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Ramey: "I certainly would agree with that. My only question to you, Leader, and you've informed me of such information before, I certainly have the same piece of legislation H B 1146 and I was told that Bill would not move. Could you help me with that?"

Currie: "I... I'm not familiar with that Bill."

Ramey: "Well it had the same language as yours, that's why."

Currie: "Oh, okay, all right. Well then I'm glad you joined me on this one, we certainly don't want to duplicate our efforts here in the House of Representatives. Save paper, save trees."

Ramey: "Well I... absolutely, we all love to be environmentally friendly, although my Bill was introduced first. Thank you for your support."

Currie: "Thank you for yours."

Speaker Lyons: "Seeing no further discussion, those in favor of the passage of Senate Bill 1133 should 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? Representative Burns, Franks, Dave Winters? Mr. Clerk, take the record. On this Bill there's 107 Members voting 'yes', 8 Members voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Acevedo for what purpose do you seek recognition sir?"

Acevedo: "Mr. Speaker I rise on a point of personal privilege."

Speaker Lyons: "Please proceed."

Acevedo: "Ladies and Gentlemen of the House, each year the Secretary of State and the Illinois State Library literacy

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

office and the Illinois Press Association host a spotlight of achievement and spotlight of service awards recognizing outstanding progress made by literacy students or families and honoring volunteer tutors for their heroic commitment to literacy. Today we have Mr. Oscar Luis, a student from my district who received that award. He's up there with other members of the Institute \*REVIEW\* Latino and their leader Juan Selgato."

Speaker Lyons: "Congratulations Oscar. Proud to have you at the capitol today. Enjoy your day. Representative Tom Holbrook on page 6 of the calendar you have Senate Bill 1140. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1140, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Holbrook: "Thank you, Speaker. Senate Bill 1140 corrects a tariff that was done by the ICC that will allow both residential and non-residential customers to receive their portion of the state relief program that was done if they buy their electric power from an air ease. It's a good consumer bill, I know of no opposition and I would encourage an 'aye' vote and take any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is 'Shall Senate Bill 1140 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? Lou Lang. Mr. Clerk, take the record. On this Bill there are 115 Members

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

voting 'yes', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Dan Burke, on page 6 of the calendar, you have Senate Bill 1254. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1254, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Majority Caucus Chair, Representative Dan Burke."

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill would address the subject of returning Veterans' who have received emergency medical training in the service. We would seek that those returning Veterans' who are certified through their military training, would be given reciprocity in our state licensing process. I think it's a fair and equitable thing to do. Our returning Veterans' would be given a leg up in the process of recovering their private life. And I think it's a decent, legitimate initiative and I'd be happy to answer any questions on the matter."

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

Miller: "Will the Sponsor yield?"

Speaker Lyons: "The Sponsor yields."

Miller: "Thank you. I just have a... just a couple of questions of clarity. When you said that... that that person would be issued reciprocity, would they have to go through any type of examination, any type of standard? Is there any... delay in the... in the time they were in the service versus them



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

starting, you know... coming off of active duty... that... so to make sure that their skill set is still there?"

Burke: "Yes Representative, there would be... each returning Veteran would be given up to a year and their credentials that they had established in the military service would be reviewed by a... our state and at that point they would be then extended certification."

Miller: "Okay, and... when you said reviewed by the state, are you saying... the licensing board or... or... or some entity that, I guess regulates?"

Burke: "It's Department of Professional Regulation."

Miller: "Okay and... it's just point for clarity. And so they would... have to apply, I assume? And, would they... in... normally when these licensing things are up, it's in maybe May or there may be one in November, so they would have... be admitted to this... this licensing class or just submit their application and the application would be under review by the Department of Professional Regulations. And then it would be approved or disapproved, based on..."

Burke: "Yes, our... our main concern with this legislation would be to extend the credibility that they established in the military service to avoid having to retrained in our state. So they have just a leg up as far as the logistics in terms of their getting the actual paper to be licensed, that's something that the Department of Professional Regulation would have to work out in terms of the details."

Miller: "Okay so you're expecting that the Department would issues rules and concerning... concerning... believe me, I don't... I wouldn't want them to be retrained but I guess the

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

concern is... if... do they have to take an examination or some form of... And if that's not the case, that's not the case. But if... if they don't have to take one, we just want to make sure that... that they're treated expeditiously and fairly and moved along. Is that... is that the...

Burke: "That's... that's our intention and certainly if there is some minor examination necessary I think one would admit that that's appro... perfectly appropriate."

Miller: "Okay and the Department would establish rules in this regard?"

Burke: "They would indeed."

Miller: "Okay thank you Mister... I support the Bill."

Burke: "Certainly

Speaker Lyons: "Seeing no further discussion the questions is 'Shall Senate Bill 1254... Representative Burke to close."

Burke: "Mr. Speaker, one other matter. Mr. Clerk, would you please review the status of the sponsors. I had asked a little earlier today that Representative Watson be added as the second sponsor in this matter, given his outstanding service to our armed forces."

Speaker Lyons: "Mr. Clerk. Representative Burke the Clerk assures me that they will make sure, they'll get Representative Watson as the second name on that Bill as a chief sponsor."

Burke: "Thank you, Mr. Speaker. Not to delay this. In closing Ladies and Gentlemen, again let me remind you, for as much as we all preach our concern for our returning Veterans', those who have served honorably in our armed forces, this is one small way an opportunity for us to say thank you for

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

your service, we admire what you've done, we appreciate the qualifications and the certifications that you have received in your military service and indeed our state, our Department of Professional Regulations will interpret those qualification appropriately and ease your process back into private life affording you the opportunity to be acknowledged as the professional that you were trained to be in service. I would certainly welcome everyone's positive consideration in this matter and ask for your 'aye' vote."

Speaker Lyons: "The question is 'Shall Senate Bill 1254 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lang. Mr. Clerk, take the record. On this Bill there are 115 Members voting 'yes', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Renee Kosel, on page 6 of the calendar you have Senate Bill 1272. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1272, a Bill for an Act in relation to public employee benefits. Third Reading... Third Reading of this Senate Bill."

Speaker Lyons: "The Lady from Will, Representative Renee Kosel."

Kosel: "Thank you very much Ladies and Gentlemen of the House. This Bill would... would add... with the approval of the IRS, the Illinois Municipal... to the Illinois Municipal

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Retirement Fund, the Will County Governmental League. I know of no objection. I would ask for your approval."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1272 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', no one voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bob Pritchard, on page 6 of the calendar, you have Senate Bill 1274. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1274, a Bill for an Act concerning courts. Third Reading of this Senate Bill."

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

Pritchard: "Yes, Ladies and Gentlemen of the House. This Bill amends the juvenile court act of 1987 that provides the findings and exclusions of paternity entered in proceedings occurring the abused, neglected and dependent minors article of the Act, shall be disclosed in order to address concerns of confidentiality restrictions. Be happy to answer your questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1274 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 115 Members voting 'yes',

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

no one voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Keith Sommer you have Senate Bill 1277. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1277, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Tazwell Representative Keith Sommer."

Sommer: "Thank you, Mr. Speaker. Senate Bill 1277 is a TIF extension Bill for the City of Washington and its historic Washington Square. All taxing bodies have signed off in support of the Bill and I ask for your support."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1277 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 110 Members voting 'yes', 5 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Zalewski on the floor? Representative Eddie Jackson, Eddie on the floor? Do we see Representative Jackson? Mike Tryon, on... on page 6 of the calendar you have Senate Bill 1296. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1296, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

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

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Tryon: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. This is a quick take Bill that enables the Village of Johnsburg to have the authority to enter into a quick take action for a piece of property that has been in their land use plan for the last 10 years and has been negotiated with with various surrounding property owners, all of which they have reached agreement to construct and build a Metra station and a transportation center and a rail storage area. What's unique about this, from any other quick take Bill is that we're in agreement with this property owner and a bank is involve with this and this is not going to happen in this construction season unless we go ahead and grant this authority to the Village of Johnsburg. I know that none of us like to have to deal with this and this is a very special privilege that we... we grant and bestow on units of government. It's just that this time, when we're trying to build a transit station, a rail storage yard, to be held up for the next two or three years due to a banks interest in this property would be a huge mistake and set our own transportation plan back. I would be glad to answer any questions and I hope that you can support me in this action."

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

Hamos: "Thank you. A question of the Sponsor."

Speaker Lyons: "The Sponsor yields."

Hamos: "Representative Tryon would you say that this project is shovel ready?"

Tryon: "I would say its shovel ready."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Hamos: "Well then I think it's fitting and appropriate if we use that terminology since government seems willing to spend untold anything amounts for anything that's shovel ready, so with that in mind, I will be voting 'yes'."

Tryon: "Thank you."

Speaker Lyons: "Any further discussion? Representative Tryon to close."

Tryon: "Again I know that these are very difficult votes for many of you. This is a very judicious use of this statutory authority that we'd be giving to the Village of Johnsborg and I would urge an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 1296 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 76 Members voting 'yes', 39 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Danny Reitz on top of page 7 we have Senate Bill 1297. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1297, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Randolph, Representative Reitz."

Reitz: "Thank you, Mr. Speaker. I'm glad you didn't sneak up on me this time. The Senate Bill 1297 simply allows the mine rescue teams and stations and emergency vehicles to use oscillating, rotating and flashing lights. We've had across the country a number of different mine disasters and

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

it would be good to get these vehicles in an expedient and safe manner. And I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1297 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 115 Members voting 'yes', no one voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ron Stephens you have Senate Bill 1339. Out of the record. Representative Don Moffitt you have Senate Bill 1353. Read the Bill, Mr. Clerk. Senate Bill 1353."

Clerk Bolin: "Senate Bill 1353, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1353 would provide that persons who are retired from active duty in the fire service may receive training certification regardless of the fact that they are not employed or otherwise engaged by an organized fire department in Illinois. Currently only individuals who are actively employed by a fire department can participate in training programs approved for certification by the Office of the State Fire Marshall. This would allow retired ones to do it. This would help fire departments to be able to use the background and expertise of retired fire fighters at very little expense. It would be if they want to do



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

that. Sometimes after a fire fighter retires, there would be a while that they'd still be available, but could take the training. Be happy to entertain any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1353 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? Fritchey, Kathy Ryg, Representative Ryg would you like to be recorded? Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', no one voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Don Moffitt you have Senate Bill 1357. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1357, a Bill for an Act concerning utilities. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Don Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This legislations needed so that our Statutes catch up with technology regarding locating utilities prior to excavation. This is an initiative of... of Julie and you probably see... seen advertisements that says call Julie before you dig. Julie stands for joint utility locating information for excavators. Currently it does not apply, upgrade... to provide maps for video franchise, cable and video competition laws or electric co-op... cooperatives or wind farms with the expansion of wind farms especially we want the maps to show where those underground transmission lines are. This would bring them into the... to the loop.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Be happy to entertain any questions and I ask for an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1357 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', no one voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jim Brosnahan you have Senate Bill 1401. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1401, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

Speaker Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1401 amends the downstate Police article of the pension code to allow a municipality with a population of less than five thousand that has elected to participate in the downstate pension fund to terminate participation if an independent auditor certifies that there are no members or beneficiaries entitled to the benefits. Also the village, by ordinance, the corporate authorities of the municipality have to approve closing the fund and a municipality also terminates participation within 60 days of the effective date. The bill requires that any remaining assets in the fund would then be transferred to the municipality. I know of no opposition

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

to this legislation. I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1401 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', no one voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lou Lang you have Senate Bill 1391. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1391, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Lang: "Thank you, Mr. Speaker. This Bill would amend the school code by requiring the State Board to adopt rules that provide standards to certify marital and family therapists to be employed by school boards."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1391 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 71 Members voting 'yes', 44 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Lou on page 6 of the calendar you have Senate Bill 738.  
Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 738, a Bill for an Act concerning  
gaming. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Lang."

Lang: "Thank you, Mr. Speaker. This would allow bingo games  
and bingo prizes for senior citizen associations. It would  
change the value of the cards from a nickel to fifty cents  
to purchase a card and from a maximum prize of \$1.00 to a  
maximum prize of \$5.00. I know of no... I know of... no  
opposition other than the Illinois Church Action on Alcohol  
and Addiction Problems."

Speaker Lyons: "Is there any discussion? Seeing none, the  
question is, 'Should Senate Bill 738 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 72 Members voting  
'yes', 42 Members voting 'no'. This Bill, having received  
the Constitutional Majority, is hereby declared passed.  
Mr. Clerk what's the status on page... on Senate Bill 212?"

Clerk Bolin: "Senate Bill 212 is on the order of Senate Bills  
Third Reading."

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

Feigenholtz: "Thank you, Mr. Speaker. Senate Bill 212 amends  
the Illinois Department of Public Health code to establish  
expedited partner therapy program allowing health care  
providers to prescribe antibiotics. It is supported by the

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Center for Disease Control, Cook County Department of Public Health, The Illinois State Medical Society. I'd be glad to answer any questions.

Speaker Lyons: "Mr. Clerk I think we believe that you have to read that Bill for a third time. So read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 212, a Bill for an Act concerning public health. Third Reading of this Senate Bill."

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

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

Speaker Lyons: "The Sponsor yields."

Bellock: "I think that this Bill was brought before our committee and it was brought down especially by the health department in DuPage County. They were part of the people that were strongly in support of it. I just wanted to ask you, I think it was supported by every medical group in Illinois, wasn't it?"

Feigenholtz: "It... that is correct, Representative Bellock. On my analysis there probably are 30 county health departments and pharmacy and pharmacists associations and departments of public health supporting this including the American Academy of Pediatrics, the Medical Society as I mentioned earlier."

Bellock: "Right and I think it has been passed in several states already including Utah, also, was that?"

Feigenholtz: "Yes, I believe that 15 states have already employed this and it's working quite well."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Bellock: "To the Bill, Mr. Speaker. I support the Bill because the health departments around the state of Illinois and in several states throughout the United States say this is one of the major reasons that they can get to the issue of STDs which is huge. And it is something that the doctors approve of and it is the point is to get the other partner into coming back in to seeing the doctor and to get rid of the infection. It is a public health issue. It is extremely important one to address and I encourage you to support the Bill. Thank you."

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

Stephens: "Just briefly, to the Bill, Mr. Speaker. This is common practice in the medical... medical field. As a pharmacist we fill prescriptions all the time that... that talk about, it can be an antibiotic and then with the... in the directions, partner, same directions. So I... I salute the Lady for giving another avenue to clearing up STDs."

Speaker Lyons: "Representative Mary Flowers."

Flowers: "Thank you, Mr. Speaker. Will the Lady yield for a couple questions?"

Speaker Lyons: "The Sponsor yields."

Flowers: "Representative, you and I had discussion regarding this Bill and my concern was once the provider... provide the medication to the partner, the provider is protected from any type of medical malpractice?"

Feigenholtz: "I believe yeah we did discuss this in committee, Representative Flowers and came to the conclusion that years ago we passed a law in the State of Illinois that if

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

free medical care was given to somebody that... that was considered free medical care. That's how this is looked at. So that's already state law we're not creating a new precedent here."

Flowers: "So there is no liability for the infected partner to give the medication that's not a licensed medical provider?"

Feigenholtz: "There's nothing in this Bill about an unlicensed medical provider administering this."

Flowers: "No, the person that would be giving the medicine to their partner is an unlicensed medical provider so you don't know what the problem may be with the other... with the partner."

Feigenholtz: "I think that"

Flowers: "So, my point is will the partner with the disease, will they be help liable if they cause the death of their partner? As a result of passing on this medication"

Feigenholtz: "You know, I... I think that that would be determined on a case by case basis but I think the premise of the Bill is... is that this is up to the discretion of a physician. It is a physician's judgment whether or not they are going to provide this prescription to their patient for their partner. Along with that they are given a sheet about allergies and precautions about antibiotics, I think because of the nature of the single dose it is considered safe and of course doctors would be very careful about who they gave this prescription to. But so far it's been very very successful and the benefits have been

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

tremendous. As far as stemming the spread of STDs and reinfection."

Flowers: "Thank you Representative."

Speaker Lyons: "Representative Bill Black."

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

Speaker Lyons: "The Sponsor yields."

Black: "Representative as I understand this Bill, there is no added protection for a physician. It... you're not adding a... a... a cause? The physician is already protected, and I can't think of the name of it. Is it... since the prescription for the partner is more or less given away; is there a good Samaritan exemption or something like that? I don't want people to think we're creating carving out an issue of not liable for medical malpractice.

Feigenholtz: "I believe... I believe... No we are... the current law, I remember when I first got elected and I sat on the Human Services committee we... we passed a law and perhaps I can ask staff to site it for me, that remedied exactly what you're talking about. And this is considered free medical care."

Black: "So if... if we were trying to carve out an additional exemption for malpractice all of us would have been lobbied heavily by the Illinois Trial Lawyers, so there's... there's nothing in there that gives them an added protection. Mr. Speaker, to... to the Bill. There... there is no question that anything we create can be abused. There isn't any question that somebody may come in for more prescriptions than they should. There's not even a... a hint, I think of anyone



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

saying that there... somebody may not... somebody may have an adverse reaction, but Ladies and Gentleman of the House, the reason I stand in support of this Bill is that the incident of gonorrhoea and Chlamydia have... have not disappeared. At one time after World War II, I'm much older than most of you, back in the mid 50's to the early 60's public health officials thought they had eradicated those forms of venereal disease. And now they are making a... a comeback, particularly Chlamydia and gonorrhoea. And it's unfortunate in one of the counties I represent it ranks rather high in the incident of STDs that ravage the population. This is a common sense measure to a growing problem of public health. So, while some of you may have concerns about it and it may... there may be issues that we have to address later on, if we don't more actively treat the spread of STDs venereal disease as we called it years and years ago, there is a serious public health risk. This Bill has been, I think, well drafted. I commend the Sponsor. I know of no opposition to the Bill from any source and it's deserving of an 'aye' vote."

Speaker Lyons: "Representative Feigenholtz to close."

Feigenholtz: "Thank you Representative Black for your comments. Again this Bill provides an opportunity to save the state a lot of money and it has clearly worked in other states. Again the Trial Lawyers are neutral on the Bill. The Medical Society is in support and I would encourage an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 212 pass?' All those in favor signify by voting 'yes'; those opposed

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Kevin McCarthy? Mr. Clerk, take the record. On this Bill, there are 111 Members voting 'yes', 4 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk on page 7 of the calendar, Representative Hoffman, you have Senate Bill 1417. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1417, a Bill for an Act concerning business. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Madison, Representative Jay Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This would simply provide that a vehicle manufacturer, when they terminate a dealers franchise that they would be required to buy back the dealers unsold.. unsold new vehicles as well as their inventory and special equipment. It also would allow dealers to sell multiple lines of vehicles at a single location. I believe an amendment was added in committee that makes sure that many of the manufacturers are okay with the Bill. This is an initiative of the Illinois Auto Dealers Association. As you know, that Auto Dealers have a large investment in their franchise and much of their future is controlled by the manufacturer. In tough economic times this would give them some solace and assure liability of dealers."

Speaker Lyons: Is there any discussion on Senate Bill 1417? The Chair recognizes the Gentleman from Vermillion, Representative Bill Black."

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

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

Speaker Lyons: "The Sponsor yields."

Black: "Representative where did this idea come from?"

Hoffman: "This is an initiative of the Illinois Auto Dealers Association as well as the Chicago Auto Trade Association."

Black: "Did... did staff bring this idea to you or did you think it up all by yourself?"

Hoffman: "It was actually a Senate Bill."

Black: "Oh, I'm sorry. I'm sorry, I thought this was his first Bill. Obviously I'm... I'm mistaken. You... are you, Jay Hoffman, Representative Jay Hoffman?"

Hoffman: "It's... it's been a long time in the wilderness."

Black: "It has been. I... welcome back. I don't know where you've been. I... it's good to see you and hear you again. I... I apologize Representative Hoffman; I thought this was your first Bill. Obviously this is a good Bill."

Hoffman: "It is a very good Bill, yes."

Black: "I think so."

Speaker Lyons: "We don't recognize him Mr. Black without two cell phones at once. Mr. Hoffman to close."

Hoffman: "Thank you, Mr. Speaker. I simply ask for a favorable roll call."

Speaker Lyons: "The question is, 'Should Senate Bill 1417 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 114 Members voting 'yes', 1 Member voting 'no'. This Bill,

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

having received the Constitutional Majority, is hereby declared passed. Representative Rich Myers, I just saw him on the floor. We'll come back to him. Representative Keith Sommer, you have on page 7 of the calendar Senate Bill 1429. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1429, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Tazwell, Representative Keith Sommer."

Sommer: "Thank you, Mr. Speaker. Senate Bill 1429 amends a law that was passed by the General Assembly in the 94th General Assembly that allowed restitution from defendants for long term health care costs of the victims. A constituent in my district had been a victim of a serious sexual assault from years ago and she had brought that legislation to our body at that time. She is back this year seeking to have the law, or we are seeking to have a law identified as the Michelle Eppel Law. This is permissive, it does not mandate it. The reason for doing this is because she is on a mission across the country and is promoting the previous legislation in many states and we thought to give some identity to the law would be appropriate and I'd appreciate your support."

Speaker Lyons: "You've heard the Gentleman's explanation, are there any questions? Seeing none, the question is, 'Should Senate Bill 1429 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 Golar? Mr. Clerk, take

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

the record. On this Bill, there are 115 Members voting 'yes', no one voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Will Davis for what purpose do you seek recognition sir?"

Davis, W.: "Oh I'm sorry."

Speaker Lyons: "The Gentleman has turned off his light. Representative Myers, Rich Myers you have Senate Bill 1413. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1413, a Bill for an Act concerning conservation. Third Reading of this Senate Bill."

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

Myers: "Thank you, Mr. Speaker, Members of the Chamber. Senate Bill 1413 just creates the forestry development council. This was repealed in December of 2008 so we're recreating it. It expands the membership of the council, increases the acreage required for a timber grower to participate in the cost share program from 5 contiguous acres to 10 contiguous acres. Grandfathers in those timber growers who have less than 10 that were currently in the program. And increases the amount of timber growers who could receive through the cost share program. It is identical to a House Bill, House Bill 1087, that we've already passed out of here. So, this just... will give the Governor an opportunity to choose between a House Bill and a Senate Bill. And I request a favorable vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1413 pass?' All those in

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bill Black, you have Senate Bill 1443. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1443, a Bill for an Act concerning professional regulation. Third Reading of this Senate Bill."

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

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. This amends the Pharmacy Practice Act, the Hospital Licensing Act, and the Illinois Controlled Substance Act. It specifies that an animal care pharmacy maintained by a college or a university receiving state funding is exempt from the requirements to have a full-time pharmacist on the site and from obtaining the D... DPFR registration for each veterinarian. This is simply a... I think, the Veterinary Medical Association and the University of Illinois College of Veterinary Medicine said this was just a bureaucratic loophole that they would like to be removed from. I know of no opposition to the Bill. And I know you'll be shocked, but the Bill passed the Senate unanimously."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1443 pass?' All those in

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Black, do you seek recognition?"

Black: "Yes, Mr. Speaker, under the Ethics Act I am bound by the rules and law of the State of Illinois. Somebody put this beautiful necklace on my desk... I'm not sure whether it was to entice me to vote for a Bill or to entice me to follow them to the hallway in case the tornado alarm goes off. But I can't accept this in good faith. I like it. And I think it goes well with my suit, but I have no idea whose bracelet this is and it... was sitting on my desk. So, whoever wants to claim it? Thank you, I'll go right over."

Speaker Lyons: "Amongst your other talents, Representative Black, you'll now be in charge of the House lost and found. Thank you, Sir. Representative Bob Pritchard, you have, on page 8 of the Calendar, Senate Bill 1450. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1450, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

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

Pritchard: "Ladies and Gentleman, this Bill amends the Vehicle Code to really bring it up to current standards. Presently, there are no... no major truck manufacturers that are building trailer widths narrower than eight foot six.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

Our state code still calls for eight foot maximum, so this would bring it up to current practice of eight foot six in the width of vehicles. I'd be happy to answer your questions."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Winnebago, Representative Jim Sacia."

Sacia: "Thank you, Mr. Speaker. I... I'm assuming the Sponsor will yield, had I only known I could have just leaned over and asked this question. Bob, you just said that... I guess I'm a little unclear. Are you saying that Illinois law currently says they cannot be over eight feet?"

Pritchard: "Correct."

Sacia: "That boggles me because as... as you know my other profession is we sell many and they're all eight foot six."

Pritchard: "That's the reason we need to bring this code up to standards."

Sacia: "I think this is something we should have discussed. If... if... if that is, in fact, the case, it... it makes good sense. I did not realize that"

Pritchard: "You haven't been illegal, are you, in... in anything?"

Sacia: "I could be. I could be. Thank you."

Pritchard: "We need to help, make sure that he's legal, so I would ask for your support in this Bill."

Speaker Lyons: "The question is, 'Should Senate Bill 1450 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? Renée Kosel, Eddie Acevedo? Mr. Clerk, take the record. On



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

this Bill, there's 112 Members voting 'yes', 3 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of Senate Bill 1877?"

Clerk Bolin: "Senate Bill 1877 is on the Order of Senate Bills-Third Reading."

Speaker Lyons: "Mr. Clerk, move that Bill back to the Order of Second Reading at the request of the Sponsor. And Mr. Clerk, what's the status of Senate Bill 1934?"

Clerk Bolin: "Senate Bill 1934 is on the Order of Senate Bills-Third Reading."

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

Clerk Bolin: "Agreed Resolutions. House Resolution 173, offered by Representative Poe. House Resolution 387 and 388, offered by Representative Senger. House Resolution 389, offered by Representative Brady, and House Resolution 392, offered by Representative Gordon."

Speaker Lyons: "Mr. Clerk, Representative Miller moves for the adoption of the Agreed Resolutions. All those in favor signify by voting 'yes'; those opposed vote 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, committee announcements. Ladies and Gentlemen, heads up for committee announcements."

Clerk Bolin: "The following committees will meet tomorrow morning. At 9 a.m. the Homeland Security & Emergency Preparedness Committee will meet... meet in Room C-1. At

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/13/2009

10:00 the Personnel and Pensions Committee will meet in Room 122B. At 11:00 a.m. the State Government Administration Committee will meet in Room 114. And at 12:00 noon tomorrow the Executive Committee will meet in Room 118, the Labor Committee will meet in Room D-1, and the Youth and Family Committee will meet in Room 115."

Speaker Lyons: "And now with no further business to come before the House of Representatives, Representative Frank Mautino moves that the House adjourn to the hour of 1 p.m. tomorrow, Thursday, May 14. So, allowing perfunctory time for the Clerk, the House stands adjourned to the hour of 1 p.m. tomorrow, Thursday, May 14. All those in favor of... of adjournment signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of House Bills—First Reading. House Bill 4555, offered by Representative Osmond, a Bill for an Act concerning business. House Bill 4556, offered by Representative Coulson, a Bill for an Act concerning local government. This has been First Reading of these House Bills. There being no further business, the House Perfunctory Session will stand adjourned."