

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

60th Legislative Day

5/22/2009

Speaker Turner: "The hour of 10:00 having arrived, today May 22, 2009, the House shall be in order. We shall be led in... today in prayer by Reverend Suzanne Anderson-Hurdle, who is with the Good Sheppard Church in Romeoville, Illinois. Reverend Anderson-Hurdle is the guest of Representative McAsey. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and the Pledge of Allegiance. Reverend Anderson-Hurdle."

Reverend Anderson-Hurdle: "Thank you. Let us pray. God of all people, You are bigger than our differences. Be in this place as decisions are made that affect people throughout the State of Illinois. Be with the most vulnerable among us, the sick, the poor, the jobless, the homeless. Give wisdom to those who lead, locally, nationally and globally. Be with the families of those who lead, especially when meetings and events keep their loved ones away. May all leaders live lives of integrity, choosing the right and just way, even when it is difficult. And may we be united in purpose as we serve the people of Illinois. Amen."

Speaker Turner: "We'll be led in the Pledge today by the Gentleman from Marion, Representative Cavaletto."

Cavaletto - 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 Turner: "Roll Call for Attendance. The Lady from Cook, Representative Currie."

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

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

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Saviano and Tracy are excused on the Republican side of the aisle."

Speaker Turner: "The record will so reflect. There are 114 Members present, a quorum is present and we shall proceed with business. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Referred to the House Committee on Rules is House Resolution 442, offered by Representative Rose; House Resolution 443, offered... House Resolution 444, offered by Representative Rose; House Resolution 447, offered by Representative Mulligan; House Resolution 452, offered by Representative Black; House Joint Resolution 60, offered by Representative Saviano."

Speaker Turner: "On page 4 of the Calendar, under Senate Bills- Third Reading, we have Senate Bill 1293. Mr. Clerk, what's the status of that Bill?"

Clerk Mahoney: "Senate Bill 1293 is on the Order of Senate Bills- Third Reading."

Speaker Turner: "The Sponsor requests that you bring it back to Second Reading. And then, could you read the Bill."

Clerk Mahoney: "Senate Bill 1293, Floor Amendment #2, offered by Representative Jackson, has been approved for consideration."

Speaker Turner: "Representative Jackson on Amendment #2."

Jackson: "I move for adoption."

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Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #2 to Senate Bill 1293. 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. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1293, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Jackson: "Thank you, Speaker of the... Members. Senate Bill 1293 would allow Belle Valley School District 119 to issue bonds not to exceed 47.5 million for school construction. The issuance of bonds would be subject to voter approval, which occurred on April 7, 2009. The school board must also determine by Resolution that the bonds are required as a result of mine subsidence. On September 26, 2007, staff members at Belle Valley North Elementary noticed the development of cracks in the walls and floors that raised some concerns because of the rapid development. The damage was inspected by structural engineers and other district officials who determined that some building stress has occurred consistent with the kind of stress that typically is associated with mine subsidence. While visually damaged, the building was deemed to be safe for children and employees. At the most recent reports out of the district, the building has sunk six inches. The Department of Natural Resources estimated the building could sink

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another 6-12 inches. The total... the school could sink a total of 48 inches. I'm... I'll ask... take any questions and I'm asking for an 'aye' vote."

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

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

Speaker Turner: "Indicates he will."

Eddy: "Morning, Representative."

Jackson: "Morning."

Eddy: "I... I appreciate the discussions we've had regarding this Bill and I understand the necessity of this Bill. It relates to a mine subsidence in Belle Valley or at the Belle Valley school that has to be taken care of. The... the building... the dangers for children are real. Number one, the... the entire issue related to the levy is the result of a front door referendum?"

Jackson: "That's correct, yes."

Eddy: "Okay. So, there has been a vote on this and the taxpayers have said, yes, we... we are willing to support the bonds and the tax rate that will be... be the result of this increase?"

Jackson: "Yes, yes, it has."

Eddy: "I'll bet you were happy yesterday, weren't you, when the school construction... the school construction Bill passed, the bonding Bill for school construction?"

Jackson: "Yes."

Eddy: "'Cause... 'cause I think Belle Valley is on that list?"

Jackson: "They're applying, that's good."

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Eddy: "Well... now, I... I want... I want to make sure on the bond length. With all the Amendments as this Bill is ready to be voted on, how long is the bond issuance for on this?"

Jackson: "Thirty years."

Eddy: "It's for 30 years. Okay. The referendum's a little different than that. Didn't the referendum allow for an additional period of time?"

Jackson: "The referendum allowed for 35 years."

Eddy: "For 35 years. And... and we have in the past raised the 20, what would be called the normal 20 year to 25?"

Jackson: "That's correct."

Eddy: "And this really is an expansion beyond that?"

Jackson: "That is correct."

Eddy: "I think it's respectful of what the citizens wanted to do in Belle Valley and it's a compromise. And we may see longer bond terms in the future on other issues because of issues related to the federal stimulus, as well. So, Representative I don't have a problem with this. I... especially since the voters had already understood that this could be as far as 35 and there was referendum passed and this is taking care of an extraordinary situation, a dangerous situation in that school district. I think everyone in here who can possibly support you should. I will be voting in favor of this. And I appreciate the support this Body has given in the past to Representatives in similar situations. Earlier this year, this Body was gracious enough to allow Martinsville School District in my area to have this... this type of a relaxed bond situation. I know that Senator Demuzio brought us the Benld school

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situation. And this Body also was... was gracious enough to make sure that that took place. I would urge Members to support your legislation. That... that the people of Belle Valley School District have already supported it. And that you're doing their will here today."

Jackson: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 1293?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? The Clerk shall take the record. On this question, there are 81 voting 'aye', 33 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Ford, for what reason do you rise?"

Ford: "Thank you, Mr. Speaker and Members of the House. I rise for a point of personal privilege. Last night on the west side and the south side of Chicago was a night filled with violence. I'm just going to read some breaking news from the Chicago Tribune. It stated that four people were slain in three shootings... four people were killed in three shootings on the Chicagos south side and west side. A 27-year-old man and a 19-year-old woman were shot at 9:40 p.m. in the 3000 block of West Van Buren Street in East Garfield Park. Derriek Armstrong, a 27-year-old, in the 1900 block of South Christiana suffered multiple gun wounds and was pronounced dead at Stroger Hospital at 10:19. Bernadette Turner, 19 years old, 4700 block of West Ohio Street was pronounced dead at Mt. Sinai Hospital a minute later after

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being shot in the neck. About 10 minutes later, 11 miles away another teenager was gun downed. Mr. Walker, 17 years old, in the 600 block of East Marquette Road suffered multiple bullet wounds and was pronounced dead at Northwest Memorial Hospital yesterday at 10:20. He was shot in the 6500 block of South Evans. Also, a 22-year-old, named Steven Robinson was found shot and killed overnight, outside his North Austin neighborhood in the 1500 block of North Lemington Avenue. And about 11:20 a separate shooting not far from Mr. Walker was killed, three men were wounded in a drive-by residence. Police said that the two men, 28 years old, a man shot, 22 years old in the back and was taken to Northwest Memorial Hospital. And so, I read all of that simply because yesterday we did a great thing. We passed a capital... whatever it is, construction plan, and I'm hoping that we understand that we came together for that. And that the money must follow the blood. The money must follow the areas like Austin, that lacks a high school. I know that there are other people telling me that they lack a high school in their areas. So, it's our job... we're just like doctors. When we see a problem, we have to go act on it and we have to have a cure for it. And we all took an oath to say that we will fix the social ills of our society. So, if we ignore all these killings and don't provide jobs, don't improve the schools, don't provide better parks and programs and ignore it and keep everything as they continue to be, we protect... we perpetrate and we simply contribute to the problem. So, once again, we talk about a lot of the gun Bills. And I, too, believe that the

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Constitution says... the Bill of Rights of Illinois states that Section 22, that we have a right to arms; subject only to police power, the right of the individual citizens to keep and bear arms shall not be infringed upon. And so I ask you, when we start making plans for the money, when we start making plans, don't forget about the injustice, not just for black people, but down in Springfield here, we have so many people that suffer. Some of the poorest people in this state are not black, they're white, they're Hispanic. So, we need help to come together and fight not just for black people, I'm here to fight for all the people in Illinois. So, I believe that Representatives on that side believe in justice, they took the oath. And I'll end by saying that I believe that when we took the oath of office and I believe that most of us here believe in the higher power. And the higher power says that God gave us the ability to reason. And not to reason for the wrong cause, not to reason to not protect the people but the reason to find solutions to the problems that we are faced with. So, it seems like the problems are difficult and it seems like the solutions are difficult but they're difficult because we're not looking for ways to really fix the problem. We could fix the problem if we simply go where the problems are. Thank you."

Speaker Turner: "The Gentleman from Bond, Representative Stephens... On the Order of Third Readings, and this is the Order that we're going to utilize for the next hour or two. We're going to do Senate Bill-Third Readings. And we'll go

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down the Calendar, starting on page 3, Senate Bill 80.
Representative Washington. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 80, a Bill for an Act concerning
elections. Third Reading of this Senate Bill."

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

Washington: "Thank you, Mr. Speaker. Mr. Speaker, Senate Bill
80 is a very, very simple Bill. And what it does, it
provides for a little bit more fairness if someone, my
colleague or the people in a particular district or town,
that they want to elect somebody who chooses to run as an
Independent rather as a Democrat or a Republican. And they
definitely should have the choice. So, the Bill is... is... is
just making the process open that there's not a penalty for
getting more than enough signatures, but definitely the
minimum requirement for having signatures should be had by
any and everybody who is running for elected office. And I
ask for an 'aye' vote. And I'll stand for any questions."

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

Eddy: "Thank you, Mr. Speaker. Representative, I want to make
sure everybody kind of gets a clear understanding. Your
intent with this legislation is to... for... for someone who
wants to run as an Independent rather than for one of the
two political Parties, on the petition... on the petition
you're seeking to require that the number of signatures
necessary to be put on the ballot is the same as it is for
the two political Parties as for an Independent?"

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Washington: "I... I believe you've got it right. Let me restate it. As we... as we speak in the City of Waukegan, in particular, a person can be taken off the ballot or not even get a chance to be on the ballot and penalized for having too many signatures. And so, at the genesis of that is that particular incident to say that any American citizen who is supported by the people in our community should be able to have a freedom of choice. And that there's a minimum requirement of signatures that all of us have to have in any given race. So, that's acceptable, but an Independent running as an Independent shouldn't be... have to bear the brunt of being punished for having more than enough."

Eddy: "Okay. Does this apply to all elections? Is this just for local election, municipal? Or is this for statewide elections, as well?"

Washington: "No, Sir. This is not statewide."

Eddy: "Okay. So, you're just... I think that's an important distinction. You're just... you're just affecting the Municipal Code. So, if someone's going to run in the municipal election, the intent of your legislation is that someone running as an Independent would be required to have the same number of signatures on their petition as someone who is running as a partisan?"

Washington: "They would be required to have what is required of a person running as Independent. But they wouldn't be penalized for going over the required amount of signatures."

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Eddy: "How... how are they penalized now, Representative? I think that's the distinction. How are they penalized today?"

Washington: "I'll... I'll give you an example. Let's say a person was running as an Independent and the required signatures were no less than 300, no more than 500. Let's say you and I went out and we got more than 5, people want to sign our petition, like what we're about, what we stand for. So, you get over 5, let's say you get 550. Well, because you went over 5 and you didn't... didn't stop right at the line or those other signatures weren't found valid within that... that 500 dollar... 500 maximum signatures, you could be restricted from being on the ballot for going over. That could also be used against you. So, I don't want to see people penalized for getting more than enough. I can understand for not getting enough, but definitely not for getting more than enough."

Eddy: "So, the number of valid signatures that are necessary for the petition to qualify one to be on the ballot is still going to be the same under your legislation, correct? I mean, if it takes 500 valid signatures and I'm sure that number is not correct, but let's just say 500 valid signatures does this legislation change the number of valid signatures for everyone to have after the appeal process?"

Washington: "No. The only... only... only individuals that are penalized in my community were those running as Independent. If they went over the required amount of signatures, whatever that number would be, that could be

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used as a pretext to keep them from even being on the ballot itself."

Eddy: "Okay. Well, there's just a... I just... again, I want to make sure everyone understands. I don't... I don't necessarily see in the philosophy anything wrong with what you're trying to do, I just want to make sure that... that folks understand your intent. Many times there will be in... in nonpartisan or municipal elections that... that we see Parties like the People's Party or the... or whatever the local Party that slates a group of candidates and... and they have a... they're slating candidates. But someone who goes out and takes petitions and gains signatures to run as an Independent, you're stating that the process is different if they exceed the number of petition signatures, right? And you're trying to make that process similar to those who are... are slated candidates or are Party candidates?"

Washington: "And yes, Sir. To even further clarify, and I thank you for helping me help those who might not understand. It's in the body of language. It said that it eliminates the cap on the number of signatures a person can submit for nomination of an Independent candidate for office elected pursuant to the Municipal Code, mayor, clerk, alderman, et cetera. By eliminating the eight percent threshold, an Independent candidate can submit as many signatures as possible which each essentially ensures the candidate will have enough signatures to gain access to the ballot."

Eddy: "Okay. So, your... your argument is that by capping the amount of signatures that an Independent is allowed to

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submit it... it will harm them because there may not be as many to take off? So..."

Washington: "No, Sir. No, Sir. It's really simple. It really... really is simple. It's saying if you've got a minimum of 200 and a maximum of 5, they can eliminate you if you get 501. Let's say if all of them... if you got over..."

Eddy: "Right."

Washington: "...you didn't have time to count them..."

Eddy: "I get it."

Washington: "...before you submitted it. They can actually eliminate and go against the will of the voters who live in the district, mine in particular, they can actually use that criteria as a reason to take or deny that person access to the ballot."

Eddy: "Okay. Do... there's probably a reason for a cap at this point. And I'm not... I'm not an expert at this. But, what you're saying is if the cap is 500, there should be no cap at all and somebody could turn in 5 thousand signatures and that... that would... for those... if their petition is then contested it would allow them the opportunity to have as many signatures as possible to make sure they have valid signatures. Won't that... and here's my concern. Won't that eliminate some responsibility of the... the circulators of petitions to attempt to make sure that the original signature is valid if there's no cap and you can just turn in 10 thousand signatures or 5 thousand signatures? What's the incentive for the circulator of the petition, without a cap, to make sure that they're getting valid signatures? That's my question, I guess."

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Washington: "Representative, in a nutshell, Sir, you don't want to penalize people for having more than enough. You definitely should be able to penalize any one of us for having enough, but definitely you don't want to penalize a guy or a girl for not having... or having more than enough. That's... that's all it is."

Eddy: "Well, we... well... the point is..."

Washington: "That's all it is. It's not... it's not a question of whether they're valid, of course they have to be valid."

Eddy: "Well, Representative, you and I..."

Washington: "And of course you got..."

Eddy: "...yeah, right, exactly."

Washington: "...let me... let me finish, Representative."

Eddy: "Okay. You're using my time, so..."

Washington: "Can I... let me finish. Let me finish, 'cause I know we're working together on it. I'm not looking at you in opposition of it."

Eddy: "Okay."

Washington: "But I am trying to give you the clarity you asked of me. All I'm saying, Sir, to keep it so simple is really need it simple. It's my area, it's not statewide. If you choose to do that, you choose to do that. But it's saying that as it stands in my area, Representative, people are held and taken off the ballot for getting more than enough. Not... not the requirement, if they go over the requirement. Normally, they've had a ceiling in the past. They say a minimum of 200 maybe a maximum of 5. If you turn in your petition, all of them are legit, and there's 525 legitimate voters who concurred with the position of that candidate

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they can actually use the board within the city and actually use that as a criterion for extracting and not giving a person access, and penalize them for having over the maximum required number of votes, which is ever required by the municipality."

Eddy: "So, this does cover though... you said it's not for a statewide office, but it applies to all municipalities statewide? Any Independent candidate for... it's not just... it's not just for your area. It's not just for your municipality. This is for every municipality statewide."

Washington: "This is reflective of any fair person throughout..."

Speaker Turner: "Bring your remarks to a close."

Washington: "I ask for favorable consideration of this vote to make it accessible to any citizen that wants to run and should not be penalized for having over the maximum..."

Speaker Turner: "...Eddy."

Washington: "...required votes for an election."

Speaker Turner: "We'll let... let him finish his remarks and then there's still more speakers on the Bill."

Eddy: "Thank you. And I... I'm going to listen to the debate, because I think the Gentleman has brought an issue that there's some interest in. I'm just not sure it's that well understood because if there's no cap at all, again, my concern is what the responsibility is on the circulator to make sure that the signatures are valid at all. If you can turn in 20 thousand signatures or 10 thousand and have someone have to sift through them, that's my concern. I'll listen to the debate, Mr. Speaker. Thank you for the additional time."

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

Stephens: "Thank you, Mr. Speaker. First of all, could.. could we check with the Clerk or whoever's in charge that the electrician? The Gentleman from Crawford had way too much time on this Bill. So, could we turn the timer on and maybe cut it down to two minutes per person just for the next..."

Speaker Turner: "You want me to violate the rules?"

Stephens: "The Gentleman from Crawford went on and on, I mean, I think we can all agree on that can't we?"

Speaker Turner: "We're trying to..."

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

Speaker Turner: "Yes, he will."

Stephens: "Thank you. Representative, what's the... what was the purpose originally to have a maximum number of petition signatures?"

Washington: "Well, I can use two examples, one being Senator Meeks. If you remember when he first ran for office..."

Stephens: "No, no... I'm talking about in the statutes, when the... when we first established a... a maximum number that you could... could be turned in."

Washington: "Representative, I... I can't give you an answer to that. I can only tell you that in my particular area, Representative, that's what... that's the practice that was being done."

Stephens: "Okay. And do I understand your Bill correctly? It... this only affects Independent candidates?"

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Washington: "Yes, Sir. That's... the only thing I was targeting, that if people want to run as Independent, some of us are forced to from time to time. And that if we're forced to do that and if the voters concur with you and I as their guy or gal, that if we get over... if there's a cap in that municipality, and we go over that cap then we shouldn't... that and that in... that and in and of itself should not be reason enough to take that choice away from the voters in that particular district."

Stephens: "Okay. Do you... do you have any personal knowledge of... the Representative from Crawford suggested that without a maximum number that you can submit, that there is a threat of knowingly invalid signatures. Now, I... I have... I have protested signatures. I had one statewide candidate thrown off the ballot some years ago. And this particular candidate had turned in 5 thousand signatures. And when we reviewed his petition, this particular candidate from my part of the state, actually, had submitted 5 thousand signatures but what he had done was... he had one valid page, then he had gone to the phonebook and in the same handwriting, someone had copied from the phonebook about, I think, 200 names and then for the rest of the 5 thousand all they were... they photocopied. And so we had to object to each of those photocopied signatures and it...So do you... do you understand why we might have some question about that?"

Washington: "Yeah, Representative, and I'm glad it's you objecting I would, too but I don't see how that fits in with what I'm saying. Because all of the signatures are..."

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are... either could be contested or not contested. But as it stands now they have ceiling that says you got a maximum of 500. You get 505, they can use that 5 extra votes, whether they're valid or not, to say you violated the principle of what you were doing running as an Independent."

Stephens: "One... one more question. I... the... the title of the Bill... Senate Bill 80, Elections-Campaign Free Zone. I don't know if that still applies to your Bill but would that include... the campaign free zone, would that include a school bus?"

Washington: "No, Sir. I had no knowledge of putting in that title of that, Sir. No, no. It's not reflective of what I'm talking about at all."

Stephens: "To your knowledge should a school bus or your generic... your general feeling, should a school bus be a campaign free zone?"

Washington: "Representative, I'm with you, whatever you say. I'm with you..."

Stephens: "I think a school bus..."

Washington: "...on that, okay?"

Stephens: "...should be a campaign free zone, Ladies and Gentlemen."

Washington: "Yes, Sir, I agree."

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

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

Speaker Turner: "Indicates he will."

Cole: "Representative Washington, we know what this is all about. And I... and I have some concerns and I want to

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express them to you. When I was on the county board we didn't have ceilings on our petitions. We just needed 'x' number of signatures, the 5 percent or whatever. There was no ceiling. On municipal elections I've always thought it to be strange, just like you're trying to do today why is there a ceiling? If someone wants to get 510 signatures, what's the big deal? And I agree with you on that. But what you're doing here is you're taking off the ceiling for Independents. It's still there for Green Party, Republicans, and Democrats. So, I think what you're trying to do is something I've always thought was kind of crazy for municipal elections, having a ceiling. Like I said if someone wants to get 510, what's the difference? If someone gets 2 thousand, now we'll start to wonder, you and I, whether they really did it. But to have 501 signatures, you're absolutely right, they can get thrown off the ballot. Now, why is that fair? My... my... my suggestion to you is to... and I hate to say this, to pull the Bill and just get rid of the ceiling on municipal elections. It makes no sense to me, I agree with you. There's no ceiling on school board elections. There's no ceiling on county board elections. There's no ceiling on State Representative elections or Congress or anything. I think it's a great idea what you're trying to do, but you're doing is just for one as an Independent, which really is a political Party, and not doing it for the Republicans, the Democrats, the Green Party or maybe a slate that sort of thing. But I... I really think what you're doing is great, but it... it's not quite done yet. So, I was just hoping that maybe you could

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pull the Bill and we could work on it. And... I don't know of any group that actually supports having that ceiling. I think it's an archaic kind of way in which someone could be removed from the ballot for simply having too many friends, for having too many supporters. And that's not right. And I agree with you. So, that's just my suggestion. I'd hate to vote 'no' to this, because I would want to make sure the Green Party, that I don't belong to, the Democrat that I don't belong to, that they also wouldn't have a ceiling and I think it was... be unfair for them to be removed for the same reason."

Speaker Turner: "The Lady from Lake Representative... I mean, the Gentleman from Lake, Representative Mathias, for what reason do you rise?"

Mathias: "Will the speaker yield?"

Speaker Turner: "He indicates he will."

Mathias: "I... I just want to make sure I got this... I got this straight now. If you have a... an election and there are, for example, partisan Parties in this election, right now they have a minimum and a maximum is that correct?"

Washington: "My understanding that's for an Independent, that's why I was going to address Representative Crawford's..."

Mathias: "No, no I'm just talking about the Parties right now."

Washington: "No, the answer is yes. But my answer is, being I've experienced this first hand, I don't remember there being a ceiling for regular Party candidate. The only ceiling that I saw was for someone running outside the two Parties, in my municipality."

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Mathias: "Right. But I think... I don't think there's different standards right now. I mean, that's... that is the question. In other words, if... if some people are running under the Citizens Party and they... they still... this wouldn't change them but yet, in the same race, you have somebody running independently, they would be changed. So, in the same race you have two different standards. And that to me doesn't make sense. Just because you run as an Independent, doesn't mean you have... you can go out and get more signatures than somebody who's limited because they happen to run under a Party label."

Washington: "But Representative, see I... I understand clearly what you're saying. But... and I don't have the... the paper... the sheet... the instructions before me. But the instruction sheet that they gave out in the City of Waukegan, it only identified what the minimum and maximum requirement was for Independents. I don't even recall if there was a ceiling at all for Republican/Democrat but there was... that's what... that's what preempted me to say, hey, that's unfair to the people who want to choose people who reflect their values and their view. And that's what brings this Bill about at this time, to say that you shouldn't be punished for more than enough."

Mathias: "Right. Well, but I think that's an important question. So, that we're consistent. And I... I think Representative Cole had a great suggestion. If it's good for an Independent, it should be good for everybody. So, let's make it universal, one way or the other. Either you have limits or you don't have limits, but in the same race

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you shouldn't have some with limits, some without. I would ask you to pull this out of the record so at least you could answer my quest... find out the facts. And I may be wrong in my assertion in which case that's fine, but if I'm not then you're... in the same race..."

Washington: "Yes, Sir. And I respect, of course, both of you. And I'm glad that you all are going to join me because I'm... I'm pretty clear that what I'm stating is factual in the City of Waukegan. You wouldn't have privy to that because you didn't experience that."

Mathias: "Right. But this Bill is statewide?"

Washington: "Yes, sir. Yes, Sir. Except for Cook County. But it's also an elective thing to do, based on what other municipalities... every municipality may not have that like Waukegan had it, but I know they had a ceiling for Independent. They didn't... I don't remember there being a ceiling for Democrats or Republican at all. You can get more than enough and not be dependent on the valid voters' signatures."

Mathias: "Well, I... and that's the question. And I know in my town we do have ceilings, it's from a certain amount, you know. But either... why should some not have a limit and some don't? I think it should be..."

Washington: "I agree."

Mathias: "...I think it should be consistent throughout the whole state one way or the other."

Washington: "Okay."

Mathias: "And I... I don't care either way, but I'll support whichever way you go."

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Washington: "Okay. Then, Mr. Speaker, for the lack... for the sake of time since I got two of my colleagues who concur with the intent and I know they will make it happen with me, then I will withdraw this particular legislation. Thank you, Representative."

Mathias: "Thank you very much."

Speaker Turner: "The Gentleman asks to take the Bill out of the record. Mr. Clerk, Rules Report."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on May 22, 2009, reported the same back with the following recommendation/s: 'approved for floor consideration', 'referred to the Order of Resolutions' is House Resolution 416: On the Order of Concurrence, 'recommends be adopted' is a Motion to Concur in Senate Amendment #1 to House Bill 3681."

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

Cultra: "Point of personal privilege."

Speaker Turner: "State your point."

Cultra: "From my home county of Iroquois, we've got the Saint Paul's Lutheran Cougars 7th and 8th grade with their teacher Dan Huse in the gallery behind me. Welcome to Spring..."

Speaker Turner: "Welcome to Springfield, Saint Paul's. Representative Stephens, on page 4 of the Calendar, we have Senate Bill 1339. Read the Bill, Mr. Clerk. What's the status of that Bill, Mr. Clerk?"

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Clerk Mahoney: "Senate Bill 1339 is on Third Reading."

Speaker Turner: "Gentleman asks leave to bring the Bill back to Second. Read the Bill, Mr. Clerk."

Clerk Mahoney: "On Senate Bill 1339, Floor Amendment #1, offered by Representative Stephens, has been approved for consideration."

Speaker Turner: "The Gentleman from Bond, Representative Stephens on Floor Amendment #1. The Gentleman asks leave for the adoption of Floor Amendment #1 to Senate Bill 1339. 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. Read the Bill, Mr. Clerk. Sorry. Are there any other Amendments?"

Clerk Mahoney: "No further Amendments."

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

Clerk Mahoney: "Senate Bill 1339, a Bill for an Act concerning professional regulation. Third Reading."

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

Stephens: "Thank you, Mr. Speaker. Senate Bill 1339, as amended, is an agreed Bill between the Illinois Division of Professional Regulation, Chicago and Downstate Illinois Roofing Contractors Association and a Roofers Union. And it gives DPR more discretion in denying the roofing license to someone with a history of roofing fraud. And also incorporates roofing language from House Bill 786, which passed this House unanimously. I know of no opposition. Appreciate an 'aye' vote."

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Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 1339?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brosnahan, we have Senate Bill 1422. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1422, a Bill for an Act concerning financial regulation. Third Reading."

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

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1422 amends the Savings Bank Act. Presently, when a person seeks to gain control of a savings bank or a subsidiary of a savings bank they must submit an application to the Commissioner of Banks and Real Estate. The commissioner can examine the books and records of the persons seeking to acquire control. Under Senate Bill 1422 we maintain this and further add investigatory powers and the ability to acquire additional information. Under this Bill, the commissioner would also be allowed to take into consideration the management, experience, the competence as well as the integrity, the financial ability and the submission of a business plan consistent with the safe and sound operation of a savings bank before shifting control would be approved. So the commissioner would have a lot more information making this determination. The reason for

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this Bill is to protect the small local banks from complete takeovers by large national banks. The commissioner review process... we want to make sure that the institutions remain viable and continue to render service to the community. I know of no opposition to this legislation. I'd be happy to answer any questions."

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

Eddy: "Inquiry of the Chair?"

Speaker Turner: "State your inquiry."

Eddy: "Has there been any Amendments to this Bill adopted?"

Speaker Turner: "Mr. Clerk?"

Clerk Mahoney: "There are no Amendments on Senate Bill 1422."

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

Speaker Turner: "Indicates he will."

Eddy: "Representative, our analysis of this Bill indicates that in committee that an Amendment was discussed that would come back to the committee for approval."

Brosnahan: "That... that's correct, Representative. There was an Amendment that was discussed and there were some opposition to that Amendment. After discussion we decided not to add that Amendment. I know... I talked with Representative Mitchell last week and let him know about that. I... I spoke with Representative Black yesterday. And they were... they were made aware of the fact that we did not adopt that Amendment because of the opposition. The underlying Bill that we're presenting today there was no opposition to... to this part of the Bill."

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Eddy: "Okay. I think I understand what you're saying. And... and I... I want to make sure that there isn't a misunderstanding by the Members, especially on this side of the aisle, because our analysis reads that... that the Bill would go back to committee and that you had made that... that promise. And there's a reason that it... it's not going back to committee, and that is, I think, the Amendment that was discussed would have brought opposition?"

Brosnahan: "That... that's correct. The... the Amendment created a lot of issues that people on the committee were not comfortable with. And instead of going forth with that Amendment we decided just not to adopt it. We're not going to bring it forward. And the underlying Bill is one that we're... we're going to be voting on today. And there was no opposition to that."

Eddy: "So, your agreement really was that if this Bill were amended on the House Floor then it would come back?"

Brosnahan: "Exactly."

Eddy: "Not that it would come back and be amended?"

Brosnahan: "The agreement was to bring any Amendment back to the committee, but we decided not to do any Amendments to the Bill at all."

Eddy: "Okay. Based on that, very quickly again, the underlying Bill is agreed. What does the underlying Bill do?"

Brosnahan: "It... it allows the Commissioner of Banks and Real Estate, gives them more investigatory powers to determine... to make sure a savings bank is protected from large takeovers from national banks. It just applies to state chartered banks. It's an attempt to... to protect those

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smaller savings banks in Illinois that they continue to provide services to the communities they serve."

Eddy: "So, on this issue, there may be legislation coming that could be agreed to later, but... but this part of the overall picture has been agreed to?"

Brosnahan: "That's correct."

Eddy: "All right. Thank you, Representative."

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

Black: "Thank you very much, Mr. Speaker. To the Bill. I apologize for being off the floor. Representative Brosnahan and I talked about this yesterday. He is a man of his word, he would have taken the Amendment back had the Amendment been forthcoming. For those of you in the chamber on the committee, the department brought in an Amendment at the last minute that not even Representative Brosnahan had seen. And that... that's very unusual and we agreed to move the Bill out of committee with an Amendment we didn't even have based on his word that... the Amendment when it was filed would go back to committee. Subsequently, I think Representative Brosnahan has prevailed that this was not the way to do it. And it wasn't his fault. It was the department that came in at the last minute with an Amendment that was completely unclear and not even written. So, I just simply rise to again say Representative Brosnahan is in fact a man of his word. There is no Amendment to the Bill, the Bill is in the form that it came from the Senate. It passed the Senate unanimously and deserves our support. And again, Mr.

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Brosnahan, I... I thank you for your integrity. You... you kept your word. I'm sorry I was off the floor and couldn't have said that to begin with."

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

Brosnahan: "Appreciate an 'aye' vote."

Speaker Turner: "On this question, the question is, 'Shall the House pass Senate Bill 1422?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, 113 voting 'aye', 0 'noes', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Miller on Senate Bill 1440. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1440, a Bill for an Act concerning public employee benefits. Third Reading."

Speaker Turner: "Gentleman from Cook, Representative Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is just a Bill that defines... clarifies roll over distributions and also provides technical corrections regarding SERS. I ask for favorable consideration."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 1440?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Reis, we have

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Senate Bill 1467. Out of the record. Representative Bradley. Out of the record. Representative Dan Reitz on Senate Bill 1483. Out of the record. Representative Franks, Senate Bill 1555. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1555, a Bill for an Act concerning revenue. Third Reading."

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

Franks: "Thank you, Mr. Speaker. This is one we'd pulled out of the record the other day. Representative Eddy had asked a question on it and he was right. So, what we're doing is trying to amend the way we do the special service areas, to actually have to prove a positive instead of disprove a negative. I'd be happy to answer any questions."

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

Eddy: "Thank you. Just... just to thank Representative Franks for discussing with us and to remind the Body that this is final action on this Bill. And... and I think we've debated the merits, but just so everybody knows, this is final. Thank you."

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

Sullivan: "Thank you, Mr. Speaker. To the Bill. I want to thank the Representative for pulling it out and clarifying what we were trying to do here. In this legislation, in present law, to remove something in a special service area you have to get people to sign a petition to do that. What... what the Representative's trying to do is, let's do

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this on the front end. Let's get the signatures first to approve the special service area which is, I... I believe, is a much better way of doing things. It is... it is the American way of doing things, when you vote and get more than 50 percent of the people to do something, that's the way to do it. I rise in strong support of this legislation. Thank you."

Speaker Turner: "Representative Franks to close."

Franks: "Thank you, Mr. Speaker. I think this is an important way to help protect our taxpayers when we're looking to ask them for projects or for them to pay for them. I think that the ones that are asking to have their taxes raised should have to prove that 51 percent want it instead of those that are against it, 51 percent proving that they don't. So, I think it's a fundamental fairness action and I encourage an 'aye' vote."

Speaker Turner: "So, the question is, 'Shall the House pass Senate Bill 1555?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bradley on Senate Bill... Representative Myers on Senate Bill 1799. Out of the record. On page 5 of the Calendar, we have Senate Bill 1837. Representative Chuck Jefferson. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 1837, a Bill for an Act concerning State Government. Third Reading."

Speaker Turner: "The Gentleman from Winnebago, Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker, Members of the House. This Bill is a Bill that, as it refers to veterans, to say that prior to charging the veterans as it relates to their pensions or any other income they might have coming in from the state, you would exhaust your ability to get them to pay some other way. And I would ask for an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 1837?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jakobsson on Senate Bill 2103. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2103, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Turner: "Representative Jakobsson, I understand there's a Floor Amendment still in Rules. Do you still want to proceed with this Bill?"

Jakobsson: "I'd like to move the... have the Floor Amendment adopted, yes."

Speaker Turner: "We can't do it..."

Jakobsson: "Oh, it's still in Rules."

Speaker Turner: "...that's still in Rules."

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Jakobsson: "I'm sorry. No, I want to wait for it to come out of Rules. Thank you."

Speaker Turner: "Out of the record. Representative Pritchard, we have Senate Bill 2214. Out of the record. We're going to the Order of Second Readings, Senate Bills-Second Readings. On page 6 of the Calendar and we're going to go down straight through the Calendar. So, please follow along. And they're on the Order of Second Reading, Senate Bill... we have Senate Bill 122. Representative Bob Rita. Read the Bill... read the rec... read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 122 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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

Clerk Mahoney: "Senate Bill 122, a Bill for an Act concerning regulation. Third Reading."

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

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the unset Act for the architectural and structural engineers. This was negotiated with all parties, extends it for the 10 years. There was no one in opposition to this. Ask for a favorable vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 122?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is

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hereby declared passed. Representative Franks, we have Senate Bill 189 on the Order of Second Readings. Out of the record. Representative Ryg, we have Senate Bill 226. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 226, a Bill for an Act concerning education has been read a second time, previously. Amendment #1 was adopted in committee. Notes have been requested and not yet filed on the Bill."

Speaker Turner: "The Bill shall remain on Second Reading. We have Senate Bill 268, Representative Farnham. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 268 has been read a second time previously. Amendment #1 was adopted in committee. A note request... a note has been requested and not yet filed."

Speaker Turner: "Bill shall remain on Second Reading. Representative Dan Reitz, we have Senate Bill 290. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 290, a Bill for an Act concerning regulation has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3, offered by Representative Reitz, have both been approved for consideration."

Speaker Turner: "The Gentleman from Randolph, Representative Reitz on Amendment #2."

Reitz: "Thank you, Mr. Speaker. Amendment #2 restores the language that we had previously on teeth whitening after some discussions and regarding human teeth impression provisions."

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Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 290?' 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: "Floor Amendment #3 offered by Representative Reitz."

Speaker Turner: "Representative Reitz on Amendment #3."

Reitz: "Thank you. Floor Amendment #3 simply says that someone doing teeth whitening will just disclose that they are not a dentist."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #3 to Senate Bill 290. 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. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 290, a Bill for an Act concerning professional regulation. Third Reading of this Senate Bill."

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

Reitz: "Thank you, Mr. Speaker. The Bill is basically what I said. This deals with teeth whitening and it's an initiative of the Illinois Dental Association. And I know of no opponents."

Speaker Turner: "So, the question is, 'Shall the House pass Senate Bill 290?' All those in favor should vote 'aye';

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all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Winnebago, Representative Sacia, for what reason do you rise?"

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

Speaker Turner: "State your point."

Sacia: "Ladies and Gentlemen, in the gallery we have students from Immanuel Lutheran in Freeport, Illinois and their teacher Mike Welton. Would you make them feel welcome. They're visiting Springfield and learning about how..."

Speaker Turner: "Welcome to Springfield gang..."

Sacia: "...it's like in the House of Representatives."

Speaker Turner: "...welcome to Springfield."

Sacia: "Thank you."

Speaker Turner: "On the Order of Third Readings, Representative Zalewski... I mean, Second Readings, we have Representative Zalewski on Senate Bill 337. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 337 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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

Clerk Mahoney: "Senate Bill 337, a Bill for an Act concerning government. Third Reading."

Speaker Turner: "Gentleman from Cook, Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. Senate Bill 337, as amended, is an initiative of the firefighters. The Bill

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basically states that if a member... if a firefighter is called into active training required for specific training, the municipality which pays the... that serviceman's salary is still required to pay the salary for that training. It doesn't impose any additional obligations upon the municipality. It's simply a statutory change in the language. I'd be happy to take any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 337?' All those in favor should vote 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Danny Burke we have Senate Bill 351. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 351 has been read a second time previously. No Amendments, however, notes have been requested and not yet filed."

Speaker Turner: "The Bill should remain on Second Reading. Representative Walker, we have Senate Bill 420. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 420 has been read a second time, previously. No Amendments. No Motions filed."

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

Clerk Mahoney: "Senate Bill 420, a Bill for an Act concerning finance. Third Reading."

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

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Walker: "Thank you, Mr. Chair. Senate Bill 420 is legislation that would allow CMS to enter into large scale multistate buying compacts to buy at a cheaper price. It also allows other states to buy product made by Illinois manufacturers. I ask for an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 420?' 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? Representative Froehlich, Hernandez. The Clerk shall take the record. On this question, there are 114 voting 'aye', 1 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Beiser on Senate Bill 933. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 933, a Bill for an Act concerning transportation has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "The Gentleman from Madison, Representative Beiser. Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 933, a Bill for an Act concerning transportation. Third Reading."

Speaker Turner: "Gentleman from Madison, Representative Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. Senate Bill 933, as amended, basically creates a pilot program for IDOT to monitor and enforce... try to reduce speed on just one local bridge in our area, the Martin Luther King

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Bridge. Now generally, I know I'm not in favor of enforcement by cameras. I know we do it in speed zones now and things like that, but as a rule, I'm not in favor of cameras, but in this particular instance I think it's warranted and it's warranted for this reason. In... in the last decade we've had 13 fatalities on this bridge that spans the Mississippi River. In a period of one month, from Thanksgiving to Christmas this past year, 6 fatalities occurred. IDOT has agreed to do this. The State Police cannot monitor it, if even if they had the manpower to do that because of the physical layout of the... the entrance and the exit of the bridge. And it's our intent to create a three-year pilot program that would monitor the speed. And then the surveys say that the average speed is 15 miles per hour over the speed limit. It would create a civil penalty. It would be... not count against the driver's record or their insurance. And it would be a reporting back to the General Assembly every six months about how this is working. So, I would appreciate the favorable consideration by this Body. And I would be happy to answer any questions."

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

Rose: "Thank you. As... as always and while I appreciate the reasons stated by the Sponsor and... and I have a great deal of respect for the Sponsor... I don't see where you are, there you are. I... I once again find myself rising to oppose these cameras. All last summer and in to the fall the calls came from the tollway about tickets coming to

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people that hadn't even been to Chicago in decades. I've got a guy in Arcola, Illinois, that every time somebody with the exact same license plate that he has it's an environmental plate, blows the toll, he gets the ticket. It's not him. At some point in time we have to get beyond the fact that we're going to try to solve all problems. And I do have a great deal of respect for the Sponsor, but cameras can't solve everything. The reality of the situation... and... and quite frankly, nor they work. I... I sat and talked with the director of the tollway. And the director of the tollway said that their goal is to get to 99 percent compliance. Great. Ninety-nine percent compliance. One percent of 400 thousand swipes a day, 1 percent, take that times 365 days a year. That's hundreds of thousands of erroneous tickets. Now, Representative, I understand that there aren't going to be anywhere near that many people traveling across this bridge every day. I understand that. But these cameras, I... I mean, it... I just... you can't solve all problems on cameras, one. Two, they don't work. Three, I have a huge concern when I read that Mayor Daley wants to use cameras to solve the Chicago budget. And I know you're not Mayor Daley and I know no where in your district is Mayor Daley and I understand that. But these things become cash cows and the minute you've incentivized local governments to send erroneous tickets to people, you get exactly what's happened to every one of us in this room with these goofball tollway tickets we've all dealt with. And I for one am just sick and tired of dealing with it. And I'm sick and tired, quite frankly,

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the intrusion on our privacy rights. Do you know, Representative, there was an article in the paper a month ago that in London they're using thermal imaging cameras over the winter to see if you had your thermostat turned too high? And guess what? If you had your thermostat cranked up too much, what happened to you as a residential homeowner? You got a ticket. Well, dang it, you know what if you want to pay that bill, pay the bill, for your thermostat. Whose business is it of the government's to be sitting there with a thermal imaging camera on your house? And you're all going to sit here and say, oh, we'll never do that in Illinois; we'll never do that in Illinois. Well, you know what... and I'm not say... again, Representative, I have all due respect for you. But I sat on this floor when one of my colleague who's still here got up and proposed the first one of these tollway cameras and oh, we're just doing tollways. Well, what about speeding? Oh, we're not going to do speeding. Well, here we are today. I don't remember if it was three or four years ago, five years ago, I don't remember when it was. But I've only been here... this is my seventh year, so in the last seven years we were told we'll never do speeding in this state. And now we're doing speeding. Now we're doing stop lights. You know what's next is a thermal imaging cameras to say, oh, you got your thermostat turned up too high. Bad for the environment, shame, shame. Oh by the way, we're going to send you a \$500 ticket to balance our city's budget. At the end of the day, Representative, all due respect to you, I'm going to vote 'no'. These cameras are out of frickin'

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control, they don't work, they're a huge inhibition on personal liberty, quite frankly, and their... and because we're incentivizing governments to make money off of people. Now, I didn't make up this story, you can go online and find it. In England, they're using thermal imaging cameras to send people tickets who turn their thermostats up too high in the winter. That's where this is all heading. And it's silly and at some point in time we have to say enough is enough. Now, I know what's going to happen, Representative. You're going to pass your Bill and I'm going to get about 20 'no' votes if even that. But when the ticket comes to your doorstep, I won't be the one that voted for it. So, thank you, Mr. Speaker."

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

Stephens: "Thank you, Mr. Speaker. Will the Gentleman yield."

Speaker Turner: "Indicates he will."

Stephens: "Representative, you and I are both aware of the tragic deaths that have occurred on this bridge in the last 10 years. We... and we've tried a lot of things to help that situation. Isn't that true? The State Police, Department of Transportation, special signage, increased... increased patrol."

Beiser: "Yes, you're..."

Stephens: "None of that's..."

Beiser: "...you're..."

Stephens: "...none of that's working very well, is it?"

Beiser: "No. And... and I think you... even you sponsored a Resolution to study this. You're well aware of the... of the

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problems and where we've got... why we've got to this point. Because you're right, we've tried so many things. And quite frankly, they just haven't worked."

Stephens: "Would you agree with me that if... and I agree with the Gentleman from Champaign, that this is an extraordinary step. And I'm a little uncomfortable with the cameras. Would you agree with me that if... if we see this being abused or if it... if it just has so many errors or any of the similarities to the... to the way the toll system works... the cameras worked up there, that we could revisit this in about a year and... can we assure our colleagues that you and I will work together to take this apart, if it's not working."

Beiser: "Certainly. And that's one of the reasons we put that provision in for this every six months report to the General Assembly in case something like this occurred. And we... I know you would join me and a lot of our colleagues in saying that if this isn't working, we're done with it."

Stephens: "Well, I think you've... you've drafted a great Amendment to this... to this piece of legislation. The Amendment is the Bill. I think it's a reasonable step to take care of what in Madison, St. Clair County is an extraordinary... extraordinarily dangerous stretch of road on that bridge. And we would... we would... I understand the concern some of the Members on... especially my side of the aisle have. I would just ask you to consider the Gentleman has drafted this so that we can deal with this again if it's... it winds up being abused. I would ask your 'aye' vote."

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

Eddy: "Sponsor yield?"

Speaker Turner: "Indicates he will."

Eddy: "Representative, this only... this applies to one... one
bridge?"

Beiser: "Yes, Sir"

Eddy: "Total can you... can you describe... you know, I get the
same calls that previous Representative has... has spoke of
regarding people who... who receive bills from the Toll
Highway Authority, they weren't even in the vehicle. They...
they have to go all the way... for due process, the due
process... is almost not worth just not paying the... go ahead
and pay the fine. It's difficult. What... what kind of due
process rights are there in this Bill for individuals who
are found in violation of some traffic law?"

Beiser: "There will... there will be multiple notices, there
would be a hearing. I don't know what else to... you know...
they..."

Eddy: "Well, where would the hearing..."

Beiser: "...and then the opportunity to contest would be there.
We've built in as many of the safeguards with the thought
in mind of what's occurred on the tollway as we possibly
think we... you know, could put in there."

Eddy: "So, you've tried... you've tried to... to take care and
mitigate some of the issues related to the toll due process
that we've all suffered through. And I guess I'm kind of
wondering specifically, how this is different for someone

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who faces this violation than someone who faces a similar violation in the toll authority?"

Beiser: "Well, first of all, the biggest difference is that at the tollway authority won't be monitoring this or doing this. This will be by the third-party vendor that IDOT will choose. And we've, again, built in the safeguards of the hearings and to be able to contest. So that, to the best extent possible, those that feel like they've been charged in error or cited in error will have their... their due process of rights afforded."

Eddy: "What... what violations are applicable to the automated camera? What... what types of violations can be cited?"

Beiser: "Simply speeding."

Eddy: "Just speeding?"

Beiser: "Yes."

Eddy: "So, they're not able to... to send a citation for reckless driving?"

Beiser: "No. Because it's..."

Eddy: "Registration violation? A license plate that's violated?"

Beiser: "No, Sir."

Eddy: "Any of the other issues? Just speeding?"

Beiser: "Yes, sir. Because... because of the... the reason is that we've had these fatalities is speed, for no other reason and that's why we zeroed in just on this bridge and just for that violation."

Eddy: "And I think Representative Stephens mentioned the fact that you're more than willing if there are problems with this in your particular area to come back, make other

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adjustments. I think more importantly, though, on a limited basis then we can begin to see if in one instance for one reason there is any hope for this type of a system being something where due process can be built in reasonably and... and perhaps it can be used as a device that isn't over obtrusive as... as some fear. On a limited, almost like a pilot basis for one issue, that's kind of your intent here?"

Beiser: "Yes."

Eddy: "Okay. Well, thank you. I appreciate the answers, I'm not sure how I'm going to vote on this. I... I hate these types of things, because of the problems they 'cause, but... but, I do understand what you're trying to do and I'm going to listen to the rest of the debate, if there is any on this. Thank you."

Beiser: "You're welcome."

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

Davis, M.: "Mr. Speaker, I rise because Senate Bill 933 was my Bill. And I don't remember ever turning this Bill over to my Representative Beiser. Senate Bill 933 was a Senate Bill of Representative... of Senator Meeks and we were going to use it in reference to racial profiling. Now, included in this Gentleman's Bill is a statement that this group that they put together will determine whether racial profiling should continue. I'm going to ask the Gentleman to withdraw his Bill and pick another vehicle, because I do not want this on my Bill, nor have I agreed to give him this Bill."

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Speaker Turner: "Mr. Clerk. Better yet, Representative Beiser, do you want to respond to the Lady's request?"

Beiser: "Certainly. I think Representative Davis knows how much respect I have for her and I would not take a Bill that... of hers or anyone's that... that did not want to give it up. I was assured by staff that the proper paperwork was done with everyone's informed consent. I don't know how else to answer that but certainly, the Lady knows that I would not take a Bill of hers without her willingness."

Speaker Turner: "Representative Davis and..."

Davis, M.: "Yes. I just..."

Speaker Turner: "...and you have no..."

Davis, M.: "...I refuse to allow this Gentleman to use my Bill, especially for this purpose, especially for this purpose. One of the clauses in this Bill is, that this group from East St. Louis or St. Clair County will make a determination of whether the racial profiling study shall continue. That's ludicrous. It's absolutely ludicrous. And I just urge him to find another vehicle, because I do not wish to relinquish Senator Meeks' racial profiling Bill to Representative Beiser to put some speed cameras in a very poor district. And I would urge him and staff to find another vehicle."

Speaker Turner: "The Gentleman from Madison, Representative Beiser."

Beiser: "Mr. Speaker, I think at this time in order to discuss with the Lady this, I would like to pull the Bill from the record."

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Speaker Turner: "The Gentleman requests to take the Bill out of the record. The Gentleman from Marion, Representative Cavaletto, for what reason do you rise, Sir?"

Cavaletto: "Point of personal privilege, Mr. Speaker."

Speaker Turner: "State your point."

Cavaletto: "Thank you. I'd like to recognize the IHSA Boys Basketball, Class 1A runner-up from WoodLawn High School Cardinals with their Coach Shane Witzel and Nathan Boat, assistant coach. Let's give them a round of applause, please."

Speaker Turner: "Welcome to Springfield. Welcome to Springfield, Woodlawn. Representative Miller on Senate Bill 1384. David Miller, 1384... Senate Bill 1384. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1384 has been read a second time, previously. Amendment #1 was adopted in committee. No further Amendments. No Motions filed."

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

Clerk Mahoney: "Senate Bill 1384, a Bill for an Act concerning regulation. Third Reading."

Speaker Turner: "... Man from Cook, Representative Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1384 extends the sunset provision for the Professional Engineers Practice Act of 1989 and the Professional Land Surveys Act of 1989 by 10 years. I would ask for a favorable vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 1384?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting

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is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 112 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jakobsson, we have Senate Bill 1690. Out of the record. Representative Miller, we have Senate Bill 1715. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1715 has been read a second time, previously. No Amendments. No Motions filed."

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

Clerk Mahoney: "Senate Bill 1715, a Bill for an Act concerning government. Third Reading."

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

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1715 amends the Illinois Public Labor Relations Act. The Bill provides that whenever collective bargaining is a purpose for establishing initial agreement following original certification of units of fewer than 35 employees, the following time line shall apply. This is in response to a situation where when there wasn't a time line that a... that it... an agreement on a first contract was extended that took over 18... 18 months. I ask for favorable consideration."

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

Colvin: "Mr. Speaker, actually I'm rising to speak to the previous Bill. I was not recorded on a vote on

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Representative Miller's previous Bill. And I'd like the record to reflect that I intended to vote 'yes'."

Speaker Turner: "The record will so reflect. That was on Senate Bill 1384. The Gentleman from Crawford, Representative Eddy, for what reason do you rise?"

Eddy: "Thank you, Speaker. Representative, what's the... what's the reason for this change?"

Miller: "The... the reason for the change is the fact that I think for fairness of... to both parties involved on first contracts there's some sense of a time line in which an agreement can be reached."

Eddy: "Well, are there specific instances where... where something's happened that... that leads you to support the change and does it... is it necessary to change the law... the statute in order to deal with those instances?"

Miller: "Yeah, I think so, because in... then... it can be used as an excuse not to come together. I think at some times you have to have a carrot and some times you have the stick. And at least if a time line is established then you at least know what parameters you're dealing with."

Eddy: "Okay. Let's try to define some of the parameters of the legislation. First of all, is there a size limit to the application of this statute?"

Miller: "If you are... units with fewer than 35 employees."

Eddy: "Okay. So, if... if there's less than 35 employees only... it only applies to those with less than 35 employees. What about those above 35 employees? What... what's the current statute?"

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Miller: "Honestly, I'm not sure what the current statute is above 35 employees."

Eddy: "Where... where's the Municipal League on this, Representative?"

Miller: "They're in opposition."

Eddy: "They're in opposition? Was there an attempt to... by the Municipal League to provide some language that was agreed to?"

Miller: "The lan... the language that was proposed when I talked to the supporters of the Bill basically felt that it undermined the intention of the Bill."

Eddy: "So, there was not any type of an attempt to come... well, there was an attempt, but there was never any agreed language between the labor unions that was going to be added. There was always some type of conflict."

Miller: "I... I think that's a fair assessment."

Eddy: "Representative, I... I obviously, have some concerns regarding the fact that... that this could significantly change the procedures that are currently used in... in bargaining and commencing bargaining and... and the dispute process that involves the Public Labor Relations Board. And I think we have to be real careful with... with this type of legislation and not having an agreed Bill process and some type of an agreement because for the most part, I think left to the opportunity to agree, some of this stuff could be worked out and at... at this time during this Session, I think it would... it would be in the best interest of everyone to continue to attempt to work out some agreed language. These types of... of issues are best resolved

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without the General Assembly's heavy hand, so that the Municipal League and... and others that have an interest in this could... could continue to work on it. And I would just suggest that that be the path we take rather than attempting to... to run this type of a Bill out at... at a time when... when we're facing some difficult issues in this state. There's an economic problem, there are labor issues. We're all concerned about the image of this state as it relates to business and labor working together to attempt to solve their problems. Our image is not the greatest in the country, right now and as we try to... to rebuild that image, some with what we... we were able to do yesterday, finally coming to an agreement on a capital Bill, but also as we move forward and... and try to change our image in this state to one that promotes and is interested in job creation, this would be best left to an agreed Bill process, a negotiation process that would allow us to continue to work on it. If that doesn't happen... although I have great respect for the Sponsor and I understand what he's trying to do, We do not need to further tarnish our image in this state as one where labor and management can't come to agreements. I... I respectfully request a 'no' vote on this legislation."

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

Miller: "I ask for a favorable vote."

Speaker Turner: "So, the question is, 'Shall the House pass Senate Bill 1715?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have

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all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 77 voting 'aye', 38 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Flider, we have Senate Bill 1920. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1920 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Flider, has been approved for consideration."

Speaker Turner: "Representative Flider on Amendment #2."

Flider: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 is an agreed Amendment. The folks working on this legislation have come to an agreement to have a commission formed, essentially a task force, to study these issues and come up with recommendations. I'd ask for your 'aye' vote."

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment 2 to Senate Bill 1920. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

Clerk Mahoney: "No further Amendments."

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

Clerk Mahoney: "Senate Bill 1920, a Bill for an Act concerning civil law. Third Reading."

Speaker Turner: "Representative Flider."

Flider: "Yes, thank you, Mr. Speaker. This legislation originally would have required mobile home park owners to

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pay the costs associated with the closing of mobile home parks when tenants had to move their mobile homes elsewhere, possibly to other parks, et cetera, when a park was closed through no fault of their own. However, there are many issues associated with these kinds of situations. For example, mobile home parks, you know, the owner may not wish to close them, they may be forced to close them. They may be selling them. And then there are geographic disparities as well. So, as a number of these issues need to be sorted out, we are asking for a task force to be created... a commission, with Members to be appointed by the Legislative Leaders as well as the Governor, including the interests of the mobile home park owners and residents. And so, we'll study this issue and make a recommendation to the General Assembly. Hopefully, come up with some legislation next year. I ask for an 'aye' vote."

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

Eddy: "The Sponsor yield?"

Speaker Turner: "Indicates he will."

Eddy: "Representative, this is an important issue to a lot of people in this state. And I... I appreciate the fact that you're setting up a task force to study this. I think the... the task force has to report to the General Assembly by January of '10, is that right?"

Flider: "That's correct."

Eddy: "And if they do not, then this is simply sunsetted, it's repealed. If they don't do their work the... you would have to reconstitute the task force next year?"

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Flider: "That's correct."

Eddy: "All right. Thank you, Representative. I think this is probably the best solution we have given the differences of opinion by the two sides right now. And I commend you for... for this effort. And I hope we can see some good legislation next spring."

Flider: "Thank you."

Speaker Turner: "Seeing no questions... no further questions, the question is, 'Shall the House pass Senate Bill 1920?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Acevedo, we have Senate Bill 1930. Out of the record. Representative Osterman, we have Senate Bill 2043. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2043 has been read a second time, previously. Floor Amendment #2, offered by Representative Osterman, has been approved for consideration."

Speaker Turner: "Representative Osterman on Floor Amendment #2."

Osterman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 deals with the sharing of data and vital records between Health and Family Services, Public Health, the Department of Human Services sharing that information in an effort to set up some policy recommendations and have that data be analyzed for better

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outcomes for families and... and their children as far as those families that need health assistance and they're at-risk families. It also sets in parameters for dates where they should share this information and protections for confidentiality. I ask for the adoption of the Amendment and the support of the Bill on Third Reading."

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #2 to Senate Bill 2043. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Further Amendments?"

Clerk Mahoney: "No further Amendments have been approved for consideration. No Motions filed."

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

Clerk Mahoney: "Senate Bill 2043, a Bill for an Act concerning public aid. Third Reading."

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

Osterman: "As I stated earlier, this legislation would have the data warehouses for Public Health, health of... Healthcare and Family Services, Human Services share their information collectively. In the past, they've been asked and have been supposed to doing this... sharing this information, they have yet to do that. This sets in statute requiring them to do it. It sets in dates which they should do it by as well as reporting to the General Assembly. The ultimate goal is that this information would be used to help create better public policy. It's long overdue and I ask for an 'aye' vote."

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

Leitch: "Thank you very much, Mr. Speaker. To the Bill. I'd like to thank the Representative for bringing this Bill to us. Many of you will recall back in 1999 when we had to have a very major fight to get the data warehouse to begin with, so that the Department of Human Services could manage their Medicaid budget. The original vision was to expand the data warehouse. We've had legislation year in, year out to require cooperation from the bureaucracy. Among the most obstinate has been the Department of Public Health. So, I would very much appreciate support for this Bill. And again, I commend the Representative for bringing this Bill to our attention. It's an important Bill. And for those of you who are interested in actually seeing streamlining occur to Illinois government, this is a Bill that you should be strongly supporting. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 2043?' 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... Reitz... the Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Thapedi, we have Senate Bill 2256. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 2256 has been read a second time, previously. Floor Amendment #1, offered by Representative Thapedi has been approved for consideration."

Speaker Turner: "The Gentleman from Cook, Representative Thapedi, on Amendment #1."

Thapedi: "Thank you, Mr. Speaker. Amendment #1 or actually Floor Amendment #1 actually makes a good Bill even better. Essentially, it just clarifies the role of a witness to a do not resuscitate document. And I'd urge for its adoption."

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #1 to Senate Bill 2256. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

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

Clerk Mahoney: "Senate Bill 2256, a Bill for an Act concerning advanced directives. Third Reading."

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

Thapedi: "Thank you, Mr. Speaker. Senate Bill 2256 is an initiative of the Illinois State Medical Society. The doctors are joined by the Illinois Hospital Association, the nurses, the anesthesiologists, the obstetricians and gynecologists, the Illinois Academy of Family Physicians and the Illinois Primary Health care Association. The health care industry agrees that the intent of Senate Bill 2256 is to assist patients who wish to execute both a power

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of attorney for health care as well as a do not resuscitate advanced directive while in the hospital at the same time. Senate Bill 2256 amends the Healthcare Surrogate Act by harmonizing the witness requirement for both documents. Amendment #1 makes clear that the role of the witness is not to make health care decisions for the patient. And I urge its passage."

Speaker Turner: "Gentleman moves for the passage of Senate Bill 2256. All those in favor should vote 'aye'...I'm sorry, let me apologize. Representative Coulson, you have a question?"

Coulson: "Will the Sponsor yield?"

Speaker Turner: "She (sic-he) indicates she will."

Coulson: "Representative, I... I know that the... a lot of health care groups are supporting this. But, I have some questions related to where this would occur. Because just last year my mother was in a rehab center and they had asked her to do a DNR. And she, of course, was able to say, no, I want my daughter there to read this so that I know what's going on. My concern is that with only one witness they could literally have made my mother sign that at that time and not have ever had a family member present. And I'm wondering if this is meant to happen only in a home or a small setting, or is this also to occur in hospitals and nursing homes?"

Thapedi: "In... in hospitals... in hospitals and nursing homes, I think, is the primary objective. Keep in mind what we're... what we're talking about here, is that we're talking about the stage in which a patient is there in a nursing home,

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they're signing off on a series of documents. So, if they want to sign off on this advanced directive, they're able to do so. Keep in mind that it's not just going to be a witness that's going to be there, the physician is also going to be signing off on this document."

Coulson: "But there's no... nothing in this Bill that says a family member should also be informed and be there for a do not resuscitate order, is that correct?"

Thapedi: "That's correct."

Coulson: "So... so, basically, what you're telling me is that as a patient sits there and signs 15 pages with one witness who may not be someone who even knows them very well, other than their physician, that they could literally end up signing a DNR. Which is a huge difference than a power of attorney or a form to have surgery or other forms that you fill when you come into a new facility. Is that the intent of this legislation?"

Thapedi: "No, it's not."

Coulson: "So, to the Bill. I understand that we're trying to streamline health care decisions. But there's a huge difference between a power of attorney or a request to have a surgery or a request to have other types of tests done and an actual do not resuscitate order. I do not think a do not resuscitate order should be decreased in the number of signatures. I'm afraid that my mother would have just signed it without having had a discussion with her family members, because she would not have been aware. I'm really concerned about this. I know there are other religious groups that are concerned about this. And I would urge a

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'no' vote at this time to continue looking at it to figure out why in a large setting like that we would want to do this."

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

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

Speaker Turner: "He indicates he will."

Feigenholtz: "Representative Thapedi, I... you and I have had a brief discussion about this and since that discussion there has been some concerns, the previous speaker has mentioned some of them. Do you know the history of this law? I was told that originally there was only one signature needed, then it went to two signatures, and this piece of legislation is an effort to take it back to one. Do you know why... what the intent is?"

Thapedi: "Well, I... I can say this, that the intent is to harmonize what patients are signing off on while they're in the hospital. And I think it's important to properly put this piece of legislation to its proper perspective as far as Illinois and where we stand as far as many of the other states in the Union. At least 25 states have no witness requirement or one requirement, period. So, what we're doing in Illinois is much different than many of the other states. For an example, in Arkansas there's no witness requirement. In California there's no witness requirement. Colorado, Florida, Iowa and I can go all the way down the line. So, again, what we're doing is that we're making it easier for patients who wish to have their desires known and carried out by the health care industry are able to do

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that. This is completely voluntary. This is not something that's going to be jammed down a patient's throat, so to say. What we're doing here is that we're giving them the opportunity to be heard. Did that answer your question?"

Feigenholtz: "Well, part of it. But I'm still not sure why the law went from one witness to two witnesses and now it's going back to one witness."

Thapedi: "I... I don't know the answer to that question."

Feigenholtz: "Okay. Thank you."

Thapedi: "Thank you."

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

Mathias: "Thank you, Mr. Speaker. To the Bill."

Speaker Turner: "... Bill."

Mathias: "I... I find it very interesting and I... I was in committee and I was really torn on this vote. In fact, when the Bill originally came I voted 'yes' and then after hearing more testimony when... when the Representative, the Sponsor came to file an Amendment to the Bill, I voted 'no' in committee. I find it interesting that when we deal with property in a will, which is certainly signed usually in an attorney's office with the testator knowing full well what they're signing, it requires two signatures in Illinois. In most states or I should say, in other states, it requires three signatures. So, when we want to make sure that our property is left to the right people we require two signatures but when we want to make sure if someone lives or dies, we only require one signature. I know there was some impassionate testimony in committee from one of

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the religious groups and I understand that. I just felt, you know, in reviewing all this that it's always better to... when it comes to matters of life, it's always better to err on the side of safety and that's why I voted 'no'. And urge this Body to really look at this. It's not just filling out another form, it's a form that could mean life and death to your parents, to your... to your friends, or anybody who's in the hospital. Thank you."

Speaker Turner: "The Lady from Cook, Representative Deborah Graham, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Graham: "Representative, is there any counseling required over this form? It's not like grouped in with a bunch of other forms? Do you... does a person receive some level of counseling to know that if you sign this form what will happen? Certainly, it's not packed in with other forms, is that not correct or is it?"

Thapedi: "No, you are correct. And... and in fact, the physician also must sign off on the form. This is a decision... a joint decision that is made by both the patient as well as their physician. And their physician has intimate knowledge of that patient, they know that patient's health condition and they know that patient's intent. So, together, that's what they are accomplishing. This is a relationship between the patient and the physician."

Graham: "Because I'm not familiar with your legislation in its entirety. Is it in the legislation that the patient must receive counseling versus it being packed in other forms?"

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Thapedi: "I don't believe so. But let me refer to the statute again. Yes. And... and I haven't make any changes to that particular provision in the Health Care Surrogate Act. Essentially, all we did, if you look at the actual Body of the language, instead of saying DNR, we cross out DNR and we write out do not resuscitate so that we know what it is. In the health care industry we all know what DNR means, but most people don't know what... DNR actually means do not resuscitate. So, we made that change and we didn't touch anything else."

Graham: "The one signature that this is requiring, whose signature is it?"

Thapedi: "Whoever the witness is."

Graham: "The witness? Okay. So, it..."

Thapedi: "Yeah, it's a family member..."

Graham: "...so it's witness signit..."

Thapedi: " Absolutely. And we would assume that a family member would be there because this would be a form that would be signed off on..."

Graham: "So, this doesn't... and I don't mean to cut you off."

Thapedi: " No, no."

Graham: "So, it doesn't... it's not that another medical person or nurse or any of that, the signature... the witness signature has to be a family member or is it... or it doesn't have to be a family member?"

Thapedi: "It does not have to be a family member, it could be anybody. And... and that's the same question we talked about before with the two witness requirement. They could go grab a couple of orderlies and bring them in."

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Graham: "So, that... that one signature is not required by a family member, it could just be anyone?"

Thapedi: "Yes. It's always been as such. There's never been a requirement that the witness to the signing off on the DNR directive or the power of attorney be a family member. Any two witnesses."

Graham: "So, the counseling that takes place before the person signs his form is... is just counseling and you're... it's not required that you're counseled with other family members?"

Thapedi: "Well, we would assume that the family members would have a relationship with the physician there, as well. That this is a joint decision as I said before, Representative Graham, between the patient and the physician. And I would assume that the family members, if they are available, they would be there at that time."

Graham: "Thank you, Representative."

Thapedi: "Thank you."

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

Cultra: "Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Cultra: "I wasn't in on the committee hearings, was it brought up that having two signatures for such an important decision is a... it was large burden?"

Speaker Turner: "Representative, he's down front. Cultra, he's down front."

Cultra: "Okay."

Thapedi: "I... I... I'm sorry, Representative."

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Cultra: "Did you get... was it brought up in committee or have you heard that having two signatures is that proving to be a huge burden?"

Thapedi: "That's what the Med Society's position has been. That they have found that many patients who have wished to execute this advanced directives were having difficulties in doing so because it made it a little bit more onerous for them to do so. So, again, that's why the physicians thought that the most prudent way to carry out the desires of their patients was to have these forms all being consistent, as far as the witness requirement is concerned."

Cultra: "I mean, earlier in your testimony you said you could get two orderlies to sign this, so it doesn't seem like it... it would be hard to get two signatures?"

Thapedi: "Okay."

Cultra: "So, I mean, I... this is such an important decision. I... I can see where someone in a nursing home or... or in a hospital really may not be able to make that proper judgment. And having just one signature, anybody in the hospital or nursing home could sign. And the family members may not even be aware of what's going on."

Thapedi: "No, I appreciate what you're saying, Representative but I think that you're forgetting the most important point. And the most important point is that the doctor, the doctor has to also sign off on the form. That's the final safeguard. Now, even if we had..."

Cultra: "This is doc..."

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Thapedi: "...even we had 50 witnesses, the moral to the story is that the doctor is going to also have to sign off."

Cultra: "... Well, is there..."

Thapedi: "And there's our safeguard."

Cultra: "Is the doctor there when the witnesses signed?"

Thapedi: "Yes."

Cultra: "And is he supposed to be present when... when this document is executed?"

Thapedi: "Well, in looking at the form that is generated by the Illinois Department of Public Health, there is one section that deals with the witnesses and then there is another section in which the physician makes a representation that he signs it, she also or he also puts his telephone number and he also dates it. This could be..."

Cultra: "Isn't it reasonable to assume that probably the doctor isn't present, that he would get this paperwork afterwards and would... would sign and fill in his part at another time? Probably not even... maybe even the same day."

Thapedi: "I... I can't assume that. I... I would assume that... and again, this is the procedure in the hospital. The doctors are generally right there talking with the patients, because at this point they're actually developing their plan. And the execution of these documents are made all at the same time. It complicates..."

Cultra: "You must go to a different hospital and nursing home than what I go to 'cause certainly the doctors aren't there very often and it's... it's pretty hard to even get them for a consultation, let alone have them there when you're... executing these type of documents. I mean it... to the Bill."

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It just seems like to me that, on such an important decision, it's not asking too much to have two signatures. And I would ask for an 'aye' vote... or a 'no' vote."

Speaker Turner: "The Gentleman from Crawford, Representative Eddy, for what..."

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

Speaker Turner: "Indicates he will."

Eddy: "Representative, is it fair to say that House Amendment #1 simply adds the step of an attestation form for anyone whether it's one or two individuals? That's the purpose of House Floor Amendment #1."

Thapedi: "No, Representative Eddy."

Eddy: "Okay. What else does it do? Cause I just read it and I thought it simply dealt with... just Floor Amendment 1, is all I'm talking about now."

Thapedi: "Yes. Oh, I'm sorry, were... were you done?"

Eddy: "Yeah, just... just Floor Amendment #1."

Thapedi: "Yes."

Eddy: "If you read Floor Amendment #1, all that does is add the step of an attestation and I think that was requested in committee that whether you have one witness or two witnesses that there be an attestation?"

Thapedi: "You are correct, Representative Eddy, but it does a little bit more than that. It clarifies the role of the witness, that was the problem that we had in committee about talking about what is the purpose, what is the role of the witness. And some of the comments that I'm hearing from my colleagues this morning, Amendment #1 clarifies

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that. That these witnesses are not making any health care decisions for the patient. They are..."

Eddy: "Right. And I think everybody agrees to the fact that that's not the issue here."

Thapedi: "Okay."

Eddy: "The issue becomes in the Floor Amendment, I think it's a Senate Floor Amendment #1, you're changing the number of witnesses that are subject to that attestation from two to one?"

Thapedi: "Yes, that is the..."

Eddy: "That's simply what the Bill does?"

Thapedi: "Yes."

Eddy: "The doctor has to sign the form, or they still have the power they had before you started the process of changing this?"

Thapedi: "Exactly."

Eddy: "So, the bottom line to the Body I think is this simple. The improved version of the Bill that has the attestation attached to it, I think everybody agrees to. If you think that it should take two individuals to witness or... or to sign that form, you shouldn't vote for the Bill. If you think it's okay to go from two to one, then you should support the Bill. Is it pretty much that simple?"

Thapedi: "I would say it's that simple."

Eddy: "Okay. Ladies and Gentlemen, I... I mean I'm not going to... I'm not even sure what I'm going to do on this, but I would say that's how simple this is. If you think going to one witness with an attestation form is sufficient, vote for

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the Bill. If you think something like this should require two, vote 'no'."

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

Reis: "To the Bill. I rise in support of the Gentleman's piece of legislation. We've been in contact with the various groups to make sure that they're okay with this from the religious standpoint and they're all comfortable with this. I know when it popped up on my screen and I hadn't heard about it, I was concerned as well, but they're all in favor of it. The Med Society's in favor of it. So, I ask for an 'aye' vote on the Gentleman's legislation."

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

Fritchey: "Thank you, Speaker. Well, I... I... I don't know how the Speaker did it or the Sponsor did it, but now he's got Representative Reis and I on the same side of a Bill. Ladies and Gentlemen, this Bill came through my committee and the Members of the committee really gave this a lot of thoughtful consideration and there was a lot of input. The Gentleman listened to a lot of that input and then made some modifications to the legislation. It should be noted and I don't need to repeat what he said, he said it well, but it should be noted that a panoply of health organizations has supported this. It should be noted that this still would put us at or above almost the majority of states in this country for what the requirements are. I think we had in committee that 24 states require one or no

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witnesses for a DNR. This brings this document into accordance with the same regulations that we've had for a power of attorney, which can be much further reaching. Should we take these kind of documents seriously? Of course we should. They're a life or death situation. This Bill takes such a document seriously. They made the appropriate considerations. There really should not be this much debate over this legislation. It's straightforward. It does what it intends to do. And what it intends to do is logical and makes sense and furthers our policies. Thank you. I urge an 'aye' vote."

Speaker Mautino: "No one seeking further recognition, Representative Thapedi to close."

Thapedi: "I urge an 'aye' vote on this important piece of legislation."

Speaker Mautino: "All in favor... the Gentleman has moved passage of Senate Bill 2256. 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. 83 voting 'yes', 30 voting 'no', 1 voting 'present', Senate Bill 2256 is declared passed. The Gentleman from Jackson, Representative Bost."

Bost: "Thank you... thank you, Mr. Speaker. If you would, we need to add Representative Tryon to the excused list."

Speaker Mautino: "The Clerk will add Representative Tryon. Senate Bill 577 appears on page 3 of the Calendar, Representative Nekritz. Read the Bill."

Clerk Mahoney: "Senate Bill 577, a Bill for an Act concerning local government."

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Speaker Mautino: "Representative Nekritz."

Clerk Mahoney: "Third Reading."

Nekritz: "Thank you, Mr. Speaker. Senate Bill 577 represents an agreement with METRA that they will sell tickets and that customers can use credit cards, thus bringing us into the 1990s. I ask for your support."

Speaker Mautino: "The Lady has moved passage of Senate Bill 577. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 577 is declared passed. Senate Bill 1477, Representative Bradley. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1477, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Bradley."

Bradley: "This is a TIF extension for Hoffman Estates, it's in the very northern part of my district. Ask for an 'aye' vote."

Speaker Mautino: "Gentleman has moved passage of Senate Bill 1477. And on that, the Gentleman from Cook, Representative Osterman."

Osterman: "You know yesterday... will the Sponsor yield?"

Speaker Mautino: "He indicates that he will."

Osterman: "Representative, you know I... yesterday you took credit for the capital Bill, we got your plan. Five minutes before the Bill we... we voted to pass it. Now, you've moved into the Republican suburbs? I mean, do I see

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a trend here? Do I have to like be concerned about you joining the... coming to my neighborhood next week?"

Bradley: "I think the... I think actually that carrying this Bill is one of the many benefits of chairing the Revenue Committee."

Osterman: "'Cause I have some gun control legislation, if we're going to continue down this path, you might want to cosponsor."

Bradley: "Well let's not get carried away."

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

Stephens: "Representative Kosel wants to know the motivation for your carrying this piece of legislation?"

Speaker Mautino: "Representative Bradley."

Bradley: "What?"

Stephens: "On behalf of Representative Kosel, can you tell me why you are the House Sponsor of this Bill?"

Bradley: "I... I don't rightfully know the answer to that. I was asked to carry it, I carried it once before. I don't know why it's me."

Stephens: "Is this Representative Crespo's district?"

Bradley: "I think so."

Stephens: "Maybe I'll have Representative Kosel talk to Representative Crespo to see what your motivation is."

Bradley: "I would be happy for that to happen."

Stephens: "Me too."

Speaker Mautino: "The Gentleman moves the passage of Senate Bill 1477. And the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 81 voting 'yes', 31 voting 'no', 2 voting 'present', Senate Bill 1477 is declared passed. Senate Bill 1587 appears on the Calendar, Representative Bradley. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1587, a Bill for an Act concerning land. Third Reading."

Speaker Mautino: "Mr. Bradley."

Bradley: "This is a piece of land which the city had transferred to the State some time ago, the State's transferring it back to the city. This identical piece of legislation passed out of here into the Senate and I think it was unanimous. So, I'd ask for another vote. This is the Senate version."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1587. 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. 114 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1587 is declared passed. Representative Dunkin It's the intent now of the Chair to go to the Order of Concurrences. On page 12 of the Calendar appears House Bill 10, Representative Beiser. Mr. Clerk, read the Bill. Representative Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. I move to concur with Senate Amendment #2 on House Bill #10. It simply adds to the definition of 'daycare and group day-

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care home and a part-time day-care child facility' to the Bill."

Speaker Mautino: "The Gentleman has moved to concur with Senate Amendment #2 to House Bill 10. On that, no one's seeking recognition. The question is, 'Shall the House concur in Senate Amendment 2 to House Bill 10?' 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 Crespo and Mell, do you wish to be recorded? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present'. The House concurs with Senate Amendment 2 to House Bill 10 and is hereby declared passed. House Bill 22, there is a Motion to Concur from Representative Franks."

Franks: "Thank you, Mr. Speaker. This Bill passed unanimously in the House. And this was as a result of a hearing we had last December 9 on the line of duty payments. I can report favorably to our colleagues now that because of the legislation we've passed and because of the hearing the amount of families the... of the backlog that were not receiving a line of duty payments has fallen from 74 to 10. So, we're very proud of our work and we know it couldn't have happened without our intervention. The Senate Amendment takes one of the ideas that Representative Zalewski had and what it does is it adds language to the Bill establishing a toll-free hotline dedicated to families seeking information about the status of line of duty compensation. So, I'd ask for your favorable consideration on this Bill and I'd like to send to the

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Governor right away. I think it's one of our top priorities."

Speaker Mautino: "The Gentleman has moved that the House concur with Senate Amendment 1 to House Bill 22. And on this question, all those 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. Cultra, Representative Feigenholtz, do you wish to be recorded? Representative Jackson. Representative Golar. Mr. Clerk, take the record. One hundred... there are 114 voting 'aye', 0 voting 'no', 0 voting 'present'. The House concurs in Senate Amendment 1 to House Bill 22 and this Bill is hereby declared passed. House Bill 37, Representative Brady. The Gentleman moves concurrence with Senate Amendment #1. Representative Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 37, would move to concur with Senate Amendment #1, which inserts a provision which specifies that the leases under this Act are established at the discretion of the agency, Historic Preservation or Department of Natural Resources. And I ask for your 'yes' vote."

Speaker Mautino: "The Gentleman has moved that the House concur with Senate Amendment #1 to House Bill 37. All those in favor signify by voting '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 Currie. Representative Riley. Do you wish to be recorded on this Bill? Mr. Clerk, take the record.

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114 voting 'yes', 0 voting 'no', 0 voting 'present'. The House concurs in Senate Amendment #1 to House Bill 37 and having received the Constitutional Majority, is hereby declared passed. House Bill 47 appears on the Calendar. Representative Brady with a Motion to Concur with Senate Amendment #1. Representative Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I ask for a 'yes' vote to confirm on Senate Amendment #1, which is language that was requested by the Illinois Press Association removing the definition of 'physical and mental status' in this particular piece of legislation. And I'd ask for your 'yes' vote and be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved that the House concur with Senate Amendment 1 to House Bill 47. No one seeking recognition, the question is 'Shall the House concur?' All those 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 question, there are 114 voting 'aye', 0 voting 'no', and 0 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 47. And this Bill having received the Constitutional Majority, is hereby declared passed. On page 13 of the Calendar Representative Jackson has House Bill 85. The Gentleman moves to concur with Senate Amendment #1. Representative Jackson."

Jackson: "Yes. It changes the number of members of the Internet Voting Commission from 12 to 6 and modifies the appointment method of the members. Under the original

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Bill, the Senate President, Senate Minority Leader, the Speaker of the House and the House Minority Leader each would... could appoint three members to the commission. However, the Amendment allows the Senate President and the Speaker to appoint two members, while the Minority Leaders each would appeal for the one appointee. And I concur with the Amendment."

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

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

Jackson: "Yes."

Eddy: "Representative, the... the commission, I would say and I think you would agree, is going to have quite a responsibility."

Jackson: "That's correct."

Eddy: "I mean for Members of the Body, let's... if you could articulate the... the commission's charge. Their responsibility would be to do what?"

Jackson: "They are to look and see if Internet voting would be the thing to do, to see if in fact, that accessibility would be an issue. To see if... that the voting for Internet would be the charge that they... that we wanted to go with in the State of Illinois."

Eddy: "And would you agree that Internet voting as an issue has a lot of concerns by everyone related to security, who's voting, et cetera, et cetera, et cetera? There are significant concerns that are legitimate involved in Internet voting. Would you agree with that?"

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Jackson: "I agree. There are security issues, that's an issue. In addition to not only being a security issue, but there's an accessibility issue, as well."

Eddy: "Well, I... I mean if you... if you read any articles related to what some brilliant young computer hackers can do, I... I would think that we're not just talking about who's voting, but when, how many, et cetera. I mean, we're talking about an area that is rife with possibilities for fraud, for... for security that hackers... I mean, hackers can get into places that we never intended them to get into now. So, I think it's a substantially important issue. Would you agree? I mean, this needs to be done in a manner that we consider all angles and... and think about what we're doing to... to... to make sure our voting privilege is protected and legitimate."

Jackson: "That's correct."

Eddy: "Okay. So, originally, the study... the members of this commission or the way the... the commission was set up when this Bill left, what was the construction of the commission that was going to look into this very, vitally important issue?"

Jackson: "Each... the... each had... the Senate President, the Senate Minority Leader, the Speaker of the House and the House Majority Leader each had two appointees."

Eddy: "So, there was... there was equal representation among the four caucuses?"

Jackson: "That's correct."

Eddy: "What happened in the Senate?"

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Jackson: "The Senate decreased that... the Minority Leader only have the appointment of one, and the Minority... they decreased the amounts."

Eddy: "What... did... Representative, I... I... fundamentally, do you think that has any modicum of fairness in a democracy to it? When you're studying the... the Internet and the ramifications of Internet voting to allow for the very commission that's studying that type of... of change in our system to be constructed in a... in a manner that is so blatantly partisan that... that the results of the commission are not going to reflect the intention of democracy."

Jackson: "The intent is to have the commission to study it to make sure that those issues that you mentioned earlier in terms of security measures, in terms of accessibility and et cetera."

Eddy: "Representative, this... this doesn't change the intention. I'm talking about the change in the structure. What you've done is you've taken equal representation by the caucuses, equal representation of the two Parties to come to a conclusion regarding an important issue and we've changed that so that one Party can control the outcome. Is that democracy? Is that transparency? Is that what we're trying to do here? Is that reflective of the whole tenor of the Spring Session of the General Assembly to allow for this type... this type of... of clear, partisan power play on such an important issue?"

Jackson: "I'll Motion to take it out of the record."

Eddy: "Thank you. Appreciate that."

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Speaker Mautino: "Further questions. Excuse me, the Gentleman... Mr. Clerk, the Gentleman has asked the Bill be taken from the record. On page 13 of the Calendar appears House Bill 164. Representative William Davis. Out of the record. House Bill 170, Representative Tryon. Out of the record. House Bill 379, Representative Connelly. Mr. Clerk, place House Bill 379 on the board. Representative Connelly with a Motion to Concur with Senate Amendment #1."

Connelly: "Thank you, Mr. Speaker. House Bill 379 passed unan..."

Speaker Mautino: "If you could hold for a moment, Mr. Connelly, while we get the board set. House Bill 379. The board now accurately requests the... reflects the Bill. Representative Connelly."

Connelly: "Thank you, Mr. Speaker and Members of the House. House Bill 379 is an Amendment to the Procurement Code. It passed nearly unanimously in the House, it passed unanimously in the Senate. The Amendment backs out telecom from the reverse online auction procurement process. I ask for... I move that it be adopted."

Speaker Mautino: "The Gentleman from DuPage has moved that the House concur with Senate Amendment 1 to House Bill 379. All those in favor vote 'aye'; 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 question, there are 114 voting 'aye', 0 voting 'no', and 0 voting 'present'. The House does concur in Senate Amendment 1 to House Bill 379 and having received a Constitutional Majority is hereby declared passed. Mr.

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Clerk, would you place House Bill 404, Representative William Davis. Mr. Clerk, take that Bill out of the record. House Bill 437, Representative Beiser. Place House Bill 437 on the board. Representative Beiser moves to concur with Senate Amendment #1. Representative Beiser."

Beiser: "Yes, Mr. Speaker, thank you very much. I move that we concur with Senate Amendment #1 to House Bill 437. Basically, it was determined in the Senate that the resource, efficiency, and sustainability was already covered. And it is the intent of this Bill to have that included but they didn't think it was necessary 'cause they thought it was already there. And I would ask for concurrence."

Speaker Mautino: "The Gentleman has moved concurrence on Senate Amendment 1 to House Bill 437. And on that question, the Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "He indicates he will."

Eddy: "Representative, I... I... I think it's important at this point that we're... we're working on concurrences for Members of the Body to... to note the vote they might have made on this type of an issue the first time around. The... the change that was made in the Senate on this particular Bill was not substantial. Isn't that correct?"

Beiser: "Yes."

Eddy: "It was a minor change. The underlying Bill still allows Lewis and Clark Community College to... to bond in a certain manner?"

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Beiser: "Yes."

Eddy: "Yeah. And... and we understand the reasons for that. And I think it... it had some support, but there are those that need to pay attention to this. Nothing really changed concerning why they might have been opposed to it. So, I would just urge the Body to perhaps take a look at their voting history on this. Thank you."

Beiser: "I appreciate that."

Speaker Mautino: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 437. No one else seeking recognition, the question is 'Shall the House concur?' 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. With 68 voting 'yes', 46 voting 'no', 0 voting 'present', the House does concur in Senate Amendment #1 to House Bill 437. This Bill, having received the Constitutional Majority, is declared passed. Representative Jakobsson, House Bill 467 appears on the Calendar. You have a Motion to Concur with Senate Amendment #1."

Jakobsson: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1. This makes a very minor change. It just cleans the language a little bit for when park districts are going to collect the money that is due them from off-track betting facilities."

Speaker Mautino: "The Lady has moved concurrence on Senate Amendment 1 to House Bill 467. No one seeking recognition, the question is 'Shall the House concur?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Representative Feigenholtz, Representative Dugan, Representative Kosel, do you wish to be recorded? Mr. Clerk... Have all voted who wish? Mr. Clerk, take the record. 109 voting 'yes', 5 voting 'no', 0 voting 'present', the House does concur in Senate Amendment 1 to House Bill 467. This Bill having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Lang, has House Bill 811 and a Motion to Concur in Senate Amendment #1. The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen. The Senate Amendment to House Bill 811 is very technical. I move concurrence."

Speaker Mautino: "And the question is, 'Shall the House concur in the technical Amendment of Senate Amendment #1?' All those 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 Cole, Representative Gordon. Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 811 and having received the Constitutional Majority, it is hereby declared passed. Representative Careen Gordon, on page 15 of the Calendar, you have House Bill 567. And a Motion has been filed to concur with Senate Amendment #1. Representative Gordon."

Gordon, C.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is the Bill that allows people who live in

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a community integrated living arrangement to vote. This just... what Senator Raoul did, he replaced the definition... reference in the definition in Section 3 to... so that it's uniform throughout the Act. It was a good move on his part and I appreciate the fact that he did that. And I would ask for your 'aye' vote."

Speaker Mautino: "The Lady has moved adoption of Senate Amendment #1 to House Bill 567... excuse me, the Lady has moved concurrence of Senate Amendment 1 to House Bill 567. No one seeking recognition, the question is, 'Shall the House concur?' 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 Senger, do you wish to be recorded? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur in Senate Amendment 1 to House Bill 567. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 17 of the Calendar appears House Bill 883, Representative Verschoore. Representative Verschoore moves to concur in Senate Amendment #1. Representative Verschoore."

Verschoore: "Thank you very much, Mr. Speaker. What this Bill does is it, right now on wind energy there is a three-year time frame where they test these towers to see if they're right for the wind. What this would do is eliminate that... that three-year time frame, but state... counties would still have the option of holding whatever time frame they would believe. So, I'd ask for concurrence, please."

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Speaker Mautino: "The Gentleman has moved that the House concur in Senate Amendment 1 to House Bill 883. And on that, the Gentleman from Jasper, Representative Reis."

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

Speaker Mautino: "He indicates he will."

Reis: "Representative, we're all kind of preoccupied here, but we noticed that the Bill when it went through the House the first time had some opposition. Did anything change in the Senate to remove that opposition, or was it a technical change?"

Verschoore: "It was a technical change, I think."

Reis: "Representative, our understanding that the Senate Amendment gutted the Bill and made it into something else?"

Verschoore: "Well, like I said it was... the only thing this Bill does is it gives them more time if the county wants to work with them to study the wind in those areas to see if it's feasible to put the wind farms in. If it's windy enough, right."

Reis: "Okay."

Verschoore: "Thank you."

Reis: "To the... to the Amendment... to the concurrence, whatever. The Senate Amendment changed this Bill dramatically, Ladies and Gentlemen. It becomes a law that passed through here already. So, we stand in support of your concurrence."

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

Reitz: "Yes. I was just wondering if you'd explain this Bill again? What's this Bill do?"

Speaker Mautino: "He said, no."

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Verschoore: "All it does is remove the time limit that they can study the wind energy to see if there's enough hot air in this... in this chamber to make the windmills turn."

Reitz: "Well, I appreciate it. I know you were up all night working on this and I appreciate your indulgence."

Verschoore: "Thank you."

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

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

Speaker Mautino: "He said, yes."

Eddy: "I'm sorry. Representative, this... this Amendment, it appears as if it simply takes out the fact that wind towers have to be dismantled within three years of installation. Why would we want to eliminate a requirement that these wind towers be dismantled?"

Verschoore: "Well, that... that's the... that's the principle of this Bill, is they need to... sometimes they want to study the wind longer. And it... so that's why they are trying to eliminate the three-year time limit on it. But it also... the counties can still have jurisdiction over them, if they want to. They can say, no ,you've got to... you've got to take them down. Well, the test towers are not the real towers. They're just testing the wind. That's why they take them down and if the wind's correct then they put the bigger towers up."

Eddy: "Do... do they define the parameters of when the test is going to take place?"

Verschoore: "That's... they want a three-year... well, they want... sometimes they want longer than three years to make sure

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that they're not getting, you know, one year it's a lot windier than another year, I guess. I'm not sure on that."

Eddy: "Okay. So, I guess my question is, why not define the parameters of the study giving them enough time to study the issue and then state that within three years concluding the termination of the study that those towers be dismantled? Do they not... are they not able to define the scope of the time of the study?"

Verschoore: "That's what this will do, Representative Eddy."

Eddy: "That's what this will do?"

Verschoore: "Right."

Eddy: "This will allow locals to do that?"

Verschoore: "Right."

Eddy: "Right now they can't because this is too specific. This takes the specificity out?"

Verschoore: "This removes the requirement."

Eddy: "This removes that so they can do what they want locally?"

Verschoore: "Right. Right. Exactly."

Eddy: "And be flexible?"

Verschoore: "Right."

Eddy: "Okay. Thank you."

Speaker Mautino: "The Gentleman has moved concurrence on Senate Amendment 1 to House Bill 883. No one else seeking recognition, the question is 'Shall the House concur?' 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. 114 voting 'yes', 0 voting 'no', 0 voting 'present', the House does

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concur with Senate Amendment 1 to House Bill 883. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative DeLuca, you have House Bill 964 on page 18 of the Calendar. A Motion to Concur with Senate Amendment 1 has been filed and recommend be adopted. Mr. DeLuca."

DeLuca: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1."

Speaker Mautino: "The Gentleman has moved concurrence with Senate Amendment #1 to House Bill 964. And on that, the Gentleman from Jasper, Representative Reis."

Reis: "Will the Sponsor yield?"

Speaker Mautino: "He indicates he will."

Reis: "Representative, can we find out what this Amendment does?"

DeLuca: "Well, this was the Amendment that made it an agreed Bill between the Attorney General's Office and the Illinois Retail Merchants Association."

Reis: "Is this how the Bill started out?"

DeLuca: "Is that how it started out? Is that your question?"

Reis: "Is the... is the Amendment germane to how the Bill started out? I mean, it's Friday afternoon, we've been here, it's a long week. And we see an Amendment that pops up that says, deletes everything. And we just want to know if, is the Bill... has changed substantially with the Amendment?"

DeLuca: "No, it has not."

Reis: "What exactly does the Amendment do?"

DeLuca: "The... you're asking me, what does the change..."

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Reis: "Yeah, what does the Amendment do? How does it change the Bill?"

DeLuca: "It doesn't change the Bill."

Reis: "Can you tell everybody that? I mean, like I said, we're rushing through these things and it's hard to follow. And... and I know this is probably your first concurrence and we won't haze you and that's not my intention. But we just want to know what the Amendment does because sometimes Amendments come back from the Senate and it substantially changes the Bill. And we just want to know what your Amendment did?"

DeLuca: "It does not substantially change the Bill. This just allowed for the electronic notification of recalls and warnings."

Reis: "Okay. Thank you. No further questions."

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

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

Speaker Mautino: "He indicates he will."

Franks: "Representative, the Amendment is basically the Amendment that you were trying to get passed before on House Amendment #1? Isn't that correct?"

DeLuca: "Yes, it is."

Franks: "Okay. And what this is dealing with is an electronic format to... instead of a physical sign, but doing an electronic format on a recall issue. Isn't that what it is?"

DeLuca: "Yes, it is."

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Franks: "Okay. So, you're in agreement with this and that's why you're motioning to concur..."

DeLuca: "Yes, I am."

Franks: "...on this Bill?"

DeLuca: "Yes, I am."

Franks: Okay. Now, are you aware of the rule that you have to wear the same clothes on the concurrence as you do on the original Bill?"

DeLuca: "Representative Eddy had mentioned that to me earlier in the day."

Franks: "I believe that Representative Mulligan has the proper attire; perhaps, if you could ask her to share it with you, we'd be able to get this Bill passed and move on. But I don't see how we can vote for it without the red jacket. Oh, come on, you have to help... help out a colleague."

DeLuca: "I don't think I'll be quite as cooperative today."

Franks: "Okay. Well, we'll work on it. Thank you."

Speaker Mautino: "The Gentleman from Crawford is offering a red jacket. Representative Eddy."

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

Speaker Mautino: "He indicates he will."

Eddy: "I'll get to the red jacket in a second. But I... I'm kind of wondering... I... I remember the Bill because of the red jacket more than anything else, actually. But I... I... I'm wondering what the change is because I read the House Amendment and now I'm looking at the Senate Amendment... the concurrence Amendment. Can you tell us what... how they changed this in the Senate?"

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DeLuca: "They didn't change it in the Senate. This was from the House Amendment, it was not changed in the Senate."

Eddy: "So... so... so we had a... we had a Bill that we sent over to the Senate and they amended it with the exact same language and sent it over here for concurrence? Okay. So... so, the House Amendment was never on the Bill here when we sent it out?"

DeLuca: "That's correct."

Eddy: "Well, that explains everything. I think everybody was working under the assumption that when it went over there it was amended, but it was not. So, you sent the Bill over there, it received the same Amendment that should have been put on here or would have been put on here. And now it's back and we're all one big happy family?"

DeLuca: "That... that is right."

Eddy: "Except for one minor issue and that does remain, your attire. And based on the fact that we have a red jacket available and the Sponsor of the concurrence is not willing to attire himself properly for his first concurrence, I... I would... I would suggest that we treat him properly and vote 'no'."

DeLuca: "Thank you very much."

Speaker Mautino: "The Gentleman has moved concurrence to Senate Amendment #1 to House Bill 964. No one else seeking recognition, the question is, 'Shall the House concur?' 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 Mitchell, Representative Winters, do you wish to be recorded? It'll be a 'yes'. Mr.

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Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 964. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Eddy, on page 18 of the Calendar appears House Bill 1108. There's a Motion been filed to concur with Senate Amendment #1. Representative Eddy."

Eddy: "Thank you, Mr. Speaker. The Senate changed this and basically changed the date of the establishment of the advisory board to October of '09 instead of July. The advisory board for... for the purposes of the underlying Bill remains the same. It just allowed them an opportunity to work within certain time frames. I'd appreciate concurrence with the Amendment."

Speaker Mautino: "The Gentleman has moved that the House concur with Senate Amendment #1 to House Bill 1108. And on that question, the Gentleman from Cook, Representative Joyce."

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

Speaker Mautino: "He indicates he will."

Joyce: "Representative Eddy, you know, everything's moving along here and we, you know, things are being changed by the Senate and we're not reading anything. You like your family, don't you?"

Eddy: "Pardon me?"

Joyce: "You like your family, right?"

Eddy: "Representative Joyce, I love my family."

Joyce: "Okay. Good. It's Friday, we can go see them."

Eddy: "Believe me, if I controlled the Calendar we wouldn't be here right now."

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Speaker Mautino: "And at this moment, I do control the Calendar and if... all those in favor vote 'yes'; opposed vote 'no'. The Gentleman has moved... moved adoption... had moved concurrence of Senate Amendment #1 to House Bill 1108. All in favor vote 'yes'; opposed vote 'no'. Voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 1108. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 19 of the Calendar appears House Bill 1329, Representative Bellock. The Lady has moved concurrence of... with Senate Amendment 1 and 2. Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. I move to concur."

Speaker Mautino: "The Lady has moved concurrence with Senate Amendments 1 and 2 to House Bill 1329. And the question is, 'Does the House concur?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendments 1 and 2 to House Bill 1329. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bellock, House Bill 2280, you have a Motion to Concur in Senate Amendment #1. Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. I move to concur on Amendment #1."

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Speaker Mautino: "Lady moves to concur on Senate Amendment #1 to House Bill 2280. And the question is, 'Shall the House concur?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. This Bill having received 114 'yes', 0 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 2280. This Bill, having declared.. having received the Constitutional Majority, is declared passed. Representative Black, you have House Bill 2331 on page 19 of the Calendar. A Motion has been filed to... that the House concur with Senate Amendment #1. Representative Black."

Black: "Thank you very much, Mr. Speaker. This Bill, as amended, eliminates the requirement for the Department of Professional Regulation to issue a temporary permit to veterinary school graduates. They can begin working with a licensed veterinarian more quickly now while their licensure is pending. They must work under the supervision of a licensed veterinarian. This is an initiative of the Illinois State Veterinary Medical Association and it is supported by the Farm Bureau. I think we've had a rather full debate on this in the past."

Speaker Mautino: "The Gentleman has moved concurrence in Senate Amendment #1 to House Bill 2331. Question is, 'Shall the House concur?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 113 voting 'yes', 0 voting 'no', 1 voting

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'present', the House does concur with Senate Amendment #1 to House Bill 2331. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hernandez, on the Calendar on page 20 appears House Bill 2388. A Motion has been filed to concur with Senate Amendment #1. Representative Hernandez."

Hernandez: "Yes, Speaker, I just ask if House Bill 2388 Motion to Concur Senate Amendment #1."

Speaker Mautino: "The Lady has moved that the House concur with Senate Amendment #1 to House Bill 2388. No one seeking recognition, the question is, 'Shall the House concur?' 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 Beiser, Representative Coulson, do you wish to be recorded? Representative.. Representative Hernandez, would you like to be recorded? And Representative Coulson? Have all voted who wish? Representative Coulson? Mr. Clerk, take the record. 113 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 2388. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hannig, on the Calendar, page 20, appears House Bill 2405. A Motion has been filed that the House concur with Senate Amendments 1 and 2. Representative Hannig. Out of the record. On page 20 of the Calendar appears House Bill 2450, Representative Miller. A Motion has been filed that the House concur in Senate Amendment #1."

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Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House concurs with Senate Amendment #1."

Speaker Mautino: "Gentleman has moved the House concur with Senate Amendment #1 to House Bill 2450. No one seeking recognition, the question is, 'Shall the House concur?' 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 Mell, do you wish to be recorded? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 2450. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Howard, on the Calendar appears House Bill 2474. A Motion has been filed that the House concur with Senate Amendment #1. Representative Howard."

Howard: "Thank you, Mr. Speaker. Senate... Senate Bill 2474... I'm sorry, House Bill 2474, Senate Amendment #1 just calls for a changing of the date by which the task force must report. The change would be from January 1... January 31, that is, to 2010 to December 31 2010. The agency believed it needed a little additional time in order to be able to complete the study."

Speaker Mautino: "The Lady has moved the House concur in Senate Amendment #1 to House Bill 2474. No one seeking recognition, the question is, 'Shall the House concur?' 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 Beaubien, Representative

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Feigenholtz, Representative Flider, do you wish to be recorded? Mr. Clerk, take the record. 113 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 2474. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Calendar, Representative Saviano has House Bill 2539. The Gentleman is excused today, take that Bill out of the record. House Bill 2547, Representative Fritchey, on the Calendar, page 21, this Bill appears. There's a Motion filed to Concur with Senate Amendment #1. The Gentleman from Cook, Representative Fritchey. The Gentleman from Cook."

Fritchey: "I simply request an 'aye' vote."

Speaker Mautino: "The Gentleman moves the House concur with Senate Amendment #1 to House Bill 2547. No one seeking recognition, the question is, 'Does the House concur?' 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 Beaubien, Representative Biggins, Representative Lang, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. 87 voting 'yes', 26 voting 'no', 0 voting 'present'. The House does concur with Senate Amendment #1 to House Bill 2547. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Calendar, Representative Mell has House Bill 2573. Place that on the board and the Lady moves concurrence with Amendment #1 from the Senate. Representative Mell."

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Mell: "Thank you, Mr. Speaker. Senate Amendment 1 to House Bill 2573 just gives our universities another tool regarding sexual harassment in relaying its policies to the students. And I ask for your support."

Speaker Mautino: "The Lady has moved that the House concur in Senate Amendment #1 to House Bill 2573. And on that question, the Gentleman from Crawford, Representative Eddy."

Eddy: "Let me start by apologizing to Representative Joyce for asking any questions. However, as I read the Amendment... and... and Mr. Speaker, I... I think the last Bill demonstrated the importance for people to pay attention to the vote on the underlying Bill. I looked at the vote on the board compared to the vote on the Bill. And a lot of people who may have voted one way the first time around didn't necessarily follow what was happening. And we had no explanation of the concurrence. And I think that's a dangerous practice. And I... I know it's late and we want to get out of here, but... but be real careful with this. Representative, what does the Senate Amendment do? Does it require online registration of student classes for... for anyone? What's it do?"

Mell: "No, it... well, it says that if universities have an online registration process that what's going to happen is is when the students go to register they're going to have to read this section and then click through, saying that they saw it and then they go on to register. It strengthens the Bill. It was... it was a suggestion of the University of Illinois."

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Eddy: "Okay. So, it doesn't substantially change the underlying Bill apparently?"

Mell: "No, it does not. It just... it's another tool and, you know, we took suggestions from the university since we were asking them, you know, to do this for us. So, it's really... it... it..."

Eddy: "Okay. Your Bill made it out unanimously, obviously, the first time around. And nothing's changed to the point that... that would draw anyone to oppose the Bill. But I appreciate the additional explanation."

Mell: "Thank you."

Speaker Mautino: "The Lady has moved that the House concur with Senate Amendment #1 to House Bill 2573. No one else seeking recognition, the question is 'Shall the House concur?' 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 Collins, Representative Flider, Representative Hannig, do you wish to be recorded? Mr. Clerk, take the record. 113 having voted 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 2573. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 21 of the Calendar appears House Bill 2651, Representative Reboletti. There is a Motion to con... that the House concur with Senate Amendment #1. The Gentleman from DuPage, Representative Reboletti."

Reboletti: "Thank you, Speaker. I would move to concur with Senate Amendment #1, just a brief change that states that

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this new crime does not cause a new cause of action in a civil case."

Speaker Mautino: "The Gentleman moves the House concur with Senate Amendment #1 to House Bill 2651. And on that, the Gentleman from Bond, Leader Stephens. No one seeking recognition, the question is, 'Shall the House concur?' 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 Sullivan, do you wish to be recorded? Representative Beaubien? Have all voted who wish? Mr. Clerk, take the record. 113 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 2651. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3642, Representative Brauer. Representative Brauer has House Bill 3642. There's a Motion been filed that the House concur with Senate Amendment #1. Mr. Brauer."

Brauer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. I have moved for concurrence. This is a Amendment that is the language from the Secretary of State's Office that addresses multiyear for flecks. Answer any questions."

Speaker Mautino: "The Gentleman moves the House concur with Senate Amendment #1 to House Bill 3642. No one seeking recognition, the question is, 'Shall the House concur?' 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 Nekritz,

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Representative Walker, Representative Sullivan, do you wish to be recorded? Mr. Clerk, take the record. 113 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 3642. This Bill, having received the Constitutional Majority, is declared passed. Representative Howard, on page 22 of the Calendar appears House Bill 3717. A Motion has been filed that the House concur with Senate Amendment #1, the Lady from Cook."

Howard: "Thank you, Mr. Speaker. I move concurrence with House Bill 3717. The change would affect the Bill by making this applicable to all county jail wardens within the state rather than just the Cook County sheriff."

Speaker Mautino: "The Lady has moved the House concur with Senate Amendment #1 to House Bill 3717. And on that, the Gentleman from Crawford."

Eddy: "Will the Sponsor yield?"

Speaker Mautino: "She indicates she will."

Eddy: "You said it would make it... it applicable. What does the underlying... what did the underlying Bill do originally to the Cook County sheriff?"

Howard: "It gave credit for good time to those persons who acted in a... in a decent manner. Those who did not, obviously, were going to be... were going to suffer some punishment. It said that it would revoke the day-to-day good time behavior for inmates who did not act in accordance with the rules. That's what the underlying Bill said."

Eddy: "Okay. So..."

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Howard: "It was only... it was only applicable to Cook County. And the Senate decided that it ought to be applicable to all of the counties in the state rather than just Cook County."

Eddy: "Okay. So, the original Bill allows that authority locally to the county sheriff, I guess, to revoke good behavior allowances of an inmate?"

Howard: "Yes. If they... if they..."

Eddy: "And it was just for Cook County and now..."

Howard: "It was just for Cook County, and that's the way it passed from this chamber."

Eddy: "Okay."

Howard: "When it got to the Senate..."

Eddy: "So, any... anywhere else... in the state now through authority by the governing body of the county board has a local rules and regulations that they would govern this, they would continue to. This doesn't usurp their power at all, it just gives them the authority."

Howard: "Gives them the authority to, if they so desire. Yes."

Eddy: "Okay. Thanks for the additional explanation, Representative."

Howard: "Mmm mmm."

Speaker Mautino: "The Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker. We'd like the record to reflect that Representative Beaubien, Bassi and Schmitz are excused for the rest of the afternoon."

Speaker Mautino: "Thank you. Mr... Mr. Clerk, the record will so reflect that Representative Beaubien, Bassi, and Schmitz

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are excused. On page 22 of the Calendar appears House Bill 37... sorry. Going back to House Bill 3717. The Lady moves concurrence with Senate Amendment #1 to House Bill 3717. 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 Currie, Representative Eddy, do you wish to be recorded? Mr. Clerk, take the record. 111 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 3717. This Bill, having received the Constitutional Majority, is hereby declared passed. And we are going to continue traveling down the Calendar, in order, to those Bills which have been recommended be adopted, the Motions that have been filed. Our next one is Representative Flider, House Bill 3779 on page 22 of the Calendar. A Motion has been filed the House concur in Senate Amendment #1. Representative Flider."

Flider: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to 3779. As passed in the House the... the Bill excluded certified local public health departments. This legislation included them, but it also extends the fee exemption now to certify local health departments to include home health services, provided the U.S. Department of Veterans Affairs. I ask for an 'aye' vote."

Speaker Mautino: "The Gentleman has moved the House concur with Senate Amendment #1 to House Bill 3779. No one seeking recognition, the question is, 'Shall the House concur?' All in favor vote 'yes'; opposed vote 'no'. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 111 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 3779. This Bill, having received the Constitutional Majority, is declared passed. Majority Leader Currie is seeking recognition, the Lady from Cook."

Currie: "Thank you, Speaker. Just to report that Representative Ford should be excused for the rest of the day."

Speaker Mautino: "Mr. Clerk, record Representative Ford as excused for the rest of the day. Continuing down the Calendar on those Bills that have recommends be adopted, we find Representative Burns, House Bill 3863. The Gentleman has filed a Motion to Concur with Senate Amendment #1, the Gentleman from Cook."

Burns: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with the Senate in Amendment #1 to House Bill 3863. When this Bill originally went over to the Senate I had made a commitment to a number of the... to the Body that we would find a consensus with the bankers and financial institutions on how to deal with the mortgage crisis. This Amendment is agreed to by all parties; it's an agreed Amendment. And I would move to concur in the Amendment. Happy to answer any questions."

Speaker Mautino: "The Gentleman moves the House concur with Senate Amendment #1 to House Bill 3863. No one seeking recognition, the question is, 'Shall the House concur?'

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Excuse me. The Gentleman from Jasper, Representative Reis."

Reis: "I'm sorry, Mr. Speaker. Will the Sponsor yield?"

Speaker Mautino: "He indicates that he will."

Reis: "Now, you said the Amendment's agreed to, but does the... does the Amendment now remove all opposition to the underlying Bill?"

Burns: "Yes, it does. There is no opposition to House Bill 3863."

Reis: "Okay. Thank you."

Speaker Mautino: "The Gentleman moves the House concur with Senate Amendment #1 to House Bill 3863. No one seeking recognition, the question is, 'Shall the House concur?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative McCarthy, Osterman, do you wish to be recorded? Mr. Clerk, take the record. 110 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 3863. This Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Lake, Representative Sullivan, is seeking recognition."

Sullivan: "Yes, Mr. Speaker. After careful review of my voting record and the problems associated with my switch over here, I, one, would like to have someone come look at this switch. But Senate Bill 2256, I had seriously thought I voted 'aye', but evidentially my voting record says 'no'. So, if we could possibly have that voting reflect that, that would be wonderful."

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Speaker Mautino: "The Journal will reflect your intentions and I will send the electrician over to take a look at that tricky switch. On page 23 of the Calendar appears House Bill 3878, Representative Bradley. Out of the record. Representative Chapa LaVia, on page 23 of the Calendar appears House Bill 3950. A Motion has been filed that the House concur with Senate Amendment #1. Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. I move to concur with Senate Amendment #1. It corrects a typographical error on the original Bill, changes the reference citation to United.. the Unified Code of Corrections from Section 5-6-3ca and 5-6-3.1ca to subsequent (b) and (c), respectively. And I move for its concurrence. Thank you."

Speaker Mautino: "The Lady has moved that the House concur in Senate Amendment #1 to House Bill 3950. No one seeking recognition, the question is, 'Shall the House concur?' 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 Ramey, Representative Winters, do you wish to be recorded? Representative Colvin? Mr. Clerk, take the record. 110 voting 'yes', 0 voting 'no', 0 voting 'present'. The House does concur with Senate Amendment #1 to House Bill 3950. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Leitch.. Representative Leitch, on page 23 of the Calendar appears

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House Bill 3981. And for the purposes of a Motion, Representative Leitch."

Leitch: "Thank you. I would like to move to nonconcur in Amendment #1 to House Bill 30..."

Speaker Mautino: "The Gentleman move that the House nonconcur in Senate Amendment #1 to House Bill 3981. All in favor say 'yes'; opposed say 'no'. The 'yesses' have it. And the House nonconcur with Senate Amendment #1 to House Bill 3981. Mr. Clerk, on page 23 of the Calendar appears House Bill 3878, Representative Bradley. A Motion has been filed to concur with Senate Amendment #1. Representative Bradley."

Bradley: "Thank you. This is a Bill that passed out here overwhelmingly. The only change that I'm aware of that's been made is to change the notification date from 45 days to 90 days. Ask for an 'aye' vote."

Speaker Mautino: "The Gentleman moves the House concur with Senate Amendment #1 to House Bill 3878. No one seeking recognition, the question is, 'Shall the House concur?' 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 Bost, Representative Chapa LaVia. Have all voted who wish? Mr. Clerk, take the record. 110 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 3878. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Feigenholtz, on page 24 of the Calendar appears House Bill 4054. A Motion has been filed to concur

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with Senate Amendment #1. The Lady from Cook, Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. Senate Amendment #1 to House Bill 4054 simply clarifies that DCFS is responsible for service delivery, but eligible youth may be referred to the Department of Human Services also. These are just some technical agreements between departments."

Speaker Mautino: "The Lady has moved concurrence with Senate Amendment #1 to House Bill 4054. No one seeking recognition, 'Shall the House concur?' is the question. 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 Winters, do you wish to be recorded? Mr. Clerk, take the record. 110 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 4054. This Bill, having received a Constitutional Majority, is declared passed. On page... on the Calendar appears House Bill 164 and a Motion to Concur with Senate Amendment #1. Representative Burns. Excuse me, Representative Davis W. Representative Davis W on a Motion to concur with Senate Amendment #1."

Davis, W.: "Thank you very much, Mr. Speaker. I move that the House concur in Senate Amendment #1 to House Bill 164. Senate Amendment #1 simply... simply makes... or exempts any person from an aggravated assault or battery charge against a private social service employee on or adjacent to the grounds where the services are delivered if that offender

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is (a) under 18 and is receiving treatment or residing in the facility where the assault occurred."

Speaker Mautino: "The Gentleman has moved that the House concur with Senate Amendment #1 to House Bill 164. And on that question, the Gentleman from Jasper, Representative Reis... yields his time to Representative Black, the Gentleman from Vermilion. Representative Black."

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

Speaker Mautino: "He indicates that he will."

Black: "Representative, Senate Amendment #1 exempted, as I understand it, anyone under the age of 18..."

Davis, W.: "Having a little trouble hearing you, Representative."

Black: "As I understand Senate Amendment #1 it exempts anybody under 18 years of age from the provisions of the Bill who are being treated or residing in the facility where the assault occurred. What if the assault occurs in a secure detention facility?"

Davis, W.: "In a secure detention facility?"

Black: "A juvenile detention facility?"

Davis, W.: "Well, if I understand the Amendment correctly, if that person is under 18 and is receiving treatment or residing in the facility where the assault occurred... so you're saying if they live in a detention facility and the assault occurs in the facility?"

Black: "Correct."

Davis, W.: "It sounds, as I read the Amendment, that they would be exempt."

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Black: "Well, that concerns me, because I think this exempts a broad category of people who may be in fact, number one, incarcerated temporarily in a juvenile detention facility or have been committed by a court of law to a residential treatment facility. And if that 17-year-old, for example, were to assault... was to assault a member of the staff and is not then eligible to be charged with assault and battery, it takes... in my opinion, it takes a measure of punishment and also relieves the individual of any responsibility for his or her decision to assault a member of the treatment staff or a member of the detention staff. Is that really what we want to do?"

Davis, W.: "Well... well let me just say this much, Representative, because I believe your concern was brought up when this was in committee on the House side? What we agreed to do was to obviously work on the Bill. So, the Amendment that you see here has been agreed to by our Department of Children and Family Services. The original intent of the Bill was brought to me by a private social service agency. So, obviously, DCFS had some challenges with it, I think, for the simple reason that you're stating as well. So, again, when we worked on it and I agreed to amend the Bill, that Amendment was only agreed to because it was what DCFS wanted."

Black: "Okay."

Davis, W.: "So, I think their concerns were your concerns."

Black: "Well, it... it... it appears to me, correct me if I'm wrong, there is no similar exemption in the public

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caseworker provision, even though DCFS requested this exemption."

Davis W.: "Right."

Black: The... the assault and battery appears only to be applicable then to a private caseworker by a person under 18 who is receiving treatment or residing in the facility. Now, is... is this to be left up completely to the state's attorneys' discretion, as to whether or not to use the aggravated factor?"

Davis, W.: "Well, I guess, Representative, it is what it is and not necessarily left up to the discretion of a state's attorney to bring an appropriate charge. If that is what happens then that particular charge is what will be brought forward."

Black: "Well, I... staff has called some things to my attention. I think there's a... perhaps a drafting error or a language error in... in the Bill. It appears to be a state's attorney discretion in charging for this assault in... in the case of a private worker, but there is no similar exemption in the public caseworker provisions. Now, the aggravated situation isn't going to apply to anybody under 18, because they... they would be a minor and they would go to juvenile court, so the adult penalty would not come into play. It... it just seems like if I'm working for DCFS or I'm working for the Department of Mental Health and I'm assaulted by a 17-year-old, I'm not going to be able to ask that that 17- or 16-year-old be charged with assault and battery, but if I was a private caseworker the state's attorney appears to have discretion to do so. I... I don't think... something

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doesn't sound right here. There appears to be a... a dual category here that if you're a... a public worker the... the issue... you're not covered under an assault case, but if you're in a private institution the... the minor could be charged with simple assault. I... I'm really not sure that's what the... the original intent of this was."

Davis, W.: "Well, again, Representative, the original intent of the Bill was to protect private social service workers. That was the original intent of the Bill."

Black: "But if... if those workers who work for the Department of Children and Family Services requested the exemption and they didn't get it, is... is there a reason why DCFS workers were not included in this Bill?"

Davis, W.: "If I'm not mistaken, this was their choice. If I'm not mistaken, DCFS had challenges with the Bill, Representative, because they obviously work in residential facilities and they felt that they wanted to do more to try to protect the residents that they work with. Again, this was brought on behalf of a private social service agency."

Black: "Well, I... I... I understand that. But I can't imagine why a... a... an emp... a state employee, let's say whether they're contracted or excuse me, whether they work for DCFS or they department, some other department, I don't think they would choose to not be covered under this exemption. I would think the would want to be. Our staff tells us that DCFS specifically asked to be included and they were not."

Davis, W.: "Your information says that they were asked to be included and they were not?"

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Black: "That they asked. DCFS asked to be included in this same language. And I'm very familiar with the entity that brought this to you, the Children's Home and Aid Society, I've worked with them for many, many years on foster care and other things."

Davis, W.: "Well... well, Representative, one... the one thing that I can say is that, again, because of the concerns from your side when the Bill was presented I encouraged Children's Home and Aid Society to work with DCFS. So, what you see here is a result of that collaboration. So, I can't directly speak to what DCFS did or did not want at the end of the day relative to this. But what you have here was what they agreed to along with Children's Home and Aid Society. That is what I encouraged and that is what they did."

Black: "Okay. I... I don't..."

Davis, W.: "Now... now, to your... to your point, though, if DCFS is seeking something, then I don't have a problem with coming back with another Bill for them based on what their desire is."

Black: "All right, perhaps that would be the best case. I... I don't want to drag this out. But I... I was looking even at the Senate Roll Call and there were Senate Democrats who voted against it, Senate Republicans who voted against it. So, obviously, there... there is some confusion as to the intent as to who's covered under the Bill and who's not. And I appreciate your indulgence."

Davis, W.: "Thank you."

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

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

Speaker Mautino: "He indicates he will."

Reboletti: "Representative, I know we had this conversation in Jud II..."

Davis, W.: "Absolutely."

Reboletti: "...when you brought the Bill. And I had a chance to talk to the director of DCFS back in my district office. And I shared this concern with you and I shared this concern with him. If we exempt out an entire class of people, we are basically saying to them it is okay to strike the staff member and nothing is going to happen to you. I... I don't know how we can remove a group of people and make the... make the offender the protected class and the victim and the... and our society has no recourse against the individual. Is... do you agree with me on that?"

Davis, W.: "Well, as you remember in committee, Representative, the young lady that testified from the private social service agency spoke very, you know, passionately about an issue that she was having... an ongoing issue that she was having. So, again, I don't think their intent was to necessarily try to exclude public social service agencies but again, what you have in front of you was that collaboration. Because... and I... I encouraged DCFS to talk to you as well as another Member from the committee because of your specific concerns. And what the agency, Children's Home and Aid, again, what we have here was what DCFS agreed to because I encouraged that collaboration over in the

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Senate. We were able to get it out, subsequently pass it. So, what you have here is that collaboration. And this is what DCFS agreed to. So, again, if they are seeking something, I'll be more than happy to sponsor that Bill based on what their desires are and what their challenges are and how they want to protect their own individuals, their own employees."

Reboletti: "Well, I... I... when I spoke with the director some of his concerns were, he was concerned that wards would be arrested because of this offense. And I realize that there are situations where some of the folks that are living in those homes or in those facilities can be combative, obviously, some of them have mental health issues, but I think that they are aware of when they should call the police and not. And I don't... I'm not sure if public safety is... is at... where you and I would both like it to be if we're going to exempt an entire group of juveniles out of the... the process if they actually commit a crime. And I think that's where... and I think I shared that with you before. And reluctantly, Representative, I'm going to vote 'no' on... on this Amendment. I don't think we can just exclude a... a class of folks. But I... I respect what you're trying to do and I respect the victim that you brought here. But I... I just think this... this Bill is too broad and so, I... I regretfully will be voting 'no' on the Bill."

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

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

Speaker Mautino: "He indicates he will."

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Mulligan: "Representative, some of the concerns that were brought up by the previous Representatives are concerns that I have. And I'm assuming that this Bill came about because someone from the Children Home and Aid Society was assaulted and they wanted to have a more egregious penalty put on the person that assaulted them. But I have a facility in my district that has juvenile young people in it that quite frequently try to assault the people that work with them. I... I think this is pretty complicated. And you know, I have a real problem with the Criminal Code being layered and layered and layered. Why don't we just make assaulting anybody, the classes that they are? And I'm not quite sure why we're picking and choosing all over the ballpark and then state's attorneys depending on how punitive or nonpunitive they want to be layer on charges. And we did a couple of years ago a whole committee on redoing the Criminal Code. And they put out a whole big report and we never did any... anything about cleaning it up. So, I'm not sure... are... are you a prosecutor or a former prosecutor?"

Davis, W.: "No, I'm not."

Mulligan: "Okay. I... I..."

Davis, W.: "Not am I, nor have I ever been..."

Mulligan: "Okay."

Davis, W.: "...a prosecutor."

Mulligan: "All right. And I'm not maligning either way, I just thought maybe there was some reason you drafted it this way that would account for that."

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Davis, W.: "Well, again, Representative, as I... as I've been explaining, the issue was brought to me by the Children's Home and Aid Society."

Mulligan: "Right."

Davis, W.: "So, the original... so I asked them to come up with the language that they wanted to see move forward. So, what you see here is their effort to draft what they thought was appropriate to protect their employees."

Mulligan: "I don't... I don't fault you for responding to, which... which we all do. We respond to a situation that a constituent or someone that we work with comes to and says... Gee, these guys are chatting and it must be a great conversation. They respond to situations and you go, oh my goodness, that's really terrible. We should do the legislation, I agree with you, but then in reality what you have is such a layered Criminal Code it makes for some really interesting prosecuting situations with unintended consequences both ways. And particularly, since I'm not sure it would eliminate some of the assaults that we've had at the facility in my area from being punished or penalized because they're under 18 or that we're just classifying certain groups that are more important when they're assaulted, when I think nobody should be assaulted. So, what makes it more important to make... assault a social worker than it is to assault someone walking down the street, a young woman, a young man, somebody? And so, we're... we're classifying the Code out that way, which makes it hard for me to know how to vote. You know, if I don't vote with you then it looks like people... I want people to

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assault social workers, which certainly isn't the case. I just don't get the layering on in each individual category as we piecemeal a Criminal Code and make it already a mess... more of a mess than it already is when it should have been cleaned up and defined better in a long time. And it appears to me that from the voting and what everybody... a lot of people have mixed emotions about this. So, particularly the Amendment, which eliminates a category which we might not want to eliminate in some instances and in some instances we might. So, by legislating you make it mandatory that you eliminate them or let them use that defense when it ought to be up to the individual situation in a facility for under 18, depending on where it is. And I don't know if they're eliminating under 18 category..."

Speaker Mautino: "Would the Lady bring her remarks to a close?"

Mulligan: "...that's fine. I think just think it's a very confusing... makes the issue very confusing for anybody who's prosecuting or defending."

Speaker Mautino: "Thank you. The final speaker, the Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Speaker. And to the Bill, Ladies and Gentlemen. I... I... I appreciate Representative Davis doing his job, which is to advocate for issues that are brought on behalf of his constituents, but at the same time, let's keep in mind just how unwield the... the Criminal Code has become. Aggravated battery, when attached to the classification or occupation of the victim, was originally a narrowly intended offense. It's now easier to name the people that aren't included in an aggravated battery

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category than the ones that are included. We have aggravated battery... aggra... mitigating... aggravating factors now from people ranging from utility workers to referees to CAPS members, private security officers. If memory serves me correctly, we may have added cab drivers a year or two ago. It loses its meaning after a certain point in time. And it's gotten to the point where any offense or any career and profession would say, well, why aren't we included in here, too? And there really is no rhyme or reason anymore. It made sense when we were talking about police and firefighters, it made sense when we were talking about emergency personnel. It made sense when we talk about sheriffs' employees and things along those lines. But we have expanded and extended and twisted and contorted the offense of aggravated battery to the point of irrelevance. We have to draw the line somewhere, it is not a matter of disrespect to this particular profession whatsoever. It's the fact that probably two-thirds of the professions that we have put under this category don't belong there either, but people are constantly reluctant to vote against these types of Bills for being seen as soft on crime. This isn't a vote that is soft on crime to vote 'no' against this Bill. It's a Bill that's strong on logic. Ladies and Gentlemen, I respectfully request an 'aye' vote. Let's recognize our Criminal Code for what it is and try to keep a semblance of cohesiveness and logic to it. Thank you."

Speaker Mautino: "Final speaker, Representative Durkin, the Gentleman from Cook."

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Durkin: "With all due respect to the Sponsor, I am a former prosecutor, this Amendment is unconstitutional per se. It is disproportionate. We cannot do this. So, I'm suggesting and I strongly recommend a 'no' vote. This will be rejected by our courts."

Speaker Mautino: "Mr. Davis to close."

Davis, W.: "Well, thank you very much, Mr. Speaker. And I appreciate the comments made by... by all. And again, I don't have the... the... the opportunity or the privilege having been a prosecutor or certainly not a lawyer in that respect. And obviously, folks will vote their conscience. Again, the intent of this was to find a way to protect private social service agency workers. Many of you have them working in your districts. So, if this does not pass or if this Amendment is not accepted, then you'll have the pleasure of trying to explain that to private social service agency folks in your own district. So, again, obviously, if this Amendment doesn't take as I'm being told, then I guess my original Bill possibly is what will and that is what will pass. So, I mean... either way... either way, I... I think I am still getting something that is my desire. So, I encourage a 'yes' vote, but nevertheless, folks will make their own decisions. Thank you, Mr. Speaker."

Speaker Mautino: "The Gentleman has moved the House concur in Senate Amendment 1 to House Bill 164. Question is, 'Shall the House concur?' 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?"

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Representative DeLuca? Mr. Clerk, take the record. And on the Motion to Concur in Senate Amendment #1 is lost. On the Calendar, page 14 appears House Bill 404, Representative Davis. There is a Motion the House concur in Senate Amendment #1."

Davis, W.: "Thank you very much, Mr. Speaker."

Speaker Mautino: "Representative Davis."

Davis, W.: "For the record, this has nothing to do with aggravated assault or anything of that nature. I simply move that the House concur in Senate Amendment #... Senate Amendment #1 to House Bill 404. And Senate Amendment #1 makes this essentially subject to appropriation and deletes rulemaking language that is no longer being required with a reinitiative and adds an immediate effective date."

Speaker Mautino: "The Gentleman has moved the House concur in Senate Amendment #1 to House Bill 404. No one seeking recognition, the question is, 'Shall the House concur?' 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 Mulligan, Representative Joyce, do you wish to be recorded? Representative Howard? Representative Brady? Mr. Clerk, take the record. 110 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 404. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Monique Davis, on page 14 of the Calendar appears House Bill 418. There is a Motion been filed that

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the House concur with Senate Amendment #1, the Lady from Cook."

Davis, M.: "Thank you, Mr. Speaker. Senate... I'm sorry, House Bill 418 had a Senate Amendment added which merely says if a... a consumer does not wish to have his or her credit report reviewed within a three-year period they do not have to do that. And the original Bill, of course, states that if an insurance company decides that you are not credit worthy they will notify you and give you an opportunity to come in and explain why your reverse in fortune has taken place and make a determination if they will insure you or not. And with that, I'll answer questions."

Speaker Mautino: "The Lady has moved the House concur with Senate Amendment #1 to House Bill 418. No one seeking recognition, the question is, 'Shall the House concur?' 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 Sommer, Representative Biggins? Mr. Clerk, take the record. 110 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 418. This Bill, having received the Constitutional Majority, is declared passed. It's now the intent to go to the Resolutions Calendar. Page 36 of the Calendar is Senate Joint Resolution 44. Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Senate Joint Resolution 44 is an initiative that says June will be Outdoor Month for the children in the State of Illinois. We live in a beautiful state with great prairies, a lot of wetlands, a

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number of animals and different plants. Some of our children cannot name five plants or animals within their own region. This Resolution merely asks that the State of Illinois recognize June as Outdoor Month for our children. And I urge... support for this Resolution."

Speaker Mautino: "The Lady has moved passage of Senate Joint Resolution 44. And on that, Representative Rose."

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

Speaker Mautino: "She will."

Rose: "I... I'm very much in support of this, I love the idea. I want... you know, I want to get kids outside. I just... I want to make sure, though, there's... if they go and play on a tire swing outside, we're not going to get fined \$1,500 if there's water in it, is there?"

Davis, M.: "Only if it's your tire, Representative."

Rose: "Okay. Now, if they... and if they... now, will they wash their hands when they come back inside?"

Davis, M.: "If you have a lighter and you use your tire."

Rose: "Outstanding, Representative."

Davis, M.: "Thank you."

Speaker Mautino: "The Lady has moved adoption of Senate Joint Resolution 44 or moved passage of Senate Joint Resolution. This will require a vote. All those in favor say 'aye'; opposed 'no'. The 'ayes' have it. And Senate Joint Resolution 44 is declared passed... adopted. Representative Lang. Representative Lang on a Motion. The Gentleman moves to suspend posting on Senate Bill 2024."

Lang: "That's correct, Sir, I forgot the number."

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Speaker Mautino: "Seeing no objections, all in favor say 'aye'; opposed 'no'. The 'ayes' have it, and the posting is suspended. Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 445, offered by Representative Holbrook. House Resolution 446, offered by Representative Holbrook. House Resolution 448, offered by Representative Cross. House Resolution 449, offered by Representative Rose. House Resolution 450, offered by Representative Bill Mitchell. House Resolution 451, offered by Representative Cross. House Resolution 453, offered by Representative Lang. House Resolution 454, offered by Representative Dugan. And House Resolution 456, offered by Representative Reitz."

Speaker Mautino: "Representative Currie moves the House adopt Agreed Resolutions. All in favor say 'yes'; opposed say 'no'. The 'yesses' have it and the House adopts the Agreed Resolutions. Mr. Clerk, Adjournment Resolution."

Clerk Bolin: "House Joint Resolution 61, offered by Representative Currie. RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Friday, May 22, 2009, it stands adjourned until Tuesday, May 26, 2009 at 12:00 noon; and when the Senate stands adjourned on Saturday, May 23, 2009, it stands adjourned until Tuesday, May 26, 2009 at 12:00 noon."

Speaker Mautino: "Representative Currie moves the House adopt the Adjournment Resolution. All in favor say 'yes'; opposed 'no'. The 'yesses' have it and the House adopts the

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Adjournment Resolution. Ladies and Gentlemen of the House, if I can have your attention. Members should be advised that all pending Bills on the Calendar and in committee will be extended through May 29. Members should be prepared to stay through next weekend. However, you get to go home in a few minutes, enjoy a wonderful Memorial Day weekend. That... with that, Representative Currie now moves that the House stand adjourned until Tuesday, May 26, at 12 noon, allowing Perfunctory time for the Clerk. Have a happy and safe Memorial Day weekend."