

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

54th Legislative Day

5/14/2009

Speaker Mautino: "The hour of 2:00 having arrived, we shall be led in prayer today by Pastor Durant Axton, who is with Fairfield Cumberland Presbyterian Church in Fairfield, Illinois. Pastor Axton is the guest of Representative Reis. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance."

Pastor Axton: "Good afternoon. It's an honor to be here today. As I was walking up here, I noticed that politicians and ministers have a lot in common. Someone's always worried about how long you're going to speak. I've been given 30 seconds. You may witness a miracle today. May we pray together? Almighty God, I pray that You empower these servants of the State of Illinois to put aside their personal preferences and represent the people in the best way they know how, disinterested from self and interested in the State of Illinois moving forward in a positive way. Lord God, I pray that You bless this Session and I pray, Lord God, that You bless these lawmakers. And I pray this in His Son's name, amen."

Speaker Mautino: "We will be led in the Pledge of Allegiance by Representative Washington."

Washington - 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 Mautino: "Roll Call for Attendance. Representative Currie."

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

Speaker Mautino: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. Representative Bost and Mulligan are excused for today."

Speaker Mautino: "Mr. Clerk, take the record. 114 having answered the roll, a quorum is present and the House is prepared to open. Mr. Clerk, Committee Reports."

Clerk Bolin: "Committee Reports. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measures were referred, action taken on May 14, 2009, reported the same back with the following recommendations: 'do pass short debate' for Senate Bill 351. Representative Osterman, Chairperson from the Committee on Labor, to which the following measures were referred, action taken on May 14, 2009, reported the same back with the following recommendations: 'do pass as amended short debate' for Senate Bill 1369. Representative Harris, Chairperson from the Committee on Youth & Family, to which the following measures were referred, action taken on May 14, 2009, reported the same back with the following recommendations: 'recommends be adopted' Senate Joint Resolution #44. Representative Burke, Chairperson from the Committee on Executive, to which the following measures were referred, action taken on May 14, 2009, reported the same back with the following recommendations: 'do pass short debate' for Senate Bill 188; 'do pass as amended short debate' for Senate Bill 1930. Representative McCarthy, Chairperson

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from the Committee on Personnel & Pensions, to which the following measures were referred, action taken on May 14, 2009, reported the same back with the following recommendations: 'do pass as amended short debate' for Senate Bill 1292; 'recommends be adopted' House Resolution #47. Introduction of Resolutions. House Joint Resolution 55, offered by Representative Reitz and House Joint Resolution 56, offered by Representative Coulson. These Resolutions are automatically referred to the House Rules Committee."

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

Mathias: "Point of personal privilege."

Speaker Mautino: "State your point."

Mathias: "Could we have a little order, please?"

Speaker Mautino: "Please give the Gentleman your attention. Representative Mathias."

Mathias: "Thank you, Mr. Speaker. If you recall, several months ago at the end of March, we... I presented House Bill 715 to this Body. It was a Bill to repeal the Cook County additional sales tax that was filed by the Cook County Board... enacted by the Cook County Board. As you will recall after a vote from this Body, a majority of the Members of this Body voted in favor of repealing it, repealing the increase that was enacted by the Cook County Board this year... last year, I'm sorry, last year. But even though it was a majority of this Body, because Cook County is a Home Rule community, the Bill failed. Now, since then, because of many factors, hopefully my Bill played...

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paid a part of that, also, because of the public outcry from newspapers, from citizens throughout Cook County, the Cook County Board recently, on May 5 voted by a decisive 12 to 3 margin to repeal last year's sales tax increase that continues to punish consumers and businesses alike in Cook County. Unfortunately, Cook County Board president announced his decision to veto the sales tax, and in fact, has vetoed the sales tax repeal this week at a... designated to provide him, I think, with some political cover. With the highest sales tax of any county in the nation at 10.25 percent, Cook County families and businesses are feeling increased pain in their budgets. At a time when our economy continues to struggle and jobs are being lost, an overly oppressive tax policy is the last thing we need. Our priorities should be on encouraging consumer spending and fostering an economic climate when businesses are able to grow and create jobs, not fostering a climate where citizens of Cook County travel to other counties and other states around Cook County to make their purchases. Here, in this chamber, in order to overturn a Veto it takes a Three-fifths Majority, but I believe unconscionably it takes a four-fifths or 80 percent vote of the Cook County Board to override the Veto of the board president. I think that Cook County should be held to the same standard as every other county in Illinois as well as our own General Assembly. Requiring an 80 percent vote of the county commissioners to override a Veto has granted Todd Stroger nearly exclusive control over county government, thwarting the will of the people's own elective Representatives,

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their fellow county commissioners, to act in the best interest of families and taxpayers by voting to repeal last year's tax increase. I hope that county board members maintain their resolve and vote to override the president's Veto at their next board meeting later this month. But in the meantime, Mr. Speaker, those of us in the General Assembly should act to provide the relief to Cook County families and businesses that President Stroger refuses to give. We should vote to repeal last year's Cook County sales tax increase and honor the will of the people as expressed by the overwhelming majority of the elected representatives on the county board when they voted last week by a 12 to 3 margin for a repeal. So, I'm asking, if you recall the vote on my Bill, House Bill 715, was by a vote of 61 to 55. I am asking, whether you're a Republican or a Democrat, if you voted 'no' on that Bill, I ask you to file a Motion to reconsider the vote, especially in light of the Cook County Board's overwhelming decision to do the same. So, I ask you, whether you're a Republican or Democrat, come forward. Have the courage to vote and file a Motion to over... to reconsider House Bill 715. And I thank you for the time, Mr. Speaker."

Speaker Mautino: "It's the intent of the Chair to go to Third Readings, and if you would go to page 11 on your Calendar, you will see Senate Bill 2012, Representative Demuzio. No, she's Representative McCarthy. They look so much alike. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2012, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

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Speaker Mautino: "Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2012 involves a local community in my area. Many of us remember, I think a year and a half ago we did this for the City of Rockford, but the Village of Orland Hills in a front door referendum passed a sales tax increase upon itself. The citizens of that city were able to go to the polls on April 7, and they voted in a majority to increase their sales tax by three-quarters of one percent. Since that time, the Department of Revenue has told them that it would take nine months to implement this change. This is a village of under 6 thousand residents, and they agreed originally that the Bill would become effective July 1 or the increase would become effective July 1 so they could start collecting this money, but the Department of Revenue insisted on waiting an additional six months. So, like we did for Rockford about a year and a half ago, this instructs the Department of Revenue to implement the changes, contact the businesses. I can promise you, they can probably do this in a day and a half because this is a very small village, and then the village will be able to collect this additional revenue. I do want to remind you this was a front door referendum. The General Election came out and they voted in favor of the tax increase. So, this is not like we're putting anything on them, this is something that the residents of Orland Hills asked for, and I would appreciate if you would help me by directing the Department of Revenue to implement these changes ASAP, so that they can be effective on July 1

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this year instead of January 1 next year. I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2012. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; 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. This Bill, having received 71 voting 'yes', 42 voting 'no', 1 voting 'present', is declared passed. Mr. Clerk, what's the status of Senate Bill 2256?"

Clerk Bolin: "Senate Bill 2256 is on the Order of Senate Bills-Third Reading."

Speaker Mautino: "At the request of the Sponsor, would you move that Bill from Third back to Second. Page 5 of the Calendar appears Senate Bill 1462, Representative McAsey. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1462, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Mautino: "Representative McAsey."

McAsey: "Thank you. Senate Bill 1462 is an Act concerning veterans. And essentially, what this legislation does is to number one, increase the... expand the definition of the list of wars or conflicts that a veteran would serve in, in order to qualify for burial expenses when an honorably discharged veteran or their family lack resources to pay funeral expenses. And what is added are all of the congressionally sanctioned wars since the Vietnam Conflict. Additionally, the Bill specifies that the expenses of the

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burial cannot exceed \$900 and that's an increase from \$600, previously. I would ask for an 'aye' vote for this important legislation to support our veterans."

Speaker Mautino: "The Lady moves passage of Senate Bill 1462. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Boland, Mr. Burke, Representative Golar. Does Mr. Boland wish to be recorded? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', this Bill is declared passed. On page 5 of the Calendar appears Senate Bill 1449. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1449, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 1449 would require the department to permit day and temporary labor service agencies, as defined in the Day and Temporary Labor Services Act, who do business in Illinois to enroll as unpaid application agents for KidCare. We did this last year. It got caught up in the Senate with the Rules Amendment that was attached to it. But I'd be happy to answer any questions. They would do this at no cost to the State of Illinois. We would, as a matter of fact, be saving \$50 for each application that would be filled out through this venue. I would ask for your support and be happy to answer any questions."



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Speaker Mautino: "The Lady moves passage of Senate Bill 1449. No Members... Excuse me. The Gentleman from Jasper, Representative Reis."

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

Speaker Mautino: "Indicates she will."

Reis: "Representative, I believe it was last year or maybe the year before, the Governor's Office was giving out \$50 gas cards for kids to sign up on that. Would this..."

Mendoza: "I'm listening."

Reis: "Would this prohibit that from happening?"

Mendoza: "This has absolutely nothing to do with that. Yeah, this, as a matter of fact, says that we will not be paying these individuals \$50 per application, which is what we do now to a whole host of agencies. They're doing it for free. We'd be saving \$50, actually, and we're not giving any kind of incentive. That has nothing to do with this legislation at all."

Reis: "So, wouldn't that be a good thing to add to it, though, is that we wouldn't be giving away gas cards to sign up for a new government program?"

Mendoza: "Well, I think we could add that to every single Bill. I don't think we should be doing that period. I'm with you on that."

Reis: "All right. Thank you."

Mendoza: "Yeah."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of the

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Bill. It won't be listed on any reform package that we may or may not vote on before we leave here, but this to me is a very simple reform measure. As my good friend and colleague Representative Reis just talked about, this puts a stop to what was going on just a year ago. And the former Governor was... we don't even know how much he paid or who gave out the \$50 to sign up people for a medical assistance program that, memory serves, had never even been approved by the General Assembly. So, I think Representative Mendoza deserves our thanks for closing off yet another loophole and creating another reform that the former Governor abused horribly. The Bill makes eminent good sense and deserves an 'aye' vote."

Speaker Mautino: "The Lady moves passage of Senate Bill 1449. And the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Brauer, Representative Flowers, Representative Sommer, do you wish to be recorded on this Bill? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1449 is declared passed. On page 5 of the Calendar appears Senate Bill 1467, Representative Reis. Out of the record at the request of the Sponsor. Senate Bill 1479, Representative Howard. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1479, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

Speaker Mautino: "The Lady from Cook, Representative Howard."

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Howard: "Thank you very much, Mr. Speaker. Senate Bill 1479 makes it possible for some employees who had taken furloughs during a certain period to be able to get some credit for those... for having taken the furloughs. If the furloughs were taken between July 1, 2008 and June 30 of 2009, they can, in fact, get credit for those furlough days. They must, however, pay the employee contribution, employer contribution and also an actuary... actuarial interest of 8.5 percent when they're purchasing this service credit."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1479. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Does Representative Davis wish to be recorded on this Bill? Mr. Clerk, take the record. 112 voting 'yes', 2 voting 'no', 0 voting 'present', this Bill is declared passed. Representative Reitz. Page 5 of the Calendar is Senate Bill 1486, Representative Coulson. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1486, a Bill for an Act concerning professional regulation. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. Senate Bill 1486 is an Amendment to the Physician Assistant Practice Act. The language better defines the role of the Physician Assistant Advisory Committee, and I can answer any questions."

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Speaker Mautino: "The Lady has moved passage of Senate Bill 1486. No Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mitchell? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1486 is declared passed. Page 6 of the Calendar appears House... Senate Bill 1489, Representative Nekritz. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1489, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Mautino: "The Lady from Cook, Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. Senate Bill 1489 requires the Illinois EPA to do a storm water study: its effects on water quality, the cost of benefits of green versus gray infrastructure, how potential new urban storm water management regulatory programs might fit within our regional and local programs in Illinois, the possibility of adopting an urban storm water management regulatory program in Illinois, and the feasibility of devoting about 20 percent of water revolving fund to green infrastructure. That study is due in 2010."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1489. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Fritchey, do you... Mr. Clerk, take the

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record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1489 is declared passed. Representative Lyons? Out of the record. Senate Bill 1497, Representative Hernandez. Read the Bill."

Clerk Bolin: "Senate Bill 1497, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Mautino: "The Lady from Cook, Representative Hernandez."

Hernandez: "Thank you, Speaker. Senate Bill 1497 is identical to House Bill 917, which passed out of the House unanimously. This... the Bill is simply just trying to codify what the State Law defines as a dental service with what the Federal Government offers as a dental service to maximize the most federal dollars. I ask for an 'aye' vote."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1497. No one is seeking recognition... Excuse me. The Gentleman from Vermilion, Representative Black is seeking recognition."

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

Speaker Mautino: "She indicates she will."

Black: "Representative, it's my understanding that the Department of Health and Family Services support the Bill as does the Illinois State Dental Society?"

Hernandez: "That's correct."

Black: "Okay. Fine. Thank you very much, Representative. I appreciate the work you've done on this. Mr. Speaker and Members of the House, this Bill, while I generally don't

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like to expand Medicaid spending because we have a problem paying those bills, I know in my district, I have seen the lack of Medicaid services for preventive dental care because none of the dentists in my district will take Medicaid. I've seen a procedure that could have been covered for \$100 end up in the emergency room costing thousands of dollars because it ended up in an infection or a serious procedure that required medical intervention. This Bill, while it may add to our Medicaid debt that I hope we can get a handle on, and I know the House Republicans want to work with you on some Medicaid reform measures, this Bill makes economic good sense. If we can get these youngsters into the dentist and prevent a minor dental or oral problem from becoming a serious medical issue, we can save a great deal of money, not to mention the fact we can save a young person a lot of pain and suffering and emotional distress. This is a good Bill. It deserves an 'aye' vote."

Speaker Mautino: "The Gentleman from Cook, Representative Miller."

Miller: "Thank you, Mr. Speaker. To the Bill. I would like to commend the Sponsor, too, as Representative Black. One of the... I can give my speech now, Representative, since this is the right Bill. In terms of access to care, one of the problems in terms of access to care is not just in Cook County but actually downstate where you've seen growing numbers of population not able to see a dentist. The children miss dental... school, basically... it's one of the top reasons why children miss school is because of dentally

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related issues. And so, I'd like to commend the Sponsor. This is a part of the 'Bridge to Healthy Smiles' and an integral part of servicing the needs of the State of Illinois. I ask for favorable consideration."

Speaker Mautino: "Further questions? The Gentleman from Bond, Representative Stephens."

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

Speaker Mautino: "Indicates she will."

Stephens: "Representative, Medicaid is funded in part by the Federal Government. Is this a requirement that they have for all states?"

Hernandez: "Representative, the Bill does not mandate. It's simply for adult services. It is allowing if the department wants to or can or is looking for a way to add adults, they may do so, but it does keep the portion to service children."

Stephens: "So, does your... Is the answer to your question in brief then, no, the Federal Government doesn't require us to do this?"

Hernandez: "No, it doesn't."

Stephens: "Okay. So, it's not done in every state. We're talking about expanding services. However, well intended, we're talking about expanded services. And by the way, it says corrective measures. Would that include braces?"

Hernandez: "No, it doesn't."

Stephens: "What is a corrective procedure?"

Hernandez: "Representative, I do have to tell you, I'm not a dentist. I will have to refer to Doctor Miller to answer that."

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Stephens: "But you're sure that it doesn't include braces?"

Hernandez: "That's correct."

Stephens: "False teeth?"

Hernandez: "It... it could."

Stephens: "Could, which? Both?"

Hernandez: "It could. That's how I can answer."

Stephens: "That's what I thought. Okay. Well, Ladies and Gentlemen, we're talking about the possibility of braces, false teeth, I don't know. Maybe that's a great idea if we can afford it. And I would suggest to you that in Illinois today, many, many families that we represent don't have the ability for these same services even though they're paying their own way in life. And I would suggest that those families who are struggling and doing without are going to be tremendously offended that we would put the state further in debt. Because, remember, these are bills that won't be paid. These are bills that won't be paid. So, on behalf of those families, I'm going to vote 'no', with all due respect, Representative."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1497. No one else seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Mr. Clerk, take the record. 109 voting 'yes', 2 voting 'no', 3 voting 'present', Senate Bill 1497 is declared passed. Senate Bill 1527, Representative Tracy. Representative Tracy. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1527, a Bill for an Act concerning public health. Third Reading of this Senate Bill."



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Speaker Mautino: "Representative Tracy."

Tracy: "Thank you, Mr. Speaker. Senate Bill 1527 would enable county clerks to issue death certificates for the families of residents of their counties who death occurred in another county. The program will actually be postponed until there is a completion of the automated software program, but this is something that the county clerks have supported and think it will be a very good service to the people of the State of Illinois. So, it will not be effective until next year. I would answer all questions."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1527. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Poe? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', this Bill is declared passed. Representative Golar. Mr. Clerk, on the Calendar, page 6, is Senate Bill 1499. Read the Bill."

Clerk Bolin: "Senate Bill 1499, a Bill for an Act concerning health. Third Reading of this Senate Bill."

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

Golar: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1499 amends the Community Service Act, and it creates a commission by September 1, 2009 to review funding methodologies, identify gaps in funding, identify revenue, and evaluate the use of that revenue for services such as community development services, mental health services,

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alcohol and substance abuse, rehabilitation and early intervention. I'll be happy to answer any questions."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1499. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; 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. Senate Bill 1499, having received 114 voting 'yes', 0 voting 'no', 0 voting 'present', is declared passed. Senate Bill 1549 appears on page 6 of the Calendar, Representative Mathias. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1549, a Bill for an Act to revise the law by combining multiple enactments and making technical corrections. Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from Lake, Mr. Mathias."

Mathias: "Thank you, Mr. Speaker. I think the Clerk just described my Bill better than I could have. It basically, what this does is this is an... the initiative of the Legislative Reference Bureau. It's the first 2009 General Revisory Bill. It makes no substantive changes in the law. What it basically does is combines and revises enactments so that the law flows through correctly. In other words, sometimes in the past we'll have two Bills dealing with the same Section, and they'll both be called, let's say, subsection (a), and they both get enacted into law. So, what the Legislative Reference Bureau does is it makes one of them an 'a' and one of them a 'b'. That's just an example. So, it's really all technical to make sure that

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the statutes are in the proper order. And I ask for your 'aye' vote."

Speaker Mautino: "Thank you for your opening statement. No one's seeking recognition, the question is, 'Shall Senate Bill 1549 pass?' All in favor vote 'yes'; 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. 114 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1549 is declared passed. The Lady from Cook, Representative Mendoza is seeking recognition."

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

Speaker Mautino: "State your point."

Mendoza: "Thank you. Ladies and Gentlemen of the House, behind me up in the gallery is John Kamis who's, as we all know, is a lobbyist of the City of Chicago, but more importantly are his stepmother Jarmila and her grandson Jan Dochecal, who is visiting for the summer from the Republic of Czech. So, if we could please give them a round of applause and a warm welcome. Thank you."

Speaker Mautino: "Welcome to Springfield. On page 6 of the Calendar appears Senate Bill 1553, Representative Sommer. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1553, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Mautino: "Mr. Sommer."

Sommer: "Thank you, Mr. Speaker. Senate Bill 1553 is a TIF extension for the Village of Downs and the City of Pontiac."

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All taxing bodies have signed on in agreement. And I'd appreciate your 'aye' vote."

Speaker Mautino: "The Gentleman moves the passage of Senate Bill 1553. No one's seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Black? Take the record. 108 voting 'yes', 6 voting 'no', 0 voting 'present', Senate Bill 1553 is declared passed. On page 6 of the Calendar Senate Bill 1557 appears, Representative Hernandez. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1557, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Mautino: "The Lady from Cook, Representative Hernandez."

Hernandez: "Thank you, Speaker. Senate Bill 1557 reinforces the study of the forceful removal and illegal deportation of Mexican-Americans, U.S. citizens, during the Great Depression during different... into the School Code. I ask for a 'aye' vote, please."

Speaker Mautino: "The Lady moves passage of Senate Bill 1557. And on that question, the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, you worked with several of us to place this in a Section of the School Code that is already a mandated Section that deals with American history. Isn't that right?"

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Hernandez: "That's correct."

Eddy: "And I want to commend you for that. I appreciate the hard work you've done on this issue for two reasons: first of all, your willingness to be flexible regarding a mandate. I think that's very commendable. The second, I appreciate your passion regarding the issue and the event. And I think that you brought to us all a degree of understanding about a historical event that is very seldom taught in schools that warrants curricular awareness, and I appreciate that as well. I would urge my colleagues in the Body that even though this is a mandate, it is one that certainly makes sense, and it's been... it's been... it's been placed in the School Code in a way that it's easy for schools to implement this mandate without cost and certainly without a lot of problems. So, I would just hope that everybody can support this legislation and give it an 'aye' vote."

Speaker Mautino: "Further questions? The Lady from Cook, Representative Bassi."

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

Speaker Mautino: "Indicates that she will."

Bassi: "Ladies and Gentlemen, even though this is unquestionably a mandate, given the fact that we are already teaching about slavery, about the Japanese incarceration during World War II, about the Jewish Holocaust, about genocide in Africa, it is important that Americans are aware of the fact that this incident occurred during the Depression because those who do not study history are doomed to repeat it. And in spite of the fact

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that it's a mandate, I am urging an 'aye' vote. It is... but it is an exception, just so you know."

Speaker Mautino: "Representative Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen. I rise in support of this legislation as well, and I want to commend Representative Hernandez for her willingness to listen to our committee and to spend some time in trying to work out some of the concerns regarding the mandate, but most importantly, I want to thank her for bringing this issue to our attention. For many of us, it was the first time we had heard about this tragic event in our history, and I think it's very appropriate that we take this action and that we ask our schools throughout the state to incorporate this in their curriculum. And she has accomplished no small feat by getting Representative Bassi to agree to support a mandate. So, Representative Hernandez, I commend you for your work on this, and I encourage everyone to support this important legislation."

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

Mendoza: "Thank you, Mr. Speaker. I also rise in strong, strong support of this legislation. I, like pretty much every single other person in this chamber who had the opportunity to see the documentary which was an hour feature documentary length film, was absolutely taken aback by the reality of what happened in the 1930s to about a million Mexican Americans, 60 percent of whom were American citizens who were sent back to a country which was not their country and about 10 years after that were actually asked to serve in the war with a draft. Not a single one

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of those individuals said no to serving this country, even though this country kicked them out, being valid American citizens. I was horrified by what happened and even more so because I didn't know about it. And that's why this is so important that we make sure that this never happen again because, as Representative Bassi said, if we do not learn from what has happened in the past, we'll never be able to avoid those mistakes in the future. So, I just want to thank Representative Hernandez for bringing this to my attention, and I hope that what we do here in Illinois begins a movement nationwide, because this is certainly not an issue that ends today, it's an issue whose light will begin to shine today. Thank you, Representative."

Speaker Mautino: "The Lady moves passage of Senate Bill 1557. And the question is, 'Shall this Bill pass?' All in favor vote 'yes'; 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. 112 voting 'yes', 1 voting 'no', 0 voting 'present', Senate Bill 1557 is declared passed. The Lady from Cook, Representative Currie is seeking recognition."

Currie: "Thank you, Speaker. I would just like the record to reflect that Representative Acevedo should be excused for the rest of the afternoon."

Speaker Mautino: "Thank you. The record will reflect that. Representative Durkin is seeking recognition."

Durkin: "Yes, Mr. Speaker, a point of personal privilege."

Speaker Mautino: "Just state your point."

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Durkin: "I'd like to recognize a fine group of young men and women who've traveled here from all over the world. They are part of the AFS Foreign Exchange Student Group. They're with Mr. Murray Johnson. They are from nine different countries on three different continents. They are with us today in the... up there in the visitor's area. If they could stand up, and if we could give them a strong, warm, Springfield welcome, I'd appreciate it."

Speaker Mautino: "Please stand and be recognized. Welcome to Springfield. The Gentleman from Knox, Representative Moffitt is seeking recognition."

Moffitt: "Thank you, Mr. Speaker. I rise to a point of personal privilege."

Speaker Mautino: "State your point."

Moffitt: "As most of you know, I hope all of you know, that today was recognition of fallen firefighters. A number of Legislators attended the ceremony. It started out here at the Fallen Firefighter Memorial. Thank you, Mr. Speaker. I want to thank those Legislators that attended the service for the Fallen Firefighters Memorial. Then we went over to the Armory for a ceremony that's quite touching, and there's several recognitions given there including Certificate of Recognition Award, Firefighter Excellence Award, Medal of Valor Award, and Medal of Honor Award, Medal of Honor being the highest award. There were two in that category. And if you did not make it this year, I would urge you to consider that in the future. But with us today, one of the recipients, Firefighter Excellence Award, was Battalion Chief Matthew Perez, Aurora Fire Department."



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And if there are any other family members of any of the other award winners, I wish they would also stand. But Battalion Chief Matthew Perez is up in the..."

Speaker Mautino: "Welcome. Thank you for your service."

Moffitt: "And he represents all, you know, we're acknowledging all of them, but battalion chief's two children are down here paging. They're Pages for Representative Linda Chapa LaVia. So, these are his children. Congratulations and we thank all of our firefighters for what they do for us. Thank you, Mr. Speaker."

Speaker Mautino: "Page 6 of the Calendar appears Senate Bill 1563, Representative Colvin. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1563, a Bill for an Act concerning children. Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Colvin."

Colvin: "Thank you, Mr. Speaker. Senate Bill 1563 simply extends a deadline for a task force that was created in the last General Assembly in 2008. It simply convenes a task force of individuals around the State of Illinois, around the issue of savings... creating a savings task force of how we would, in the State of Illinois, create savings accounts for children who are born in the State of Illinois. It was a task force that was convened of Legislators and financial professionals, teachers and community individuals, all around the issue of financial literacy for adolescents. Unfortunately, as the names were sent forth to the Governor's Office for appointment, the previous Governor failed to enact those appointments, and the task force was

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never convened. This simply extends the deadline. It gives the task force a chance to one, convene; and two, give their report by the end of 2010. The Bill passed unanimously last year in both the House and the Senate and sent to the Governor, and it's simply the same legislation we passed last year. I'd ask for an 'aye' vote, happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1563. No Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Does Mr. Saviano wish to be recorded on this Bill? Mr. Clerk, take the record. 113 voting 'yes', 0 voting 'no', 0 voting 'present', this Bill is declared passed. Senate Bill 1570 appears on page 7 of the Calendar, Representative Froehlich. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1570, a Bill for an Act concerning schools. Third Reading of this Senate Bill."

Speaker Mautino: "Excuse me. Representative Kosel, do you wish this Bill called?"

Kosel: "Thank you, Mr. Speaker. This Bill sets up a solar wind generating revolving loan program with the Illinois Finance Authority. It would, when appropriated and it does not call for an appropriation, but when appropriated, schools, grammar school through junior high... through community colleges would be able to draw money out of this to install both wind turbines and solar generators. The payments that would go back into it would go back into the funds so

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further schools could access it. I would ask for your approval."

Speaker Mautino: "The Lady moves passage of Senate Bill 1570. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; 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. 113 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1570 is declared passed. Representative Lang, the Calendar appears 1576, Senate Bill. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1576, a Bill for an Act concerning State Government. Third Read... Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. In its current form, Senate Bill 1576 separates out the Illinois Racing Board from the Illinois Department of Revenue and allows it to fly as a separate agency. I would ask your support."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 1576. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; 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... take the record. 113 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1576 is declared

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passed. Mr. Clerk, page 7 of the Calendar is Senate Bill 1583, Representative Osmond. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1583, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. Senate Bill 1583 creates the Pediatric Palliative Care Program with access guidelines that address the unique needs of children with life-limiting illnesses and their families. Admission to the program is based on a diagnosis and the need of... for pain and symptom management. I would appreciate the support of the General Assembly."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1583. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; 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. 113 voting 'yes', 0 voting 'no', 0 voting 'present', the Bill is declared passed. Mr. Clerk, place Senate Bill 1590 on the board, Representative Pihos. Read the Bill."

Clerk Bolin: "Senate Bill 1590, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Pihos."

Pihos: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1590 amends the Illinois Marriage and Dissolution of Marriage Act, and it allows the court to include electronic communications under conditions and at times determined by the court. But it is in no way meant

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to be a substitute by the court for the custodial parent and noncustodial parent to communicate with their child. Or I should say, for the noncustodial parent to communicate with their child. So, this just supports another form of communication for parents and their children."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1590. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; 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. 113 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1590 is declared passed. Senate Bill 1595, Representative Winters. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1595, a Bill for an Act concerning gaming. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Winters."

Winters: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Bill 1595 attempts to codify what is the current practice before the off-track... before the Racing Board, dealing with off-track betting facilities. Currently, their rulings have been that in siting an off-track facility that day cares are not considered public schools. This simply puts it into statute. The legal definition of a school is done by the State Board of Education. DCFS actually regulates day cares, and it is a distinct break. I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 1595. No one seeking recognition, the question is, 'Shall

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this Bill pass?' All in favor vote 'yes'; 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. Mr. Winters."

Winters: "Postponed Consideration."

Speaker Mautino: "The Bill shall be placed on Postponed Consideration. Senate Bill 1612, Representative Mendoza. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1612, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

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

Mendoza: "Thank you, Mr. Speaker. I'm trying to pull up my Bill here on the computer and I can't. It's not coming up. But I'll go off of my notes here. Senate Bill 1612 states that a day and temporary labor agency may recover attorney's fees and costs in a civil action that's brought by the agency against a third party client who's found to be in breach of contract. Thank you."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1612."

Mendoza: "We... Yeah. We pass it..."

Speaker Mautino: "No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Representatives Mitchell, Poe, Schmitz, and Sullivan, wish to be recorded? Mr. Clerk, take the record. 110 voting 'yes', 0 voting 'no', 0 voting 'present', Senate

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Bill 1612 is declared passed. Senate Bill 1624,  
Representative Walker. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1624, a Bill for an Act concerning  
education. Third Reading of this Senate Bill."

Speaker Mautino: "Mr. Walker."

Walker: "Senate Bill 1624 is a Bill that creates veterans  
coordinators at public universities with a thousand or more  
full-time resident students. It would re... it establishes  
what the expectations are for those veterans' coordinators  
and requests that the schools provide a short survey on how  
well they are doing now in serving the educational needs of  
veterans. I ask for your 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate  
Bill 1624. On that question, the Gentleman from DeKalb,  
Representative Pritchard."

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

Speaker Mautino: "He indicates that he will."

Pritchard: "Representative, is this a new kind of mandate that  
we're requiring our colleges to employ individuals for this  
survey?"

Walker: "This is a requirement of the schools, yes. But many  
of the schools have veterans' coordinators now. Some have  
some of these functions being done. So, it is a  
requirement, but the extent to which funding is required  
is... is variable."

Pritchard: "So, do you have any idea how much this might add to  
a college's operating budget?"

Walker: "We don't have a good number. I would... the fiscal  
notes which show that by my estimation more than half of

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the universities would have no impact because they would use current staff. Four universities said it would cost anywhere from 30 to 116 thousand dollars. But one of those said that if we did not fund it, then they would do it with their current staff. So, it's a..."

Pritchard: "It's interesting."

Walker: "I would call it the de minimis."

Pritchard: "How do you envision this survey to be used?"

Walker: "The measurement survey, it's not a measurement of performance but a... are you doing these services. It's more of an inventory to see if all the services that are available from the Department of Veterans' Affairs are being offered at the universities. So, I think it's more of an educational device and training device."

Pritchard: "And you would envision this then to enhance the services that are offered to veterans?"

Walker: "Yes, I believe so. I know that the Department of Veterans' Affairs is ready and willing and I believe able to help these veterans' coordinators better deliver their services."

Pritchard: "Good. Well, we certainly want to accomplish that and I would also add, I hope that we do fund our colleges and universities that we mandate to provide veterans' education and services that these universities and colleges would actually get the money that's due them for the education of our veterans. Thank you."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 1624. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote



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'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Howard, Representative Schmitz, Representative Winters. Mr. Clerk, take the record. 110 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1624 is declared passed. Representative Mell on Senate Bill 1628. Mr. Clerk."

Clerk Bolin: "Senate Bill..."

Speaker Mautino: "Read the Bill."

Clerk Bolin: "...1628, a Bill for an Act concerning children. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Mell."

Mell: "Thank you very much. Senate Bill 1628, this Bill requires the Department of Healthcare and Family Services acknowledgment of paternity and denial of paternity forms to include a statement that informs the mother, alleged father and presumed father, if applicable, that they have the right to request a DNA test to determine the child's paternity and that by signing the form, they expressively waive the test. I've been walking around and showing people the copy of the form here and what is the text that's being added. And I'm sorry if I haven't gotten to everyone. And I urge an 'aye' vote. Thank you."

Speaker Mautino: "The Lady moves passage of Senate Bill 1628. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; 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. 110 voting 'yes', 0 voting 'no', 0 voting

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'present', Senate Bill 1628 is declared passed. Senate Bill 1629, Representative Hamos. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1629, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

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

Hamos: "Thank you, Ladies and Gentlemen. This is a Bill that would provide that landlords who provide affordable housing for very low-income families and they're required to provide energy assistance as part of the rent, could work with the tenant and apply for LIHEAP under the same standards that we've had for LIHEAP in place for a long time. We... this is not to expand the LIHEAP Program, it really extends the number of eligible claimants. And because we don't know how many landlords and tenants would participate, we decided on our own to put a three-year sunset in, and we also require the state to provide an annual report so we can see, in fact, how many applicants are coming under this particular subsection. And I seek an 'aye' vote."

Speaker Mautino: "The Lady's moved passage of Senate Bill 1629. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Does Mr. Black wish to be recorded? Mr. Clerk, take the record. 110 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1629 is declared passed. Senate Bill 1631 appears on

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the Calendar, Representative Lang. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1631, a Bill for an Act concerning property. Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a Bill that would enhance penalties for trafficking in counterfeit goods. It's a pretty simple Bill. I would ask your support."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 1631. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hamos, Representative Saviano, do you wish to be recorded? Mr. Clerk, take the record. 110 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1631 is declared passed. Senate Bill 1632, Representative Hamos. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1632, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

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

Hamos: "Thank you. Speaker, Ladies and Gentlemen, this is really a very much of a technical Bill that was the initiative of the Illinois Land Title Association. And it really just clarifies the intent of the Legislature to... that to regulate title insurance industry is under the

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Title Insurance Act and not the Insurance Code. And this is really a technical change only."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1632. No Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Burns, Representative Davis, do you wish to be recorded? Mr. Clerk, take the record. 110 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1632 is declared passed. Senate Bill 1655, Representative Mathias. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1655, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Mautino: "Mr. Mathias."

Mathias: "Thank you, Mr. Speaker. Senate Bill 1655 amends the Criminal Code to create the offense of obstructing identification of an arrested person or witness to a crime by providing false information to a police officer. This would make it a Class A misdemeanor as opposed to... it would give discretion to the officer rather than charging someone with a felony for basically lying about their identification to a police officer which will... which certainly can hamper their ability in investigating a crime. So, I ask for your 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1655. On that question, the Gentleman from Champaign, Representative Rose is seeking recognition."

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

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Speaker Mautino: "Yes, he will."

Rose: "Representative Mathias, what would the offense... This would be a Class A?"

Mathias: "That's correct."

Rose: "I'm a little... Normally you would charge this as a Class IV, obstructing justice."

Mathias: "Class IV felony. So, this would give, basically, a police officer the option. He could still do that, but specifically there's been some issues, I know, in some court decisions as to whether or not giving false information about identity to a police officer whether that's considered under the general obstruction. I think there was a case actually that they... that I was made aware of that where they... actually, the court held that that was not considered obstruction of justice."

Rose: "But wouldn't... Well, I guess this is the nature of my question. You're not taking away the prosecutorial discretion of the local elected state's attorney to charge the Class IV felony, are you?"

Mathias: "No, in fact, I'm giving them more discretion because now he's got two avenues that he can look at."

Rose: "So, in a minor case, first-time offender, they could exercise discretion for the Class A, but in a repeat serial offender you could go with a Class IV?"

Mathias: "That's correct."

Rose: "Okay. Thank you, Representative."

Speaker Mautino: "Further questions? The Gentleman from Cook, Representative Fritchey."

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

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Speaker Mautino: "He indicates that he will."

Fritchey: "Representative, I fully understand what you're trying to do with respect to an arrestee or a detainee, but this would also provide that an individual is required to give their proper name, residence address and date of birth, you know, if the officer has reason to believe that the person is a witness to a criminal offense."

Mathias: "Actually, that isn't correct. No one is, under this Bill, no one is required to give an answer to a police officer. This does not impinge on your constitutional rights. What it does say is, if you give an answer and you lie, that makes it an offense, but you're not required. It's not an offense to... to actually remain silent as is your constitutional right."

Fritchey: "So, if an officer believes that you are a witness to a crime and ask you for your information and you refuse to provide that information..."

Mathias: "That's not a crime under this Bill."

Fritchey: "Is that impacted anywhere else in the statutes, do you know? I really don't know. I don't... I don't know if you're... You know, does that become an obstruction of justice issue at that point?"

Mathias: "I'm not sure if not answering a police officer is considered an obstruction. I'm sure we have many state's attorneys here, former state's attorneys, who probably could answer that but I don't know if not answering a question... To me, it would seem that it would be self-incrimination, but if you're a witness, I guess you can't be incriminating yourself. But... but I don't think if you..."

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I don't think you can be charged with a crime for not answering."

Fritchey: "Okay. Thank you."

Mathias: "Thank you."

Speaker Mautino: "I believe you're about to hear from all of the former state's attorneys. The Gentleman from DuPage, Representative Reboletti."

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

Speaker Mautino: "Indicates that he will."

Reboletti: "Representative, I know I had this Bill last year. You've had a little bit more success this year. Is this a case where you can get supervision? Is it some... or is it a mandatory conviction? My recollection in some of my former years of prosecuting is that there was a misdemeanor obstructing, which at some point, the General Assembly did away with, and it was a mandatory conviction. Is supervision eligible for this offense?"

Mathias: "Yeah. There's nothing in the statute here since you're... we're adding a Section to the Code, and it just says it's a Class A misdemeanor doesn't prohibit supervision. So, I assume then, if it's not specifically prohibited in the statute, that supervision can be granted."

Reboletti: "As I said in committee, I think this is actually a good Bill because instead of charging a Class IV felony and the person has to spend the night in the county jail, it's something you could be... post a bond and be released from the municipal jail. But also to the former speaker, there is actually an offense called disobeying a police officer,

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which is a petty offense. So, thank you for bringing this Bill, Representative. And I'd urge its support."

Mathias: "Thank you."

Speaker Mautino: Further questions? The Gentleman from Lake, Representative Eddie Washington."

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

Speaker Mautino: "He indicates that he will."

Washington: "Representative, can you... I was reading the analysis of this Bill. Can you tell me what's the difference in perjury if one has found that they've perjured themselves and what you're trying to do with this particular legislation?"

Mathias: "Well, the crime of perjury is a crime under oath."

Washington: "Mr. Speaker, can we have a little order in the chamber? I can't hear the Representative."

Mathias: "Representative, perjury is a crime under oath. So, you only commit perjury if you've sworn to the testimony. So, for example, if you were swearing before a grand jury or you were swearing in a... a witness in a trial, that would be perjury. But when you're not sworn, there... perjury cannot... you can't be charged with perjury."

Washington: "Representative, forgive me for such a naïve question. You're right. I'm... was thinking of something else. But, I guess, doesn't the law already accommodate that if you come in contact with a peace officer and you hold back... are found to hold back certain information that is not true, isn't there something already on the books that puts that person in jeopardy for that particular act?"



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Mathias: "Well, there's the question of obstruction of justice. And as I stated earlier in my opening remarks, there were some judges, at least one in particular that I was made aware of, who felt that lying to a police officer was not obstruction of justice. But the second and more important issue is so it clear... this Bill clears that up. But... but the second most important thing is that obstruction of justice is a Class IV felony, meaning you're going to be arrested, put in jail overnight. You may have a young person who may not know better, gets scared under the situation, and this gives the state's attorney discretion instead of charging someone with a felony that stays with them, it's not subject to supervision, that it's a Class A misdemeanor subject to supervision. So, it's really to help someone who maybe on the spur of the moment is scared and gives... is a first offender and could be eligible for supervision. Otherwise, he'd be file... charged with a felony and probably have to stay in jail overnight until he saw a judge."

Washington: "And this particular initiative of yours, it provides that the violation is a Class A misdemeanor?"

Mathias: "That's correct."

Washington: "And it's reversible if it is found that the officer that is engaged in the question of a particular suspect, later on is found to be not above board himself. I would imagine anybody that comes up under the contact with an officer like that, that these things would be reversible?"

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Mathias: "Well, again, you're entitled to a trial like in any charge against you, and if the evidence shows that one or more of the witnesses against you lied, then certainly a judge or a jury can find you not guilty."

Washington: "All right, Representative, thank you. To the Bill. At first, when I first took a look at the Bill, I kind of thought that it had a different sway. But I think this is something that I might can live with, Representative. So, I think I'm going to wind up supporting it. Thank you."

Speaker Mautino: "The Lady from Cook, Representative Davis."

Davis, M.: "I'm sorry, Representative Washington, did you say you will or you won't support this?"

Speaker Mautino: "Representative Washington."

Washington: "Representative, I was saying, based on the merits of what I'm understanding, this possibly could be something that I could support, which is far and unusual."

Davis, M.: "Well, I'm still really confused. I appreciate the colleagues' questions so far, but I'm still a bit baffled in reference to the current need for this legislation. And I'll tell you, Representative, my concern is continuing to fill up Cook County jail at a cost to taxpayers that becomes phenomenal. So, if you could explain to me, please, when this person who lies to a police officer goes to jail and when he does not."

Mathias: "Actually, what I'm trying to do is prevent, to give discretion to a state's attorney to say, in this particular circumstance, where you've lied to a police officer, rather than charging them under obstruction of justice with a

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felony that may require jail and may not be under supervision, he will now have the discretion to say, instead we're going to charge you with a Class A misdemeanor. If you're a first offender, you'll be eligible for supervision. So, it's really to help someone, a youngster, or someone who, under the circumstances, gets scared when a police officer asks them a question and may lie about his identification. This gives the state's attorney discretion not to just... is not to put them in jail, but to say, okay, well, because it's a first offense, you can get supervision. So, we don't want to throw the book at them, we want to try to help them because he made a mistake."

Davis, M.: "So, in other words, resisting arrest would continue to be obstruction of justice?"

Mathias: "This Bill does not deal with that."

Davis, M.: "Okay. Thank you very much."

Mathias: "Thank you."

Speaker Mautino: "Thank you. No one seeking further recognition, the question is, 'Shall this... Excuse me. Representative Zalewski."

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

Speaker Mautino: "Indicates that he will."

Zalewski: "Thank you, Mr. Speaker. Representative, just to be clear, resisting... what... what's..."

Mathias: "This has nothing to do with resisting arrest."

Zalewski: "What's the current... Yeah, actually, respectfully, Representative, I've prosecuted cases where an officer has tendered false identification to a state trooper, and the

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state trooper has successfully made a case for resisting, obstructing an officer, a Class A misdemeanor. So, what I'm concerned of is that we have a redundancy problem here."

Mathias: "Again, this gives discretion to a state's attorney to charge someone with a Class A misdemeanor rather than a felony. I guess if there is a circumstance where resisting arrest could be considered obstruction, I suppose... I mean, I can understand. But this, again, is not... you know, again, obstruction. It specifically says giving false information is a Class A... could be charged with a Class A misdemeanor. I don't think resisting arrest... well, it would have nothing really to do with... Well, let's put it this way, if the state's attorney has options, and if resisting arrest is one of those options, he can do it regardless of what this Bill does, he would do it already. But this Bill gives him another option to say, well, instead of that, let's give him... let's charge him with something that where you can get supervision."

Zalewski: "Again, thank you, Representative. I understand the intent of the Sponsor. I just would like to make you and the Body aware that there are instances in, at least in Illinois, where state troopers have used the Class A misdemeanor resisting charge to, I think, achieve the same goal that you're trying to achieve with this Bill. So, I just wanted to make you aware of that."

Speaker Mautino: "No one else seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Representative Cavaletto, Gordon, Representative Ryg, do you wish to be recorded? Mr. Clerk, take the record. 110 voting 'yes', 0 voting 'no', 0 voting 'present', the Bill.. Senate Bill 1655 is declared passed. On page 6 of the Calendar appears Senate Bill 1490, Representative Lyons. Read the Bill."

Clerk Bolin: "Senate Bill 1490, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from Cook."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1490 establishes an income tax check off for the benefit of the Crisis Nursery Coalition of Illinois. The Crisis Nursery Coalition consists of six crisis nurseries, each of which is organized and provides a free temporary crisis care and family follow-up services to high risk families 24 hours a day, 7 days a week, 365 days a year. I'm privileged, of course, to have Maryville in my own district. They're throughout the different parts of the State of Illinois. It's a very worthy project. I'm certainly hopeful of your support on behalf of Maryville and all the coalition members. Looking for your 'aye' votes."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 1490. No Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dugan, Representative Feigenholtz, do you

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wish to be recorded? Representative Gordon? Mr. Clerk, take the record. 110 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1490 is declared passed. Mr. Wait, on page 7 of the Calendar appears Senate Bill 1661. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1661, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from Boone, Representative Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1661 simply would say that where you have a lighting district in a small community like I have, that you'd be allowed to keep the lights on even if they incorporated into a new town, which they did. Be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1661. On that, the Gentleman from Champaign, Representative Rose."

Rose: "Thank you. Will the Gentleman yield for a question?"

Speaker Mautino: "Yes, he will."

Rose: "Thank you. What is a lighting district?"

Wait: "A lighting district where you have a small hamlet like this is in Garden Prairie on Route 20, where people wanted to have the lights to dissuade people from breaking into their homes and things like that. They've had the lighting district for some 30 years."

Rose: "Is that a statutory creation?"

Wait: "Yes, it is."

Rose: "Really?"

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Wait: "It's one of the statutory provisions, yes."

Rose: "And then who took them over?"

Wait: "They were incorporated into a village and so, now the village will, but they have not set up the operation to accept the lighting district. So, this just allows them to keep the lights on until the other municipality..."

Rose: "Have they turned their lights off?"

Wait: "No, not yet. We want to keep the lights on, though."

Rose: "Well, by all means, let's keep the lights on. Thank you."

Wait: "Thank you."

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

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

Speaker Mautino: "Yes, he will."

Black: "Representative, this only deals with the one district? Are you talking about one district going into a street lighting district?"

Wait: "Yes, this is very limited. It's only where that it's incorporated into another lighting district, and it has to be accepted by that municipality."

Black: "Okay. You are aware that as IDOT gets out of the lighting business on state marked highways and cities can no longer afford it, street lighting districts are the only way you're going to get street lights?"

Wait: "I'm aware of that."

Black: "It's probably the... probably the case here, right?"

Wait: "And they might just be candles, not street lights."

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Black: "That's true, although I don't know if we can afford the candles either. I... it's a good idea and you're going to see more and more street lighting districts because IDOT will no longer maintain and pay for street lights on state marked roads. They want the municipality to do it or the township to do it or the county to do it, and none of those governments that I've dealt with in the last two or three years have the resources to do it. So, street lighting districts, while they're not popular with the people in the area, if they want street lights it's the only way to go. So, I think this should be an 'aye' vote."

Speaker Mautino: "No one else seeking recognition, the Gentleman moves passage of Senate Bill 1661. All in favor vote 'yes'; 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. 110 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1661 is declared passed. Page 7 of the Calendar appears Senate Bill 1601, Representative Hoffman. Read the Bill."

Clerk Bolin: "Senate Bill 1601, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1601 would amend the Illinois Municipal Code to add any direct or indirect costs pertaining to LEEDS certified construction or Green Globe certification or equivalent certification to the lists of costs of construction within an economic development project area. Essentially, what this means is the Bill would allow for



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costs to be reimbursed if it is LEEDS construction or Green Globe construction, and it would be within an economic project area. I ask for a favorable vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1601. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; 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. 110 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1601 is declared passed. Page 7 of the Calendar appears Senate Bill 1586, Representative Jefferson. Read the Bill."

Clerk Bolin: "Senate Bill 1586, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker and Members of the General Assembly. All this Bill does is says that if, in fact, you're going to salvage a vehicle that you have to be certified through the State of Illinois for the safety of the people who might buy the car later. I would encourage an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1586. On that, the Gentleman from Champaign is seeking recognition, Representative Rose."

Rose: "Yeah. For a quick question of the Gentleman, if I may."

Speaker Mautino: "Indicates he'll yield."

Rose: "Unfortunately our analysis, Representative Jefferson, seems to have somewhat of a glitch in it. Explain exactly what this does because..."

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Jefferson: "What happens is you've got people that put cars back together once they've been wrecked, and all this is saying that if, in fact, that happens, we want qualified people that's qualified and certified through the State of Illinois to be the ones that do that. We don't want a car running around out there that's half put back together. Someone might buy it and cause an injury or fatality to a family or family member. So, we want to make sure it's done right if, in fact, it's done at all."

Rose: "So, this would... this would license rebuilders then?"

Jefferson: "Yes."

Rose: "And what kind of a fee would they have to pay for that certification, and what kind of education would they have to receive in order to be certified?"

Jefferson: "I don't know what that certification is through the state, but there is a fee to be certified. I don't know exactly what that number is, but I think it's pretty reasonable. And I think..."

Rose: "There are a lot of fees that are very reasonable in this state."

Jefferson: "...I think the peo... I think that you've already got fees in place as it relates to people that are certified. I don't know what that number is at this point, but I know that the Secretary of State complies with this legislation."

Rose: "This is an issue of the Secretary of State's Office?"

Jefferson: "I know... yes, it is."

Rose: "Outstanding, Representative, have a nice day."

Jefferson: "I'm sorry."

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Rose: "Outstanding, have a nice day."

Jefferson: "Thank you. You, too, Representative."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1586. No one else seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Burns, do you wish to be recorded? Mr. Clerk, take the record. 109 voting 'yes', 1 voting 'no', 0 voting 'present', Senate Bill 1586 is declared passed. Mr. Clerk, place Senate Bill 1285 on the board, Representative Zalewski. Call the Bill."

Clerk Bolin: "Senate Bill 1285, a Bill for an Act concerning business. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. Senate Bill 1285 has two components. The first allows non for profits to conduct certain elections electronically. It also contains components related to Illinois's franchise law. The Bill has the support of the Illinois Bar Association and the Illinois Attorney General's Office. I'd ask for an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1285. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; 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. 110 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1285 is declared passed."

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Page 8 of the Calendar appears Senate Bill 1662, Representative Mathias. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1662, a Bill for an Act concerning elections. Third Reading of this Senate Bill."

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

Mathias: "Thank you, Mr. Speaker. Senate Bill 1662 basically provides that a new political committee, which is created within 30 days prior to an election, must file their D-1 with the State Board of Elections within two business days of creation. And it's... a lot of times, new committees are formed at the end of election and we don't know who they are. And so, it's really an idea to try and get the information, be a little more... it'd be a little bit more transparent as close as we can to an election. So, I ask for your 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1662. On that question, the Lady from Cook, Representative Graham."

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

Speaker Mautino: "He indicates that he will."

Graham: "So, what happens if a newly formed political committee does not file their D-2... their D-1, I'm sorry?"

Mathias: "I be... believe the penalties are within the statute. This doesn't... this just deals with the time frame. I believe the board would have a right to file an action."

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

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Mathias: "I'm sorry. I'm sure that the board, then, if they violate the statute, would have an... as they would with any other part of this.."

Graham: "Do you know of any committees that the board has moved on that has not filed this? I think this... I'm not in opposition to your Bill. I think this is a good piece of legislation, so please don't misunderstand me. But I do know that there's often time that when they file the D-1, if it's after the campaign season or whatever, I mean, who pushes them to make sure, because there's been a lot of pressure put on us as Legislators to make sure that we do everything possible to be transparent and all the other things. What about them? Is the board moving to make sure that they do all the things that's required of them to do?"

Mathias: "You know, I'm not sure what the board's policy is now, but I know they were supportive of this legislation, and I would hope that they would move against any entity who violates any real portions, any substantive portions of the Election Code. I don't have the figures as to what they're doing at the present time, but all we can do is give them direction and tell them this is what we want to legislate. It's certainly up to the board then to take action for violations. I know in the past, we all probably have received letters from them asking for explanations, so it seems to me they've always been on... pretty much on top of issues. Sometimes we may think smaller... small issues, but certainly, if it's part of the law, they need to do that."

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Graham: "Thank you, Representative, I just wanted some clarification."

Mathias: "Sure."

Speaker Mautino: "Further questions? The Lady from Cook, Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker, to the previous speaker's question. There is a fine that's indicated that the State Board of Elections can impose for someone who fails to file their D-1 in a timely basis. I think the real issue is that the State Board of Elections is only responsive to complaints from those who might see some political activity and think that the expenditure might have exceeded the threshold and then they... then they complain to the State Board of Elections. You're right that the State Board of Elections does not have the resources to go out and do its own investigations and auditing. And that's, I think, one of the things that's being considered as part of our ethics reform that we need to be giving the State Board of Elections more authority and more resources to go do that kind of thing on their own. Thank you."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 1662, and the question is, 'Shall this Bill pass?' All in favor vote 'yes'; 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. 110 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1662 is declared passed. Representative Bassi, on page 8 of the Calendar appears Senate Bill 1668. Read the Bill."

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Clerk Mahoney: "Senate Bill 1668, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Bassi, the Lady from Cook."

Bassi: "Thank you, Mr. Chair... Mr. Speaker. Senate Bill 1668 amends the Code of Criminal Procedure and creates a hearsay exception for the statement of a witness who was killed, bribed, kidnapped, secreted, intimidated, or induced by a party so as not to be available to testify at a hearing or trial. It was prompted by the Drew Peterson case. Came out of committee on a 'do pass' vote. I know of no known opposition. And I would request an 'aye' vote."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1668. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Representative Hannig, Representative Flider, do you wish to be recorded? Mr. Clerk, take the record. 107 voting 'yes', 0 voting 'no', 3 voting 'present', Senate Bill 1668 is declared passed. Representative McAsey, on page 8 of the Calendar appears Senate Bill 1668. Mr. Clerk, read the Bill. Mr. Clerk, on page 8 of the Calendar appears 1675, Representative McAsey. Yes, Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1675, a Bill for an Act concerning education. Third Reading."

Speaker Mautino: "Representative McAsey."

McAsey: "Thank you. Senate Bill 1675 is a piece of legislation that would honor Congressional Medal of Honor winners here in our state. What this is, is an Amendment to the School

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Code requiring that students in seventh grade as well as in high school, during the study of either U.S. history or American government, watch one of a number of films produced by the Medal of Honor Foundation. This requirement... these films actually would be provided at no cost by the Congressional Medal of Honor Foundation. And in the legislation, if that were not the case, there would be no requirement that the school show the film. The shortest film is 7 minutes in length, and I think that this is a great opportunity to teach our children about the sacrifices of veterans as well as to inspire them to do great things for their country. And I would urge an 'aye' vote. Thank you."

Speaker Mautino: "The Lady moves passage of Senate Bill 1675. The Gentleman from Crawford, Representative Eddy is seeking recognition."

Eddy: "Thank you. Would the Sponsor yield?"

Speaker Mautino: "She indicates she will."

Eddy: "Representative, there's always... already, excuse me, a mandate in the School Code regarding character education. It would be really allowable for school districts to use an existing mandate and insert this 7 minute film into the character education. It doesn't... it doesn't mean it has to be an additional time. It can substitute for a mandate that is already there if you have... use it in a mandate in American history for any type of curriculum that addresses any of the existing mandates. This is simply something that can be substituted, and school districts do not have



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to do this unless they're provided the material at no cost."

McAsey: "That's exactly correct."

Eddy: "Okay. Thank you very much. I'd urge an 'aye' vote."

McAsey: "Thank you."

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

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

Speaker Mautino: "She indicates she will."

Black: "Representative, I have no problem with the Bill, let me say that. I'm not sure that the Medal of Honor is officially called the Congressional Medal of Honor. Now, I don't want to argue with the Congressional Medal of Honor Foundation, but I have two Medal of Honor winners in my family. Both of them were awarded the Medal of Honor in the Civil War, General John C. Black and his brother Captain William Black, and so I'm named after Captain William. And in all of the family history I've read, it is not called the Congressional Medal of Honor, it is called the Medal of Honor. I've been to the Medal of Honor Monument in Indianapolis. And I think I gave a book to Ron Stephens two or three years ago of all of the Medal of Honor recipients in past history, and I believe that book as it refers to it consistently as the Medal of Honor. I don't even know why I bothered, it's a minor picayunish thing, but maybe we could find out from the Congressional Medal of Honor Foundation what that medal is really called. I maintain it is not called the Congressional Medal of

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Honor because Congress does not award it. So, for whatever the case, I agree with Mr... Representative Eddy. I have no problem with the Bill. It's just that I'm not sure that this is the correct name on the Medal of Honor, but I'll leave it to you to find out."

McAsey: "Thank you."

Speaker Mautino: "The Gentleman from Winnebago, Representative Sacia."

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

Speaker Mautino: "She indicates she will."

Sacia: "Representative McAsey, I, like the previous speakers, certainly have no problem with this legislation. And quite honestly, I'd like to commend you because it appears to be something... well, obviously, it's a very positive thing dealing with men and women that have, in many cases, done some amazing feats, and any time we can do something positive for our young people in schools, I truly commend it. I find it interesting, and I'm assuming it's because it's a mandate, that these opponents such as LUDA and the Chicago Board of Education are opposed, is that correct?"

McAsey: "That's correct."

Sacia: "Well, again, I guess Representative Eddy handled that very well. I commend you for your legislation, and I'd like to be added as a cosponsor. Thank you."

McAsey: "Thank you."

Speaker Mautino: "The Lady from Cook, Representative Bassi."

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

Speaker Mautino: "She indicates she will."

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Bassi: "Thank you very much. Ladies and Gentlemen... Actually, a couple of questions first. Representative, how much time are you asking to be added to the school day in addition to my long list of mandates?"

McAsey: "Representative, as Representative Eddy indicated, this particular viewing of this film can fit into the character education part of our School Code."

Bassi: "How many minutes..."

McAsey: "As to the particular..."

Bassi: "...how many minutes will it require in addition to what's already in the School Code?"

McAsey: "This particular film... there are a choice of, right now, four existing films. The shortest of those films... I've been told different numbers in length, but the shortest film is either 7, between 7 and 11 minutes in length. So, over the course of our students 12 years in first grade through high school, this would be at most 22 minutes."

Bassi: "So, in other words, they have to view this film, possibly twice, in lieu of something else at least during their elementary education and during their secondary education, correct?"

McAsey: "That is what the legislation states that they would view the film about the Medal of Honor winners."

Bassi: "At least twice during their 12 years somewhere, correct?"

McAsey: "In seventh grade as well as during the study of American history or government."

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Bassi: "So, are you... are you also requesting an additional 22 minutes in the school day somewhere along the line there so that there's room to fit it in along with all of the other mandates that we've got for schools?"

McAsey: "This legislation speaks to this film being viewed."

Bassi: "It doesn't add any time to the school day or the school year?"

McAsey: "It does not."

Bassi: "It does not. Okay. It's another additional mandate. Okay. Thank you, Representative. I will be voting 'no'."

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

Stephens: "Thank you, Mr. Speaker. Will the Lady yield? Representative, have you seen this film, this video?"

McAsey: "I actually have not had the opportunity."

Stephens: "What... what... what compels you to introduce this?"

McAsey: "Well, as I stated I believe that this is very important for two reasons: first, to honor these particular veterans who have been awarded this high honor, as well as to teach our young people about their sacrifices and hopefully also inspire them."

Stephens: "Well, I... I say this very carefully, if I were just dropped into this audience, I would... I'm wondering about your motivation here, to be honest with you. And it's hard for me to question your motivation, but your motive on this... but it appears to be pandering. That's what it appears to be. It appears to be... Well, you know what, this is a Medal of Honor, who can question us? Why wouldn't you be in favor of shedding light on the Medal of Honor? And I

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don't know, Ladies and Gentlemen, if this is the way we want to go or not. I can tell you, having worn the uniform that these men and women who've won the medal were wearing during their experience, if you talk to these men, and I've only met men, that have won the Medal of Honor and I believe there are some women in history, but I've only met men, and everyone that I've met have said the same thing to me, if you'd have been there, you'd have done the same thing. And I just found myself in a situation and the only way out was to do whatever it took that they gave me this medal for, and the real people who deserve the medal are the ones who didn't make it back. Now, if our children have to watch a 7 or an 11 minute in order to learn that lesson, then I'm all for that. But I'll be darned if I'm going to stand here and not object to what I think is just looking for favor, public opinion favor. That's what I think is being done here today. So, I don't want my name added to the Bill, I'm not going to vote for the Bill. I want my children to know the men and women who won this medal, and I think they should learn it in school or at home or in church, wherever we can, but it's not up to us to try to curry favor with the public and especially the voters by saying, look at me, look at me, I stood with you. I stood with you. I would say that's what a sunshine patriot does. I stand in opposition to your Bill, with all due respect."

Speaker Mautino: "The Gentleman from Jasper, Representative Reis."

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Reis: "Thank you, Mr. Speaker. I'd like to yield my time to Representative Bassi."

Speaker Mautino: "The Gentleman yields his time to Representative Bassi."

Bassi: "Thank you very much, Mr. Speaker, Representative Reis. Representative, did I actually hear you say that you have not viewed this film yet?"

McAsey: "I did make that statement."

Bassi: "You are requiring a mandate of our school children and an expansion of the school day and the school year for something that you, yourself, have not even seen yet, in addition to all the other mandates. That calls for a reading of the list. Today, students (sic-teachers) are required to teach good nutrition habits, train students in pulmonary, coronary resuscitation, give specialized instruction for the hard of hearing, the blind, the neurologically impaired, treat the emotionally disturbed, train the mentally retarded, teach the gifted, do eye testing, give inoculations, teach first-aid procedures, provide pregnancy counseling, assist in disease prevention, inculcate morals, ethics and values, collect money to rebuild the Statue of Liberty, stress prevention of drug, alcohol and tobacco abuse, help students develop political knowhow, develop civic responsibility, provide sex education, provide suicide counseling, maintain birth information and age certification data, provide instruction in good health care and AIDS prevention, teach driver training, provide civil rights and racial tolerance, foster integration, teach the principles of free enterprise,

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provide career information, assist in career planning, detect and report child abuse, teach telephone manners and etiquette, instruct in speed reading, eradicate head lice, scabies and other diseases, assist in charity fundraising, provide vocational training, build economic awareness, serve hot lunches and breakfasts, dispense surplus milk, do job placements, stress bicycle safety and pedestrian safety, promote physical fitness, assist with bilingual education development, counsel delinquents, foster metric education, provide transportation, teach consumer education, counsel students with problems, follow due process procedures, protect student privacy, provide computer literacy, teach them to like broccoli, un teach them the four food groups, teach the pyramid, teach humaneness and individual responsibility, eliminate sex discrimination, assist in bladder control, develop an appreciation of other people and other cultures, promote the uses of information, develop the ability to reason, build patriotism and loyalty to the ideals of democracy, promote an understanding of the heritage of our country, build respect for the worth and dignity of the individual, develop skills for entry into a specific field, teach management of money, property and resources, provide income tax counseling, provide... develop curiosity and a thirst for learning, develop skills in the use of leisure time, teach pride in work to build a feeling of self-worth or self-respect, avoid religion, and teach reading, writing and arithmetic, and now we're going to do additional minutes

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in, perhaps, a film that you haven't even seen. I urge a 'no' vote."

Speaker Mautino: "For further... further discussion? The Lady from Grundy, Representative Gordon."

Gordon, C.: "Thank you, Mr. Speaker, to the Bill."

Speaker Mautino: "Please..."

Gordon, C.: "First of all, Ladies and Gentlemen of the Body, I love the mandate show. It's one of my favorite things to see here in the General Assembly, and I thank the previous speaker for giving it to us today. Thank you, Representative. Ladies and Gentlemen, a former speaker also used the word pander, pander. And I would like to read the definition of pander to the Body today. Pander: to cater to the lower tastes and desires of others or exploit their weaknesses. What I would like to do for Representative McAsey is to congratulate her on bringing this Bill before the General Assembly today. Because what she's doing is making sure that the school children of this state learn that there even is a Medal of Honor for the heroes that are in the State of Illinois. For the people who risk their lives every single day that you can even stand here in this Body and make the arguments that you make. So, instead of pandering to the press, instead of giving us your show regarding mandates, why don't you go over to Representative McAsey and thank her for doing her job as a State Representative of the State of Illinois today because that's what you should do. Thank you, Representative McAsey. You're doing a fantastic job as a Representative in the State of Illinois today. Please add



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me as a cosponsor to this wonderful legislation. I urge an 'aye' vote, Ladies and Gentlemen. And you remember how you got here because if it wasn't for the people of the State of Illinois and the heroes and the veterans in this state, you wouldn't be standing here. Listen to every word and remember it because that's how you got here and thank a veteran. I urge an 'aye' vote. Thank you, Mr. Speaker."

Speaker Mautino: "Thank you. The Gentleman from Cook is seeking recognition, Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker, I move the previous question."

Speaker Mautino: "The Gentleman has moved the previous question. And the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Brauer, McAuliffe, Ryg, do you wish to be recorded? Representative Tracy? Mr. Clerk... Representative Ryg, do you wish to be recorded? Mr. Clerk, take the record. 99 voting 'yes', 11 voting 'no', 0 voting 'present', Senate Bill 1675 is declared passed. Page 8 of the Calendar appears Senate Bill 1677, Representative Coulson. Mr. Clerk, read the Bill."

Mahoney: "Senate Bill 1677, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. Senate Bill 1677 is a two-part Bill, one that creates a statewide task force to look at the criminal background checks that are done in multiple departments and try to streamline that. And also the

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second part is related to background checks in licensed child care centers. And I can answer any questions. I'd urge an 'aye' vote."

Speaker Mautino: "The Lady moves passage of Senate Bill 1677. And on that question, the Gentleman from McHenry, Representative Franks."

Franks: "Thank you, Mr. Speaker. A question for the parliamentarian. Are there any Amendments that have been adopted on this?"

Speaker Mautino: "Question, Mr. Clerk."

Franks: "I'm sorry."

Speaker Mautino: "What's the status?"

Clerk Mahoney: "Amendment #1 was adopted in committee."

Franks: "Thank you. And I'd like to ask the Sponsor some questions."

Speaker Mautino: "Proceed."

Franks: "Could you please describe the House Amendment #1 and what it does? I'm looking at our underlying analysis."

Coulson: "Yeah."

Franks: "But I think House Amendment #1 may be different than what our underlying analysis is."

Coulson: "Right. And the Amendment basically replaced the Bill, if I remember correctly and retains the underlying intent of the Bill but takes away all the opposition. So, we had multiple two year's worth of negotiations on this Bill with various departments as well as with child care providers and were able to work out an arran... an agreement and this is... there is no opposition."

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Franks: "Okay. And we'll be looking at the Public Aid Code as well as the Department of Public Health?"

Coulson: "Correct."

Franks: "What changes are you... will this Bill do with the Public Aid Code?"

Coulson: "What we're... what we're doing is to make sure that this... I guess the best thing is to talk about the history of the Bill. There are people who are receiving public aid to provide child care in their homes, and so some of them have had to have background checks. And we're just trying to make sure that they're... they only need one background check instead of two or three for different agencies."

Franks: "Our analysis indicates that this Sangent Shriver National Center on Poverty Law is an opponent. Do you have any idea why?"

Coulson: "As far as I know they are no longer an opponent."

Franks: "So, they were an opponent of the underlying Bill and the Amendment took away..."

Coulson: "The... the original Bill before the negotiations."

Franks: "Okay. So, this is really just requiring them background checks for unlicensed child care providers to put them at the same, I guess, level of those that are licensed to make sure that our kids are in a place where people don't have prior problems."

Coulson: "Correct."

Franks: "Okay. Thank you."

Speaker Mautino: "The Lady from Cook, Representative Davis."

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

Coulson: "Yes."

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Davis, M.: "Okay. Representative, you might have responded to these already, but I really couldn't hear your answers."

Coulson: "Okay."

Davis, M.: "And exactly what did your Bill do prior to the Amendment, and how does the Amendment change it?"

Coulson: "To be really blunt about it, I don't remember. It was two years ago that the original Bill went out there. It was not my Bill; it was a Senator's Bill. And so what I did is picked it up to try to make it so that we would not have a opposition to the Bill. Originally, the intent was to address the problem of unlicensed child care providers receiving payments from the state and not having criminal background checks. Now what the Bill does is to make sure that our children are provided care by people who, if they're not licensed, have had a criminal background check. That's one part of the Bill. The second part of the Bill is to look at the overall picture of all of the different criminal background checks, so that if someone already has had a criminal background check and then passed that, they don't have to have multiple ones. And we're doing a task force to look at all of those issues. That task force includes people from a variety of agencies and the State Police to look at the process that we use at the state and local government level and to make that a... more coherent approach."

Davis, M.: "Are we adding..."

Coulson: "So, it's a two-part Bill."

Davis, M.: "...are we adding any criminal offenses that would prohibit people from doing child care work?"

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Coulson: "No."

Davis, M.: "We're not adding any additional penalties... or criminal..."

Coulson: "No."

Davis, M.: "...acts that would prohibit it?"

Coulson: "No."

Davis, M.: "And is this increasing the cost, in any way, for the licenses for child care?"

Coulson: "No. As a matter of fact, we're hoping to streamline it. We're hoping to streamline the process so we... there's no increase in cost."

Davis, M.: "Okay. To the Bill, Mr. Speaker. I believe, without further information, this Bill perhaps deserves passage. However, we must all be very careful in the State of Illinois when we pass legislation that prohibit people from earning a living, and that was the basis of my questions. Thank you."

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

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

Speaker Mautino: "Indicates she will."

Moffitt: "Representative, just a question. This does create a task force, is that correct?"

Coulson: "Yes."

Moffitt: "Will that task force look at the total picture of... perhaps, there are other areas or gaps in our current system where we're trying to protect children and would come back with a recommendation?"

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Coulson: "Well, the statewide task force is going to include the State Police and the Department of Public Health to look at the process that the state and local government agencies use to conduct those checks. So, my hope is that if they were to see a major gap, that, yes, they would bring that forward, but in reality, we're trying to streamline the process so people don't have to have multiple checks at any partic... for the same reason."

Moffitt: "All right. I appreciate that and I commend you for your effort, and I'm very pleased to support this. But I just think there might be areas that we as Legislators might not be aware of, and yet, a task force like that could come back. And I certainly would look forward to working with you, and perhaps there'd be some follow-up legislation in case there are... are just areas that aren't covered, that should be protected where we should be doing background checks that are not. So, I would hope that would be part of it and look forward to working with you. And I commend you on... on your efforts here on an excellent piece of legislation. Thank you."

Coulson: "Thank you."

Speaker Mautino: "The Lady from Cook, Representative Flowers."

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

Coulson: "Yes."

Flowers: "Representative, who else would be required to be reported to in regards to the... in regards to who's licensed to be a day care provider? I noticed that the Federal Bureau of Investigation... Amendment #1 becomes the Bill, am I correct?"

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Coulson: "Right. Correct."

Flowers: "Okay. So, Amendment #1 says that, along with the department, as far as fingerprinting is concerned, that the Department of Human Services, that there must be submission to the Federal Bureau of Investigation for fingerprints based on criminal histories?"

Coulson: "Basically, I think that... the intent of those changes were to make sure that there was a comprehensive background check done on people who are dealing with our children. So, that it isn't just through just one agency, but that it's comprehensive, and that's why that's in there."

Flowers: "Okay. So, now these are for people who will be home care providers licensed under the Department of Human Services?"

Coulson: "Yes."

Flowers: "Okay. Now, who's going to have to pay for the background check?"

Coulson: "Currently, they're already having background checks. There's no intent to increase the cost of those background checks."

Flowers: "But right now, the Federal Bureau of Investigation is not one of the license that they have to apply for the background check. Right now, it's just done with the state."

Coulson: "A lot of times it's the State Police."

Flowers: "Okay. So, now we're going to add on another layer for the background check and a fee. Who would have to pay the fee?"

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Coulson: "I don't believe there's an additional fee. I was told by the Department as well as the Senate Sponsor that there is no other fees. No increased cost."

Flowers: "It says that the Department of State Police shall charge a fee not to exceed the cost of the criminal history record check with proceeds going to the State Police Fund. So, we're not going to give any money to the FBI, we're just going to give it to the state?"

Coulson: "Correct. Right."

Flowers: "But they will be charging..."

Coulson: "But currently, the fee... currently, there is already a fee for this. So, it's no increase, I guess is what I'm trying to say."

Flowers: "But I guess what I'm trying to figure out, there will be a fee, there is a fee, and who will be paying for that? Will the person that's applying for the license? Will the license be increased to do the background check?"

Coulson: "Just a minute, I'm trying to... it's a portion of the law that's already in effect, so I'm trying to get the information."

Flowers: "See, I didn't think it was in effect because this is new language that's on and previously, the Federal Bureau of Investigation was not involved."

Coulson: "No, correct. And current... I'm just trying to figure out the current method. Currently, the licensee pays the fee for the background check. And what we're trying to do is to streamline that so that they don't end up having to get two or three or four background checks. And it actually, if anything, would cost... hopefully, cost the



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licensee less. So, they'd just have to go through one background check from the State Police, but the State Police will make sure that they've done a comprehensive background check."

Flowers: "Okay. But I guess my biggest concern is why is it that we're adding on another layer for this background check? Was the state not doing a good job?"

Coulson: "No, we're not adding another layer. What we're doing here is having... is two things, one is creating a task force to really look at the whole picture to make sure we can streamline this as best we can. The other is the requirements that are currently in place will be enhanced, I guess is the word for it, so that we're having a comprehensive background check."

Flowers: "And biggest concern is because..."

Coulson: "You think it will..."

Flowers: "...this would be required in writing, I, as a licensee, would have to give consent in writing to have an investigation of my background with the State and Federal Bureau of Investigation to be a licensed day care. And so, therefore, if I choose not to allow for the State and the Federal Government to check into my background, I don't get a license."

Coulson: "Well, remember the whole point of the Bill is to protect the children from anybody who might need to be... they be protected from..."

Flowers: "Oh, I..."

Coulson: "...and that's where this came from."

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Flowers: "...I agree with you 100 percent. I just did not know that the Federal Bureau of Investigation would be part of the state and then, again, I'm talking about this fee. And I can't imagine the same fee for another layer."

Coulson: "So, instead of just checking the State Police records, we are now going to make sure that all of the records across the United States are checked. There is not... there's no intent to raise the fee, but the State Police felt they needed this language in order for us to be able to do the national check. So, someone can't move from another state and come and be a licensed child care provider who might have had a criminal background."

Flowers: "Okay. And this is also... Well, let me ask you. Is it new language that would set forth specific criterias for the department shall consider when making a determination as to whether to disqualify an unlicensed child care provider. So, how... how would they disqualify an unlicensed child care provider if they are not licensed?"

Coulson: "There are license-exempt child care providers, but they usually have very few children in their homes. So, I don't know... if that's your analysis, I'm not exactly sure what they were getting at. But this Bill applies to licensed child care providers to non relative licensed and license-exempt providers, so non relative license exempt providers. So, if they're a relative, they would not have to have a background check, but if they're a non relative, they would have to have a background check."

Flowers: "Okay. So, I... that's not in my analysis. It doesn't mention..."

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Coulson: "That's the..."

Flowers: "It doesn't make the distinction..."

Coulson: "Yeah."

Flowers: "...because it merely says, if you're unlicensed. So, I would assume that being unlicensed is the relatives. And so oftentimes, the parent... I think this Bill would put a lot of families in a very precarious situation because they would be in an unlicensed day care center because they are a member of the family and the unlicensed..."

Coulson: "But if they have more than three children, they have to be licensed. So, if they're non relative."

Flowers: "But let's... let's say... but let's say they are relative, and they only have two children, and they are unlicensed because they know they would not qualify?"

Coulson: "Then they don't have to get a background check. If they're a relative and they have two kids there, they don't have to get a background check. They don't have to get a license."

Flowers: "Is this new language that talks about, and I'm asking you this..."

Coulson: "Yeah, right. I understand, yeah."

Flowers: "...because I don't have the Bill in front of me. Is this new language that sets forth to disqualify an unlicensed child care provider?"

Coulson: "Are you looking at the Amendment, 'cause that's..."

Flowers: "I looking... Amendment #1..."

Coulson: "Uh huh."

Flowers: "...which becomes the Bill. And it says, set forth specific criterias that the department shall consider when

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making a determination on whether to disqualify. See, the part that's confusing me about this legislation is that I could be licensed or unlicensed, qualified or not, and still be able to keep the children."

Coulson: "Is, perhaps, the analysis talking about our task force? Because that's really... our task force is to clarify a lot of this language to try to figure out what... examine the process that we are using currently. And, perhaps, that's where that part of your analysis is coming in. I'm not... I'm not understanding exactly where they're... what they're looking at, here."

Flowers: "Okay. Well, you and I should talk more about this later on."

Coulson: "Yes. And Representative, I just want to remind you that we've spent a lot of time over the last two years with the State Police but also with the Action for Children, the Shriver National Center on Poverty Law, SEIU, and everyone looking at the language here and I believe that we have worked out all those issues. If you feel we haven't, I'd be happy to talk to you later, but I'd appreciate your support."

Flowers: "And thank you very much. I appreciate you."

Speaker Mautino: "The Lady moves passage of Senate Bill 1677. Question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Representative Collins, Representative Colvin, Representative Currie, do you wish to be recorded on this Bill? Representative Kosel? Mr.

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Clerk, take the record. 105 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1677 is declared passed. Representative Osmond is seeking recognition."

Osmond: "Thank you, Mr. Speaker. Would you let the record reflect that Representative McAuliffe, Brauer, and Saviano are excused for the rest of the day?"

Speaker Mautino: "Thank you, Representative. The record and the Clerk will reflect that. On the Calendar appears 1685, Representative Lyons. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1685, a Bill for an Act concerning public health. Third Reading of this Senate Bill."

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

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1685 amends the Smoke Free Illinois Act by creating an exemption for the definition of smoking when it allows the burning or inhaling of the material associated with a religious ceremony. This is an initiative of the Standing Bear Council on behalf of Native American groups that include the Cherokees and the Chickamauga Tribes here in Illinois that wish to use smoking rituals in their religious practices. American Cancer Society was initially opposed to this in the Senate, but we worked out language here where they are now onboard along with the American Heart Association. And for the record, in committee it came up, the issue of marijuana. Marijuana is not allowed in any such ceremony like this. It's strictly allowed for religious ceremonies by Native

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Americans. I ask for your support and be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1685. On that question, the Gentleman from Jasper, Representative Reis."

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

Speaker Mautino: "He indicates he will."

Reis: "Representative, just a quick question. And I'd gotten a couple of calls on incense being used in church. Would this provide any exemption for that to take place?"

Lyons: "No, it doesn't. It has nothing to do with incense in church. It's specifically to Native American practices on their ceremonies, Sir."

Reis: "It specifically, so I didn't read the Bill, so..."

Lyons: "Yeah. No, it's just... the only exemption, David..."

Reis: "But it specifically says Native American?"

Lyons: "...is for the... for the Native Americans who use smoking as part of their religious ceremony. It doesn't address anybody else's issues on this."

Reis: "Okay. Well..."

Lyons: "But it would not... doesn't take away from, I mean, Catholic Churches use incense all the time in the church, and I don't think that's..."

Reis: "But we starting to get some complaints saying that violates the Smoke Free Act and..."

Lyons: "Well, it makes an exemption for it is what it does. That's the purpose of the Bill."

Reis: "So, it does make an exemption? Okay. So, it does make an exemption for that?"

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Lyons: "For Native Americans to use in their ceremony."

Reis: "But not Catholics?"

Lyons: "No... I don't think they need an exemption, right now. I've never known that to be part of the... It's not inhaled. It's used in the ceremonies that they use in the Catholic Church at different times. And if incense is used by other religious groups, to the best of my knowledge, I'm no authority on the Act, but I don't think they're covered cause it's not something that's inhaled."

Reis: "Okay. I support..."

Lyons: "I mean, not directly anyways. It is inhaled, but not directly."

Reis: "I support your Bill, and it's just... maybe that's something we can address in the future if we continue to get calls, but some people are saying that churches are in violation of the Smoke Free Act because they're lighting incense during masses. So, we'll take that up on another issue."

Lyons: "I'd be happy to work with you on that for clarification, Representative."

Reis: "Okay. Thank you."

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

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

Speaker Mautino: "He indicates that he will."

Black: "I'm not sure there are enough people on the floor to pass anything, quite frankly. And depending on how much longer we go, I will make my Motion for a quorum call if

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we're going to be here for another half an hour, but having said that, I find this fascinating. Now, did I just hear you say awhile ago they don't inhale? They don't inhale the incense, it's okay?"

Lyons: "Well, I said they don't directly inhale incense."

Black: "Well, 'cause I just..."

Lyons: "You go to a Catholic Church, Mr. Black, they use incenses for different religious ceremonies..."

Black: "Just went to a funeral..."

Lyons: "...and you do inhale it but not directly. It's not like a peace pipe or a smoking vehicle, where you directly inhale. It's indirectly inhaled."

Black: "Let me tell you, I didn't need an Altoid for three days after getting out of that funeral. I don't know what kind of incense it was but..."

Lyons: "I'm glad you were there, and I'm sure the family appreciated your presence, Representative."

Black: "Well, I'm not sure of that either. This appears to me to be the first opening in what, up to this point, has been a door that the American Lung Association has completely closed and refused to negotiate. I tried to have an Amendment for veterans' clubs that would set aside a special room, remembering that most of these World War II veterans started to smoke when Uncle Sam gave them cigarettes all during basic and during World War II. Then, we tried to have an exemption for private clubs who would have, say, a grill room or a smoking room with ventilation and everything up to any contemporary standard, and the



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answer's always been no. Now, here comes an exemption.  
Did somebody come to you with this exemption?"

Lyons: "Well, the Bill came over from the Senate, Representative. Senator Sullivan started this initiative, and it was brought to him by the... as I mentioned in the presentation, the Standing Bear Council, on behalf of Native Americans, for a religious ceremony. So, my guess would be if the Lung Association cracked that door, it was because it was a long established religious practice by American... Native American Indians."

Black: "Well, I had a World War II veteran that told me he's been smoking for 63 years, but that didn't seem to move the American Lung Association. We have, I think, every other year in my home county of Vermilion an Indian powwow. And Indians from literally all over the Midwest come to this, and they do ceremonial dances and explain to the people who come to visit what they mean, what the dance means, what the native dress means, and as I recall, they have a ceremony where they smoke a pipe, and I wondered at the time whether that was legal under the law. But if your Bill passes, then obviously there would be no question if they were smoking a pipe and passing it around the council fire or the ceremonial drum, then it would be legal under your Bill, right?"

Lyons: "Representative Black, I would agree with you. That would certainly constitute a religious ceremony by Native Americans in my book."

Black: Okay. All right. That's... that answers that question. Thank you very much."

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Speaker Mautino: "The Gentleman from Champaign, Representative Rose."

Rose: "Thank you. In response to the previous speaker, I wanted to just let you know that we did look at the applicable federal statute and all the drug enforcement policy guidelines would still remain in full force and effect. There's no waiver of any of those. So, I think that solves the previous speaker's original first point. It doesn't address his other points, but as to the first point, I think it addresses that. And I want to thank Representative Lyons for giving me a copy of that court case to look at. It does appear that's been resolved. So, thank you."

Speaker Mautino: "Representative Myers."

Myers: "Thank you, Mr. Speaker, to the Bill. I rise in strong support of this piece of legislation. The initiative was brought to Senator Sullivan and myself from a constituent of ours who is a member of the Standing Bear Council. I have witnessed some of their religious ceremonies in the past, and they do incorporate smoking or fire within their ceremonies. They are trying to educate children around the country, especially in the State of Illinois and the particular areas where the Standing Bear Council are located, about some of the rituals and some of the heritage of the Indians... of our Native Americans in this country today, and this is part of their heritage. This is part of their culture. And they want to be able to educate and preserve that heritage and that culture. And I commend Representative Lyons for picking this Bill up and moving

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this Bill forward on behalf of the Native Americans that do want to do this. And I ask the Body for an 'aye' vote to allow for the culture and the heritage of our Native Americans to continue. Thank you."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1685. The question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative May, Representative Ryg, do you wish to be recorded? Mr. Clerk, take the record. 105 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1685 is declared passed. Representative Bellock, on page 8 of the Calendar is Senate Bill 16... 1703. Senate Bill 1703, Representative Bellock, do you wish to call this Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1703, a Bill for an Act concerning public health. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker and Members of the Assembly. Senate Bill 1703 is an initiative of the Illinois State Medical Society and agreed upon with Public Health and other church groups that were interested parties and passed the Senate unanimously. First, the Bill allows for a hospital to offer the option of common cremation in its mandatory notification to a mother following a spontaneous fetal demise or miscarriage after less than 20 weeks. It secondly allows for a common burial or common cremation without a death certificate for the crematory authority. This Bill is a way of forming a compassionate

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measure to ensure that parents have closure on the death of their babies. I..."

Speaker Mautino: "Representative Brady with a question."

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

Speaker Mautino: "She indicates she will."

Brady: "Representative, just a quick question for you in regards to this. This is a little bit different than what's commonly done within the hospital for a fetus or fetus tissue in means of final disposition. So, you're actually saying this is something that would involve a outside crematory facility in which the fetal tissue could be taken to and actually comingled with other tissue, if that's, in fact, what I understand the legislation does. Is that correct?"

Bellock: "That's correct."

Brady: "And the attempt is to try and give closure and help families, obviously, who have lost a fetus for means of grieving and prople... proper, really, disposition of the fetus, correct?"

Bellock: "Yes, and correct."

Brady: "Okay. Thank you very much. And I stand in support of the Representative's Bill."

Bellock: "Thank you very much."

Speaker Mautino: "The Lady's moved passage of Senate Bill 1703. And on that, seeking recognition, Representative McCarthy."

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

Speaker Mautino: "Indicates that she will."

McCarthy: "Representative, the common creation... or cremation... I was just reading this in this... our analysis, that is the

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intent of this Bill? Is that not allowed today, but it would be allowed after the Bill?"

Bellock: "What... Yes. And... as of today, common burial is allowed but not common cremation. And that's what the hospitals and the Med. Society and the religious groups would like to allow, especially for those who want to have some type of special, you know, ceremony but are not able to afford maybe a full all-out burial. And this is just for spontaneous miscarriage before 20 weeks or under."

McCarthy: "Just for under 20 weeks?"

Bellock: "Right."

McCarthy: "But I mean, I am reading this right. I'm worried about my reading comprehension here. So, this could be two or three fetuses put together..."

Bellock: "Yes."

McCarthy: "So, if the parents... I mean, do the parents ever request their own remains?"

Bellock: "Oh, absolutely. This is for those that can't..."

McCarthy: "And this allows it... and parents would have to approve of that?"

Bellock: "Right. Right."

McCarthy: "And if... if you, as a parent, wanted to have some religious ceremony or whatever..."

Bellock: "Oh, abs... Yes."

McCarthy: "...you could request that you would have a singular cremation just for your fetus, and then you could have those ashes and bones brought back to you."

Bellock: "Right. Absolutely, Representative McCarthy."

McCarthy: "So, that doesn't stop that right from them?"

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Bellock: "Oh, no, no. This... Right."

McCarthy: "But if it is okay with the parents, they can do it?"

Bellock: "Oh, absolutely. Yeah, this is just for those who may not want... you know, cannot afford to do that, but do not want their babies to become medical waste."

McCarthy: "Just for my own knowledge, do you know what the impetus behind this was? I mean, right now does it just have to be singular and now they..."

Bellock: I think that there was several groups including the Med. Society and religious groups who felt that there were people that wanted some type of compassionate closure for their miscarriages, and yet, didn't or couldn't afford an actual ceremony for a miscarriage under 20 weeks."

McCarthy: "Okay. Thank you for your answers."

Speaker Mautino: "The Gentleman (sic-Lady) has moved passage of Senate Bill 1703. The Lady of Cook... from Cook, Representative Davis, is seeking recognition."

Davis, M.: "Thank you, Mr. Speaker. Representative, my concern is that you don't want to have to file a death certificate, and I don't understand why not."

Bellock: "Well, in this case, according to the Bill right now, they can have a death certificate if they would like one. But right now, there is nothing mandatory or uniform in place throughout hospitals regarding this because of the time... because it's under 20 weeks. So, after 20 weeks, it would be what you would call a stillborn baby. This is more of just a spontaneous miscarriage, and in most cases, there would not be a death certificate in a spontaneous miscarriage."

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Davis, M.: "Okay."

Bellock: "The parent..."

Davis, M.: "And would the Department of Health recognize if all of a sudden there were a huge number of spontaneous miscarriages if there's no record of these deaths?"

Bellock: "Oh, there will absolutely be a record from the hospital."

Davis, M.: "Okay. Well, that's the only part that concerns me."

Bellock: "Right."

Davis, M.: "You know, just... I just feel that the state and the Department of Health should be aware of the deaths that are occurring, you know, in case... you know, like the swine flu that came up. All of a sudden people are losing their babies early."

Bellock: "Right."

Davis, M.: "There should be some, in my opinion, central location where that information is available."

Bellock: "Oh, absolutely, Representative, and everyone of those will be recorded by the hospital."

Davis, M.: "And where will the hospital report that?"

Bellock: "To the Department of Vital Records."

Davis, M.: "Okay. Thank you."

Bellock: "Thank you."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1703 and the question is, 'Shall that Bill pass?' All in favor vote 'yes'; 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. 103

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voting 'yes', 2 voting 'no', 0 voting 'present', Senate Bill 1703 is declared passed. Mr. Clerk, on the Calendar appears 1704, Representative Ford. Read the Bill"

Clerk Bolin: "Senate Bill 1704, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Ford."

Ford: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1704 breaks out an existing category of license of long-term care facilities from nursing homes... Nursing Home Care Act and creates a new licensing Act. I urge an 'aye' vote. There's no opposition. This Bill passed in the Senate with no opposition as well. Thank you."

Speaker Mautino: "The Gentleman moves passage of 1704. Seeing no questions, all in favor vote 'yes'; 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. 105 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1704 is declared passed. On page 8 of the Calendar is Senate Bill 1705, Representative Lyons. Read the Bill."

Clerk Bolin: "Senate Bill 1705, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1705 is an initiative of the Chicago Fireman's Annuity and Benefit Fund, the Chicago Firefighters Union. It also affects the Chicago Police Department, that union and the Chicago Police Department's



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Annuity and Benefit Fund. Four or five provisions I'll read briefly. Legally... legally... it presents a... It provides for a legal process for Chicago firefighters and their pension fund when injury occurs or death is caused under circumstances creating a legal liability on the part of some other person, that the entity can pay the damages to the firemen. In other words, a firefighter gets hit by a car while fighting a fire. They'd be entitled to go after the owner of the car on their insurance, that basically is what that covers. It doesn't happen often, but it can happen, and certainly, the firefighter's union and the annuity fund are concerned about that issue. Secondly, a Chicago firefighter may transfer, at no cost to the fund, up to a total of 10 years service from a downstate firefighter's fund. Thirdly, a Chicago firefighter who was a paramedic employed from 1970 to '83 by the Chicago Fire Department may purchase time as a paramedic from those dates and pay into the fund at no cost for the transfer. And lastly, affecting Chicago police officers, an officer who has at least 10 years of credible service to which the Chicago Police Department may transfer up to 48 months of their credible time as a Cook County correctional officer. None of these have any impact on the state. There's no cost to the State of Illinois. And the City of Chicago is not in opposition to these initiatives. On behalf of the policemen, the firemen of the City of Chicago, I ask for your favorable consideration."

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Speaker Mautino: "The Gentleman moves passage of 1705. And on that, Representative Eddy from Crawford is seeking recognition."

Eddy: "Will the Sponsor yield for a question? Representative Lyons, just very quickly. You said there was no cost to the State of Illinois. Is there a calculated cost that will be paid by another group?"

Lyons: "Well, by the pension funds. I mean..."

Eddy: "And... Okay."

Lyons: "Yes."

Eddy: "Do you know what the calculated cost would be?"

Lyons: "I don't have that in front of me, Representative. No, I don't."

Eddy: "So, it'd be based on a levy?"

Lyons: "It would be based on their eligible service when they do transfer that time in, yes."

Eddy: "Okay. So, the cost would be covered by a property tax levy?"

Lyons: "In part, yes, and contributions by the personnel."

Eddy: "By the personnel in combination with that?"

Lyons: "Correct."

Eddy: "Okay. Thank you."

Speaker Mautino: "The Gentleman has moved passage. No one else seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; 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. 104 voting 'yes', 1 voting 'no', 0 voting 'present', Senate Bill 1705 is declared passed. On the

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Calendar is Senate Bill 1725, Representative Turner. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1725, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from Cook, Leader Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. And let me start out by saying that I know of any... I don't know of any opposition to this Bill. And let me state, for the record, that over 40 percent of the youth in the Department of Juvenile Justice are basically technical parole violators, and we have very little data dealing with that youth reentry. This Bill will help us evaluate youth reentry and see how we can address some of those issues. Specifically, Senate Bill 1725 specifies that the Department of Juvenile Justice Commission will develop recommendations to ensure the effectiveness of reintegration of youth offenders into the communities in which they are returning. This Bill also specifies that the Commission will provide a report on juveniles who have been the subject of parole revocations by September 30, 2009. And the Bill requires the Commission to include information concerning technical parole violators and recommendations concerning a tracking system and outcome measures in the annual state report to the Governor and the General Assembly. And I move for the adoption of Senate Bill 1725."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 1725 and on that question the Gentleman from DuPage, Representative Reboletti is seeking recognition."

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

Speaker Mautino: "He indicates that he will."

Reboletti: "Leader, I... you and I've talked about this Bill in committee, and one of the things that I think is of great concern for all the Members of the Body should be how we deal with the juveniles who are leaving the system and what the success rate is. And this, if I'm not mistaken, will be able to tally for us the amount of technical violators that are leaving and then end up coming back. We'll have that information?"

Turner: "That's correct."

Reboletti: "And we'd also know how long they'd been out of the system and then how long their return would be?"

Turner: "That's correct, Representative."

Reboletti: "And this information will then probably, I would assume, hopefully allow us to then better use our resources to allocate it so we know who the violators are, what the general problems are once they go back into the community, see if we can address some of those issues so we can reduce the amount of recidivism?"

Turner: "That's correct, Representative."

Reboletti: "But one of the other concerns I have always had and I have shared with you and others in Criminal Justice is when there is technical violations, usually that's up to the... I don't know if they're still called parole agents in the juvenile system, but they have a lot of discretion. I think that's something I would ask that this group take a look at, because there's a great deal of discretion. Some of those people could be violated because they have

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relapsed on the road to recovery with drug addiction. Some of them could have missed meetings. Some of them could have missed court. So, there's different avenues of how strict these can be or how lax they can be. Is that something that these people are going to take a look at?"

Turner: "That would be just the... In fact, that's what we intend to... That's some of the data that we hope to collect, and your point is well taken in terms of how do you define what is a technical violation. So, I think the... the very fact that we're collecting all of this data would move us in that direction."

Reboletti: "Thank you very much. And I'd urge the support of the Bill."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1725. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; 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. 104 voting 'yes', 1 voting 'no', 0 voting 'present', Senate Bill 1725 is declared passed. Mr. Clerk, call Senate Bill 1708, Representative Monique Davis."

Clerk Bolin: "Senate Bill 1708, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Mautino: "The Lady from Cook, Representative Davis."

Davis, M.: "Thank you, Mr. Chairman. Senate Bill 1708 amends the Code of Criminal Procedure allowing the chief judge of a judicial court to establish a reasonable pre-trial service fee for DNA testing, GPS electronic monitoring, and

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assessments and evaluations related to domestic violence and other victims. Currently, the judges do already assess this, but we are codifying what already occurs. And we would ask for a favorable vote."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1708. Seeing no questions... Excuse me. The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you. Just a quick question, if I could, for the Sponsor. Representative, are there fees involved? Are these fees going to be established? Who does establish the fee?"

Davis, M.: "The judge establishes the fee based upon the defendants ability to pay."

Eddy: "So, and it's..."

Davis, M.: "Wait a minute. Hold it. Excuse me. It's a set fee, but if a person cannot pay, the fee is waived by the judge."

Eddy: "Okay. So, the fee, which is described as 'reasonable' here, may be charged for pretrial services: DNA testing, electronic monitoring, that type of cost. Is that right?"

Davis, M.: "That's correct."

Eddy: "And it's for domestic violence?"

Davis, M.: "That is correct."

Eddy: "Okay. So, it's up to the judge to establish the fee based on the cost? Is there a dollar amount of the fee in the legislation?"

Davis, M.: "It's subject to the discretion of the chief judge."

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Eddy: "But the amount of the fee is not... is not detailed or defined in the legislation? The amount is up to the chief judge?"

Davis, M.: "That is correct, Representative."

Eddy: "And then it is also up to the chief judge as to whether or not the person is capable of paying the fee?"

Davis, M.: "That is correct."

Eddy: "There any guidelines in the legislation to guide the chief judge as to whether or not a person is of financial ability? Is there anything written in there, or is it just totally up to his... his or her discretion?"

Davis, M.: "It's a needs-based test that is used throughout the judicial system."

Eddy: "Okay. So, there's already a specific test used in the judicial system that he would apply, he or she would apply to this particular fee?"

Davis, M.: "This is not any different than any other fee that's charged in the judicial system."

Eddy: "Is it a new fee?"

Davis, M.: "It is not a new fee."

Eddy: "Well, let me ask you in a different way."

Davis, M.: "It is... It is..."

Eddy: "Ask a better question, maybe get a different answer."

Davis, M.: "Okay."

Eddy: "Does it... does it cover additional circumstances?"

Davis, M.: "It covers the things we need to do to cover the Cindy Bischof Law. And it also allows for electronic monitoring, which means a person could go home rather than be incarcerated. And it pays for assessments and

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evaluations in relationship to the domestic violence that occurred. And it..."

Eddy: "And at this point, a judge... if any of these monitoring devices are ordered pretrial, who pays for them now?"

Davis, M.: "The defendant pays for them if they have a means. If they do not have a means based on the judge's decision, the fee is waived."

Eddy: "Now?"

Davis, M.: "Now."

Eddy: "That happens now. How are the fees established now, prior to this Bill?"

Davis, M.: "When you say, how are the fees established..."

Eddy: "Right now, today, before this legislation passes, if there's a pretrial requirement for a monitoring device in a domestic violence situation, how is the fee for the monitoring device determined? Is there a schedule? Is there a limit?"

Davis, M.: "This is relatively new law, and based on our knowledge, the judge uses his discretion. The Cindy Bischof Law is basically a new law, and these are the items needed to implement it."

Eddy: "Okay. I just kind of... I want to kind of nail down here how... how we now determine any of these fees and how this changes anything that's currently done. And hopefully, a continued discussion will... will reveal that. I just kind of don't understand exactly why we need this if we're already doing it, and if these aren't new fees and there's not additional necessity for judges discretion, why we're



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doing it. But I'll listen to the debate, the further debate."

Davis, M.: "Well, Representative, currently, the judge is using his discretion in reference to these fees. The program is new. The judge is using his discretion as to the amount of the fees. We're just codifying it to make them more responsible, and this is an initiative of the Illinois Probation and Court Services Association."

Eddy: "Well, I appreciate the answers and, again, I'll continue to listen to the debate. Thank you."

Davis, M.: "Thank you, Representative."

Speaker Turner: "Representative Turner in the Chair. The Gentleman from DuPage, Representative Reboletti, for what reason do you rise?"

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

Speaker Turner: "Indicates she will."

Reboletti: "Representative, I know we talked about this in committee. What is the reason that we need to put this on the pretrial side? I guess it's probably where Representative Eddy is going with this, because I know we can deal with it if somebody is adjudicated delinquent or they're convicted, we can assess fines and costs for things, but why are we changing it to the front end?"

Davis, M.: "I don't think we're changing it, I think we're codifying what the court currently does. My understanding is we're putting into the statute what the court currently does in order to satisfy the Cindy Bischof Law."

Reboletti: "And what we're allowing a chief judge to do is on a circuit by circuit basis determine what it costs per..."

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assuming there's a thousand defendants that may be used in this program, and it costs a million dollars, we could then assess fees based on those... a thousand part... those thousand participants. 'Cause right now, I think a judge could potentially order it, but this will codify it so we know uniformly across the state that all 102 counties are doing it the same. Is that where we're trying to go with this?"

Davis, M.: "Yes."

Reboletti: "And also I think the important thing for the GPS with the Cindy Bischof Law is that you have to order pretrial because there's a... there may not even be a case because an order of protection is not necessarily a criminal case, so the court could order the GPS monitoring up front and that the person could pay for it. Maybe one defendant or petit... plaintiff could be paying \$10 a day versus somebody who's paying \$15 versus somebody who's paying a \$1 a day. Is that where we're going?"

Davis, M.: "That's correct."

Reboletti: "And also, that most of the counties use probation for pretrial services, and this would help to fund those programs to make sure that they're able to carry out the mission from the chief judge. Is that correct?"

Davis, M.: "That is correct."

Reboletti: "Thank you, Representative."

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

Durkin: "Will the Sponsor yield?"

Speaker Turner: "Indicates she will."

Durkin: "Representative, what is the cost of a DNA analysis?"

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Davis, M.: "What is the cost of a DNA analysis?"

Durkin: "Yes."

Davis, M.: "Probably 100 or 150 dollars."

Durkin: "Now, is your... is your staff member guessing or does he have a pretty good..."

Davis, M.: "My staff is as excellent as yours."

Durkin: "All right. Well, how about the GPS monitoring device. What are the costs for that?"

Davis, M.: "That's a daily cost. About 10 bucks a day."

Durkin: "All right. That's all I had. Thank you."

Davis, M.: "Thank you."

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

Black: "I don't know, Mr. Speaker. I've had my light on for so long I forgot. Oh, I remember. Will the Sponsor yield?"

Speaker Turner: "Indicates she will."

Black: "Thank you. Representative, under the current Cindy Bischof Law, electronic monitoring is required. They have to wear the bracelet now, right?"

Davis, M.: "That is correct."

Black: "Okay. Now on page 6 of your Bill, it appears on line 25 the underlying language, it appears to me that the chief judge of the circuit now has expanded authority to levy a cost for DNA testing, GPS electronic monitoring, assessments and evaluations related to domestic violence on other victims. So, it appears to me that we are, in fact, expanding the chief judge's authority to levy fees as might be related to domestic violence. So, we are expanding his authority somewhat? And..."

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Davis, M.: "Yes. We're..."

Black: "Now, from what you said earlier, just in two of these items the cost could be \$300. If you say DNA, it might be 100, 150. I don't know what the electronic monitor actually costs, and I don't know what the monthly costs are, but I assume that the judge would try to recoup all or a portion of those costs that the Cindy Bischof Law mandated on the court system, correct?"

Davis, M.: "Yes."

Black: "My experience in my judicial circuit is that many of these fees are never collected because the defendant often has a public defender, and the public defender immediately says, well, we don't have any resources. So, that person doesn't then have to pay, right?"

Davis, M.: "That is correct, Representative."

Black: "Right. But if you were in... I was thinking of a case we had in my district about three years ago where the husband murdered his wife, he was represented by private counsel. So, I assume he would then be required or his counsel would have to show cause why he couldn't pay the necessary charges, right?"

Davis, M.: "That is correct, Representative."

Black: "Okay. So, in any respect, we're not talking about... Let me check just a second with staff. I just wanted the record to reflect that our staffer is as good as your staffer."

Davis, M.: "I don't know about that."

Black: "Oh, well..."

Davis, M.: "Oh, I'm sure they are. I'm sure they are."

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Black: "Absolutely. They're equally good, otherwise it's going to be the best two out of three falls right after the Session is over down in front, and I'm putting a wager, not any betting, but a wager on my staffer."

Davis, M.: "I would say they're equally excellent, and that's why they're here."

Black: "I can accept that. I can accept that. Our staffer dresses a little better than yours, but it's to be expected. Although, he is a handsome man, isn't he?"

Davis, M.: "Yes, and he's young."

Black: "He's very young. You're not inferring that our staffer is old, are you?"

Davis, M.: "No, Sir."

Black: "Okay. I'm just glad to see your staffer smiling. I see him quite often in the building, he so seldom smiles. It's good to see him smile."

Davis, M.: "It's good to see your staff stand beside you and give a very stern look to you when you're out of order."

Black: "Listen..."

Davis, M.: "I think she's the only one who could keep you in order."

Black: "Well, my staffer says I'm not only in order, but I'm probably on a path to righteousness. So, I think between the staff... Hello, what was that?"

Davis, M.: "All I ask, Mr. Black, Representative Black, Mr. Black..."

Black: "Yes. Was it..."

Davis, M.: "I just ask that you don't pass out before you get to vote for my two Bills."

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Black: "Well, actually, Representative, if the truth be known, I don't understand why we're still here at 5:00 in the afternoon... my mic... Could the electrician check my mic? You know, that's the only time you put the timer on all day. I get the message. It's a good Bill. Vote 'aye' and at the proper time, could I make the Motion, if Representative Currie isn't on the floor?"

Speaker Turner: "Representative Davis to close. Being no further questions, the question is, 'Shall the House pass Senate Bill 1708?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, 105 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, we have Senate Bill 1710. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1710, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Davis, M.: "Thank you, Mr. Speaker. 1710 is a continuation of the discussion we just had. I think Representative Reboletti very eloquently stated the purpose of these Acts. And we're codifying what the court does today in reference to pretrial services and what is required. And I urge an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 1710?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting

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is now open. Have all voted who wish? Have all voted who wish? Mell? The Clerk shall take the record. On this question, 105 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: Ah, yes, Mr. Speaker, let the record reflect that Representative Cultra and Representative Keith Sommer are excused for the rest of the afternoon. They have aged a great deal this afternoon and had to go home and take a nap, I think. But they're excused. And I still think..."

Speaker Turner: "The record..."

Black: "...if you look around, I'm not sure we have a quorum."

Speaker Turner: "The record will so reflect. Mr. Clerk, we have Senate Bill 1718, Representative Davis. Monique Davis, Senate Bill 1718. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1718, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Davis, M.: "Thank you. Thank you, Mr. Speaker. Senate Bill 1718... we merely... we are defining a firearms in this legislation, and then we're leaving some discretion with the superintendent for lookalikes. I think we all agree that our schools must be safe places, and we were having instances in which a third grader, bringing a butter knife to school, was being expelled based upon our expulsion law. So, this Bill merely leaves the firearm as without discretion of the superintendent and board members, but the

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other items are under the superintendent's discretion. And we will urge an 'aye' vote."

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

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

Speaker Turner: "She indicates she will."

Eddy: "Representative Davis, just... I want to make sure we're all clear on this legislation. Right now, the School Board is the authority for expulsion of students. This does not change the authority of who can expel a student from school?"

Davis, M.: "That is correct. It does not change that."

Eddy: "What it... what it does allow for, I believe, in reading this, is in situations where anything other than a weapon, a gun is used, that there can be some discretion by the School Board in their decision based on all of the factors, the actual object, the age of the student, a variety of other... a variety of other things that may have been part of that situation."

Davis, M.: "That is correct, Representative."

Eddy: "Maybe right now there is this assumption that because of zero tolerance, if you have one of these objects, maybe you have to expel, maybe a second grade student who has a pair of scissors or some other type of really circumstantial situation, schools just don't feel like, in some cases, they have the discretion you're trying to offer with this Bill."

Davis, M.: "That is correct. And some of them were accused of not using common sense, when actually they were merely



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following the law. And this Bill allows us to give them discretion to make decisions that do make sense in reference to what the student is bringing to school, and they only have no discretion when it comes to a firearm. With a firearm, because of your insistence, they must expel for a period of time, I think one year at least."

Eddy: "Okay. Well, I just wanted to make sure that everybody understood, number one, that the superintendent actually has the Board of Education to deal with regarding the recommendation and the Board is the body, the authority that does the expulsion, not necessarily the superintendent. But... but it often relies on that recommendation. But thank you very much. I think this is good legislation. I think it will help schools in their effort to provide reasonableness to a situation where sometimes, I think at this point, they don't have the choices they may need in the best interest of the child."

Davis, M.: "Thank you very much, Representative."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 1718?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question, 103 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Holbrook, we have Senate Bill 1722. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1722, a Bill for an Act concerning elevator regulation. Third Reading of this Senate Bill."

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

Holbrook: "Thank you. This is one of the ongoing sagas that we dealt with at JCAR on elevator safety. There was a mistake when we redid the Bill... the passage of the Bill in November of '05 where we unexempted a removal we had in there concerning grain elevators, personnel elevators. They never were intended to be in there and they weren't. The State Fire Marshal first interpreted this after we passed it, the special purpose elevators as power platforms. He now feels that he would have to inspect them the way it's been ruled by some of the attorneys, I hear. I don't know of any opposition. Came out of the Senate unanimously, came out of committee unanimously. Would ask for an 'aye' vote unless you have questions."

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

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

Speaker Turner: "Indicates he will."

Black: "Representative, let me make sure I understand what we're doing. We're not putting the special use elevators in a grain storage facility back in the Act, we're putting it back where it was, and that's exempting it from the inspection law, correct?"

Holbrook: "Absolutely right. There was a drafting error in the past Bill."

Black: "After what I've read in the Chicago News Media the last few days, everybody should ask for the same exemption since they said there are, what, 22 thousand elevators that

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haven't been inspected since the Civil War ended or whatever it was. So, this just takes what you and I know as a man lift, not politically correct, but that's what they're called."

Holbrook: "Yes."

Black: "A man lift to get you up and down in the grain elevator or storage silos. They do not have to wait to be inspected by this State Law because that obviously isn't working. So, they're responsible for the safety of their elevators."

Holbrook: "Correct. Correct. OSHA covers those types of things in most cases anyway."

Black: "Great idea. I knew I was a cosponsor for some reason."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 1722?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, 103 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hannig, we have Senate Bill 1736. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1736, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Hannig, B.: "This Bill passed out of both the House and Senate Committees unanimously. It passed the Senate with 54 'aye' votes. This Bill amends the University of Illinois Hospital and the Hospital Licensing Act. It says hospitals

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should have a policy for influenza and pneumococcal immunizations. This policy should include procedures for identifying patients who are 65 years or older or others at risk. It's been shown that people that who get the flu normally recover in two to three weeks, but those most seriously affected are those... the elderly and people with chronic health problems. This policy should also include procedures to offer flu shots during the flu season which is commonly September 1 through April 1. The policy should ensure that patients or guardians are informed of the risks and the benefits of the vaccinations. The hospitals should provide a copy of this policy to the Department of Health upon request. It also prohibits a Home Rule unit from regulating immunizations and flu... for flu and pneumonia in a fashion inconsistent with this Act. I ask for your 'aye' vote."

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

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

Speaker Turner: "State your inquiry."

Black: "It's my belief that this Bill restricts Home Rule powers. Would it take 60 votes or Extraordinary Majority?"

Parliamentarian Ellis: "Representative Black, on behalf of the Speaker in response to your inquiry, while this Bill does preempt Home Rule, it allows for the concurrent regulation by a local unit of government. And therefore, under Section 6(i) of Article VII of the Illinois Constitution, the Bill requires a simple Majority to pass."

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Speaker Turner: "Representative Black, anything further?"

Black: "Thank you. That's very creative. I don't see anything in the Bill where Home Rule has any ability to override or restrict, but that's okay. You know, at this point in the afternoon, we could pass a Bill out of here to restrict the Bill of Rights, I think. Will the Sponsor... will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Black: "Representative, I find this Bill fascinating because it was brought to the General Assembly by the world's largest maker of flu vaccine. Now, don't you think that's a little weird that we are mandating a pharmacology procedure on all hospitals, municipally owned, county owned, privately owned, whatever, we're mandating that they have a policy about flu vaccines, and the Bill was drafted or requested by the world's largest maker of flu vaccine. Doesn't that seem a little odd?"

Hannig, B.: "I suppose, Bill Black. But also, as a dutiful daughter, I'm an only child and my parents are reaching the age where they're 65 or older and may be considered at risk of flu shots or at risk of getting the flu or pneumonia. I do try to make sure that they exercise right, spend their money wisely and get their proper vaccines, but I would appreciate it if and when they did go to the hospital, with or without my knowledge, that someone would ask them, did they get a flu shot? Would they like one now?"

Black: "Well, I'm older than your parents, and I get my flu shot every year, but I don't get it at a hospital. That's one of the most expensive places to go to get it. If I

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read this Bill right, it mandates that hospitals, all hospitals, have a policy about flu vaccines. I assume that means, because this is sponsored by a flu vaccine company, I assume that policy would be anybody that walks in over a certain age is going to get a flu shot."

Hannig, B.: "It's... it mandates that they have a policy to offer the flu shot. The person need not get a flu shot. Perhaps they've already had one."

Black: "Okay."

Hannig, B.: "It may be contraindicated, they may have some..."

Black: "All right."

Hannig, B.: "...condition like Gullaine-Barre Disease where it would be contraindicated."

Black: "So, they just have to have a policy?"

Hannig, B.: "That's correct."

Black: "Which most of them, I assume, already do?"

Hannig, B.: "The hospitals have many things... policies on many things. This would be ensuring that they had one on influenza and pneumonia."

Black: "Okay. All right. I... I'm not one to question the world's largest manufacturer of flu vaccine because as we all know, I mean, as we sit here today, do you realize how lucky we are in this House Floor to have survived the Swine Flu pandemic? I read in the paper every day, how many... were there millions of cases? I... I ran out of masks."

Hannig, B.: "Representative Black, I'd just like to ask you not to call it the Swine Flu. The President of the Illinois Pork Producers, Phil Borgic, is one of my constituents this year. He's... this year he's the president and he would also

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repre... request that you call it the H1N1 virus. The Pork Producers have had enough. I'm sure you've had one of their pork chops at their reception before."

Black: "Yes. You are absolutely right, Representative. I stand corrected. The pandemic H1N1 flu that... Well, you can see by the empty chairs here it isn't over. Members are dropping like flies. They're dropping like flies. H1N1, you're absolutely right. Well, I don't want to stand in the road of progress, nor do I want to stand in the road of the world's largest manufacturer of flu vaccines. So, I intend to vote my conscience."

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

Rose: "A question of the Sponsor. Has the Department of Public Health said this is necessary?"

Hannig, B.: "I guess we're just trying to be proactive and consider it a good idea. They are not opposed to the idea, and the Illinois Hospital Association has agreed to the Bill."

Rose: "Have they... has DPH weighed in at all on it?"

Hannig, B.: "They've not been for or against this Bill."

Rose: "But the Hospital Association says that they think it makes sense from a medical perspective?"

Hannig, B.: "That's correct."

Rose: "Okay. Thank you."

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

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

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Speaker Turner: "Indicates she will."

Bellock: "I just want to make sure, we covered this in committee, but I want to make sure that this Bill only recommends that the hospitals have... that the hospitals have a policy in place. It does not mandate that people over 65 have the vaccine?"

Hannig, B.: "That's correct. It mandates that the policy should be in place, and if the Department of Public Health ever wants to see the policy, they can ask to review it."

Bellock: "Thank you very much."

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

May: "Yes. Will the Sponsor yield for a question?"

Speaker Turner: "She indicates she will."

May: "Yes. I'd like to ask the... the text says that they must be notified of the benefits and the risk. Do you envision that someone would be notified whether a flu vaccine includes Thimerosal or not. Thimerosal is the mercury preservative."

Hannig, B.: "Sure. And I know that that's... that's the one thing that they could ask, that patients and their guardians informed of the risk and the benefits of the vaccination."

May: "So, you're saying it would include notification if it included Thimerosal?"

Hannig, B.: "The hospitals can... should choose to include that in their procedures for the policy."

May: "Well, I would... I would recommend that if you're giving benefits and risks that, certainly, for a lot of citizens



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of this state, they would like to know if the Thimerosal preservative is included. I think that that's just good consumerism to let people know. So, I would suggest you take that to them as a recommendation for the policy."

Hannig, B.: "All right. I'm not going to move this Bill back to Second Reading. I'd like to just call for a vote."

May: "No. I'm saying I recommend that that be included with it..."

Hannig, B.: "Okay."

May: "...as a recommendation..."

Hannig, B.: "I know your concerns."

May: "...moving forward. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 1736?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there's 76 voting 'aye', 27 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Franks on Senate Bill 1737. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1737, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from McHenry."

Franks: "Thank you, Mr. Speaker. This Bill had passed unanimously out of the Senate, and I hope it does here as well, 'cause what it does is it amends the Illinois Procurement Code to require the Governor to appoint

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vacancies in the State Use Committee and to develop a five-year plan for increased state procurements from qualified not-for-profit agencies serving persons with disabilities. The State Use Committee facilitates the purchases of products and services of persons so severely disabled by a physical or mental disability that they cannot engage in normal competitive employment. So, this would require the state to put forward the parameters where they would be buying from a sheltered workshop and helping these citizens become more productive members of society and have jobs and pay taxes. I'd be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 1737?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Riley? The Clerk shall take the record. On this question, 103 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Riley, we have Senate Bill 270. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 270, a Bill for an Act concerning public health. Third Reading of this Senate Bill."

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

Riley: "Thank you, Mr. Speaker and Members of the House. Senate Bill 270 provides for the establishment of the Colorectal Cancer Screening Pilot Project by the Department of Public Health. And essentially, this program can make grants to eligible entities available to carry out the

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program, and a report must be given to the Governor and the General Assembly annually. And I'll answer any questions you may have."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 270?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, 103 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. I'd like to make an announcement. Members, if we can have your attention. The House will be in Session on Monday, May 18, at 4 p.m. Monday, 4 p.m., May 18. There is no Session on Sunday. Monday, 4 p.m. Mr. Clerk, Agreed Relig... Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 394, offered by Representative Cole. House Resolution 395, offered by Representative Cross. House Resolution 396, offered by Representative Pihos. House Resolution 397, offered by Representative Hamos, and House Resolution 398, offered by Representative Jefferson."

Speaker Turner: "Representative Currie moves for the adoption of Agreed Resolutions. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolutions are adopted. I'd also want to announce that on Monday after Session there will be softball practice. The game is next Wednesday. So, if you intend to play in the game or want to play, please bring your clothes and be prepared for Monday and the game on

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Wednesday. Seeing no further announcement, the House... Representative Currie. Okay. Seeing no further announcements, Representative Black moves that the House stands adjourned 'til Friday, May 15 at the hour of 9 a.m. The House will stand adjourned until Friday, May 15 at the hour of 9 a.m., allowing perfunctory time for the Clerk. The House now stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of House Bills-First Reading. House Bill 4557, offered by Representative Feigenholtz, a Bill for an Act concerning liquor. House Bill 4558, offered by Representative Joyce, a Bill for an Act concerning appropriations. House Bill 4559, offered by Representative Nekritz, a Bill for an Act concerning local government. House Bill 4560, offered by Representative Saviano, a Bill for an Act concerning appropriations. House Bill 4561, offered by Representative Fritchey, a Bill for an Act concerning elections. And House Bill 4562, offered by Representative Senger, a Bill for an Act to create the Tax Credit Advantage Loan Program. There being no further business, the House Perfunctory Session will stand adjourned."