

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

56th Legislative Day

5/18/2009

Speaker Mautino: "The hour of 5:00 having arrived, the House will be in order. We shall be led in prayer today by Senior Pastor Kevin Donoho, who is with Grace, excuse me, Salem Grace Church of the Nazarene in Salem, Illinois. Pastor Donoho is the guest of Representative Cavaletto."

Pastor Donoho: "Let's pray. Our heavenly Father, we come to You today and we give You thanks for this day that You've given us, a beautiful day. I give You thank You... give You thanks for every Representative that is in this room and their families. And I give You thanks for every person, the people of this state this group represents. God, I... the thing I come to You today for as we pause and reflect in the midst of business I pray today that You'll give wisdom, that You'll give discernment, that You'll give courage to stand for the people that this group represents. And Lord, I pray that at the end of the day, most importantly, that not only will this meeting, this time together and these decisions bring You honor, but may they bring honor and justice to the people of the State of Illinois. In Jesus name we pray, Amen."

Speaker Mautino: "We'll be led in the Pledge of Allegiance today by Representative Walker."

Walker - 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. Represent... Representative Currie."

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Currie: "Thank you, Speaker. Please let the record reflect that Representatives Boland, Brosnahan, Will Davis, Dugan, Careen Gordon, Hamos, Hoffman, McGuire, Rita, Yarbrough, and Washington are excused today."

Speaker Mautino: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. Would you let the record reflect that Representative Bost and Mulligan are excused for today."

Speaker Mautino: "Mr. Clerk, take the record. 105 answering the roll, a quorum is present. And the House is prepared to do its business. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on May 18, 2009, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #2 to House Joint Resolution #5, Amendment #2 to House Resolution 68, Amendment #1 to Senate Bill 47, Amendment #2 to Senate Bill 89, Amendment #2 to Senate Bill 149, Amendment #1 to Senate Bill 340, Amendment #1 to Senate Bill 577, Amendment #3 to Senate Bill 1289, Amendment #1 to Senate Bill 1339, Amendment #1 to Senate Bill 1348, Amendment #2 to Senate Bill 1390, Amendment #1 to Senate Bill 1493 and Amendment #2 to Senate Bill 1698, Amendment #1 to Senate Bill 1729, Amendment #2 to Senate Bill 1877, Amendment #2 to Senate Bill 1922, Amendment #2 to Senate Bill 2119, Amendment #2 to Senate Bill 2112, Amendment #1 to Senate Bill 2172 and Amendment #1 to Senate Bill 2272. On the Order of

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Concurrence Motions, a Motion to Concur with Senate Amendment #1 has... 'recommends be adopted' to House Bill 1108, a Motion to Concur with Senate Amendment #1 to Senate... House Bill 2474, a Motion to Concur in Senate Amendment #1 to House Bill 2539, a Motion to Concur in Senate Amendment #1 to House Bill 2573, a Motion to Concur in Senate Amendment #1 to House Bill 3779. Referred to the House Committee on Rules is House Resolution 411, offered by Representative Careen Gordon."

Speaker Mautino: "It's the intent of the Chair to go to Third Readings. On page 6 of the Calendar appears Senate Bill 1769, Representative May. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1769, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Mautino: "Representative May."

May: "Thank you. Senate Bill 1769 amends several different sections of our statutes to further protect our children's health. We already notify parents about applications of pesticides in lawn products, since about 1990. Among other points, the Bill adds daycares to the law and adds several tweaks for the schools, requiring the schools to designate a staff person for compliance and make minimum notification of four days, not two, as currently in the law. It passed unanimously out of the Senate and there's no known opposition. Be happy to answer questions."

Speaker Mautino: "The Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "She indicates that she will."

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Eddy: "Representative, just a couple of quick questions. First of all, basically this... this requirement exists in a different code, but this language creates new language in the School Code that mirrors that except for the fact that this requires a four-day notification instead of a two-day notification?"

May: "That is correct, yes. The School Management Alliance wanted it to mirror the Structural Pest Control Act."

Eddy: "So, basically, what they've done is they've... they've taken that language and placed it in the School Code section, maybe so schools would have better recognition. Now, here's my question about the four-day notice and... and I want to make sure we put this on the record. If a school district gives a four-day notice and they cannot on the fourth day apply the pesticide because of inclement weather, they can then apply it on the fifth day or the sixth day? There... there's a minimum four-day requirement?"

May: "But, no maximum."

Eddy: "No maximum. So..."

May: "Yes, that's correct."

Eddy: "Very important. So, that... so that if you put the notification it's on four days away and it happens to rain that day, they could go ahead and do it on the fifth day or the sixth day, because they've already served the notice necessary?"

May: "In actuality, yes. The Department of Agriculture which oversees this said that what people have learned to do over the years, they'll say that we're going to apply it on the 15, but weather may allow it to be the 16 or 17. They give

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the range and that is absolutely okay. And the statute also allows for an emergency, that any school district can have any emergency."

Eddy: "Okay. All right. Well, I appreciate that and I also appreciate the further explanation and your taking the Bill out of the record last week in order for us to clarify a couple of things. Thank you."

May: "Thank you for your concern. And I also appreciate the fact that your school has moved along and doesn't use pesticides, they've used some other management practices, as have many of the other schools in the state."

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

Black: "Thank you, Mr. Speaker. Not to be redundant, but I just want to thank the Sponsor of this Bill for taking it out of the record last Friday, so we could clarify and have staff look at the fact that we were in two different sections of the statute. She didn't have to do that. I appreciate that fact that she did, and I'm much more comfortable now with the Bill than I was last Friday. So, I appreciate her indulgence."

Speaker Mautino: "Thank you, Sir. The Lady has moved passage of Senate Bill 1769. 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? Representatives Feigenholtz, Winters, Brady, do you wish to be recorded? Mr. Clerk, take the record. 105 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 1769 is declared

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passed. On page 6 of the Calendar appears Senate Bill 1770, Representative Harris. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1770, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Harris."

Harris: "Thank you, Mr. Chairman, Ladies and Gentlemen. This Bill preserves and expands protections for victims of domestic violence and sexual violence while they are in the workplace. It came out of the Senate with some concerns from the business community. I believe we have addressed those concerns in Amendments put on here in the House. And I would ask for a favorable vote."

Speaker Mautino: "Representative Eddy."

Eddy: "Representative, could you be a little more detailed about the concerns and how you addressed those concerns?"

Harris: "Certainly. The concerns from the business community were that small businesses were being held to the same standard as larger businesses. There was concern that because of the number of employees they didn't have the flexibility. So, at the recommendation of the Chamber of Commerce we adopted a tiered system with different leave day requirements dependent on the number of employees in the firm."

Eddy: "Okay. So, with those changes they removed their opposition or are they proponents..."

Harris: "They... they are neutral."

Eddy: "They are neutral on the Bill. Removing... removing..."

Harris: "That is my understanding, Representative."

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Eddy: "Okay. But... but, basically, the size issue was their major concern? There weren't... there weren't some additional concerns just with an additional man..."

Harris: "Oh, there was... there was one other major... two other major concerns."

Eddy: "Okay."

Harris: "One, I'm sorry and I forgot those."

Eddy: "That's all right."

Harris: "One was removing some fines which they believed to be punitive and also, was to remove the right of private action, which we did."

Eddy: "Okay, so..."

Harris: "But that is removed totally from the Bill."

Eddy: "The fines are removed and the private action right is also removed?"

Harris: "Yes, Sir."

Eddy: "Okay. That's... that's a lot better than just the first one. Thank you."

Harris: "Thank you for reminding me."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 1770. 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. Sullivan, do you wish to be recorded? Mr. Clerk, take the record. 104 voting 'yes', 1 voting 'no', 0 voting 'present'. Senate Bill 1770 is declared passed. The Gentleman from Winnebago, Mr. Jefferson, is seeking recognition."

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Jefferson: "Thank you, Mr. Speaker, Members of the House. A point of personal privilege."

Speaker Mautino: "State your point."

Jefferson: "Thank you. I just want to recognize from the great County of Winnebago, great City of Rockford, State's Attorney... State's Attorney Joe Bruscato, elected the first Democrat to hold that office in 100 years. He's got both of his kids here today, they're Pages. If they'll stand up there in front, please. Stand up, kids. The Bruscatos, there they are. Thank you, Mr. Speaker."

Speaker Mautino: "Welcome to Springfield. On page 6 of the Calendar appears Senate Bill 1784, Representative Sacia. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1784, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Mautino: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 1784 is the Upper Mississippi Port District and I'd really like to extend a sincere appreciation to staffs on both sides of the aisle. There are already 16 port districts in the State of Illinois. They are an economic engine for the areas. And this is something that's badly needed in the area. It will be for the redevelopment of the Savannah Army Depot. And I would ask for your 'aye' votes. I would be glad to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1784. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed

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vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representatives Durkin, Representatives Brady, do you wish to be recorded? Mr. Clerk, take the record. 77 voting 'yes', 28 voting 'no', 0 voting 'present'. This Bill... Senate Bill 1784 is declared passed. Mr. Clerk, Senate Bill 1796 appears on page 6 of the Calendar, Representative Mitchell. Mr. Clerk."

Clerk Mahoney: "Senate Bill 1796, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Mitchell, the Gentleman from Lee. Representative Mitchell on Senate Bill 1796."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 1796 is the IHOPE Foundation Bill. This is a brand new program, it is subject to appropriations. But this sets the rules in place and the grants in place so that we can open schools for dropouts across this state. It's a very severe problem in our urban areas, particularly in Chicago, but this is for the entire state. I'd be happy to answer any questions."

Speaker Mautino: "Gentleman has moved passage of Senate Bill 1796. 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? Representative Brady, Representative Pihos, do you wish to be recorded? Mr. Clerk, take the record. 103 voting 'yes', 0 voting 'no', 2 voting 'present'. Senate Bill 1796 is declared passed. Mr. Clerk, on page 6 of the Calendar is Senate Bill 1799,

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Representative Myers. Out of the record. Senate Bill 1814, Representative Walker. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1814, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Mautino: "Mr. Walker."

Walker: "Senate Bill 1814 is an initiative of the DuPage County State's Attorney. It is a Bill that expands the exemption from the requirement for two parties approval in eavesdropping in order to protect the safety of officers in an investigation. It expands it to include felony crimes involving weapons. The eavesdrop... the results of the eavesdropping can only be used in court if someone is seriously injured or killed during the investigation or to impeach... directly impeach a witness."

Speaker Mautino: "The Gentleman from DuPage, Representative Reboletti."

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

Speaker Mautino: "He indicates that he will."

Reboletti: "Representative, what committee did... did your Bill go to before it came to the House Floor?"

Walker: "Jud II."

Reboletti: "Do you know... do all criminal law Bills usually go there to... to begin their process of being vetted before they come out here?"

Walker: "I don't know that... I don't know that exactly, I assume so."

Reboletti: "Because I have an eavesdropping Bill that ended up in Exec, which wasn't posted. So, I think it's kind of interesting that a Minority spokesperson can't get an

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eavesdropping Bill to come in his own committee... but, what is your... your thought on one-party consent? You heard... you heard me talk about one-party consent. Aren't we just doing a disservice here? Why aren't we going to one-party consent? We look at the reform commission who has talked about the need for a one-party consent so that we can end or try to end political corruption. Are... are you supportive of that measure? Would you be supportive of that measure?"

Walker: "I would be supportive of working on that measure, yes, as we discussed in committee."

Reboletti: "And who brought this Bill to you?"

Walker: "Who... who brought it to me? Oh, Dan Kotowski, my Senator. But Joe Birkett was the driving force initially."

Reboletti: "Do you represent any part of DuPage County?"

Walker: "Can't hear you."

Reboletti: "Do you represent any part of DuPage County?"

Walker: "I do not."

Reboletti: "Thank you."

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

Durkin: "Will the Sponsor yield?"

Speaker Mautino: "He indicates he will."

Durkin: "Representative, what are the current exemptions under the Eavesdropping Statute to get around the two-party consent?"

Walker: "There are approximate... there are over 15 of them, but they include some serious crimes to include forcible

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felonies, murder, criminal sexual assault. There... the whole series of felonies."

Durkin: "Well, there's a lot of felonies. Could you go through the 15 of them?"

Walker: "I... I can't off the top of my head, no."

Durkin: "All right. So, if the recording is made, is law enforcement required to bring these... the recordings or whatever the information is to the Circuit Court or whoever was... I mean, let me back up a little bit. To get the eavesdropping order you have to go to the Circuit Court first and get the approval, isn't that correct?"

Walker: "Yes."

Durkin: "And what do they have to establish before the Circuit Court in order for them to sign off on the authorization?"

Walker: "Well, I understand that it's..."

Durkin: "What is the burden, what is the standard that they must comply with?"

Walker: "It would be probable cause that the felony under investigation had occurred."

Durkin: "All right. Would that have to be supported by affidavit?"

Walker: "The staff is saying yes, I'm not a criminal attorney."

Durkin: "All right. Can that be challenged at some point later if in a court of law that it doesn't... that it is lacking the sufficient probable cause?"

Walker: "I... I assume so, yes."

Durkin: "All right. Are you aware of any cases right now that where there has been a situation where this, if it was a

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law, would have protected individuals? Are you aware of any specific situation which has prompted this?"

Walker: "I am... I am not."

Durkin: "All right. Thanks."

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

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

Speaker Mautino: "He indicates that he will."

Fritchey: "Representative, a quick question with respect to admissibility of the recording. According to the analysis, it says that the admissibility is only permitted in the event that an individual... part of the combination suffers great bodily injury or is killed, I get that part. Or when used as direct impeachment of a witness concerning matters contained in the recording. Now, is that part already in the law? Because I looked at the Bill, there's no Amendments to the Bill. That's not in the Bill as introduced. Is that in the law somewhere else?"

Walker: "I believe it is. I've read that language."

Fritchey: "And I'm not trying to catch you up, but this is important to know. It's already in there?"

Walker: "Yes. This adds to a group of felonies where that rule already applies."

Fritchey: "So, all... all... all we're doing is adding a class of felonies to the exemption; we're not doing anything to change the State of Illinois law with respect to when these recordings are admissible or not."

Walker: "That's correct."

Fritchey: "That's all I wanted to clarify. Thank you."

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Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1814. The Lady from Cook, Representative Davis, is seeking recognition."

Davis, M.: "Representative Walker, does this legislation increase the opportunity for eavesdropping?"

Walker: "Yes, because it would include another crime for which this practice would be allowed."

Davis, M.: "It... what... what crime would that be?"

Walker: "That would be felony crime involving a weapon."

Davis, M.: "I'm sorry, I can't hear you."

Walker: "A felony involving a weapon."

Davis, M.: "A felony what?"

Walker: "Involving a weapon."

Davis, M.: "Okay. So, if you're on the telephone and you discuss the illegal use of a weapon and it's eavesdropped on the phone, that's another crime. Is that correct? I don't know."

Walker: "The... we're not adding... we're not creating another crime. We're allowing an undercover officer to wear a wire or other eavesdropping device when investigating a felony."

Davis, M.: "Thank you for your clarity. Thank you. And I do support your Bill."

Speaker Mautino: "The Gentleman has moved passage of 1814, Senate Bill. 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? Representatives Dunkin, Feigenholtz? Does Representative Howard or Ford wish to be recorded on this Bill? Mr. Clerk, take the record. Senate

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Bill 1814, having received 105 voting 'yes', 0 voting 'no', 0 voting 'present', is declared passed. The Lady from Cook, Representative Davis, is seeking recognition."

Davis, M.: "Mr. Chairman, I wish to be recorded as 'aye' on Senate Bill 1796. Someone inadvertently voted me 'present'. And I am a cosponsor of that Bill and I wish to be recorded as 'aye'."

Speaker Mautino: "The record will reflect that you support your Bill. On page 6 of the Calendar appears Senate Bill 1817, Representative Wait. Senate Bill 1818, Representative Mendoza. Out of the record. Representative Rose is seeking recognition."

Rose: "Mr. Speaker, could you ask the Clerk to lower the blast shield, we're having some... we can't really read our computer screens back here? Thank you very much."

Speaker Mautino: "Mr. Clerk, page 6 of the Calendar appears Senate Bill 1828, Representative Smith. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1828, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. I think this is one of the most important educational initiatives that we will address this spring. This is an initiative of the State Board of Education, the Board of Higher Education, and the Community College Board. It would create the P20 Longitudinal Education Data System. And would create within the State Board of Education a database tracking students from pre-kindergarten all the way through

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college and actually through grad school. This would allow for comparison of data in terms of evaluating students and evaluating curriculum. And also for evaluating school management. This may sound like something that we should be doing already, but because of the various systems that are out there, the various agencies that are involved, there is no way to bring all this data together, currently. It is my understanding from the State Board of Education that should this Bill pass, they have been granted money from the U.S. Department of Education to help pay for the expense to help implement this. I know of no opposition at this time and I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "Yes, he will."

Eddy: "Representative Smith, you mentioned it and I just want to make sure. This is not... this is... this does not take an additional new line item in the budget to fund?"

Smith: "No, it doesn't."

Eddy: "I think the State Board of Education originally had a little over 2 million in their suggested budget for the beginning of this implementation. But this actually, because of the \$5 million grant from the Federal Government will allow them to eliminate that 2 million from the line item?"

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Smith: "That's my understanding, Representative Eddy, yes. This will be funded through a grant from the Federal Government; it's part of the stimulus package."

Eddy: "And this is basically the authorizing language for that, and will take no... no state budget money. Thank you. I just wanted to clarify that. I think... it's... it's a long time coming for the state to have this type of a data system. It will allow us to do growth model assessment, not just benchmark model. And I appreciate very much the fact that the Federal Government's going to provide us with the funding for this. Thank you."

Speaker Mautino: "The Gentleman from DeKalb, Representative Pritchard."

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

Speaker Mautino: "He indicates he will."

Pritchard: "Representative, this sounds like it's going to be a lot of data that will be collected. How is this information going to be stored? Who's going to store it? And what access will the Legislature have to the results of that data?"

Smith: "Well, Representative Pritchard, the... the data will be... the data system itself will be managed by the State Board of Education. But it will include data from the other boards that I mentioned, the Board of Higher Ed and the Board of... the Community College Board. And the data will be for use by all education policymakers, including us here in the General Assembly."

Pritchard: "Do we have any examples of where this has worked in other states?"

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Smith: "Yes, Representative Pritchard, I believe you were at the dinner early this spring that I was as well, the Education Roundtable put together. This has been implemented.. the gentleman who spoke at that dinner, I believe was from New Mexico. They have implemented a similar system. I believe many other states have as well."

Pritchard: "Thank you. Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, all of us are troubled by some of the results we're seeing in our elementary and colleges on individuals being college ready and work force ready. This is a solution to that issue of being able to track the student's progress. And then they start to falter for whatever reason, we're going to know it faster and be able to remediate that before we get to the high school or get to college and when remediating those issues are much more difficult and expensive. This is a good Bill. I compliment the Sponsor for bringing this. And I think it's time that our state got into the 21st century with data collection analysis and using that in our educational system."

Speaker Mautino: "Gentleman has moved passage of Senate Bill 1828. Question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting's 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 1828 is declared passed. On page 6 of the Calendar appears Senate Bill 1817, Representative Wait. Mr. Clerk, read the Bill."

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Clerk Mahoney: "Senate Bill 1817, a Bill for an Act concerning local government. Third Reading."

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

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1817 would simply allow our local sheriff, if he need to, to hire auxiliaries to pay them. We have the Boone County Fair and a few other things where the regular deputies cannot take care of it. So, this would simply allow the... the sheriff to pay them. Thank you. I'm happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1817. 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 Durkin, Representative Winters, do you wish to be recorded? Mr. Clerk, take the record. 104... excuse me... 105 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 1817 is declared passed. On page 6 of the Calendar appears Senate Bill 1830, Representative Black. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1830, a Bill for an Act concerning professional regulation. Third Reading."

Speaker Mautino: "The Gentleman from Vermilion."

Black: "Thank you very much, Mr. Speaker. Is there a Floor Amendment been filed to the Bill?"

Speaker Mautino: "Mr. Clerk?"

Clerk Mahoney: "Floor Amendment #1 was adopted to the Bill, previously."

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Black: "Okay. Thank you, Mr. Speaker. The... Ladies and Gentlemen of the House, the Bill, as amended, simply allows a graduate of a licensed veterinary medicine school to practice under the supervision of a veterinarian until the results of his or her exam will be known. Originally, the... required a temporary permit, DP... Department of Professional Regulation didn't want to get into all of the temporary permit issuances and tracking those down. So, it just simply... the Amendment says you can practice under the supervision of a licensed veterinarian if you are a graduate of a licensed veterinary school until the results of your examination are known. Obviously, if you didn't pass the exam, your practice must immediately cease and desist. Be glad to answer any questions that you have."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1830. And on that question, the Gentleman from Cook, Representative Riley."

Riley: "Will the Sponsor yield?"

Speaker Mautino: "He indicates he will."

Riley: "Representative, was there any concern about liability issues from any procedure that this person, you know who's awaiting a... a notice of their license, if they did some procedure on an animal or so forth? Did that come up in terms of who..."

Black: "The individual..."

Riley: "...takes that responsibility?"

Black: "...it's my understanding, Representative, and I'm no expert on this. Based on testimony, the trial bar did not have any issues with that. Because it's somewhat rare to

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file a lawsuit against somebody who works on your dog or cat. Now, a racehorse or a champion steer would be different. But it was my understanding that any liability would accrue to the licensed veterinarian who is supposed to be adequately supervising the student. So, the student would not, under my understanding, would not incur the liability. But, the licensed veterinarian could if he or she just walks out of the clinic and says, we'll, I'm going to lunch you finish up this procedure on Rachel Alexandra. Obviously, a horse worth a great deal of money. And if the student messed up, that veterinarian, I'm sure, will be held responsible."

Riley: "So, it is analogous to an internship, if you will?"

Black: "In effect, yes."

Riley: "Okay. Thank you."

Black: "Thank you."

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

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

Speaker Mautino: "He indicates he will."

Franks: "Why would we do this?"

Black: "The Department of Professional Regulation was getting to the point where there was a lag time, between the graduate... the... the veterinarian who graduated from medical school, took his exam... or her exam, getting the results back. There was a considerable lag time as much as seven or eight months. The Farm Bureau brought this to the attention of the Veterinary Medical Association and said, look, with the shortage of veterinarians, particularly in

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the large animal practice, this doesn't make any sense. If they're a graduate, why not let them practice under the supervision of a licensed veterinarian until we get the results of the exam? Evidently, they... they consider and I don't have the figures, the majority of them pass the exam and will then be licensed. For those who do not, obviously, their internship, for lack of a better word, would stop until they took the exam again."

Franks: "Our analysis does not indicate that they would be under the supervision of a licensed veterinarian. Does... Is that pertained in the Bill?"

Black: "It's my understanding that it does, yes."

Franks: "'Cause ours... ours does not have that. And what I'm concerned about, it seems that the problem is with the state. And if the state is seven months behind, wouldn't it make sense to make the state speed up, instead of letting someone practice medicine without a license?"

Black: "Well, remember now, we're not talking about the Medical Practice Act here, we're talking about veterinary medicine. That may be a little different, I think, than a medical doctor."

Franks: "Well, here's my problem. I... I don't know how one is licensed to be a veterinarian. I know, for instance, when you're an attorney you have to go through... you have to pass the bar and you have to have an ethics review. And what I'm concerned about is this... let's assume a veterinarian has the ability to prescribe narcotics. And what would happen if the state had not yet done their background check on this individual and this individual was abusing

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narcotics or giving prescriptions of narcotics without... without a background check? What procedural safeguards do we have without a licensure proceeding?"

Black: "The... the student would not have any prescriptive authority, only the licensed veterinarian under who that student... graduate student was working would have that authority. The student would have no prescriptive authority at all."

Franks: "Is that in the Bill as well?"

Black: "That's my understanding from the Veterinarian Medical Society that that's already part of practice... of their Practice Act."

Franks: "Again, our analysis indicates that they would be able to practice veterinary medicine and surgery. And I would figure that practicing medicine and surgery would also give them the ability to prescribe. Can we take this and... and take a look at the language. Because that's one thing that really concerns me. Because I'd want to make sure that there's a background check before one has the ability to prescribe."

Black: "Well, I'll be glad to take it out of the record. But I know of no opposition and President Cullerton is the Sponsor of the identical Bill that I passed that went over to the Senate. And none of this came up. I mean, in the current Medical Practice Act for veterinarians, if you're not licensed, you have no prescriptive authority."

Franks: "But this would allow that. What we're asking is that... for these individuals to be able to practice as though they were licensed."

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Black: "This... this is no different than an internship. They still... only the licensed veterinarian can write a prescription, not... not the... not the graduate student working under that supervision. But I suppose if you wanted to prescribe some cocaine for your dog or your cat... now, I mean really, the kind of narcotics that a veterinarian is going to deal with other than large animal practice, contrary to rumor, they don't have a wide pharmacology assortment of... of narcotic drugs in a veterinarian practice."

Franks: "Well, my father-in-law was a vet, still is. And I remember when he used to come to our farm as a kid. And the vast assortments of pink medications, I wish I would have had a... wish I would have invested in those. But I'm... I'm reading the language of the Bill right now, Representative, and there is no prohibition. It's a temporary..."

Black: "It is..."

Franks: "...permit."

Black: "...it is in the Practice Act, not in this... not in this Bill amending the Practice Act."

Franks: "So, it's your understanding and I guess we need this for legislative intent, that one who... who would be practicing under this Act, this would be a temporary permit."

Black: "No."

Franks: "That individual would have to be under the direct supervision of a licensed and practicing veterinarian."

Black: "Yeah."

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Franks: "And that individual would not be allowed to prescribe drugs."

Black: "I... I believe that there is no temporary permit, that's what the Bill gets away from. And I have been told by Representative Sullivan, who... who may want to make some comments, that that specific language is in the Act."

Franks: "Okay."

Black: "That they cannot do that."

Franks: "Okay. I'd like to hear those comments. So, thank you."

Black: "Fine. Thank you."

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

Sullivan: "Thank you. Thank you, Mr. Speaker. To the Bill. The problem we're having with and the reason for this legislation is these permits are not coming on time. And so, this... by taking this away, you really don't change anything other than you don't have the permit. The effect is the same, that you still cannot practice veterinarian medicine until you are fully licensed. So, you're working with them, but if you look at the Bill, page 2, sentences 6-13, it specifically talks about what Representative Franks was talking about. The holder of the temporary permit shall perform only those acts that may be described by an incidental to his or her own employment and that act shall be performed under the direction of a supervising veterinarian who is licensed in the state. And here's where it answers your question, 'the holder of this temporary permit shall not be entitled to otherwise engage

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in the practice of veterinary medicine until fully licensed in this state'. So, the underlying Bill talks to the problems of could you prescribe; well, you cannot prescribe until you're licensed. So, what they're trying to do is get this person to work in veterinary medicine ahead of time because the state is so far behind. So, the reality is, that's all we're trying to do, is get them to work sooner. It doesn't change anything under the underlying Act other than trying to get them into the process sooner so they can, in essence, pay off loans and do other things, but they cannot do anything until they are licensed. And it says it specifically in the Bill. Thank you for that and I have no further comments."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1830. 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. One Hundred and five (105) voting 'yes', 0 voting 'no', 1 voting 'present'. Senate Bill 1830 is declared passed. Representative Osmond."

Osmond: "Thank you, Mr. Speaker. Would you please have the record reflect that Representative Bill Mitchell is excused for the rest of the day."

Speaker Mautino: "The record and the Clerk's Office will reflect that. Senate Bill 1832, Representative Black. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1832, a Bill for an Act concerning criminal law. Third Reading."

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

Black: "Yes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This is a similar Bill that I carried last year that is now law. It was brought to me by an attorney in... in my district. It simply amends the Code of a Criminal Procedure to allow a licensed attorney as an officer of the court to issue a subpoena in a pending criminal action, rather than have to go through the Clerk of the Court. In certain judicial districts, you may have to go back and forth two or three times in a day. And the... the Clerk of the Court, generally, has a stack of these and you just go pick it up and you fill it out. The attorney that brought this to my attention said, look, it would save a lot of time if I could just issue the subpoena. It doesn't change the rules of service, it doesn't change the protocol of how the subpoena may be served. The attorney doesn't serve it, he just simply fills it out. It is supported by the Illinois State Bar Association and the Illinois Association of Criminal Defense Attorneys. I know of no opposition, be glad to answer any questions you have."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1832. And the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. One hundred and five (105) voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 1832 is declared passed."

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Mr. Pritchard, Senate Bill 1841 appears on page 7 of the Calendar. Mr. Clerk, call the Bill."

Clerk Mahoney: "Senate Bill 1841, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from DeKalb, Representative Pritchard."

Pritchard: "Thank you, Mr. Speaker and Ladies and Gentlemen. This is a Bill that my good friend, Representative Mendoza, sponsored last year and passed out of the House 109-0, but ran into some difficulties over in the Senate. So, we introduced it and essentially, this Bill just ensures that all committed persons who may not have submitted DNA samples in the Department of Corrections or the Department of Juvenile Justice will commit those samples. It's important that this pass so that unsolved crimes can be examined further in light of DNA and other marker analysis. And this Bill could also help exonerate innocent persons via the same type of analysis. I'd be happy to answer your questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1841. And on that question, the Gentleman from Champaign, Representative Rose."

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

Speaker Mautino: "He indicates he will."

Rose: "Representative, several years ago we passed a Bill requiring DNA samples from those incarcerated, actually upon conviction, anyone who is convicted. How is this different than what we already do?"

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Pritchard: "Actually, this... it clarifies a Bill we had passed in 2002 that mandated the collection of DNA evidence six months after the enactment of this Bill or upon release. And there was some confusion, which is the reason that this Bill is sponsored. So that those that might have been incarcerated prior to the enactment of this Bill would be covered by this legislation..."

Rose: "Okay."

Pritchard: "...and would give a sample."

Rose: "So, you're... I got it. So, in other words, there was an interpretation that the prior Bill did not cover people that had been convicted as of the date of enactment, it only applied prospectively forward. And this would retroactively apply it."

Pritchard: "This would clarify and would gather those samples, yes."

Rose: "All right. Thank you."

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

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

Speaker Mautino: "Yes, he will."

Davis, M.: "Okay. Representative, are you asking that all incarcerated individuals in state, adult or juvenile, facilities submit DNA samples?"

Pritchard: "Yes, that's already in the State Law."

Davis, M.: "So, what does your Bill do to change it?"

Pritchard: "This Bill simply clarifies the fact that if someone was incarcerated prior to the enactment of the 2002 legislation that they would be required to give a sample."

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Davis, M.: "Are you aware of or do you have knowledge of a backlog of DNA samples? Are you familiar with that information?"

Pritchard: "Yes, I am familiar with that, but I have been informed that this is not going to be an additional burden that the State Police cannot deal with."

Davis, M.: "You don't think that it will add to the backlog?"

Pritchard: "They have indicated to me that it would not."

Davis, M.: "Representative, I talked to some groups a few weeks ago and they have some concern about the DNA samples being available to law enforcement. You think... why do you think they'd be concerned about that?"

Pritchard: "I am not aware of any issue that has been brought up when we had this testimony in... in committee."

Davis, M.: "Well, some people have expressed what they consider to be problems when you have left your DNA someplace and they feel that it could be used to say a person committed a crime they didn't commit. It could be used to gather evidence against an innocent individual."

Pritchard: "But that's one of the advantages of DNA sampling, is that we can prove that someone is innocent. In fact, that's one of the reasons that we want to collect DNA evidence. Is because it may exonerate someone that has been falsely accused and incarcerated. And this could give them their freedom."

Davis, M.: "I do agree with that, that it could have the opposite effect of allowing someone to go free who has been incorrectly incarcerated for a number of years. And we do

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have evidence of that occurring. Thank you for your responses. I will support your Bill."

Pritchard: "Thank you."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1841. 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? Mr. Clerk, take the record. One hundred and five (105) voting 'yes, 0 voting 'no', 0 voting 'present'. Senate Bill 1841 is declared passed. Senate Bill 1843 appears on page 7 of the Calendar, Representative Durkin. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1843, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Durkin: "Thank you, Mr. Speaker. Senate Bill 1843 is very simple. It states that an individual is prohibited from getting any type of credit towards a sentence of imprisonment on a new offense for time spent in custody, on parole, mandatory supervised release or probation or probation violation on a new offense."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1843. The question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. Question, Representative Fritchey."

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

Speaker Mautino: "Yes, he will."

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Fritchey: "Representative, is... is there any other situation where we allow a state's attorney discretion over whether or not good time credit's awarded?"

Durkin: "The state's attorney is not giving that discretion; we're just stating that it is improper for an individual who is currently on probation or mandatory supervised release and they commit a subsequent offense. And what happens is that they're violated, that's a violation of the terms. And if they are detained, based on that violation because of that subsequent offense, and at some point later they are adjudicated and they are imprisoned because of that offense, that time then is not used as a credit. It's not a discretion for the state's attorney. It's... it's basically... this is a sentencing clarification that we are proposing today."

Fritchey: "Well, and maybe our analysis... our analysis says that this would prevent an offender from receiving credit for time served unless the state's attorney and the offender agree that the time should be credited. So, I guess, one, it sounds to me at least from the analysis, that the state's attorney does have discretion. And two, when would there ever be a situation that the offender wouldn't agree the time should be credited?"

Durkin: "Well, I think inherently within the system there is a... the state's attorney has the ability to agree to a... some type of... some type of plea agreement where there is going to be... where you can have the... the time is considered concurrent. I think that that is where... that is something that's inherent, something that's gone on within the

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system, but I... I can't think of that situation off hand. But I think it is something that is left to the discretion of the state's attorney on situations where you have defendants who may be cooperating with law enforcement in other acts or other types of crimes."

Fritchey: "All right. And... and... I... I... I... don't want to belabor this, but I'm looking at the Bill for the first time and I apologize. It just... and Jim, you know the Criminal Code better than I do. But I'm just... I'm... I'm still not aware of another situation, though, where the prosecution gets the discretion on whether... if the prosecution refuses to sign off, then they don't get the good time credit in this situation. I mean, if we do it somewhere else already then I'm not just not aware. That's what I'm just wondering if we're getting into a new area here. 'Cause it seems that we're giving quasi-judicial discretion or the determination to an elected official."

Durkin: "No. I think what we're doing is we're... what we're doing is that we are memorializing something which has been inherent within the law that the state's attorney is allowed to... I mean, if the state's attorney objects, the court is not going to allow it. But is the language... is it necessary? No, I think it's a practice that goes on. If the state's attorney's going to object... it's not going to happen. But you know, some people draft these Bills. This came over from the Senate. Sometimes it's not complete, nor is it perfect, but this is not changing existing practice that goes on in the courthouses."

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Fritchey: "All right. I... I appreciate the answers. And Speaker, thank you for letting me be heard."

Speaker Mautino: "The Gentleman from Cook, Representative Harris. Representative Harris, you seeking recognition? Representative Monique Davis."

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

Speaker Mautino: "Indicates that he will."

Davis, M.: "Representative, you want to remove good time for a person who is being brought back before the state's attorney?"

Durkin: "No, being brought before... back before the Circuit Court, in which they was originally sentenced."

Davis, M.: "So, why would you want to remove their good time or time served?"

Durkin: "Well, because once... well, the situation which does occur on a... at times is that an individual has been sentenced through probation or they had been released on parole or mandatory supervised release. And so on of the terms of... of those, there's a number of terms for the revocation. One of them, the most glaring, is that you commit another offense while you were on probation or you're on mandatory supervised release. And if that individual is... their... that status is revoked, they're brought back before the Circuit Court which imposed that sentence. The court has that option at that point to determine whether or not they're going to detain that individual for the revocation hearing on the mandatory supervised release or the probation. Therefore... because of

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that subsequent offense. Now, what we're doing is distinguishing the violation versus the offense which created the violation."

Davis, M.: "I'm... I'm really shocked, Representative Durkin, I'm shocked that this Bill came out of the Senate, I am totally shocked."

Durkin: "It did pretty well in Judiciary Committee... so..."

Davis, M.: "I can tell, I can see that. It'll probably get a lot of votes, I think it's very bad. I don't think that the prosecutor should have the opportunity to make that determination. I mean these offenses could be totally separate and apart. You know, a person could have a driving offense and have something else that occurred at some other time. I just don't think it's the right thing to do. And I will be voting 'no'."

Durkin: "Okay."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1843. The Gentleman from Cook, Representative Lang is seeking recognition."

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

Speaker Mautino: "He indicates that he will."

Lang: "Thank you. Representative, I'm having some trouble figuring out how this Bill works from start to finish."

Durkin: "Sure."

Lang: "Can you take us through this? Give us a time line?"

Durkin: "Well, what happens is that when somebody is sentenced in a criminal courthouse they either... after a finding or a plea of guilty they receive either probation or they go away to the Department of Corrections. And the Department

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of Corrections at some point is going to place them on formerly what used to be referred to as parole, now mandatory supervised release. There are conditions to probation, to mandatory supervised release. One of them is that you should not commit an offense, a crime while you're on that... under those terms of either... of... of the release or under probation. If you are, you are brought back before the court which made the original adjudication. And there is a revocation hearing, there is a bond set on the... on that offense which revokes that prior probation. They could be sentenced... they could be detained in the Department of... in the Cook County... or one of the county jails until there is a full hearing on their revocation, which is different from the actual offense which created the revocation. So, if they were determined to have violated either MSR, which is parole or probation, the time in which they had served from the moment they were brought back in on the revocation until it's been resolved cannot be used as time credit or time considered served on the subsequent offense which created... it's a little bit confusing, I understand, you know, where it could be confusing. For the subsequent offense which created the revocation. That time within the county jail is not credited towards any penalty or any sentence which comes after the fact on the case which had created the revocation of the MSR or the probation."

Lang: "Well, thanks for clearing that up. So, is this your first Bill, Sir?"

Durkin: "Sounds like it, doesn't it?"

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Lang: "Yes, it does. So... so what discretion is given to the state's attorney in this process?"

Durkin: "They have the ability to determine whether or not they want to seek the revocation of the probation or the mandatory supervised release, but at the end of the day, it is the court who's going to make that decision whether they're going to agree. What happens at times is that the defense and the prosecution may agree upon some type of consolidation of sentences based on the revocation or the subsequent offense. That is their discretion to make that recommendation to the Circuit Court. Circuit Court does not have to abide by it."

Lang: "And how... how does this process work today? What does this Bill do to change the process that we have in the law today?"

Durkin: "What it does... the only distinction is that... there was an opinion that came out of the Second District that stated that the time that you are in based on the violation can be used... shall be used, and credited towards any... the subsequent offense which brought that revocation in the first place. We're saying that they're two separate distinct cases and that the violation, the time in based on the violation cannot be used as credit towards the subsequent offense which brought them back into the Circuit Court."

Lang: "All right. And should I assume that the state's attorneys are for this Bill?"

Durkin: "This would be the Lake County state's attorney's Bill, yes."

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Lang: "Have the other state's attorney's weighed in on this?"

Durkin: "Yes, they... the association supported it in committee and also in the Senate."

Lang: "All right. And... and what about those people who are in this building that represent the rights of those who have been charged with crimes? What do they say about this?"

Durkin: "Well, I didn't hear much, but they are afforded due process. They are afforded the right to an attorney. They have the right to challenge the revocation before the Circuit Court to determine whether or not it's warranted. And they have the right to make that appeal to the Circuit Court. We're not streamlining anything in the system, which some people... I mean, if you think that that's maybe the inference which is drawn from this."

Lang: "Last question. So, in the end a judge decides not the state's attorney?"

Durkin: "Correct."

Lang: "Thank you."

Speaker Mautino: "Gentleman has moved passage of Senate Bill 1843. 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? Mr. Clerk... Representatives Burns, Feigenholtz, Ryg like to be recorded? Mr. Clerk, take the record. One hundred (100) voting 'yes', 5 voting 'no', 0 voting 'present'. Senate Bill 1843 is declared passed. Mr. Clerk, Senate Bill 1882 appears on page 7 of the Calendar. Read the Bill."

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Clerk Mahoney: "Senate Bill 1882, a Bill for an Act concerning education. Third Reading."

Speaker Mautino: "Representative Dr. Fortner."

Fortner: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1882 will create the streamlining Illinois Educational Delivery Systems Task Force, a mouthful of words. However, what it will get at is something that we really need to look at where I think we can get a lot of efficiency. And that's looking at all the different middle level educational delivery institutions: regional office of education, special ed cooperatives. And look at how we can make sure that we are not duplicating services that we can streamline the mechanisms by which those programs run down to the local school districts. Be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1882. And 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? Representatives Cavaletto, Feigenholtz, Winters, do you wish to be recorded? Mr. Clerk, take the record. One hundred and five (105) voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 1882 is declared passed. Senate Bill 1883. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1883, a Bill for an Act concerning education. Third Reading."

Speaker Mautino: "Dr. Fortner."

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Fortner: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1883 creates the Collaborative Baccalaureate Degree Development Grant Program. This is a mechanism by which the Board of Higher Education can provide grants to those community colleges and institutions of higher education offering baccalaureate degrees, so they can partner and make sure that those degrees are offered where they're needed. We've heard a lot of concern about this. This will just give us another tool to help us address that particular need that's been identified in a number of other issues we've heard over the last few years. Be happy to answer any questions."

Speaker Mautino: "Representative Thapedi, with a question."

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

Speaker Mautino: "He indicates he will."

Thapedi: "Professor, a quick question. How can a university like Chicago State University take advantage of a program such as this?"

Fortner: "Well, I think any baccalaureate degree institution, what they can do is if there is a community college and they see that there's a program that a community college would like to have offered at their local site, that they could form a partnership with that two-year institution and could then apply for grants under this program."

Thapedi: "Is the grant writing process a lengthy one and a complicated one?"

Fortner: "That would be up to the... how that grant form... I don't know how the grant form would look. That's not specified in the legislation."

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Thapedi: "And... and the only reason why I ask is because I see a list of proponents on my analysis and I noticed that Chicago State is... is not included as... as one of the proponents. And, obviously, for my community that we have quite a few students from Chicago State and it seems like an excellent program. And I'd like to ensure that the students at Chicago State University have the opportunity to embark upon this program as well."

Fortner: "I would certainly hope that Chicago State would look at those types of partnerships."

Thapedi: "Thank you, Professor."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1883. 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 Feigenholtz, do you wish to be recorded? Mr. Clerk, take the record. One hundred and five (105) voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 1883 is declared passed. Senate Bill 1923 appears on page 7 of the Calendar, Mr. Holbrook. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1923, a Bill for an Act concerning State Government. Third Reading."

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

Holbrook: "Thank you, Speaker. Senate Bill 1923 allows for high impact business programs to be allowed for wind farm areas, wherever they build. It allows them to access those benefits. I have a script for legislative intent on Senate

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Bill 1923 I'd like to read into the record now. For purposes of legislative intent with regard to wind farm developments in enterprise zones or economic development project areas, I would like to clarify the extent to which the wind farms would be considered public works projects subject to the prevailing wage. The initial construction of the wind farm in enterprise zones or economic development project zones would be... is considered a public works project. However, the definition of 'public works project' on which prevailing wage provisions may apply does not include the operations and maintenance of wind farm facilities, ongoing routine maintenance and operations performed by employees of the wind farm owner or affiliate of the wind farm owner are exempt from the definition of 'public works'. And further, warranty work performed by the original wind turbine equipment manufacturers is also exempt from the definition of 'public works'. With all that said, this Bill passed out the Senate unanimously in this form, passed out of committee unanimously. And I think it gets Illinois on the road to becoming a real center for development of green energy. Be glad to take any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1923. And on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Mautino: "He indicates he will."

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Black: "Representative, why is it necessary to put the prevailing wage standard in this Bill? Without that language, it's pretty much an agreed Bill."

Holbrook: "Correct. They just feel for the benefits of... under this, if we're going to provide that large of an incentive they want to have some guarantee the actual construction of the project pays prevailing wage. And that's why the industry... the wind farm people are all in favor of this Bill even with that provision."

Black: "Well, what... there are some cases, not in my district, but certainly close to my legislative district where an individual has constructed, I don't know if wind turbine is the right word, because they're... they're not as big obviously as a wind turbine that you and I have seen. And I know of a school that is contemplating putting up a single wind generator. And I don't think they have any intention of paying prevailing wage and I don't... I don't think it would be feasible if they had to. So, is there a distinguishing part of the Bill? Is this only like a wind farm project with multi wind turbines or does it get down into the individual farmer or the individual elementary school that's trying to go green, where they would put in a much smaller version of a wind turbine?"

Holbrook: "This wouldn't apply to them unless they tried to designate it just as an enterprise zone, just for that purpose of one turbine, it wouldn't affect them, unless they wanted to try and become an enterprise zone. So, that..."

Black: "So, in other..."

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Holbrook: "...the answer is then, no."

Black: "...in other words, it would be... they would be exempt..."

Holbrook: "Yeah."

Black: "...if you're just doing something for a school or single residence or something like that. What... what if they... and I... I have legislation that I don't know, it's hung up in the Senate, that would allow municipally-owned power companies, for example, Springfield gas and water would allow them to operate a wind generation farm on a kind of a lease basis. It's some pretty creative financing. If it was going to be municipally operated, would they still have to pay the... well, I'm sure they would, because they're a municipality."

Holbrook: "Yeah. They would come under public works..."

Black: "Okay."

Holbrook: "...already."

Black: "Okay. Now, what would constitute the incentive that... that triggers the prevailing wage? What... what if there's a limited number, depending on the geography of your... of your location, you might be able to have 40, 50, 100 of these wind turbines or you may have as few as 6 to 10. Now, if there was no incentive given, would it then be the lowest applicable bid on the construction of the turbines, or would it still be prevailing wage?"

Holbrook: "If they apply for the enterprise zone and high impact, they would get it and they would come under it. Right now, no large major development in the state has been undertaken unless it's in an enterprise zone. We have none

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in this state and we're hoping with this following the project rather than..."

Black: "Okay."

Holbrook: "...the actual enterprise zone, which we have about 100 of..."

Black: "Okay. So..."

Holbrook: "...this would encourage a large development of them."

Black: "I... I appreciate that. Now, you're helping me focus. So, you're really only amending the Enterprise Zone Act. If the benefits of the wind farm accrue because they would be located in an enterprise zone, then it's prevailing wage."

Holbrook: "Right."

Black: "If you use land that is not in that enterprise zone then you would go out for open bids, correct?"

Holbrook: "Correct."

Black: "All right. Thank you."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1923. 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. Eighty Seven (87) voting 'yes', 18 voting 'no', 0 voting 'present'. Senate Bill 1923 is declared passed. Senate Bill 1818 appears on page 6 of the Calendar, Representative Mendoza. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1818, a Bill for an Act concerning criminal law. Third Reading."

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

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Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1818 amends the Criminal Codes Theft and Illinois Financial Crime Law section. What it would do is, it would make the theft of any property exceeding \$1 million a Class X felony. Primarily, this is intended to provide another tier to the matched increase money amounts for white collar crimes, in particular home loan fraud. I know of absolutely no opposition to this Bill. And I would certainly be happy to answer any questions. Would ask for your support."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1818. On that question, the Gentleman from Cook, Representative Fritchey."

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

Speaker Mautino: "She indicates she will."

Fritchey: "Representative, just a quick question. This doesn't make... does this make any and all theft over \$1 million... a Class X felony or solely theft of property within that Act? Because the way that I read it, while it may be... while your intention may be to aim it at a specific per... at a specific type of crime, this would seem to me, and maybe I'm wrong, that if somebody were, for example, to... here I'll let you... no, if somebody were, for example, to break into somebody's house and find \$1 million in cash and take it, a Class X felony?"

Mendoza: "This would cover that as well. It's any... any crime whose value, I guess, would be exceeding \$1,000,000 would be considered a Class X felony."

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Fritchey: "Right. Thank you. To... to the Bill. Ladies and Gentlemen, we... we are all sensitized, especially these days, to the concept of white collar crime, financial fraud, home fraud, people being defrauded out of their life savings, out of their mortgages, et cetera. Perhaps legislation tailored at those types of crimes would warrant a very significant and severe penalty. Vote how you will, but please recognize what you are voting on here. When this state created the category of Class X felons it truly was for the worst of the worst. And we increased the scope of Class X and when you think of a Class X felons you think of significant drug crimes. You think of murders, you think of heinous murders, you think of violent crimes against children, et cetera. What we would be doing here is deviating significantly and making purely financial theft, not necessarily defrauding anybody, not necessarily taking advantage of a senior or somebody's home or a predatory loan or any of those things, simple theft and this is not to condone the crime, obviously. But simple theft of property. It's the simple theft of cash in excess of \$1 million a Class X felony. We're confronted in a situation already where we have overcrowded prisons, where we are trying to deal with rehabilitation. This is not a violent crime you are talking about. A crime? Absolutely. But not a violent crime. Simple theft of cash in excess of \$1 million we're going to make somebody a Class X felon, put them into an already overcrowded system on the same day that Governor Quinn is talking about the potential need to release 6 thousand inmates because of budgetary

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constraints. So, keep in mind who may be getting released as a result of a monetary criminal being kept behind bars for up to 30 years. Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. As always, the previous speaker gives very cogent arguments and... and some valid cautionary tales. However, I know people in my district are just more than a little upset by people who loot a bank, a savings and loan, a business, steal money in effect. That's what they're doing, stealing money from their employer or their association. In fact, we just had somebody sentenced for stealing several thousand dollars from a youth sports league. They see these people who steal \$1 million often get some kind of probation and told, well, you'll have to continue to work so that you can pay back the debt. Very seldom have I ever seen where that debt is in fact paid back. However, a person who steals your child's bicycle from the front porch of your house may get one to three years in the prison... in a prison. I... I think if... if you knowingly embezzle, steal, or through fraudulent means misappropriate for your own personal gain \$1 million or more, I think you should get the maximum penalty. I don't know what the Wall Street baron, whatever his name is in New York, who stole billions of dollars through fraud. I don't know what his eventual sentence will be. Probably the lowest felon... one of the lowest felonies that the judge can give that individual. I just think people get a little

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tired sometimes, you know, that... they come into my office and say, well, if you're going to steal something, you might as well steal a million bucks, because you're probably going to get a lighter sentence than the person who shoplifted or stole a hundred dollars from their employer. So, I... I think in all due respect to the previous speaker who's an attorney and a very good one and I'm not, I just think the average person on the street feels that if you commit embezzlement, fraud, or steal money in the amount of \$1 million or more I think the most harsh penalty is not beyond the realm of what most people would accept. And... and I rise in support of the Lady's Bill."

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

Durkin: "Will the Sponsor yield? Representative, when is the effective date of this Bill?"

Speaker Mautino: "She indicates she will."

Mendoza: "It takes effect immediately."

Durkin: "Immediately..."

Mendoza: "Effective starting date, yeah."

Durkin: "All right. So, cases that are currently... they have to be charged, for it to apply? It's not going to... cases that are... All right. Well... I'm thinking this through 'cause I know a couple of situations that there are some investigations going on in the suburbs where they are a \$1 million plus..."

Mendoza: "Yeah, exactly."

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Durkin: "...and whether or not they will currently apply. All right. Thank you. I just want to make sure I get it clear that the effective is... is immediate. Thank you."

Mendoza: "Yes, thank you."

Speaker Mautino: "The Gentleman from DuPage, Representative Reboletti."

Reboletti: "Thank you, Speaker. Will the Sponsor yield? Representative, you... you represent Cook County, is that correct?"

Mendoza: "That's correct."

Reboletti: "And isn't... hasn't over the last couple of years we've seen gangs go into mortgage fraud conspiracies, and... and stealing homes right from under people? Is that something we've seen quite a bit of?"

Mendoza: "Absolutely correct."

Reboletti: "And so, if they were to put together three or four homes worth, \$250, \$350 thousand, they'd be over \$1 million in... in value, right?"

Mendoza: "Very quickly. Mmm. Mmm."

Reboletti: "And... and so, we would have numerous victims. You'd have families without homes, something they put their entire life into. Kids are now homeless. And so, what we're trying to say here and I think what you're Bill is saying is that... well, \$500 thousand is a lot of money, but there are... as we look at the Madoff... Madoff scandal..."

Mendoza: "Exactly."

Reboletti: "...businesses being looted and mortgage fraud conspiracies, identity theft, that \$1 million could be pretty easily obtained and it's the same penalty \$5

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million... if you steal \$5 million, it's the same as if you stole \$525 thousand right?"

Mendoza: "Correct."

Reboletti: "And... and so, what you're saying here is there should be a higher penalty if it's over \$1 million, it's as simple as that?"

Mendoza: "That's exactly right. Thank you."

Reboletti: "Mr. Speaker... Mr. Speaker, to the Bill. I appreciate the Gentleman from Cook's comments and I respect it, his legal abilities, but we're looking at numerous victims, we're looking at families losing their livelihoods, their businesses, their actual homes, because of these fraudulent schemes. It's just not, oh, I found a bag of money; there's a million dollars in it. That's somebody's business. It's just not as simple as that. This is not \$500 and now we're locking people up. And to Governor Quinn, you can rattle your saber how you're going to cut Illinois State Police and you can pretend you're going to let... put all the inmates on the street, we know that's not going to happen. So, stop talking about those things. Let's start talking about real solutions to these issues, not talk about what we really have to do if there's a doomsday budget. And I appreciate you for..., Representative Mendoza, for bringing this Bill. Thank you."

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

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

Speaker Mautino: "He (sic-she) indicates he (sic-she) will."

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Lang: "Thank you. Representative, does... does the... does the person who commits this crime have to know the value of the property to be over \$1 million for it to be Class X? So, here's the scenario. So, they... they... they steal... they steal a bag of money that's in the back of someone's car and they don't know there's diamonds in there. So, they... they attempted to steal half a million dollars, but it turns out to be over \$1 million. Is this a Class X felony?"

Mendoza: "Well, this Bill would say, if the person commits this theft when he knowingly, so it is knowingly."

Lang: "Well..."

Mendoza: "Knowingly is the standard."

Lang: "...does the theft have to be knowingly or does the value have to be knowingly?"

Mendoza: "No, the theft has to be. Hold on, I'm looking at the actual statute."

Lang: "Right. So..."

Mendoza: "When he knowingly obtains or exerts unauthorized control over property of the owner... I mean, there's a whole bunch of, you know, terms here..."

Lang: "So, if I intend to steal \$750 thousand from you, but it turns out to be \$1.2 million? I've committed a Class X felony. Is that correct?"

Mendoza: "I would say that's correct."

Lang: "And this would go for if I found a way through forged documents to steal your home, and I thought your home was worth three-quarters of a million dollars, but I'm not

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going to get an appraisal before I steal your home, probably."

Mendoza: "Right."

Lang: "And it turns out to be worth more than \$1 million, then that's a Class X felony as well."

Mendoza: "That would be correct."

Lang: "Do you think this is good public policy, Representative?"

Mendoza: "I do think it's very good public policy."

Lang: "And so the... the thief is just stuck with whatever the value is, is that correct?"

Mendoza: "Yes, and a higher sentence."

Lang: "Now, is there a COLA in here, Representative?"

Mendoza: "Nope. No."

Lang: "No. There's no COLA?"

Mendoza: "No."

Lang: "All right."

Mendoza: "Thank you."

Lang: "I... I understand your intention to this. I'm not going to be able to support this legislation, but thank you."

Mendoza: "Thank you."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1818. 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 Harris. Representative Walker. Mr. Clerk, take the record. 97 voting 'yes', 7 voting 'no', 1 voting 'present'. Senate Bill 1818 is

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declared passed. Mr. Clerk, page 7 of the Calendar is Senate Bill 1926, Representative McAsey."

Clerk Mahoney: "Senate Bill 1926, a Bill for an Act concerning education. Third Reading."

Speaker Mautino: "Representative McAsey."

McAsey: "Thank you. Senate Bill 1926 allows for Type 40 area vocational centers which are... are vocational tech ed centers that are jointly owned by multiple school districts, to apply for school construction grant money. It creates a mechanism by which they can put forth an application. And I would ask for a favorable vote."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1926. On that question, the Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "She indicates she will."

Eddy: "Representative, just to be clear, this... this Senate Bill is actually a resurrected House Bill that didn't make the deadline?"

McAsey: "That's exactly correct."

Eddy: "Okay. And... and basically, what you attempted to do originally was to find a way for vocational centers to... to be part of the capital program for school construction. And many of these vocational centers were built 30, 40 years ago. And there just simply isn't, at this time, any type of qualification for them to... to be able to take care of capital expenditures. And... and this would require they fill out an application..."

McAsey: "Right."

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Eddy: "...go through the same process. But it also states that they are at the very end, that all existing qualified school districts from FY 2, the 24 remaining schools, all that relate through any application the state board has, would be first."

McAsey: "That's correct. And in it..."

Eddy: "And we don't know what that number is..."

McAsey: "Right."

Eddy: "...but it's a significant number. But... but basically, this puts vocational centers at the end and... and then they would only be funded if all other requests were made."

McAsey: "That's correct."

Eddy: "How... how do... in your Bill, how... how do these school districts or excuse me, vocational centers, determine the grant index? Because in... in a normal situation where a school district has a certain grant index, in this one you're mixing several districts."

McAsey: "Right. And we discussed that. And... and what was decided is that all of these member districts that the average of their grant index would be what would be considered for purposes of the grant application. And in addition to that, this Bill sets forth a procedure related not only to the grant index, but also related to each of these member districts agreeing to even make the application."

Eddy: "Okay. Well, I appreciate the explanation. And... and I also think it's very important for the chamber to understand that... that these vocational centers who serve students from our... our school districts have no way of

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qualifying at this time for construction funding. And many of them have reached the... the useful age of the buildings becoming really either heavy maintenance items or they do need to be replaced. And if we're going to look at attempting to provide really high quality vocational centers for the future, they're going to have to be funded somehow. And in many cases, the school districts just can't qualify in any other way for the school construction grant funding if it becomes available. And I think, based on that, this at least gives them that opportunity. And I would... I would request a positive vote on this Bill to... to help support vocational education."

McAsey: "Thank you."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1926. 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. 94 voting 'yes', 11 voting 'no', 0 voting 'present'. Senate Bill 1926 is declared passed. Mr. Clerk, on page 7 of the Calendar appears Senate Bill 1948, Representative Biggins. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1948, a Bill for an Act concerning revenue. Third Reading."

Speaker Mautino: "The Gentleman from DuPage, Representative Biggins."

Biggins: "Thank you, Mr. Speaker. As I was saying, House... Senate Bill 1948 deals with the Property Tax Code and makes changes dealing with revisions of property assessments."

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The Bill would require that the county assessor need not give notice to the township assessor from... from the county assessor concerning views of property if the township assessor fails to timely return assessment books or workbooks. Now, basically, it's to make the system flow on time so the bills are less likely to be out late, and more... resulting in more costs to local governments. So, the Bill will help the process flow on time and not delay the issuance of property tax bills. Be glad to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1948. And on that question, the Gentleman from Lee, Representative Jerry Mitchell."

Mitchell, J.: "Mr. Speaker, I just want the record to reflect that I meant to vote 'yes' on Senate Bill 1926."

Speaker Mautino: "The record will so reflect."

Mitchell, J.: "Thank you."

Speaker Mautino: "And with that, 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. On this Bill, 104 voting 'yes'; 0 voting 'no', 1 voting 'present'. Senate Bill 1948 is declared passed. Senate Bill 1956 appears on page 7 of the Calendar, Representative Eddy. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1956, a Bill for an Act concerning education. Third Reading."

Speaker Mautino: "The Gentleman from Crawford, Representative Eddy."

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Eddy: "Thank you, Mr. Speaker. Senate Bill 1956 basically allows some flexibility to school districts regarding the use of parent-teacher conference days. And many times, schools have requested waivers to allow for parents to come in at night and then to couple that with time during the next day and... and between the combination, be allowed to use one of the four days. It... it happens all the time now. Rather than schools having to request this by waiver, this would just codify that practice and allow that flexibility. And I would appreciate your favorable consideration."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1956. And the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting's 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 1956 is declared passed. 1957, Senate Bill, appears on page 7 of the Calendar, Representative Eddy. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1957, a Bill for an Act concerning education. Third Reading."

Speaker Mautino: "The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you, Mr. Speaker. Basically, this Bill is offered as an opportunity to amend the school breakfast program to make sure that breakfast incentives are three different incentives and to allow and encourage greater participation by school districts in the breakfast program. And once

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again, I would appreciate the Body's favorable consideration and be willing to answer questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1957. And on that, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bradley, Representative Gordon. Mr. Clerk, take the record. 102 voting 'yes', 0 voting 'no', 3 voting 'present'. Senate Bill 1957 is declared passed. Senate Bill 1958, Representative Flider. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1958, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Mautino: "Mr. Flider."

Flider: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1958 is an initiative of the Secretary of State's Office. What it does is it requires that when street rods and custom vehicles are required to be inspected that they be inspected by the Secretary of State's Office Department of Police rather than the National Street Rod Association. These vehicles used to be inspected by the Street Rod Association with an agreement with the Secretary of State's Office. However, the association found that they had more requests than they could handle. They've asked the Secretary of State's Office to begin the inspection process and take it over. I know of no opposition. I'd ask for an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1958. The question is, 'Shall this Bill pass?' All

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in favor vote 'yes'; opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Saviano, wish to be recorded? Mr. Clerk, take the record. 105 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 1958 is declared passed. On page 8 of the Calendar appears Senate Bill 1970, Representative Connelly. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1970, a Bill for an Act concerning charitable organizations. Third Reading."

Speaker Mautino: "Representative Connelly."

Connelly: "Thank you, Mr. Speaker. Senate Bill 1970 amends the Solicitation for Charity Act to increase the threshold for requiring a charitable organization to file an audit with the Attorney General's Office from \$150 thousand in contributions over a 12-month period to 300 thousand in contributions over a 12-month period. I ask for a 'yes' vote."

Speaker Mautino: "The Gentleman from Crawford is seeking recognition, Representative Eddy."

Eddy: "Will the Sponsor yield?"

Speaker Mautino: "Indicates he will."

Eddy: "Representative, is this your first Senate Bill? Obviously, he's not able to answer the question on his own."

Connelly: "I believe it is."

Eddy: "I'll withdraw the question."

Speaker Mautino: "And with that, Senate Bill 1970, the Gentleman has moved passage. The question is, 'Shall this

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Bill pass?' All in favor vote 'yes'; opposed vote 'no'.
The voting's open. Have all voted who wish? Have all
voted who wish? Have all voted who wish? Representatives
Mitchell, Hernandez, Flowers, do you wish to be recorded?
Mr. Clerk, take the record. 83 voting 'yes', 22 voting
'no', 0 voting 'present'. Senate Bill 1970 is declared
passed. On page 8 of the Calendar is Senate Bill 1972,
Representative Myers. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1972, a Bill for an Act concerning
local government. Third Reading."

Speaker Mautino: "The Gentleman from McDonough, Representative
Myers."

Myers: "Thank you, Mr. Chairman. Senate Bill 1972 amends the
Drainage Code. And it provides that drainage districts are
not required to seek competitive bids for services,
materials, equipment, supplies, or construction costing
less than \$20 thousand. It currently is \$5 thousand. This
is an initiative of the Association of Drainage Districts
and the Illinois Farm Bureau. To my knowledge, there are
no known opponents. And this... well, I request an 'aye'
vote."

Speaker Mautino: "The Gentleman moves passage of Senate Bill
1972. The question is, 'Shall this Bill pass?' All in
favor vote 'yes'; opposed vote 'no'. The voting's open.
Have all voted who wish? Have all voted who wish? Have
all voted who wish? Representatives Collins, Feigenholtz,
and Smith, do you wish to be recorded? Mr. Clerk, take the
record. 76 voting 'yes', 28 voting 'no', 1 voting
'present'. Senate Bill 1972 is declared passed. On page 8

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of the Calendar appears Senate Bill 1974, Representative McCarthy. Read the Bill."

Clerk Mahoney: "Senate Bill 1974, a Bill for an Act concerning public employee benefits. Third Reading."

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

McCarthy: "Thank you, Mr. Speaker. This is a initiative of the Illinois Public Pension Fund Association. And it increases the hours of training for all downstate police and fire pension members from the current 8 hours to 32 hours during their first year and then 16 hours per year after that. There's no known opponents in the House and it passed 58-0 in the Senate."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1974. And on that question, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting's 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 1974 is declared passed. On page 8 of the Calendar also appears Senate Bill 1977, Representative Pritchard. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1977, a Bill for an Act concerning education. Third Reading."

Speaker Mautino: "The Gentleman from DuPage, Representative Pritchard."

Pritchard: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is the annual School Code cleanup Bill that's initiated by the Illinois State Board of Education. It's a number of

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different areas that are either obsolete or outdated. And it brings our code into compliance and up to date with some of the audit findings. I would ask for your support."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1977. The question is, 'Shall this Bill pass?' All in favor... Excuse me. The Gentleman from Vermilion, Representative Black, is seeking recognition. Hold off. Love that bell."

Black: "Does that mean I won something or what?"

Speaker Mautino: "I think so."

Black: "All right. Well, I'm sorry, Mr. Speaker, I was a little late on the switch. And please don't tell Mr. Mapes that I was eating at my desk. And I'll correct that as soon as I'm through."

Speaker Mautino: "And that's okay, I was early on the bell, too. So, it works out fine."

Black: "Will the Sponsor yield?"

Speaker Mautino: "He indicates he will."

Black: "Representative, I learned along time ago when I was a freshman something came up about changing the Sex Education Act and I didn't ask any questions and I voted 'yes' to change it. And then when I got home, I caught... caught a lot of static. So, whenever I see anything in the Bill that says it repeals the Sex Education Act, I want to know what we're repealing. 'Cause people tend to take that... those kinds of mandates rather seriously."

Pritchard: "I'm not aware of the specific language on that. But I'm told that there wasn't any opposition to this change. And I'm assuming that if it was a significant

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change that we would hear something about that. This particular session... section deals with the sex offender database and the statewide child murder and violent offender against youth database. That's what I'm told this part of the code relates to."

Black: "Holy mackerel. You mean we may be... we may be making some changes to the Sex Offender Notification Law? Excuse me, I've got a call here. I was just told that what I'm concerned about is covered in another part of the statute. So, I think we're... I think we're all right, then."

Pritchard: "Thank you."

Black: "So, we're not... we're not repealing Sex Education Act, right?"

Pritchard: "No."

Black: "Okay. All right. So, something... whatever you're taking out there's something that's probably more modern in the code..."

Pritchard: "Correct."

Black: "...that still retains the basic language."

Pritchard: "Correct."

Black: "Okay. Fine, thank you."

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

Fritchey: "Thank you, Speaker. Inquiry of the Clerk. Was House Amendment 1 adopted onto this legislation?"

Speaker Mautino: "Mr. Clerk?"

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

Fritchey: "All right. Thank you. To... to the Bill. Ladies and Gentlemen, I'm actually the individual that drafted the

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legislation that created the violent offender against youth database. What that is, for those of you that don't know, is that because of a law that was passed by this Body some time ago there were a number of individuals which committed violent offenses against minors that were put into the sex offender database, even though there was no sexual component of their crime. But nevertheless, these are individuals that had committed very serious crimes and that schools should know on whether somebody has... whether somebody's on this database and before making a hiring decision. Other schools are already required to check this database in addition to the sex offender database. And while this Bill does a number of other things, for this reason alone, the Bill should be supported to make sure that charter schools have access to this same valuable information as all the other schools do in our state. So, thank you."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1977. And on that, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representatives May, Representative Mitchell, do you wish to be recorded? Mr. Clerk, take the record. 105 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 1977 is declared passed. Mr. Clerk, Senate Bill 2009 appears on page 8 of the Calendar, Representative Rose. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2009, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Rose: "Thank you, Mr. Speaker, Ladies and Gentlemen. I want to thank the 86 cosponsors of this Bill in the House on behalf of the nearly 12 thousand students at Eastern Illinois University. We are very excited to be here today. Senator Righter, the Senate Sponsor, has come over to... to watch our proceedings today. And we are very pleased to present this... what I consider a trifecta, it's a win-win for the taxpayers, for the students, and for the environment. This replaces a... a 1920's era coal-fired steam plant with a new renewable energy center powered off of pelletized wood chips, there's a wind energy component. And as I said, best of all it's done... they're able to do with this without any... one dollar of taxpayer money, without raising any student fees. Again, it's a trifecta. I'm very happy to be presenting this Bill today and would ask for its favorable consideration."

Speaker Mautino: "Gentleman has moved passage of Senate Bill 2009. On that question, the Gentleman from Bond, Representative Stephens."

Stephens: "The Gentleman yield for a question? How many Sponsors did..."

Speaker Mautino: "He indicates he will."

Stephens: "...cosponsors did you say you had?"

Rose: "We have 86 cosponsors, Mr. Stephens, including you."

Stephens: "How many cosponsor were there in the Senate?"

Rose: "I don't know; you'll have to ask Senator Righter."

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Stephens: "It appears to be two. Two. I just wanted to see who was doing all the work. Thank you."

Rose: "Thank you."

Speaker Mautino: "The Gentleman from DuPage, Representative Reboletti, is seeking recognition."

Reboletti: "Thank you, Speaker. Will the will...my seatmate yield?"

Speaker Mautino: "He says sure."

Reboletti: "Representative, I have some legislative intent that will make sure we get this into the record. It's my understanding that the Capital Development Board will monitor this project and that its representatives will notified of meetings concerning this pilot project that relates to issues such as contracting, planning, the RPF process. Processes required under Senate Bill 2009 and energy issues, is that correct?"

Rose: "Absolutely. That's one of the neat things about this, Representative, is we'll be able to study this and look at it as a model for other projects around the state."

Reboletti: "And also, it's my understanding that the Capital Development Board will report practices that do not adhere to Senate Bill 2009 to the Illinois Procurement Policy Board and the Auditor General, is that also correct?"

Rose: "That's correct. And we don't anticipate there being anything that would need to reported. Again, we're... we're hoping to use this as a model. I've talked to the Procurement Policy Board, they're very interested in using this and studying it and issuing a final report back to this Body."

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Reboletti: "And you said this is a trifecta, I only heard the daily double. There's three things this impacts?"

Rose: "It's good for the taxpayers, it's good for the students, and it's great for the environment, Representative."

Reboletti: "Have you ever been a trifecta before, Representative?"

Rose: "No, that's why I don't game. Thank you."

Reboletti: "Thank you."

Speaker Mautino: "The Gentleman has moved passage... and with further questions, the Lady from Cook, Representative Bassi."

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

Speaker Mautino: "He indicates he will."

Bassi: "Representative, would this happen to be the Bill that I asked to be an initial cosponsor on when it first came over from the Senate?"

Rose: "Representative, you are a cosponsor of the Bill, yes."

Bassi: "Yes. I'm just looking at where the list ran. I just was checking if it was the same Bill."

Rose: "Yeah, it is, Representative."

Bassi: "Thank... thank you."

Rose: "You are a cosponsor. Somehow the... the Clerks..."

Bassi: "Somehow the Clerks... okay."

Rose: "If you add in your slips, people don't do that."

Bassi: "I was just checking. Thank you, Representative."

Rose: "But your students from your district will be able to see that you're a cosponsor."

Bassi: "Indeed. Thank you."

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Speaker Mautino: "I think my name was on there alphabetically by height. The Gentleman has moved passage of Senate Bill 2009. And on that, Representative McCarthy, the Gentleman from Cook."

McCarthy: "Thank you, Mr. Speaker. To the Bill. I just want to congratulate the Sponsor and especially congratulate the administration at Eastern Illinois University for the fine work they did in making this measure move forward. Many of us who took a tour of Eastern Illinois about a year and a half ago were appalled at the state of their power plant. And this is the way that they're going to do it. And keep it fiscally sound and actually get all the money for construction out of their energy savings bond. So, congratulations to the Sponsor and congratulations to EIU."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2009. 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. 105 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 2009 has been declared passed. An announcement to the Members, the... both the time and the place for the Audit Commission has been changed to the hour of 8:30 tomorrow and it will be in D-1. And that will be the audit of the State Police forensics. So, that's a change in both the time and the place 8:30 in D-1. Representative Durkin, on page 8 of the Calendar appears Senate Bill 2010. Read the Bill."

Clerk Mahoney: "Senate Bill 2010, a Bill for an Act concerning criminal law. Third Reading."

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

Durkin: "Thank you, Mr. Speaker. This Bill does two things. One, it... the initial provision of the Bill dealt with the Speedy Trial Act. This states that when a person who is no longer in custody at the of Department of Corrections, Speedy Trial Act does not automatically trigger in upon the release if they have unresolved cases elsewhere... in other parts of the state. But more importantly, the second part of it addresses a matter relating to the Illinois Department... Illinois State Police Department of Forensic Services. Two years ago I asked for an audit to be made of the forensic labs, based on concerns that I had with backlog, but also on the quality of the work that was being done in the labs based on errors that we had seen time and time again from not only internally, but also with outsourced labs. This second half of this Bill states that if the Illinois State Police forensic lab is going to outsource any type of DNA, any forensic work, it must be done with the written acquiescence of the state's attorney. I believe that it's important, if you look through the 168 page report that the Auditor General conducted on the Illinois State Police forensic lab. And tomorrow there is going to be a full-blown hearing. I think it makes sense we outsource to private labs, and the state's attorney should be the one who makes the decision about what lab to use, because we have found error in... in these private labs."

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Speaker Mautino: "Gentleman has moved passage in Senate Bill 2010. And on that, the Gentleman from DuPage, Mr. Reboletti."

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

Speaker Mautino: "He indicates that he will."

Reboletti: "I... I saw him nodding. Representative, what's... what's the current process now? Who makes the determination as to what happens once the evidence is collected and goes to the Illinois State Police crime lab for analysis?"

Durkin: "Well, that's the problem. They... in the past it's been just the discretion of the director of the crime lab who has been sending the work out to private labs. And the process has been a little bit backwards, and which is... one of the things that they've done is that there's live cases in the system that are subject to the Speedy Trial Act which are being sent out of state. There have been instances where these private labs have not cooperated with the Illinois State Police, nor the prosecuting agency because you cannot secure their attendance through subpoena. And they, at times, are forced to reduce the charges or dismiss cases. And also we've found... one example was a few years back was the Bode labs out of Virginia who were given a contract to perform DNA analysis on rape kits. And approximately 1100 of them were worked up by the Bode labs. The Illinois State Police went back in, reviewed it, did a sampling of the 1200 cases and they found that DNA was present in approximately 20 percent of those cases, when the Bode labs said other wise. So, what

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they did is that, I think, they came back with the results that there were false negatives on rape kits. Unbelievable. So, I want the state's attorney to make the decision of whether or not a certain lab should be used. They're the ones who are going to be... at the end of the day, are going to be reviewing cases. They're the ones who have to try the case, they're the ones that are going to ...who are... have to live with these scientists and also with these labs. And at times, they have been discredited in different jurisdictions. So, I want the state's attorney to be able to conduct their own due diligence and make that decision if this... the appropriate lab that they want to use for the prosecution of the case."

Reboletti: "Thank you. And the Bill. It's a very difficult process to try to obtain these lab people that come from out of state. It's a grand jury process which can take much longer than 120 days or 160 days. With the statute of limitations, I've had a case like this before and I thank Representative Durkin for bringing this. This ought to clear up some issues that we're seeing in the Illinois State crime lab. I know that the new director's working very diligently to correct those. So, thank you very much."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2010. 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 Burns, Representative Walker, do you wish to be recorded? Mr.

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Clerk, take the record 105 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 2010 is declared passed. Page 8 of the Calendar appears Senate Bill 2014, Representative Pritchard. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2014, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Mautino: "Mr. Pritchard."

Pritchard: "Ladies and Gentlemen, this Bill is the initiative of the Illinois State Board of Education. And with all of our concerns about budget and spending, this one is significant because it removes a requirement that will save the agency close to \$900 thousand. And what it does is removes the statutory requirement that a student have the option to retake the Prairie State Achievement Exam during their 12th grade. It is State Law to have this test taken before March of their junior year and in some cases students have elected and taken advantage of taking the test over in their senior year. The results of this test are not used for school district accountability. The main interest is with the ACT test and that would be a cost that the state board feels is not their obligation. So, I would ask for your support of this Bill."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2014. 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 105 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 2014 is declared passed. Senate Bill 2034 appears on

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page 8 of the Calendar, Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2034, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Holbrook."

Holbrook: "Thank you, Speaker. Senate Bill 2034 is a Bill passed the Senate unanimously and a committee in the House unanimously that allows a reclassification of waste and nonwaste in certain cases that are allowed under the Federal Laws where materials can be reused. I know of no opposition to the Bill."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2034. 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 105 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 2034 is declared passed. Senate Bill 2045 appears on the Calendar, Representative McAuliffe. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2045, a Bill for an Act concerning State Government. Third Reading."

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

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2045 would create the Blind Vendors Act and would give them a priority over operation of vending of facilities on state property. We amended the Bill to... to help concerns that the Department of Corrections and DHS

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had and the state universities. I'd be happy to answer any questions and ask for a 'yes' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2045. And on that question, 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... Does Representative Dunkin wish to be recorded? Mr. Clerk, take the record 105 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 2045 is declared passed. On page 8 of the Calendar is Senate Bill 2046, Representative Walker. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2046, a Bill for an Act concerning revenue. Third Reading."

Speaker Mautino: "Representative Walker."

Walker: "Senate Bill 2046 updates and expands the current Veterans Job Tax Credit Program, whereby a corporation... a company who hires a veteran since 2007 who served in southwest Asia will be eligible to a corporate income tax credit of up to 10 percent of gross wages for that individual, up to a maximum of \$1,200. For those who are... served outside of southwest Asia, hired since 2007 it would be 7.5 percent of their gross wages, up to \$800 credit per individual veteran. I ask an 'aye' vote."

Speaker Mautino: "The Gentleman's moved passage of Senate Bill 2046. And on that, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representatives

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Acevedo, Beiser, Dunkin, do you wish to be recorded? Mr. Clerk, take the record 105 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 2046 is declared passed. Senate Bill 2051 appears on page 8 of the Calendar, Representative Chapa LaVia. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2051, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. Senate Bill 2051 is a Bill dealing with elimination of state aid penalties for successful passage of limited rate tax increases. As an unintended consequence of the current general state aid for funding formulas, school districts that successfully pass a limited rate tax increase are often penalized in the form of a decrease in the general state aid entitlement, the GSA. Although this flaw is relatively unknown, the impact is significant and is anticipated to get worse. School District 145 in Cook County, for example, is asking for a rate tax increase that will generate 1.3 million in additional and desperately needed real estate tax revenues. Based on the current GSA formula, the district would lose in excess of 900 thousand in general state aid as a result of the passage of the tax increase. Why the problem needs to be fixed is because historically the State of Illinois has not had a school funding formula that penalizes the school district for increasing their local effort. School districts going to referendum to raise their limiting rate are generally experiencing significant financial problems. These

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districts are turning to their taxpayers as a last resort to support and maintain their educational programs. It would seem illogical for the state to benefit financially upon the passage of referendum and to take critical funds away from the districts and their taxpayers. Using School District 145 as an example, it would be impractical to ask the taxpayers to pay \$1.3 million more in property tax when only 400 thousand would reach the classrooms because the state would reduce its aid to the district by 900 thousand. Without this correction, a tax rate increase will no longer be a viable option for school districts to utilize in order to improve or maintain its educational programs and stabilize its financial conditions. The solution to the problem is rather than changing the entire funding formula, this flaw can be corrected by simply taking those districts that pass a limited rate tax increase off the formula for the years and the taxpayers approved to rate increase. Limiting rates can be approved for up to four years and then go back to the formula, once the period has ended. While off the formula their GSAs will be calculated without consideration to the tax increase. Since very few districts pass a tax rate, the impact on the state will be very minimum. And the solution will require a minor change to... the Illinois State Board of Education would need to know a district passed a limited rate increase. I want to go through some of the districts that have successfully and there's been a lot of referendums that have failed. But I want to go through the districts that have passed a referendum and this would affect their districts: Riley,

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District 18, McHenry; Winthrop, Harbor District 1, Lake; Lakeshire Prairie, District 103, Lake; Hartsburg-Emden, 21... District 21, Logan; Central District 51, Tazewell; Kenilworth 38, Cook; Park Ridge 64, Cook; Franklin Park, Cook; Art Wood (sic-Atwood) Heights 125, Cook; Thornton 154, Cook; Oak Lawn 229, Cook; West Aurora is why I'm running this Bill, 129, Kane; Schiller Park District 81, Cook, and Diamond Lake 76, Lake. It passed unanimously in the Senate and I would... I would welcome any questions. And please ask for your 'aye' vote."

Speaker Mautino: "The Gentleman from Crawford, Representative Eddy. And Representative Turner in the Chair."

Eddy: "Thank you, Mr. Speakers. Would the Sponsor yield?"

Speaker Turner: "She indicates she will."

Eddy: "Thank you. Representative, I want to make sure that we understand a couple of things about this legislation, 'cause it is very confusing. First of all, this absolutely has nothing to do with setting or raising tax rates in the school district."

Chapa LaVia: "Correct."

Eddy: "That's done by referenda if it's going to happen. What this has to do with is once the referendum has passed and the voters have spoken, the state aid formula allows the school district to access only a limited amount of the revenue based on the EAV. But the... the state aid formula, actually on the local resources calculation, charges the district as if it could access the entire amount?"

Chapa LaVia: "Correct. Correct. Thank you for clarifying that. Yes, that's true."

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Eddy: "So... so, really, all we're doing here is applying in a fair way the state aid formula to those districts who have decided themselves by referenda locally, that they want to increase the amount of... of..."

Chapa LaVia: "Correct. Correct."

Eddy: "...the rate? Okay. I think this is something... I... I went to several of the education funding meetings last year around the state. And in suburban areas this came up at two or three different places. And... and I think this is... this is a fair way to deal with the issue because otherwise, when... when people locally were deciding to pay a little bit more for their schools, they were actually being punished by the formula."

Chapa LaVia: "Correct. And that's... that's how it came about."

Eddy: "Well, I appreciate the fact that you were able to find a way to... to... to change the formula in kind of a minor way that will make a significant difference to those people who... who want to support their local schools. I would urge an 'aye' vote on the issue. This is good legislation and it's very fair."

Chapa LaVia: "Thank you, Representative."

Speaker Turner: "Seeing no further questions, Representative LaVia (sic-Chapa LaVia) to close."

Chapa LaVia: "I..."

Speaker Turner: "Seeing no... no further questions, the question is, 'Shall the House pass Senate Bill 2051?' All those in favor vote 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 will take the record. There are

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104 voting 'aye', 1 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 7 of the Calendar, on the Order of Senate Bills-Third Readings, we have Senate Bill 1897, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1897, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you. The legislation is identical to a House Bill that was passed and it changes the... increases the size and... and widths on ATVs. This hasn't been adjusted since 1986. And this will address some of the models now that can... will now be able to be 60 inches in width and they can weigh up to 1,500 pounds rather than 900 pounds. That's what this Bill does and appreciate an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 1897?' 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 the question, there are 102 voting 'aye', 3 voting 'nay', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we're going to go to the Order of Second Readings. Second Readings page 10 of the Calendar. If you would be prepared as we go down the Calendar from top to bottom. And on page 10 of the Calendar, we have Senate Bill 39.

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Representative... We have Senate Bill 63, Representative Golar. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 63, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. We have Senate Bill 104, Representative Burns. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 104, a Bill for an Act concerning juveniles. Second Reading. No Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Mathias, we have Senate Bill 146. Out of the record. Representative Pihos, we have Senate Bill 149. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 149, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Pihos, has been approved for consideration."

Speaker Turner: "The Lady from DuPage, Representative Pihos on Amendment #2."

Pihos: "Thank you, Mr. Speaker. I move for adoption of Floor Amendment 2, which is just a technical Amendment requested by the architects, saying that they seal elevator plans instead of certifying them."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 149?' All those in favor should say 'aye'; all those opposed say

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'no'. In the opinion of the Chair, the 'ayes' have it.
And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Read Senate Bill 188, Mr.
Clerk."

Clerk Mahoney: "Senate Bill 188, a Bill for an Act concerning
civil law. Second Reading. No Amendments. No Motions
filed."

Speaker Turner: "Third Reading. Representative Reitz, we have
Senate Bill 246. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 246, a Bill for an Act concerning
local government. Second Reading. Amendment #1 was
adopted in committee. No Floor Amendments. No Motions
filed."

Speaker Turner: "Third Reading. Representative Hamos.
Representative Fortner, Senate Bill 340. Read the Bill,
Mr. Clerk."

Clerk Mahoney: "Senate Bill 340, a Bill for an Act concerning
government. Second Reading of this Senate Bill. Floor
Amendment #1, offered by Representative Fortner, has been
approved for consideration."

Speaker Turner: "Gentleman from DuPage, Representative
Fortner."

Fortner: "Thank you very much. Floor Amendment #1 clarifies
the number of the specifics of the Bill. Specifically
identifies that this only applies to those children who are
wards of the state. And also sets the age limit at 12,
which would be sufficient time to review the credit history
before those children likely be entering the workforce."

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Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 340?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Senger on Senate Bill 574. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 574, a Bill for an Act concerning local government. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Nekritz on Senate Bill 577. Read the Bill, Mr. Clerk. No, out of the record. Representative Flowers on Senate Bill 807. Read the Bill, Mr. Clerk. Out of the record. Out of the record. We have Senate Bill 1255... Senate Bill 1255. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1255, a Bill for an Act concerning local government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Lang, we have Senate Bill 1282. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1282, a Bill for an Act concerning business. Second Reading. No Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Burns, Will Burns, we have Senate Bill 1289. Will Burns. Out of the

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record. Representative McCarthy, Senate Bill 1292. Out of the record. Representative Osterman, Senate Bill 1335. Harry? Out of the record. Representative Fritchey, we have Senate Bill 1390. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1390, a Bill for an Act concerning business. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Fritchey, has been approved for consideration."

Speaker Turner: "Representative Fritchey moves for the adoption of Floor Amendment #2 to Senate Bill 1390. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Mr. Clerk, read Senate Bill 1335."

Clerk Mahoney: "Senate Bill 1335, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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

Osterman: "Just ask to move this to Third Reading."

Speaker Turner: "Third Reading. Representative Miller, we have Senate Bill 1440. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1440, a Bill for an Act concerning public employee benefits. Second Reading. No Amendments. No Motions filed."

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Speaker Turner: "Third Reading. Representative Colvin, Senate Bill 1448. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1448, a Bill for an Act concerning utilities. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Phelps, we have Senate Bill 1510. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1510, a Bill for an Act concerning public employee benefits. Second Reading of this Senate Bill. No Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Zalewski, we have Senate Bill 1493. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1493, a Bill for an Act concerning courts has been read a second time, previously. Floor Amendment #1, offered by Representative Zalewski, has been approved for consideration."

Speaker Turner: "Third Reading. Representative Phelps... I'm... I'm sorry. Representative Zalewski on Amendment #1."

Zalewski: "Thank you..."

Speaker Turner: "Bring the Bill back to Second Reading, Mr. Clerk. Read the Bill. Oh, not necessary. Representative Zalewski, the Bill is on Second Reading."

Zalewski: "Thank you, Mr. Speaker. Floor Amendment #1 is a technical Amendment adding the language 'fallen heroes' to the Bill. I'd ask for a favorable vote."

Speaker Turner: "Representative Zalewski moves for the adoption of Floor Amendment #1 to Senate Bill 1493. All those in favor say 'aye'; all those opposed say 'no'. In the

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opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Phelps, we have Senate Bill 1512. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1512, a Bill for an Act concerning law enforcement. Second Reading. No Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Jakobsson, we have Senate Bill 1544. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1544, a Bill for an Act concerning finance. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Jakobsson, has been approved for consideration."

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

Jakobsson: "Amendment #2 clarifies what food bank means and it parallels the federal definition of 'food bank'."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 1544?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Nekritz, we have Senate Bill 1579. Out of the record. Representative Mautino, we have Senate Bill 1611. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 1611, a Bill for an Act in relation to public employee benefits. Second Reading. No Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Mautino, we have Senate Bill 3... 349. 349. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 349, a Bill for an Act concerning government. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Dugan, we have Senate Bill 1680... I'm sorry, I'm sorry. Out of the record. Representative Jakobsson we have Senate Bill 1690. Out of the record. Representative DeLuca, we have Senate Bill 1783. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1783, a Bill for an Act concerning local government. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Mathias, we have Senate Bill 1801. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1801, a Bill for an Act concerning elections. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Jefferson, we have Senate Bill 1837. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1837, a Bill for an Act concerning State Government. Second Reading. No Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Mathias, we have Senate Bill 1877. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 1877, a Bill for an Act concerning insurance has been read a second time, previously. Amendment #1... Floor Amendment #1 to this Bill has been adopted. Floor Amendment #2, offered by Representative Mathias, has been approved for consideration."

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

Mathias: "Thank you... thank you, Mr. Speaker. Amendment... Floor Amendment #2 makes some technical changes to the Bill. I ask for your 'aye' vote."

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #2 to Senate Bill 1877. All those in favor should vote 'aye', I mean, should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative May. Acevedo, we have Senate Bill 1930. Out of the record. Representative McAsey, Senate Bill 1934. Out of the record. Representative Jakobsson, we have Senate Bill 2022. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2022, a Bill for an Act concerning elections. Second Reading. No Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Mendoza, we have Senate Bill 2026. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2026, a Bill for an Act concerning criminal law. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. Mr. Clerk, Senate Bill 1922.
Read the Bill."

Clerk Mahoney: "Senate Bill 1922, a Bill for an Act concerning
information referral. Second Reading of this Senate Bill.
Amendment #1 was adopted in committee. Floor Amendment #2,
offered by Representative Schmitz, has been approved for
consideration."

Speaker Turner: "Representative Schmitz on the Amendment."

Schmitz: "Thank you, Speaker. Floor Amendment 2 is a technical
Amendment that we worked out in the last week since we
adopted Amendment 1. It does remove a couple of items from
Amendment 1. I would ask for its favorable adoption."

Speaker Turner: "Seeing no questions, the question is, 'Shall
the House adopt Floor Amendment #2 to Senate Bill 1922?'
All those in favor should say 'aye'; all those opposed say
'no'. In the opinion of the Chair, the 'ayes' have it.
And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Reitz, we have
Senate Bill 2112. Out of the record. Representative
Hamos, we have Senate Bill 2116. Out of the record.
Representative Currie, we have Senate Bill 2119. Read the
Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2119, a Bill for an Act concerning
education has been read a second time, previously.
Amendment #1 was adopted in committee. Floor Amendment #2,
offered by Representative Currie, has been approved for
consideration."

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

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Currie: "Thank you, Speaker and Members of the House. The Bill as it came to us from the Senate specified organizations by name that would participate in this task force to try to find out how to do a better job of organizing public education in the State of Illinois. As you know, we don't name nongovernmental entities in state statutes. So, Amendment 2 just takes out the actual names of the organizations and describes what we... the kinds of groups that we want to include by a more generic term. So, I'd appreciate your support for the Amendment."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 2119?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Holbrook, we have Senate Bill 2150. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2150, a Bill for an Act concerning utilities. Second Reading. No Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Chapa LaVia, we have Senate Bill 2272. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2272, a Bill for an Act concerning animals has been read a second time, previously. Floor Amendment #1, offered by Representative Chapa LaVia, has been approved for consideration."

Speaker Turner: "The Lady from Kane, Representative Chapa LaVia on Amendment #1."

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Chapa LaVia: "I'm sorry, Speaker, let me get this up. Amendment #1 amends the... becomes the Bill and provides that a municipality outside a... outside of Cook County may regulate, but not prohibit, the keeping of carrier, hobby, racing, on showing pigeons. The underlying Bill allows these municipalities to regulate or prohibit the keeping of these pigeons. The Amendment also retains provisions of current law that allows municipalities with... within Cook County to regulate and prohibit the keeping of these pigeons. That's what it does. I ask for its adoption."

Speaker Turner: "Seeing no questions, the Lady moves for the adoption of Floor Amendment #1 to Senate Bill 2272? All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Coulson, we have Senate Bill 2289. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2289, a Bill for an Act concerning finance. Second Reading. No Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Hamos, we have Senate Bill 1698. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1698, a Bill for an Act concerning education. Second Reading. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Hamos, has been approved for consideration."

Speaker Turner: "The Lady from Cook, Representative Hamos on Amendment #2."

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Hamos: "Thank you. Ladies and Gentlemen, this is merely an immediate effective date."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 1698?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Senate Bill 1729. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1729, a Bill for an Act concerning transportation. Second Reading. Floor Amendment #1, offered by Representative Hamos, has been approved for consideration."

Speaker Turner: "The Lady from Cook, Representative Hamos, on Amendment #1."

Hamos: "Thank you. Ladies and Gentlemen, this Bill would allow the Illinois Department of Transportation to enter into public private partnerships for acquisition of equipment for Amtrak passenger rail service. And all the Amendment does is to replace Amtrak with any intercity passenger rail service."

Speaker Turner: "Seeing no questions, the Lady moves for the adoption Floor Amendment #1 to Senate Bill 1729? All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

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Speaker Turner: "Third Reading. Mr. Clerk, read Senate Bill 2112."

Clerk Mahoney: "Senate Bill 2112, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Reitz, has been approved for consideration."

Speaker Turner: "Third Reading. I'm sorry, bring the Bill back to Second Reading. And Representative Reitz on Amendment #2."

Reitz: "Thank you, Mr. Speaker. Amendment #2 to Senate Bill 2112 is an initiative of the department, changes some terminology within the... the Bill."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 2112?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Mr. Clerk, what's the status of Senate Bill 2057?"

Clerk Mahoney: "Senate Bill 2057's on the Order of Third Reading."

Speaker Turner: "The Sponsor requests that you bring the Bill back to Second. Place that Bill on the Order of Second Reading. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 410, offered by Representative Miller and House Resolution 412, offered by Representative Cross."

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Speaker Turner: "Representative Currie moves for the adoption of the Agreed Resolutions. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. And now, allowing perfunctory time for the Clerk, the House... Representative Currie moves that the House stands adjourned until Tuesday, May 19, at the hour of 9:30 a.m., Tuesday, May 19 at the hour of 9:30 a.m., allowing perfunctory time for the Clerk. And with that, the House does stand adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of House Bills-First Reading. House Bill 4563, offered by Representative Black, a Bill for an Act concerning education. Senate Bills-First Reading. Senate Bill 331, offered by Representative Kosel, a Bill for an Act concerning government. Senate Bill 1050, offered by Representative Currie, a Bill for an Act concerning criminal law. Senate Bill 2167, offered by Representative Tryon, a Bill for an Act concerning government, and Senate Bill 2300, offered by Representative Scia, a Bill for an Act concerning agriculture. There being no further business, the House Perfunctory Session will stand adjourned."