

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

111th Legislative Day

3/11/2010

Speaker Mautino: "The hour of 12:00 having arrived, Members and guests are asked to refrain from starting their laptops, turn off all cell phones, and rise for the invocation and for the Pledge of Allegiance. We shall be led in prayer today by Lee Crawford, the Pastor of the Cathedral of Praise Christian Center in Springfield. Mr. Crawford."

Pastor Crawford: "Let us pray. Most gracious and most kind God, the creator of us all, for it is from You from which all of our help and blessings do flow. I pray that, God, that You will look upon us gathered here, look upon this Assembly. I pray that You will direct us in all of our actions, grant us vigilant hearts. I pray that You will give us minds and wisdom to know You, diligence to seek You. We pray today that with Your presence that You will direct us and assist us with Your counsel, that all of our endeavors not only begin with You and end with You, but at the end of this day, they will be pleasing unto You. This we do ask in Your Son's name, Amen."

Speaker Mautino: "We'll be led in the Pledge of Allegiance today by the Gentleman from Champaign, Representative Rose."

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

Speaker Mautino: "Roll Call for Attendance. The Gentleman from Jackson, Representative Bost."

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

Speaker Mautino: "Majority Leader Currie."

Currie: "Thank you, Speaker. Please let the record reflect that there are no excused absences on the Democratic side today."

Speaker Mautino: "Mr. Flider, Mr. Reitz. Mr. Clerk, take the record. 116 answering the call, a quorum is present, and the House is in order. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative McAuliffe, Chairperson from the Committee on Veterans' Affairs reports the following committee action taken on March 11, 2010: do pass Short Debate for House Bill 5823; and recommends be adopted House Resolution 678, House Resolution 890, and House Resolution 906. Representative McCarthy, Chairperson from the Committee on Personnel & Pensions reports the following committee action taken on March 11, 2010: do pass Short Debate for House Bill 4788, House Bill 5057, House Bill 5149, House Bill 6018; do pass as amended Short Debate for House Bill 4657 and House Bill 5416. Representative Feigenholtz, Chairperson from the Committee on Appropriations-Human Services reports the following committee action taken on March 11, 2010: do pass Short Debate for House Bill 5021, House Bill 5022, and House Bill 5023. Representative Verschoore, Chairperson from the Committee on Counties & Townships reports the following committee action taken on March 11, 2010: do pass Short Debate for House Bill 5972 and House Bill 6235; do pass as

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amended Short Debate for House Bill 4877, House Bill 5934, and House Bill 6239. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on March 11, 2010: do pass as amended Short Debate for House Bill 3998, House Bill 5011, House Bill 5169, House Bill 5781, House Bill 5833, House Bill 6022, and House Bill 6241; do pass Short Debate for House Bill 4723, House Bill 4797, House Bill 4947, House Bill 5025, House Bill 5158, House Bill 5813, House Bill 6038, and House Bill 6126. Representative Flider, Chairperson from the Committee on Electric Generation & Commerce reports the following committee action taken on March 11, 2010: do pass as amended Short Debate for House Bill 5147. Representative Washington, Chairperson from the Committee on Aging reports the following committee action taken on February (Sic-March) 11, 2010: do pass Short Debate for House Bill 4909, House Bill 4910, and House Bill 5998; do pass as amended Short Debate for House Bill 5499, and House Bill 5869. Representative Graham, Chairperson from the Committee on Renewable Energy reports the following committee action taken on March 11, 2010: do pass as amended Short Debate for House Bill 6202. Representative May, Chairperson from the Committee on Environmental Health reports the following committee action taken on March 11, 2010: do pass Short Debate for House Bill 4936 and House Bill 6115; do pass as amended Short Debate for House Bill 5180; and recommends be adopted House Resolution 884 and House Resolution 912. Representative Bellock, Chairperson from the Committee on

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Medicaid Reform, Family & Children Services reports the following committee action taken on March 11, 2010: do pass Short Debate for House Bill 5242 and House Bill 6277."

Speaker Mautino: "Mr. Clerk, what's the status of House Bill 4817?"

Clerk Bolin: "House Bill 4817 is on the Order of House Bills- Third Reading."

Speaker Mautino: "Place that Bill on Third Reading... on Second Reading, excuse me. The Gentleman from Champaign, Representative Rose is seeking recognition."

Rose: "Thank you Mr. Speaker. Ladies and Gentlemen, a point of personal privilege, Mr. Speaker, first."

Speaker Mautino: "State your point, Sir."

Rose: "Ladies and Gentlemen, I'm very happy today to have several city council members from the City of Tuscola here. On the Democrat side, we have Danny Cleland, Tim Seip, Dave Slaughter, Mark Maxey, as well as City Administrator, Drew Hoel, and they're here today on behalf of Tuscola. But more importantly, we have the Tuscola football team and right here behind me and if you guys will stand up. Mr. Speaker and Ladies and Gentlemen, three out of the last four years Tuscola High School has gone to the State Championship 1A Tournament game. Three of the last four years, they've won two out of those... two of those and been, of course, runner-up the third. This is this year's 1A State Championship Football Tuscola Warriors. Can we give them a big Springfield welcome."

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Speaker Mautino: "Congratulations. Welcome to the House of Representatives. Mr. Clerk, page 25 of the Calendar appears Senate Bill 355. Oh, excuse me. Representative Rose."

Rose: "Sorry, Mr. Speaker, I did want to recognize their Coach Rick Reinhart is here and also Assistant Coach Ryan Hornaday. Something else of note, they have a individual on their chains group, Hoppa "Hop" Connors, who has been on the chain gang for 61 years at Tuscola, since 1948. So, anyway, thank you, again. Thank you, Ladies and Gentlemen, and congratulations, Tuscola Warriors."

Speaker Mautino: "Mr. Clerk, page 25 of the Calendar appears Senate Bill 355. What's the status of the Bill?"

Clerk Bolin: "Senate Bill 355, a Bill for an Act concerning elections. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Read the Bill. Place this Bill on Third Reading and read the Bill."

Clerk Bolin: "Senate Bill 355, a Bill for an Act concerning elections. Third Reading of this Senate Bill."

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

Nekritz: "Thank you Mr. Speaker. This is a pretty straightforward proposal with regard to the date of our Primary. Two years ago we moved it up to be the first Tuesday in, after the first Monday, in February. This would take it back to the third Tuesday in February as we are accustomed to. And I think given our experience in the last Primary with having to campaign in the... oh, did I say the third Tuesday in March. I'm sorry, misspoke. Thank you. I

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think given the experience of candidates and volunteers that this is the right direction for us to be moving."

Speaker Mautino: "The Lady has moved passage of House Bill.. Senate Bill 355. The Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "Indicates she will."

Eddy: "Representative, as I recall, it wasn't very long ago that it was a really, really, really, really good idea and important step to take to... to move the Primary to February. What... what happened in the intervening couple of years? Did things change dramatically?"

Nekritz: "Well, Representative, we all learn from experience, I would hope. But there was a legitimate policy reason for moving it up. I think, you know, Illinois has not been relevant in Presidential Primaries. This one proved us to be wrong because we still would've been relevant had the Primary been on the third Tuesday in March. So, I think, you know, we're hopeful that that will continue to be the case."

Eddy: "Well, I think... I think the reason, if I remember it correctly from the swearing in ceremony at UIS, it had a lot more to do with politics than it had to do with public policy. And it had to do, I think specifically with the fact that there was this great desire to help jump-start and make Illinois, I think the words were, somewhat a player in the election of an Illinoisan for President by moving up our Primary. I think I remember that."

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Nekritz: "Representative, you pay a lot more attention to those speeches than I do."

Eddy: "So..., so, I think that the question is, and the question becomes, if it was a great idea for Illinois to become an important player in the Presidential Primary so that Senator Obama, at the time, could become the nominee. Then why is it all of a sudden not a good idea public policy-wise for Illinois to continue to be in a prominent role in those national elections?"

Nekritz: "Well, as I said Representative, I think we all learn from experience and the experience proved out that... that we did not have to have the early Primary in order to continue to be relevant in the nomination of the Presidential.. of the Presidential candidate."

Eddy: "Okay. So, specifically, make, if you could, make the case for the fact that it should be later based on sound public policy rather than the kind of political reasoning that was used before, although, I know that there was always that argument that we needed to be relevant. What... what are the reasons for moving it back? 'Cause I am not saying... I'm not saying there aren't good reasons, but I certainly want to point out the fact that there's just a little bit of irony in this coming forth at this time. What are the good public policy reasons?"

Nekritz: "Well, I think there... I think there are a couple. One is that... that having a Primary, you know, it proved out to be that close to the holiday season, proved to be difficult for candidates and campaigns to develop the necessary message and to develop the volunteer base that they would

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need in order to really get their message out. And a few short weeks after the holidays, you know, for a grass roots... a campaign that really wants to do it grass roots and not spend a bazillion dollars on media, you know, that was very difficult for them."

Eddy: "Okay. Why not later? Why not later than March, then?"

Nekritz: "Well, I think that this is... well, there's a couple of reasons. One, that this is a date that I think most people are familiar with and are comfortable with 'cause we'd it that way for, I believe, a couple of decades before we moved it up. And the second reason, to move it later, you know, I believe that the County Clerks Association did talk to their members and say, what about June? What about a later date? And the county clerks really opposed a June or summer date, in part because people are out of town. They have... they would have a difficult time getting judges. We were concerned about the location of polling places in schools, when schools are closed and what does that mean for extra costs, for janitorial and security and all those kinds of things. So, there was a big... there was a lot of concern among the election authorities about moving it to the summer."

Eddy: "Representative, and I... appreciate your answers, and I understand the position of coming back just a couple of years later with a change in public policy. I know it's actually something that many on our side of the aisle have advocated for in a different way..."

Nekritz: "It was a unanimous... it was a unanimous vote in committee."

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Eddy: "Yeah. In... in a different way, perhaps, and there's some question as to what the perfect time is and whether it's March or whether it should be later, but... but certainly, this is a little more than coincidental that we were for a couple years in that position and then all of a sudden we, the light came on and this was bad policy, and we saw in one cycle how damaging that can be. But... but I appreciate your answers and I look forward to any further debate on the issue. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Winnebago, Representative Winters. This Bill is on Short Debate and with a number of folks willing to speak, we'll hear from them all. Mr. Winters."

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

Speaker Mautino: "Indicates that she will."

Winters: "Representative, I want to explore a little bit of the thinking on going back to March. I understand that it was a traditional date of our Primary, but it also is in the middle of the General Assembly Session. Did you give any thought to the idea of moving the Primary later, say past the first of June, when the public would actually be able to react to the actions of their Representative, the candidates running for House and Senate, after an entire Legislative Session?"

Nekritz: "Well, that certainly was part of the discussion and as I indicated to the prior Representative that was speaking, the... the election authorities themselves polled their members, the county clerks, and did not feel that June was a good date at all because of voters being out of

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town, because of the inability to get election judges. The student election judge, the ability... it was actually focused on the ability to get student election judges on which we have come to rely so heavily and then what happens with polling places that are in schools. And a lot of our polling places are in schools. What does that mean for security? What does it mean for janitorial services? Who's going to open up? All those... those were legitimate questions, I think, raised by the election authorities who did not want, who then said, we prefer not to move it back to June."

Winters: "Well, on the other hand, you would have all of those teachers who are on their summer break that would be available to be election judges."

Nekritz: "Well Representative, I think the... the experience of the student judges has been that that because they're young and energetic, they're able to withstand those 18-hour days. And..."

Winters: "Are you implying that..."

Nekritz: "...and they're much more..."

Winters: "...our teachers are not young and energetic?"

Nekritz: "...they're much more technically savvy."

Winters: "Are you implying that our teachers are not young and energetic then?"

Nekritz: "I would think that the 18 year-olds are younger and more energetic."

Winters: "On a serious note, if there happens to be an Illinois favorite son running for President in the future, do you

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anticipate moving the Primary back to an earlier date to give us a leg up against the other states?"

Nekritz: "I... I don't think I can bind future General Assemblies regardless of what I say."

Winters: "Would you support such an idea?"

Nekritz: "I'd have to look at it at that time."

Winters: "No more questions."

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

Osterman: "Thank you. Will the Sponsor yield? Why not April? Only kidding, Representative. To the Bill. I think that if in the future Representative Winters decides to run for President, we should reconsider this, but I think one only needs to look outside today and remember back to the Primary Election day to know that we should try to make it an easier process for voters to come out to vote. The record low turnout was based on many factors, but giving the people of Illinois a little bit longer to consider their candidates, giving them the ability to come out on a... what will hopefully be a warmer day, will help increase the people that will come out to vote. So, I think that everyone should support this measure."

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

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

Speaker Mautino: "Indicates that she will."

Black: "Representative, I'm sorry, I was tied up in my office and I may have missed some of the earlier questions. Is it

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your intent or is there a possibility that if we some day get another favorite son, would there be a candidate from Illinois, would there be a desire on the General Assembly then to go back to a February Primary?"

Nekritz: "Representative, if you run for President, we'll consider it."

Black: "You're very kind. I appreciate that. And with your support, I may announce very, very quickly. To the Bill. Thank you very much, Mr. Speaker and to the Sponsor. I had a Bill that called for a Primary in June and the Lady is speaking truthfully. The State Board of Elections did not like the June Primary. The county clerks did not like the June Primary, and there were sound reasons for that. I do wish I had had time to maybe come up with an April Primary or early May Primary, and I think Representative Winters has talked about that, already. There's no good time for us in the General Assembly because the Primary is generally when we're in Session. But anything other than a February Primary is better than what we just went through. I think the turnout is generally depressed. We're... in a February Primary, you're too close after the holidays, you're in terrible weather, and just like she said earlier about a June Primary being gone, in my district, many people are... have moved to warmer climes. Some remember to vote absentee, some don't. But for anybody who has ever put up a political sign in February, it's just... it's a terrible time for a Primary. I'm just happy that somebody has prevailed to at least move it back. And someday I hope that we can consider perhaps an April Primary or an even May Primary,

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but I congratulate the Lady. I'm in support of the Bill. The February Primary is a disaster, and at least this is a positive step forward. And I intend to vote 'aye'."

Speaker Mautino: "No Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mitchell, Leitch, Rita, do you wish to be recorded? Mr. Clerk, take the record. 114 voting 'yes', 1 voting 'no', 1 voting 'present', Senate Bill 355 is declared passed. The Lady from Kane, Representative Hatcher is seeking recognition."

Hatcher: "Mr. Speaker, a point of personal privilege."

Speaker Mautino: "State your point."

Hatcher: "If I might, we have the good fortune today to have the leadership team of Habitat for Humanity with us today. Many of the State Representatives and Senators have had facilities built in their communities, and I think this is a good time to thank them all for what they have done and to pledge to work forward with Habitat for Humanity, above my head."

Speaker Mautino: "Welcome to Springfield. Mr. Clerk, page 25 of the Calendar is Senate Bill 365, Representative Flider. Read the Bill."

Clerk Bolin: "Senate Bill 365, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

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Speaker Mautino: "Third Reading. It's the intent of the Chair to go to Third Readings. I would ask that Members be in their seats. We will start on page 20 with... at the top of the page. House Bill 180, Representative Graham. Out of the record. House Bill 354, Representative Osterman. Representative Osterman, in the center aisle, do you wish to call this Bill? Out of the record. Representative Phelps, House Bill 462. Out of the record. Representative Bradley, House Bill 3869. Read the Bill."

Clerk Bolin: "House Bill 3869, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Williamson, Representative Bradley."

Bradley, J.: "I explained the Bill in a previous Session when we adopted the Amendment. Basically, what this is does is it goes from a Class C to a Class A misdemeanor on people that are habitual huffers, which that's were people sniff glue or whippets or whatever they call it. And the idea with this is, is to get it in a position where they can actually get treatment, because under the current disposition of this, there's just simply not... not enough time for them to actually get help."

Speaker Mautino: "The Gentleman has moved passage of House Bill 3869. No one seeking question, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Currie, Beiser, Hoffman, do you wish to be recorded? Mr. Clerk, take the record. 116 voting 'yes', 0 voting 'no', 0

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voting 'present', House Bill 3869 is declared passed. House Bill 4580, Representative Black. Read the Bill."

Clerk Bolin: "House Bill 4580, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill was passed... it's an identical Bill that we passed last year, excuse me, in the 95th General Assembly. It was House Bill 663. It passed the House 115-0. It passed the Senate Transportation Committee unanimously, but for some reason was never moved beyond Second Reading in the Senate and died sine die. All this Bill does, and it's been amended by the Secretary of State, is to amend the Illinois Vehicle Code that requires the mandatory revocation of a driver's license or driver's permit if the violation of the Vehicle Code, of the vehicle you're driving, causes or contributes to the death of a person. Doesn't enhance any penalty. It just simply says, it's a... it will be a mandatory revocation of your license if you are, in fact, adjudicated to have caused an accident because of your actions that resulted in the death of another person. And it does allow a person whose privileges have been revoked to have an administrative hearing with the Secretary of State to either rescind the ret... excuse me, to terminate the reduction of his license or to have it... have the penalty reduced. I'd be glad to answer any questions you have."

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Speaker Mautino: "Gentleman has moved passage of House Bill 4580. On that question, the Gentleman from Cook, Representative Fritchey."

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

Speaker Mautino: "He indicates he will."

Fritchey: "Representative, I'll... tell you at the front, and I have not read the substance of the Bill, but I... I have just a couple questions based on the gist what I think you're trying to do here. I guess one of my concerns that jumps out at me is that we are putting into the hands of... and I see, of the Secretary of State really the interpretation of a judicial determination. What I'm trying to get at, Bill, is we're saying here or it seems that you're saying that if they're in any way found to have caused or contributed to an accident. Now, does there have to be a judicial finding that they were involve... that they caused or contributed, or is the Secretary of State going to look at the fact that this individual was involved in a crash, somebody else involved in that crash died, and the Secretary of State makes a determination. Well, in that case, you're going to lose your license."

Black: "No, I, it's a very good question. I would not surrender my due process rights to the Secretary of State, and there has to be a judicial finding before the revocation."

Fritchey: "And... and I guess my concern though is, even if somebody is found to have been guilty of negligent driving or something, there... there may be even a conviction for a vehicular offense and there may have also been a death resulting in that, but there may not... there may not be or

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there probably won't be a finding that that person caused or contributed to the accident. Am I... am I making sense here? The Secretary of State won't have a finding from the traffic offense that this person caused or contributed to an accident. They may have been... they may have failed to yield, but maybe there was a three-car accident and the actions of somebody else really is what caused the death. And Bill, I'm not trying to be convoluted here. I mean, here, let me just finish so you can understand where I'm going. Is... my concern is that you can have two individuals in identical situations and the Secretary of State may revoke one person's license, take no action against another one, and neither one of those really be based on a judicial finding."

Black: "Yeah, and again, I... I don't find any fault with your questions at all because I certainly want due process, and I don't want everybody involved in an accident to lose their license. And... and that's why that we have the administrative review built in here that the administrative law judge, before the revocation, must have some reasonable evidence that the revocation to be imposed would be the revocation on the person that the court found to be the responsible party, not a blanket indictment of everybody who might have been involved in that accident. And that's... I think the reason the Secretary of State amended the Bill and provided for that administrative review prior to revocation."

Fritchey: "But... Representative, one of the concerns though, unless the charge is vehicular homicide, that's easy, but

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there may be... it may be that the offense was driving too fast for conditions, but somebody died. Yet, this will require an immediate suspension or revocation. And again, I haven't read the Bill, I told you that, but if it requires an immediate revocation or suspension, now we're saying the fact that there may not have been a judicial determination that that person caused or contributed to the death. You know, you may... you may have a case where failure to... failure to come to a complete stop resulted in a fatality, but a reckless driving did not, and there would be a disparate treatment of two different offenses."

Black: "Well, and I... and again, I think you raise very cogent points. Nowhere in the Bill will you find immediate revocation. It's a mandatory revocation if the person is adjudicated to have been in an accident in violation of the Illinois Vehicle Code that caused a death. It would not have to be a charge of negligent vehicular homicide or reckless homicide, not to say that that couldn't happen, but this was a case in Representative Leader Cross's district, where a person was adjudicated to have caused the death, but was not charged with a particular felony. I don't remember what the charge was, it was something like happened in my district, improper lane usage, they paid a fine even though the person died as a result of their behavior, and the person was back on the road as soon as the court hearing was over. And think that's all we're trying to address in this Bill."

Fritchey: "Well, here. I... I don't want to belabor this, and again, I'm not sure that anybody's really focusing on this

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other than you and I. And... and maybe my thoughts would be different if I read the legislation, but at a quick glance, I think that there are a lot of potential scenarios here, Representative, that can result in a situation where there was a fatality but not a related charge. And that person could lose their license without ever been found guilty by a judge, but they can lose their license. Or similarly there could be a situation where there was a serious charge but maybe not a fatality and I just... you know, I just... concerned that we are delegating judicial authority. Then I would be more comfortable if we somehow were able to invest the judges with the ability to order the Secretary of State to immediately revoke the license because it was a judicial finding that this per... that the defendant caused the fatality. I'd be much more comfortable usurping Secretary of State authority giving it to a judge than the other way around."

Black: "And I don't... I don't have any fundamental disagreement with that, and I think the Bill does offer that safeguard. There must be a judicial finding, and the Secretary of State, through the administrative hearing process, can... you can request a hearing and they can either terminate your revocation based on the fact that they don't think the record warrants that or they can reduce your revocation to less than one year. So, I think there is both, in this case, a judicial finding and giving due process to the driver, an administrative hearing to say, well, we've examined the case; we don't think you need to have your license revoked for one year. So, we'll terminate that

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reduction, or they can reduce it to anything... two weeks, 30 days or whatever. I think the Bill with the Amendment... we didn't have the Amendment on in the 95th General Assembly when it passed unanimously, and I think the Secretary of State did want some additional protections for the driver in this Bill. I... I think, Representative, and I certainly defer to your legal expertise, I think we've done that. I know we've certainly tried to."

Fritchey: "Well, and... and as I said, I guess maybe one time too many, I haven't looked at the substance of this yet. You... you know my trust in you and your staff. As long as you're cognizant of the issues I tried to raise and you think that this Bill is drafted in a way to address those, I got faith in you. Thank you for your answers."

Black: "Thank you."

Speaker Mautino: "No further Members requesting questions, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McAuliffe, Phelps, Reitz, Saviano, do you wish to be recorded? Mr. Clerk, take the record. 116 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 4580 is declared passed. Representative Senger on House Bill 4583. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4583, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Mautino: "The Lady from DuPage, Representative Senger."

Senger: "Thank you, Mr. Speaker and Members of the Assembly. House Bill 4583 amends the Juvenile Code Act of 1987. And

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basically what this pertains to is the term what we know as 'sexting'. Right now, the way our rules work... Code works is that child pornography, and it could be child pornography is depicted right now or defined right now as anyone who takes a picture of themselves and uses it for pornography. For those who are 18 and under could be considered someone creating child pornography, and they are then a felon and a registered sex offender. So, what are we... are doing here in the state is we're making this not a felony violation but basically we're putting in the juvenile court, the civil court, for education which is the key component. The other piece that's important to understand here is that this only pertains to those who are sending the picture, disseminating the picture. If a child takes a picture of itself and sends it to someone, they are not in the juvenile process here. It's only for those who then send it on."

Speaker Mautino: "The Lady has moved passage of House Bill 4583. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hoffman, do you wish to be recorded? Mr. Clerk, take the record. 114 voting 'yes', 1 voting 'no', 0 voting 'present', House Bill 4583 is hereby declared passed. Representative Kosel, on the Calendar appears House Bill 4627. Out of the record. Representative Zalewski, House Bill 4691. Read the Bill."

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Clerk Bolin: "House Bill 4691, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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

Zalewski: "Thank you, Mr. Speaker. House Bill 4691 came about actually when my daughter was born. I had a car seat properly installed through a... through a proper training procedure, and I felt as though parents could benefit from this training. So, what we've done is amend the Child Seat Passenger Act to state that if a person is found guilty... or a person is charged with this offense, if they purchase the car seat and go through the training pursuant to Illinois State Police or IDOT or local firehouse, they can get the fine waived and the case properly disposed of without paying a penalty. I'd ask for an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of House Bill 4691. And on that question, the Gentleman from Cook, Representative Fritchey is seeking recognition."

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

Speaker Mautino: "Indicates he will."

Fritchey: "I forget where you are these days, Z. What... essentially what you're trying to do here is give offenders basically a onetime kind of free ride here, so to speak."

Zalewski: "Yes, Sir."

Fritchey: "Here's... here's my concern with that. If you don't have proof of insurance at the time and you bring in your insurance, it's compliance and you go on your merry way. If you have a broken windshield and you show the receipt that you got your windshield fixed, it tends to be compliance

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and you so on your merry way. The idea is to bring these people into compliance. The reason we have some of these offenses and the reason that we have the penalties and fines that we do is as a deterrent. You've got a beautiful little baby, now. I've got a beautiful girl that was a beautiful baby at onetime. I don't know that we want people having in the back of their mind that they get one free bite at the apple..."

Zalewski: "Yeah."

Fritchey: "...and if they don't safely transport their child, even onetime, and they get caught, it's going to be okay because all they're going to have to do is say, well, I got the child safety seat afterwards. I think we want, if anything, to have less leeway on that first offense because all it takes is onetime to not have that child safely secured and you have a dead child. This is not like a broken windshield. It's not like not having a license plate tag. And I know this isn't your intention, Mike, but what I'm getting at, though, is I don't think that this is an arena where we want to give people a free walk. Do you agree or no?"

Zalewski: "Representative, I shared your concerns. The... the initial idea for the Bill was to... to give a safe driver discount to parents who... who had these car seats installed properly. That turned out to be unfeasible. After discussing the matter with the Illinois State Police and the Illinois Department of Transportation, perhaps the most workable solution would be to do this. I don't necessarily know that. I... after my discussions about... with the folks

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about the Bill, I don't know that the idea of requiring it initially is... is feasible. I wish it were. I just sim..."

Fritchey: "Well, of... of course it's feasible, it's the law. And... I'm not... I'm not being facetious, Representative."

Zalewski: "Right."

Fritchey: "It... it is feasible. We made it the law. I think every state in the country has made it the law, that you will safely transport a child in your car. So, it... it is feasible. The question is, what are we going to do if somebody doesn't follow that law? Are we going to have a law in place to make sure that there's a strong deterrent so they will comply from the first time? Are we going to do what we can as we have done here in the state, to try to make sure that we give car seats to people that can't afford them? That when you leave a hospital with a newborn baby, that they give you information about safely transporting that seat? Or do we want to put in their minds that, hey, if you get caught the first time with the baby in your lap or whatever it would be, it's okay 'cause you just have to be... make sure that you've complied the second time."

Zalewski: "You're... point... again, your point is well-taken, Representative. What I... what I would say is two things. The law as it stands right now only requires a purchase of the... of the seat. And what we're trying to do is create... is what we're trying to do is create a proper protocol for how to use the seat. And I don't, again, I... I don't necessarily... I think the State Police expressed the workload problem with... with generating that many new cases of car seat

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installations; whereas, I think they felt the more narrow and reasonable approach would be if... 'cause face it, most parents who are caught violating this statute, more likely than not may have multiple children. So, what they're trying to do is create awareness about how to properly install a car seat. How high the straps should be. What... what's inappropriate in a car seat installation."

Fritchey: "And... I get all that, and I'm squarely behind you and I know, not only as a Legislator, but as a new parent, you've got nothing but the best of intentions here. But there's a difference between educating people on how to use a car seat and saying that we're going to treat a baby like a windshield, and we're going to give you a pass the first time, if you don't take care of it. I think if any... we should make it a step here. We... we've come out at the forefront of the country in stiffening our DUI laws because we said if you get caught, we're going to come down on you and we're going to come down on you hard. That's the same approach that we should have here. It's one thing if you want to jeopardize yourself behind the wheel of a car, but if you through carelessness, laziness, ignorance are going to jeopardize a baby by not safely securing that child in a car, I don't think we should say that we're going to give you a pass the first time. Mike, I'm not going to run this into the ground with you. And I'm sure as heck not inferring that your intentions are other... anything other than laudable."

Zalewski: "Representative, two quick things. I want to mention... there's something I forgot to mention earlier that

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I think is relevant. What we're trying to do is, you know, the State Police when we talked to them about this Bill they mentioned a pilot program called PASSEE that they were trying to expand. And I think, you know, not... this doesn't answer your concerns fully, but I think that it augments them. Second thing is, we... well, if you'll notice in the text of the statute what we've done is, increased the fine if the person simply buys the car seat and doesn't do the installation the fine goes up. If it's a second offense, in this instance, the fine goes up to \$500."

Fritchey: "After the second offense?"

Zalewski: "Sure."

Fritchey: "What if the baby dies because they didn't use the car seat the first time? And I am not trying to be overly dramatic."

Zalewski: "I understand."

Fritchey: "But that's, you know, you look at these different as a parent. You look at these different as a Legislator as well though. I just, I don't want to take up everybody's time with this. You... I get what you're trying to do, but we are sending a mixed and incorrect and dangerous message by telling people that you get one free strike with your child's life if you don't secure them in a car. I appreciate you trying to answer the questions. I think we have the same goal in mind. I'm just not sure that the advice you were given by ISP or anybody else is the right way to reach that goal, Sir."

Zalewski: "Representative, I... if... I make a vow to you that if I get this Bill out of the House, I'll find a Senate Sponsor,

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and you and I and that person can continue to work on the Bill and perhaps address some of your concerns."

Fritchey: "I appreciate that. That's all I can ask. I know that you... you'll be mindful of this Bill, you know, once it leaves this chamber. I'm not going to support it like this."

Zalewski: "Okay."

Fritchey: "But I understand that you'll be mindful, and I believe you. But please take a look at what I'm saying, because, you know, I don't think any of us would want this on our heads. Thank you, Mike."

Zalewski: "Thank you, Representative."

Speaker Mautino: "Thank you. For the Members of the House, for Bills which are on Short Debate, I'd like to apply or remind Members that Short Debate rules are two minutes per speaker, unlimited speakers. And so, I will go ahead and use the short... the timer from the next Bill on. And my hope is that all Members of both Parties can get to their legislation on Third Reading. And we will do that. I'll announce whether the Bill has been on Short Debate and then I'll go forward with that. Our next speaker will be Representative Reis."

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

Speaker Mautino: "Indicates that he will."

Reis: "Okay. Representative, this applies to car seats for children under eight, correct?"

Zalewski: "Yes. It's an Amendment to the Child Passenger Safety Act."

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Reis: "Okay. How does an officer determine if someone is eight or under? My son looked like he was eight when he was four. And you're raising a ticket, if this could be a second violation to \$500?"

Zalewski: "Representative, I mean, I'm not... I haven't been in traffic court in two and half years, but it's my understanding that there have been citations written for this violation of this Act. I'm guessing state troopers have a protocol in place that can determine whether a... a driver's a violator of this Act."

Reis: "How do you know if a child is under eight?"

Zalewski: "Representative, I'm not a state... Illinois State Trooper or a police officer, but again, I'm guessing that police department protocol gives officers the proper training on how to determine whether a child falls within the purview of this statute."

Reis: "Well, I... I don't agree with the way the statute is currently. I think it should be a weight issue. Certainly, someone that weighs, you know, 120 pounds when they're seven years old shouldn't be confined to a child seat. But the way it is written and you're wanting to drastically increase the penalty, the fines for these, I'm saying that it's unenforceable because you can't be carrying around a birth certificate. I mean, someone could get a second violation and be charged \$500 for a seven-year-old because they're not properly restrained in a child seat. So, I think the way the law is now with all its problems, that we're sending a message to parents, you should have a child seat, you should have them properly restrained. The penalty

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goes up for the second offense currently, but \$500 is just way too much for something that I don't think is even enforceable. I would encourage a 'no' vote."

Zalewski: "Rep..."

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

Eddy: "Just a couple of very quick questions. What... if the Sponsor will yield?"

Speaker Mautino: "Sponsor will yield."

Eddy: "Yeah. What... what is certified training and who does it?"

Zalewski: "Representative, that's a good question. NHTSA, National Highway Transportation Safety Association offers instructors to the Illinois State Police, the Illinois Department of Transportation and fire fighters throughout the state. There's a protocol that's within their guidelines that properly instructs you."

Eddy: "Okay. And... and I get that part. What... where would I have to travel if I wanted to avail myself of this opportunity and I'm in Oblong, Illinois, how far do I have to drive to get certified training for this? I... that's what I'm..."

Zalewski: "And that's... I, in fact, asked that to the Illinois State Police, Representative. I said, are your regional offices throughout the State of Illinois equipped to handle this... this issue? And (a), they informed me that would be. It wouldn't be a workload problem. And in addition, Representative, it's my... it's my understanding that local fire departments often send one of their members to Illinois State Police to get this type of training."

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Eddy: "Okay. And I... I just wondered about access and practicality, and I would hope that, you know, somebody doesn't have to drive a 150 miles to be able to... What about the cost of the certification training? Is there a cost involved?"

Zalewski: "My... again, good question, Representative. What... most fire departments offer this as a free service to their constituencies. There are a limited numbers of instances where perhaps a sole proprietor in Chicago has developed, you know, an LLC."

Eddy: "Okay."

Zalewski: "But... but most... I'd say the overwhelming majority of individuals offer this as a free service."

Eddy: "So, and I guess suppose the other answer is if it goes... costs enough you just pay the fine. I mean, if it... if they begin to charge for this training because it becomes somewhat... I mean, something that doesn't cost anything now, if we pass a statute to make it a valuable commodity, they could begin to charge for this. If they do though, I suppose you're, at some point or another, better off just paying the fine."

Zalewski: "I... I think this will... I... it's my understanding, as a former state's attorney and as a... practicing in a court right now, in these compliance... in these compliance type cases, the litigant will most often go try to get into compliance, especially if it's a free service, come back, get the certificate, and be in compliance and get the court case dismissed. Don't forget, you're also affecting your

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driving record by getting the matter dismissed as a opposed to taking supervision..."

Eddy: "Okay."

Zalewski: "...and a fine or a conviction and a fine."

Eddy: "Yeah. And I... I appreciate all that, and I am not saying this part or this encouragement of education is a bad idea. I'm just worried about the practical application in rural areas. There's no one at our fire department. It's a totally volunteer fire department and in most of the communities that I represent, if someone is charged with this offense as a first offense, I'm not sure they would have a real easy time availing themselves to the certified training. And I... I just... I'd raise that as a concern that I have, and I think it's something that we have to think about as we move forward with this type of thing. But thank..."

Zalewski: "Representative, I certainly understand that concern. I'd be happy to talk to you about it..."

Eddy: "Okay."

Zalewski: "...and see if we can get someone from the State Police to address your concerns."

Eddy: "Okay. Thank you."

Zalewski: "Thank you, Representative."

Speaker Mautino: "Further discussion? The Gentleman from DuPage, Representative Reboletti. Seeing no further discussion, Representative Zalewski to close."

Zalewski: "There was a... there was a question earlier from the Representative on the... that about how you prove a child is eight years old. And I... bring up something in closing

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that, you know, if there's a really an issue with enforcement to this... of this statute, a person can come to court, show the judge a birth certificate, I mean, of course they don't carry these birth certificates in their... on their person. But if there is a... there's an issue of fact, then the litigant can certainly come to court, show the judge that the child was... was eight years old or seven years old. So, I just wanted to bring that up. Other than that, I'd ask for an 'aye' vote on this."

Speaker Mautino: "Gentleman moves passage of House Bill 4691. All in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lang, Boland, May, do you wish to be recorded? Mr. Clerk, take the record. 88 voting 'yes', 20 voting 'no', 7 voting 'present', House Bill 4691 is hereby declared passed. The Gentleman from Winnebago, Representative Sacia is seeking recognition."

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

Speaker Mautino: "State your point."

Sacia: "Ladies and Gentlemen, we have in the gallery, up behind the Republican side, the members of the Carroll County Farm Bureau in northwest Illinois, in Springfield for Lobby Day. Would you make them feel welcome."

Speaker Mautino: "Welcome to Springfield and the House of Representatives. Mr. Clerk, House Bill 4699. Representative Bill Mitchell. Read the Bill."

Clerk Bolin: "House Bill 4699, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Mautino: "Representative Mitchell."

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Mitchell, B.: "Thank you. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4699 provides that the sanitary district of Decatur consists of five members. And that's really what they have right now. This just codifies in law. The City of Decatur has lost population, but because of its unique base, in terms of employment, we're the agricultural capital of the world that... we need for ADM, Tate and Lyle, things like that. We need a... the sanitary district to have five members, and that's what this Bill does."

Speaker Mautino: "The Gentleman has moved passage of House Bill 4699. On that question, the Gentleman from Cook, Representative Fritchey. This Bill is on Short Debate."

Fritchey: "Thank you, Speaker. Will the Sponsor yield? Bill, just a real quick question. So, we're expanding the board, here?"

Mitchell, B.: "No, the board currently is at five. Decatur... the City of Decatur has lost population. I think the present State Law says that when you go under a 90 thousand threshold mark that you could go to three sanitary board district. The present board wants this to remain at five, which is the status quo. What's unique about the Decatur Sanitary District is that we have ADM, which processes so much, you know, water and things like that to process grain that we need that the... the board thinks that they need their five members."

Fritchey: "Okay. Thank you."

Speaker Mautino: "The Gentleman moved passage of House Bill 4699. The question is, 'Shall this Bill pass?' All in

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favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 94 voting 'yes', 21 voting 'no', 0 voting 'present', House Bill 4699 is declared passed. Representative Mulligan, House Bill 4703. Read the Bill."

Clerk Bolin: "House Bill 4703, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Mulligan: "Thank you, Mr. Speaker. This is a Bill that we passed out of here before. Last year it came back with an Amendment from the Senate that I accepted to be something else. In fact, Representative Mautino, you've been a Sponsor of this Bill a couple of times too. This creates the Legislative Oversight Council on Cost Feasibility for the Health Care Plan Implementation. So what it does is... it's an extension of the original Health Care Justice Act. And it would take a look at feasibility or cost of any health care plans. I also envision that it would probably take a look at any plans that came into the Federal Government that we would accept or not as far as Medicaid and other ways of spending money that would be good or bad for Illinois. It consists of members that are appointed by the House Leaders and from business, and generally discuss the cost of money. And it's gone out of here several times over to the Senate, in this form."

Speaker Mautino: "The Lady has moved passage of House Bill 4703. This Bill is on Short Debate. And the Lady from Cook, Representative Hamos is seeking recognition."

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Hamos: "A question of the Sponsor, please?"

Speaker Mautino: "Sponsor indicates she'll yield."

Hamos: "So, under this we're creating a new health care task force?"

Mulligan: "What it would be, would be a task force with an extension that would include people from business and industry, insurance, to take a look at the cost of any new plans or any plans that come up."

Hamos: "But are... are we creating a new one? Is this a new..."

Mulligan: "It would be a new task force."

Hamos: "So, who will administer it?"

Mulligan: "Department of Public Health."

Hamos: "And do they... is it expected that they will have staff to do this or how will they..."

Mulligan: "Yes. They're the only ones that are objecting because they are worried about the cost of staff and how they would handle it, but I think that... what we've had in the task forces that I've been on and in the discussion with the department are questions about what's coming out of the Federal Government and how it impacts us financially and the different ways that we can or cannot go along with what happened."

Hamos: "Well, but and so, in the short-term though, is there an expectation that we're going to increase the head count to manage this or what are... what are you thinking about your goals for this?"

Mulligan: "No, I don't. And I don't envision it increasing the head count and certainly no one on it would serve with any salary."

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Hamos: "So... for the... you're expecting that there are currently people at the department who will be reassigned to manage this?"

Mulligan: "I think they could do as good a job as we've been having out of the Governor's Office. Maybe it'll turn out to be Mr. Gelder, who is the Policy... Governor's Senior Policy Advisor on health care. We'd be open to that."

Hamos: "Okay. Well, I think that... I just wanted to sort of establish for the record that we're not creating a new structure that will really require..."

Speaker Mautino: "No further Members seeking recognition, all in favor vote 'aye'; opposed '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', 1 voting 'present', this Bill is declared passed. The Lady from DuPage, Representative Pihos is seeking recognition."

Pihos: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. March is Women's History Month. And I would just like to tell you a little bit about a famous Illinois woman that we might not know about. Her name was Vera Paktor. She was born in 1949, died in 1995. And she contributed to the United States maritime policy as a journalist, a lawyer and administrator. She could well be called the 'first lady' of the seaways, and that's very important to us because, of course, we have the Great Lakes right in our area. By 1977, she was appointed vice president of the Great Lakes and European Line, the youngest person and first woman to be named a corporate officer in that field. She was the first

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woman to be named a district director of the Federal Maritime Commission. She was a public relations director for a firm based in Evanston that dealt with maritime issues. She served as executive vice president of the United States Great Lakes Shipping Association, and was instrumental in writing the 1985 Maritime Act. During her career, Patkor wrote more than a hundred articles on maritime subjects, many that addressed policy issues. In addition, she was active in politics and devoted a great deal of time to the Jewish community in the Chicago area. So, we just want to thank her on behalf of all the General Assembly Members for the work that she had done."

Speaker Mautino: "Representative Feigenholtz, House Bill 4722. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4722, a Bill for an Act concerning antifreeze. Third Reading of this House Bill."

Speaker Mautino: "The Lady from Cook."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 4722 would require coolant or antifreeze manufactured after January 1, 2011 and sold in the state to contain denatonium benzoate, which is a bittering agent to deter animals and children from ingesting antifreeze. Every year hundreds of children and thousands of animals, including companion animals, are accidentally poisoned each year from ingesting this substance. I would be glad to answer any questions. This is an agreement between the Consumer Specialty Products Association, the Humane Society of the United States, and also, the Illinois Trial Lawyers."

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Speaker Mautino: "The Lady has moved passage of House Bill 4722. On that question, Representative Osterman, the Gentleman from Cook."

Osterman: "Thank you, Madam Chair or Mr. Speaker. Will the Sponsor yield? So, Representative Feigenholtz, I know that the Humane Society is for this. Have the American Academy of Pediatrics are they in support, as well? Is this a dog Bill, a cat Bill, or a kid Bill?"

Feigenholtz: "Yes. Did you say you wanted to be a cosponsor, Representative?"

Osterman: "Please add me as cosponsor."

Speaker Mautino: "No Members seeking recognition. The question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 115 voting 'yes', 0 voting 'no', and 0 voting 'present', House Bill 4722 is declared passed. House Bill 4737, Representative Hannig. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4737, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Mautino: "Representative Hannig."

Hannig: "This Bill expends... extend... it only affects state employees covered by the State Employee Group Health Insurance Act. It provides we should provide medically neces... necessary physical and occupational therapy. The therapy should be prescribed by a physician, physician's assistant, advanced practice nurse, and provided by a licensed physical or occupational therapy. Medically

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necessary means treatment to reduce or the physical effects of illness, injury, disease, or condition. The disease could be chronic, degenerative, progressive and the treatment would seek to maximize function in despite of the disease."

Speaker Mautino: "The Lady moves passage of House Bill 4737. The question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Durkin, Gordon, Hannig, do you wish to be recorded? Mr. Clerk, take the record. 87 voting 'yes', 27 voting 'no', 1 voting 'present', House Bill 4737 hereby declared passed. Representative Bassi, House Bill 4769. Read the Bill."

Clerk Bolin: "House Bill 4769, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Mautino: "The Lady from Cook."

Bassi: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is a trailer Bill, a follow-up to the Bill that we passed last year. It passed 117 with nothing. We caught an error in the original drafting of the Bill. This trailer Bill corrects that and makes sure that the law that's on the books complies with all current State Laws. So, it has to do with window tinting and I would ask for your support."

Speaker Mautino: "The Lady has moved passage of House Bill 4769. And on that question, the Gentleman from Cook, Representative Fritchey."

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

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Speaker Mautino: "Indicates she will."

Fritchey: "Representative, just quickly, what... what are we trying to do here, in a nut shell? I... I remember when banned tinted windows. Then we banned them in the rear... the rear windows, then the front windows, then there were exceptions to it, then we could have a lighter tint."

Bassi: "The Representative just said to me the windows in the trailer. Actually, what this particular one does is it concerns the window tinting on the side windows of multipurposed passenger vehicles that... because the Bill as it was drafted and passed had an incorrect piece in it. And there... what this does is correct it so that we've got a non-reflective tint that allows 50 percent light transmittance, can be used on the vehicle windows immediately adjacent to the side of the..."

Fritchey: "Well, I... I read... I read that part."

Bassi: "There's... there's no opposition. So..."

Fritchey: "So, but... are... do we now have a... may... maybe I was asleep at the wheel. Do you know, do we now have a separate standard for a multipass... multipurpose vehicle as opposed to a straight passenger car?"

Bassi: "It has... it no... what it does is it... it puts the... the window tinting on multipass... purpose passenger vehicles that if they're originally done with the... at the manufacturers, it allows what's done at the manufacturer."

Fritchey: "A multipurpose passenger vehicle."

Bassi: "Correct."

Fritchey: "I'm going to assume it's defined in the statute. Are you talking about SUVs?"

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Bassi: "SUVs and the... the bigger ones, the vans."

Fritchey: "Okay. So, this... so, this allows basically tinted windows in the rear areas, like in the cargo areas, et cetera?"

Bassi: "In... in the multipassenger vehicle, but if you put the tinting on the front window of... of a... of a regular vehicle, then you can't have it immediately accord... adjacent to the driver."

Fritchey: "One... one of... one of the reasons for not allowing the tinted windows in passenger vehicles it was actually for law enforcement safety."

Bassi: "No... it's... it is the multipassenger... Are you... now wait. Ask the question again."

Fritchey: "One... one of the reasons for having the restrictions on tinted windows was for safety..."

Speaker Mautino: "The Gentleman may finish his question."

Bassi: "The restriction is not on the multipassenger vehicle. It's on... it's on the side window. If the tinting goes on the front and the reason is, because the State Police want to be able to see in... into the window."

Fritchey: "But why would they want to be able to see in the back of an SUV?"

Bassi: "Apparently, the back... they want to see into this... the driver's side of the SUV. The... the reason for having a tinted window in the back of an SUV is to prevent too much heat inside of the vehicle itself."

Fritchey: "I... I understand that. But I'd be just as concerned about the safety of the officer pulling over the SUV as..."

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Bassi: "Now this... this was an initia... this was an initiative of the State Police."

Fritchey: "Okay."

Speaker Mautino: "Further discussion? The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you very much. I'm very concerned that this Bill might im... impact people who have lupus or who have other sensitivity to sunlight. Can... it's very loud in here so I cannot hear whether those individuals are at risk by virtue of this Bill."

Bassi: "Representative, this does not affect in any way, shape, or form those individuals with lupus or other problems with skin cancer anymore than the original Bill that we passed last year did. You still, if you have lupus or something else, if you have a medical condition, you need to have a specific note from your doctor that goes to the Secretary of State's Office and that goes on your license plate so that the police know that you are allowed to have those."

Leitch: "There have been a lot of practical problems with that, but this is not intended to upset that in anyway."

Bassi: "No. This does not change that in any way, shape, or form."

Leitch: "Thank you."

Bassi: "This is merely to correct an... an imperfection in... in the signing of the Bill that was passed a year ago."

Leitch: "Thank you."

Bassi: "And there is no opp..."

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

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Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. It's not my intent to kill the Bill. I don't think I could if I wanted to. I simply want to again say, as I did the last time we had a window tinting Bill, I'll tell you the legislative history of this. I sponsored this Bill, the antiwindow tinting Bill about 21 years ago because it caused the death of a police officer. Because when the window tinting first came out it could be bronze, it could be reflective, it could be so dark you couldn't see through it. A police officer pulled somebody over late one night, could not see into the backseat, could not see into the driver's seat. The outside mirror didn't do any good because the windows were so severely tinted that the outside mirror didn't show anything either. And even though the officer approached with due caution, he was unable to see a individual in the backseat of the car with a shotgun. The office... the murderer shot through the window, killed the police officer. So, twenty-some years ago we banned window tinting. We allowed it on the back window. We allowed it on the back passenger side windows, but the... the driver's side window and the passenger side window, and the front windshield down to a depth of 12 inches was supposed to remain clear. And if you had the two side windows tinted, then you had to have a rearview mirror, an outside rearview mirror, in which the officer could look and see into the backseat. Now I understand that over the years this has been loosened because of lupus, but we handled that in days past by protective lenses that were given by optometrists

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and ophthalmologists and for years we didn't have any problems. But I understand it is the... the will of this chamber to... I understand it's the will of this chamber to change that at this time. I understand that. I don't necessarily agree with it, but things change, progress is made, and we'll all go forward. Thank you."

Speaker Mautino: "Members see... no more Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Graham, Lang, do you wish to be recorded? Mr. Clerk, take the record. 111 voting 'yes', 2 voting 'no', 1 voting 'present', House Bill 4769 is declared passed. Representative Moffitt, House Bill 4778. Read the Bill."

Clerk Bolin: "House Bill 4778, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Mautino: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4778 is one of those that every once in awhile we simply need to do the right thing. We can't ever begin to repay our veterans for their service and sacrifice, but we should continue to say thanks and show our thanks and this is a way to show our thanks. What this does is it would remove the extra fee. It's only that extra fee and in most cases it's \$15 to... to obtain the veteran's plate. They would pay the full amount for their license plate. The full amount like everyone else pays, but they just wouldn't pay the additional. Proponents of

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this are the VFW and Secretary of State's Office. This is a way of one more time saying thank you to our veterans. I would appreciate your support. And I guess, as you consider this, I'd like for you to keep this in mind. I was recently in one of my legion halls and on their bulletin board there was a sign on that bulletin board in the American Legion. And it said, it's not the price you pay for your dues, it the price you pay to belong. Veterans have already paid a huge, huge price. It, basically, waiving the \$15 additional fee. Appreciate your support."

Speaker Mautino: "The Gentleman has moved passage of House Bill 4778. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mell, Zalewski, Representative Davis, do you wish to be recorded? Mr. Clerk, take the record. 110 voting 'yes', 3 voting 'no', 1 voting 'present', House Bill 4778 is declared passed. House Bill 4779, Representative Moffitt. Representative Moffitt, do you wish to call... Out of the record. Representative Sacia, page 21... Excuse me. Representative Chapa LaVia, House Bill 4780 appears next on the Calendar. Read the Bill."

Clerk Bolin: "House Bill 4780, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Mautino: "Out of the record. House Bill 4812, Representative Sacia. Read the Bill."

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Clerk Bolin: "House Bill 4812, a Bill for an Act concerning animals. Third Reading of this House Bill."

Speaker Mautino: "Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I have personally lobbied the vast majority of you regarding this Bill. This is that Bill that... Could I get some order, Mr. Speaker? Ladies and Gentlemen, this is the horse slaughter Bill. I know of you... a lot of you have an interest in this Bill. I would appreciate your attention."

Speaker Mautino: "Please bring the level of noise in the chamber down. And if you've got side conversations going on, take them to the back, please."

Sacia: "Ladies and Gentlemen of the House, I have spoken with the mast majority of you. I have worked a hard Roll Call and we have been able to obtain the requisite number of votes. Many of those votes, that you have promised to me, have come very difficult on your behalf. I cannot even begin to imagine the amount of letters, e-mails, contacts that have come to you about what a horrific idea this is to allow the humane end of life to horses in this country as opposed to now sending nearly a hundred thousand horses a year to Mexico, stuffing them in trailers for some 40 hours where their end of life is anything but humane. I have in front of me, an article that all of you received yesterday and the day before from the Animal Welfare Institute stating, among other things, that the captive bolt method of termination for a horse is very inhumane. Ladies and Gentlemen, veterinarians agree this is the most humane. Even more humane than the sodium, I think it's like sodium

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penathol, or whatever the drug is that is used by veterinarians to terminate a horse's life. I think it's important to note, and most of you know this, horses are my life and my passion. Nine continue to stand at our farm to this day. I have profound respect for what this burst of beaden... this beast of burden has done for our great country and how well regarded it is to this day. But we have reached a point, Ladies and Gentlemen, where we now have nearly a hundred thousand horses a year being sent to a third world country, 40 hours stuffed in a trailer, all because we would not accept the humane termination at Cavelle International at DeKalb, Illinois, the last of the three remaining horse slaughter plants in the nation in 2006. Where has... have we gone since that time? In 2007, we had over 30 thousand additional horses to Mexico, 2008 over 60 thousand, last year, approaching 90 thousand and now nearly a hundred thousand horses a year being terminated in Mexico. The reality is, Ladies and Gentlemen, that 16 percent of the world consumes horse meat. We don't in this country, I accept that, but there are over a billion people in the world who consume horse meat. When I worked my Roll Call many of you said, Jim, this is a tough vote for me because of the political reality. It is amazing how organizations like the Animal Welfare Institute have turned against a sensible end of life and made it a horrific end of life. It is absolutely amazing to me that the Humane Society of the United States, who many of you, I assume, support... Are you aware, Ladies and Gentlemen, that H.S.U.S. out of every \$200 you send to

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them, \$1 finds its way to an animal shelter. My point is, H.S.U.S. is extremely disingenuous. Society for the Prevention of Cruelty to Animals is extremely disingenuous. When I specifically asked them in committee, how can you allow horses to be sent to a third world country as opposed to humane termination? And the answer was, we believe in responsible horse ownership. Not acceptable, Ladies and Gentlemen. Because of the political realities, of how this affects some of you, certainly not in my district, my district gets it. I am asking, Mr. Speaker, to pull the Bill from the record for the following reason. The Senate has put a brick on the Bill. It isn't going to move when it goes out of the House. Why should I do that to you? Why should I ask that of you? And then, is the reality, of would the Governor call it. Mr. Speaker, I ask you to pull the Bill from the record."

Speaker Mautino: "Take the Bill from the record. House Bill 4835, Representative Reis. Read the Bill."

Clerk Mahoney: "House Bill 4835, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Mautino: "Representative Reis."

Reis: "Thank you, Mr... Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 4835, as amended, would allow gun owners to trade or purchase one operable handgun or long gun for another and not have to go through the waiting period. They would still have background checks, instant background checks. They would still have to have a FOID card. They would have to do the paperwork and that necessary paperwork would be kept on file. But this would

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allow people who go to gun shows, who travel long distances, to exchange one gun for another and not have to go through the waiting period. So, I'd be happy to answer any questions on that. And ask for your 'aye' vote."

Speaker Mautino: "Representative Lang in the Chair."

Speaker Lang: "Representative Osterman."

Osterman: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Osterman: "Representative, is this on Second or Third debate? Third..."

Reis: "I wouldn't want to tell you what's going on in the floor, Representative, but it's on Third Reading."

Osterman: "So, clarify for me this is handguns and long guns?"

Reis: "Handguns and long guns, but we tightened it up with the Amendment to where you can only trade a handgun for a handgun or a long gun for a long gun. So, we tightened it up so it wasn't quite as loose, like we passed it before five years ago and it went to the Governor's desk."

Osterman: "Going back to your comment, just so people are clear on this, the background checks would only take place if you were going to exchange or trade with a federally licensed dealer. So, if you and I were to trade, there'd be no background check. Is that correct?"

Reis: "Correct."

Osterman: "Okay. So, everyone's clear on that, there is no background check when they're... when they're trading person to person. It would only be done so..."

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Reis: "But Representative, I would argue that the waiting period probably wouldn't take place under current law, anyway, either. So..."

Osterman: "Well, you and I could argue that but that's a separate point. You know that waiting periods are 24 hours for long guns and 72 hours for handguns. And that the background checks are done in a matter of minutes on most of those. But let me go to a... a specific question I have that I find to be relevant and that is that, and I don't want to be facetious, but how do you define a long gun?"

Reis: "Anything that's not a handgun."

Osterman: "Okay. So, a Tech-9 or an AK-47 look-alike, if I were to go in with a hunting rifle or, you know, a single shot shotgun and you had a Tech-9..."

Speaker Lang: "The Gentleman's time has expired. Do you need another second or two? Mr. Osterman?"

Osterman: "I do."

Speaker Lang: "Please proceed, but briefly, Sir. Please bring your remarks to a close."

Osterman: "Can we take this off of Standard Debate?"

Speaker Lang: "I see sufficient hands. We can remove the Bill from Short Debate. Please proceed."

Osterman: "It's an important piece of legislation. I don't want to belabor, but I think there are some important points. So, Representative, my question to you was, if I had a single shotgun that I wanted to bring to you and I wanted your... I saw it in the newspaper, whatever it might be, that you had a semiautomatic weapon, large capacity

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magazine firearm that's a long gun, by your definition is not a handgun, then I could trade a single shotgun for that... for that large capacity firearm?"

Reis: "To answer your question, Representative, yes, you would be able to. And you would also have been able to, under the Bill we passed five years ago, that passed the House and the Senate. But at least this one is trimmed down to where they're like guns, this Bill, this year."

Osterman: "So you would define a shotgun and a large capacity semi-automatic as a like gun?"

Reis: "They're both long guns, Representative, yes."

Osterman: "They're long guns. Well, Ladies and Gentlemen, to the Bill. I think that as we move forward in this Session there might be opportunities to come to some common ground. I think that people that if they have 25 long guns and they want to purchase another long gun, a shotgun, you know, they... that might be a warranted consideration for them to be able to waive a waiting period. However, as the Sponsor indicated, as the Bill clearly defines the issue of semiautomatic weapons which prevail on our street, it's silent on here. So, someone with a... who wants to do significant amount of damage and all of us need not look far past the newspapers to see that, could trade this, wait a waiting period, and commit a horrific crime. I would like to see the Sponsor, dependent on this outcome, take up the issue of semiautomatic weapons. But at the present time, that is a huge problem with this Bill that everyone should be very, very concerned about. And with that, I would ask for a 'no' vote."

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Speaker Lang: "Mr. Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the Bill. The Bill does one simple thing. It does not require a waiting period. The waiting period was put in many years ago to stop someone that potentially could be dangerous or have a life changing experience and want to do harm. What we're talking about here is this person already has an operable gun. They're trading it for something else. So, there's no need for a waiting period 'cause they already have the ability to do that harm if they chose to do that. So, let's not go off in a tangent on other things, which I understand that we want to talk about different things, but this does a simple, simple, thing that does not require a waiting period only, does not get into semiautomatics, it does not get into anything else, it just goes to one aspect to help promote commerce in the State of Illinois. Thank you very much."

Speaker Lang: Representative Graham."

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

Speaker Lang: "Gentleman yields."

Graham: "Representative, just on the point of transferring. So, explain that.. that portion of the Bill to me regarding the transferring from one person to the other."

Reis: "Well, obviously, you know, transfers between people and people are much harder, but if you go into purchase a gun, either at a shop or a gun show, right now you have to go through the waiting period, background checks, paperwork, and a waiting period. All my Bill does is says if you're trading in a gun, you already have the gun, that you don't

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have to go through the waiting period if your background check comes back okay, you have your current FOID card, you don't have any criminal violations. So, it just does away with the background check, if you're trading or purchasing the... if you're trading the gun for another one."

Graham: "So, you're saying, if I have a gun already and I decide I want to trade this gun in or do something else, but because I have the gun, you're saying I'm almost... I'm exempt from going through some of the other processes because I..."

Reis: "No, you still have to go through the background check. You still have to do the paperwork. You still can't have a criminal record. It's just that you don't have to adhere to the waiting period."

Graham: "Okay. Would this legislation include when you do the background check... What does the background check consist of?"

Reis: "Well you turn in your... your information, your FOID card number. It goes into the computer. It usually takes a minute or less depending on how busy the computers are. And then it says if you've had any violations, criminal activity, or anything like that, which is what you have to do anyway."

Graham: "Who's doing the background check?"

Reis: "The per... the owner of the store or the owner of the booth at the gun show."

Graham: "So, are you aware of our economic situation in the state?"

Reis: "Is that a rhetorical question?"

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Graham: "I'm asking you a question."

Reis: "I'm well aware of it, yes, Representative."

Graham: "So, the owner of the store is going to do a background check. Where is he going to go to get the information regarding the background check?"

Reis: "Representative, all that is in place right now."

Graham: "Well, the point I'm trying to make is that our government is saying they're going to cut all these budgets, big-time. Everything's going to be grind down to a grinding halt because we, as the state, don't have money to run the program. I'm afraid that your legislation will not catch people who may have had an encounter with mental illness or have had a nervous breakdown. Things that would go on their record in the background check, if that's included... if that's included if their..."

Reis: "If that's the case, Representative, the current law, if this doesn't pass, won't work either."

Graham: "I'm sorry."

Reis: "That means the current law won't work either, regardless of if my Bill is signed into law."

Graham: "I'm just saying, why are we keep extending it or changing it when we... when... we're not sure that the safety measures are there to begin with."

Reis: "Because my... my Bill is not addressing that. My Bill is addressing people that drive long distances. They want to trade their gun in that day because the show is held on a one-, or a two-, or three-day period. They've already got an operable gun."

Graham: "I understand that."

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Reis: "They've already had the background check. They just simply want to trade one for another. We"

Graham: "So, my concern is does your background check... are they going to make sure, 'cause when we know a young lady drove across the country in a camper to go and deal with a situation. She was mentally distressed about a situation. So, I understand about you saying they drive long distance, but people who are obsessed about an issue will drive as many miles as they need to do to follow through on an issue that they may have. I understand what you're trying to do, but I understand these people are driving far distances. But we know, it's documented in the news that a woman drove as far as she needed to go in a camper to deal with a situation. So, I'm saying as you consider these people who are driving for long distances to trade in a weapon, to make sure that we make the necessary steps, to make sure... 'cause you know every day it... it changes in terms of the pressures of today's society. Families have committed suicide all together. They've made a decision all together to commit suicide. More than we've seen in a long time, the whole family. So, I'm saying, make sure that when we go... this legislation could very well pass... make sure that the mental health component is taken care of in your Bill 'cause under these distressed times there's going to be more and more pressure. People are going to continue to lose their houses, their jobs. Make sure that if something happened that they crack and have a mental breakdown, that we are protected. Every day honest citizens, even the

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people who are law-abiding citizens are protected from folks who have an issue. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Reis to close."

Reis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I respect the prior speaker's passion. We've never quite agreed on this issue. But I will say that her concerns are still going to be concerns today, even if this Bill doesn't pass. This simply allows law-abiding citizens, who already own a gun, to trade that gun in for a like model and go on their way without the waiting period. And I... I come back to the Governor's response back in '05 when he vetoed my Bill. He said that we want to keep guns out of the hands of dangerous criminals. Ladies and Gentlemen, these people already have guns. They already have a good background check. They have a FOID card. And I... I never understood that philosophy for that Veto, but I think this is a good Bill. And I ask for your 'aye' vote."

Speaker Lang: "Gentleman's moved for the passage of House Bill 4835. Those in favor shall vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Joyce. Mr. Clerk, please take the record. On this question, there are 67 voting 'yes', 44 voting 'no', and 3 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Sacia on a point of personal privilege."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen, joining us behind the Republican side today is a good friend of mine, the director of historic sites in Galena, Illinois."

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Mr. Dan Tindell and his lovely daughter, Grace and her excha... foreign exchange student Lynn are both up here Paging today. So, if you'd help me recognize Mr. Tindell, his lovely daughter Grace, and Lynn, our foreign exchange student."

Speaker Lang: "Moving down the Calendar, there appears House Bill 4836, Representative Reis. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 4836, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Representative Reis."

Reis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4836 would set up the Sunshine Commission. Both of us... all of us on both sides of the aisle have talked a lot about transparency and efficiency in government. This would set up a commission that would review all the agencies and make recommendations to the General Assembly within six months of the Bill's effective date. I ask for your support."

Speaker Lang: "The Gentleman has moved for the passage of the Bill. Is there any debate? Seeing none, those in favor of the Bill shall vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Mulligan, Tryon. Mr. Clerk, please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4846, Representative Bradley. Please read the Bill."

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Clerk Bolin: "House Bill 4846, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Mr. Bradley."

Bradley: "Thank you. This simply allows a fire protection district by referendum to reduce their size from five to three. Apparently in some areas they have trouble filling these boards."

Speaker Lang: "Representative Soto."

Soto: "Yes, Speaker. I voted 'yes' on House Bill 4835, the firearm... the firearm Bill. And I want to change my vote and I'm sorry it was an accident. I was supposed to vote 'no' and I voted 'yes'. So, I'm..."

Speaker Lang: "The record will reflect your intentions."

Soto: "Thank You."

Speaker Lang: "Any debate on Mr. Bradley's Bill? Seeing none, those in favor shall vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Miller. Mr. Clerk, please take the record. On this question, there are 113 voting 'yes', 1 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4859, Representative Phelps. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 4859, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4859 is a initiative from the Secretary of State's Office. People that are on a restrictive

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driving permit, this just allows people to do and drive their elderly parents and disabled persons that live with them to and from adult day care. And also, for the courts, it adds a extra note to report bad driving habits to the Secretary of State. And I ask for your passage."

Speaker Lang: "Mr. Rita. Mr. Rita passes. There being no further debate, those in favor shall vote... I'm sorry. Hold on. Mr. Black, a late arrival. Mr. Black."

Black: "Better late than never, Mr. Speaker. Thank you very much. Will the Sponsor yield?"

Speaker Lang: "He yields."

Black: "Representative, obviously, I see the committee vote was unanimous. I just have one concern. If the person whose driving privileges have been suspended is now allowed to transfer... not transfer... transport children or the aged and infirmed because of hardship, I think that begs the question, why was the license suspended in the first place? I mean, the last person I would want transporting my grandparents, if they were still alive, is somebody whose license had been revoked for five speeding tickets in one year, two reckless driving tickets in one year, and one DUI pending."

Phelps: "Representative Black, actually, you know, it's a hardship to be able to get to adult day care 'cause all these people may be Alzheimer's patients, if you will. So, actually, it must demonstrate the person that's getting RDP that's going to drive these people. They must demonstrate that there's no alternative means of transportation, the offender will not endanger the public safety or welfare,

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and undue hardship will result from the failure to issue the restricted RDP."

Black: "Well, is... is there any kind of limitation on the person who can be allowed to do this as to why the revocation was in effect because your..."

Phelps: "No, it..."

Black: "...your Bill says they can transport children to and from day care. I mean, young children. I want to know why this person is revoked."

Phelps: "Well, that... that's already the law. We're just creating... the children's al... already under the law, Representative Black. All this is is just including elderly parents and disabled persons."

Black: "So, a... a person driving under... who gets an RDP, if I heard you correctly, can already get a hardship permit to take his or her children to a day-care center."

Phelps: "Yeah. That's already law. Yes."

Black: "I must have been asleep when that went through."

Phelps: "Right. I asked that myself. This just includes elderly parents and disabled persons."

Black: "Okay. So, it..."

Phelps: "That can't drive, may have Alzheimer's or such... such a thing."

Black: "Is... is there any responsibility or administrative hearing that the Secretary of State would have to say, in your case, I just don't think an RDP to transport your 95 year old grandfather to the doctor would be appropriate, since you have 6 DUI's, 3 hit and run, 2 reckless drivings,

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and 42 speeding tickets. Now, obviously, I'm making it up, but I mean, you... you see what I'm getting at."

Phelps: "Yeah. No, I agree."

Black: "Some peoples licenses are revoked because they just simply should not be driving."

Phelps: "Right. And this isn't automatic, Representative."

Black: "Okay. So, it is not automatic."

Phelps: "Not automatic at all."

Black: "All right. So, the... the Secretary of State then I would assume would have some discretion as to who would be given that RDP."

Phelps: "Absolutely."

Black: "Okay. Fine. That answers my concerns."

Phelps: "Absolutely."

Black: "Thank you."

Phelps: "Thank you, Representative."

Speaker Lang: "Mr. Phelps to close."

Phelps: "I just ask for the passage of the 4859. Thank you, Mr. Speaker."

Speaker Lang: "You heard the Gentleman's Motion. Those in favor shall vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative... The Clerk will take the record. On this question, there are 114 'yes', 0 voting 'no'. And this Bill, having received the required Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Durkin."

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Durkin: "Thank you, Mr. Speaker. Two votes ago on House Bill 4846, I inadvertently had the red switch 'no' vote on. I want the record to reflect that I would've voted 'yes'."

Speaker Lang: "The record will so reflect. Next Bill is Representative Mulligan, House Bill 4922. Is Representative Mulligan in the chambers? Out of the record. House Bill 4934, Representative Nekritz. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 4934, a Bill for an Act concerning professional regulation. Third Reading of this House Bill."

Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. Last year we passed some legislation to require licensing for condominium managers. This is some cleanup language requested by the department on the definition of moral character."

Speaker Lang: "There being no debate, those in favor shall vote 'yes'; those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Farnham. Representative Miller. Mr. Clerk, please take the record. On this question, 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Returning to Representative Mulligan, House Bill 4922. Please read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4922, a Bill for an Act concerning aging. Third Reading of this House Bill."

Speaker Lang: "Representative Mulligan."

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Mulligan: "Thank you, Mr. Speaker. House Bill 4922 expands the scope of the senior pharmaceutical board, which I am a member of, to include other pharmaceuticals. This originally initiated from the fact that we had some problems distributing the H1N1 and other things that we wanted to look at and the original senior pharmaceutical board was put into effect to take a look at Circuit Breaker and when we were doing Medicare Part D. So, in conjunction with some of the other members and in talking to one of the cochairs, the cochairs are Representative Franks and the Department of Aging, Representative Franks also felt it would be a good idea to expand the board so that we could take a look at just distribution and other issues in Illinois around this. It does not do anything about regulating drugs. It just has to do with distribution and the laws around how we do them in Illinois. And I would be ready to answer any questions. And I would look for a favorable vote."

Speaker Lang: "The Lady's moved for the passage of House Bill 4922. And there being no debate, those in favor shall vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Senger, House Bill 4940. Don't run, Representative. Take your time. Representative... Mr. Clerk, please read the Bill."

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Clerk Bolin: House Bill 4940, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lang: "Representative Senger."

Senger: "Yes. Thank you, Mr. Speaker and Members of the Assembly. House Bill 4940 is basically a law that sunshines those who have retired before 1994 and have a second retirement. This... this is something that pertains only to a very few people but how the pensions worked is that given the General Assembly Retirement System, if you, before the law was changed in 1994, take out a section... second pension, you are at the full rate of the General Assembly. So, this is a law to basically disclose those who have... who fall into the 1994 category and its... its ability to sunshine those who are in there and then hopefully discourage anyone to go that route."

Speaker Lang: "The Lady moves for the passage of House Bill 4940. There being no discussion, those in favor shall vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Fritchey. Mr. Clerk, please take the record. On this question, 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 4779?"

Clerk Bolin: "House Bill 4779, the Bill is on the Order of House Bills-Third Reading."

Speaker Lang: "Please put that Bill on the Order of Second Reading. The Chair recognizes Representative Black."

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Black: "Thank you very much, Mr. Speaker. Under parliamentary inquiry, I have filed the requisite written Motion to Discharge House Bill 4662 from the House Rules Committee. Under the applicable House rules, this would.. this Bill would be assigned Standard Debate status. I do wish to debate my Motion. Upon the conclusion of debate, I will ask for a recorded vote on the Motion to Discharge. There are at least five Members on my side of the aisle that wish for a recorded vote on the Motion to Discharge House Bill 4662 from the House Rules Committee."

Speaker Lang: "The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker. I object to the Motion."

Speaker Lang: "The Lady objects. And the Chair rules that the Motion is defeated. Mr. Black."

Black: "Thank... thank you very much, Mr. Speaker. I would then rise to a Point of Order. I specifically requested a Roll Call vote on my Motion, pursuant to my rights granted in the House Rules and Illinois Constitution. I think you can correct this immediately with a Roll Call on my Motion to Discharge, which I would ask you to do at this time, but I would like to debate my Motion. Ladies and Gentlemen of the House, House Bill 4662 I have had this on the discharge calendar for two and a half months. Now, I listened to the budget address yesterday from Governor Quinn. I thought it was short and to the point and I think, whether you're on the left side of the aisle or the right side of the aisle, one thing the Governor made very clear is that the state will need additional revenue. Now, we may disagree on where that revenue comes from but I don't think anybody can

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disagree that the state needs additional revenue, and that's what House Bill 4662 does. We filed this back in... I believe it was in October, and all it does is to allow a tax amnesty program to be initiated by the State of Illinois in which people who owe back taxes could pay those back taxes in... without penalty or interest. We're willing to amend that Bill or any subsequent Bill that you might allow us to debate to include an enhanced interest penalty or an enhanced penalty if that would help move this along. Ladies and Gentlemen of the House, the... those people who study these issues have told us that this Bill will bring in at least \$120 million and could do so in a 60-day period. That's nothing revolutionary. It's nothing precedent setting. We've done this before. In fact, it was the Democrat Party in 2003 that passed a tax amnesty program. I believe I voted for it. So, it... it's nothing new. I don't know why it's political. I didn't... I don't know why it was turned into a political event back in October. I... I read statements that somehow I was trying to coddle deadbeats. Well, anybody who knows anything about me, a person who grew up in a small family-owned business, we don't coddle deadbeats. I have no empathy for deadbeats. That's why I don't have any empathy for the State of Illinois because we're the biggest deadbeat of all. So, here sits a simple Bill that simply creates a tax amnesty program that would bring in a minimum of \$100 million. We'll gladly accept any Amendment you want to offer. We... it doesn't have to go to the Monetary Award Program, which by the way, in case you've wondered, has not

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yet been funded. It could go to JRF. It could go to the Common School Fund. We could decide that, but I... I in... in good conscience, at this point, after hearing the Governor's speech yesterday, how can we object? How can we turn our back? How can we refuse to do something that we have done in the past, it has worked in the past, and would bring in upwards of \$100 million. There is no plan to collect this money at the present time. I... I don't understand this objection. I... I don't understand the reluctance and I don't understand the politicization of this. It... it doesn't have to be a Democrat idea or a Republican idea. It should be an issue that the Illinois House of Representatives pass that says we're going to have a tax amnesty program because we think we can bring in \$100 million from people who have thus far refused to pay taxes that are owed or fees that are owed to the State of Illinois. Please don't politicize this. We need the money and this is one way to get it. It's not a tax. It's not a fee increase. It's simply an attempt on behalf of the General Assembly to get \$100-plus million into the State Treasury, which we could then use to either pay past due bills or whatever the General Assembly wants to do with it. I urge you... I urge you to discharge this Bill on a recorded vote and let's get about the business of bringing some money into the State Treasury. Something we so desperately need today."

Speaker Lang: "Mr. Black, just so the Chair is straight. Your Motion to Discharge committee was ruled by the Chair to have been defeated. What is your current Motion?"

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Black: "Thank you, Mr. Speaker. I see my impassioned rhetoric changed the hearts and minds of people on your side of the aisle. Under House Rule 57(a), I simply move to appeal the ruling of the Chair. House Bill 4662 should not be a politicized issue. We need the money. And if you're not going to move this, and I've had it on the... the Calendar for more than two months, if you're not going to move this Bill than at least have the courtesy today to tell us what your plan is to bring in \$100 million, which the state so desperately need... needs. I... under the applicable Rule, I move to appeal the ruling of the Chair."

Speaker Lang: "Mr. Bradley."

Bradley: "I'd just like to speak to this issue just briefly and I don't normally do this. But we had a very extensive subject matter hearing on this issue in our committee, Revenue & Finance, earlier this year. We took testimony. There was debate. There was discussion. It was not clear to me or other Members of that committee that this would actually result in a net savings. There was substantial testimony that it could possibly escalate the repayment of taxes but that it doesn't necessarily bring in a lot of new revenue. In other words, it was revenue that we would probably get at some point anyway, but it might escalate it. And more importantly, and I think the thing that I took from that committee was why are... why are we rewarding tax cheaters?"

Speaker Lang: "Mr. Black."

Black: "Mr. Speaker, with that kind of logic, why did you reward tax cheaters in 2003 that brought in \$200 million?"

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Why did you reward tax cheaters in 1998 that brought in almost \$300 million? I don't understand what the hell the Gentleman's talking about. That's the most asinine thing I've ever heard him say. He's the man... he's the man that just a few years ago literally was in tears on this floor because the Body wouldn't do anything and now he turns around and tells me I'm trying to coddle tax cheats. No. On the contrary, I'm trying to get money that will not come forth. It didn't come forth in '03. It didn't come in when you did it in 1998. We had to go out and get it by a tax amnesty program and now you have the unmitigated gall to say what you said. You ought to be ashamed of that remark and I'm going to remember that remark when a tax increase comes up and it will... it will from your side of the aisle after the November election. Then I'll see how the Gentleman votes for a tax increase."

Speaker Lang: "The question is, 'Shall the Chair be sustained?' All in favor shall vote 'yes'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Joyce. Representative Hannig. Mr. Clerk, please take the record. On this question, there are 68 voting 'yes', 46 voting 'no'. And the Chair is sustained. Moving down the Calendar, House Bill 4960, Representative Poe. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 4960, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lang: "Mr. Poe."

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Poe: "Mr. Speaker and Ladies and Gentlemen of the House, this is a Bill that come out of the Pensions Committee unanimous and it deals with a few things to cleanup IMRF and is an initiative of theirs. And it deals with the administrative appeals that they would be currently done in DuPage or Sangamon Counties or the county which they are actually the employee is located. There's several... sev... there are just some little minor changes. And we'd ask for a favorable vote."

Speaker Lang: "The Gentleman moves for the passage of House Bill 4960. There being no debate, all in favor shall vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chairman... the Chair... the Speaker re... recognizes the Majority Leader."

Currie: "Thank you, Speaker. Please add Representative Hoffman to the excused li... list for the rest of this afternoon."

Speaker Lang: "That will be done. Thank you. Next Bill on the Calendar is House Bill 4964, Representative Nekritz. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 4964, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Lang: "We did this. Well then, you don't have to do it again now, do you? Next Bill on the Calendar is House Bill 4968, Representative Farnham. Please read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 4968, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Representative Farnham."

Farnham: "Thank you, Mr. Speaker, Members of the House. This legislation... House Bill 4969 (sic-4968) is legislation. It's a Member initiative on behalf of the Village of East Dundee, the Illinois Municipal League and Metro West Council of Governments to annex land opposite a conservation area into East Dundee. The change will also allow municipalities to annex land on the other side of conservation areas to provide services to residents without affecting the conservation area. It amends the Municipal Code. It adds to the types of lands considered artificial barriers. For the sake of this Bill, conservation area means an area dedicated to conservation and owned by a not-for-profit organized under Section 501(c)(3) of the IRS Code."

Speaker Lang: "The Gentleman has moved for the passage of House Bill 4968. Seeing no discussion, those in favor shall vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mulligan. Mr. Clerk, please take the record. On this question, there are 98 voting 'yes', 16 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Poe."

Poe: "Yeah, Mr. Speaker. A Point of personal privilege."

Speaker Lang: "Your point."

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Poe: "This is not a Motion, just a request that I got House Resolution 1003 and that deals... as many of you've been in Springfield this week you've read where the Department of Aging is talking about moving and they're going to pay 532 thousand to move in a facility. We own one now and what we just like to go on record that we'd like to get a public hearing and so we can vent this process that's caused a little controversy amongst all of us."

Speaker Lang: "Is that a request, Sir, of some sort? I didn't hear your..."

Poe: "Yeah. I just... I request that we can hear... have that assigned to the committee."

Speaker Lang: We will take that under..."

Poe: "House Resolution 1003."

Speaker Lang: "We will take that under advisement, Sir. The next Bill is House Bill 4969, Representative Farnham. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 4969, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Mr. Farnham. Out of the record. House Bill 4987, Representative Holbrook. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 4987, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Mr. Holbrook."

Holbrook: "Thank you, Speaker. House Bill 4987 makes it a crime now to place objects on the active railroad tracks and right-of-ways. This is an initiative by the Transportation Union, supported by the Illinois State

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Police, the Associated Firefighters, the AFL-CIO, the Illinois Railroad Association, and many other groups dealing with the operations and safety of public safety. I know of no opposition to this Bill."

Speaker Lang: "Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. This Bill is necessary because unfortunately for whatever the reason, I don't know what it is... I'm a parent, I'm a grandparent, I'm now a great-grandparent. I don't know what... what we've done to fail our children. I grew up in a neighborhood that was about four blocks from the railroad tracks. It would never have occurred to any of us. Our parents taught us better. You don't put anything on a railroad track. Oh, on occasion, I must admit, I put a penny on the railroad track and then was fascinated that it was squashed after the train ran over it, but that isn't what this Bill is about. This Bill is about something that could cause damage to the train or derail the train and in fact one of the more recent cases was some delightful young people that thought it would be funny to take a mannequin, I don't know where they got the mannequin, but they got a mannequin and dressed it up in bib-overalls, laid it down in the middle of the tracks in a rural area. The engineer, when the headlight picked up a human figure laying in the tracks, had to hit the emergency brakes hoping he could stop. He did not stop in time. You can imagine the terror in any locomotive crew that thinks they have run over a human being or hit a car because we go around the gate. That

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isn't mischief. That isn't a joke. That is a stupidity perhaps, but it should be stupidity rewarded by having criminal charges filed against you. And I rise in strong support of the Gentleman's Bill."

Speaker Lang: "There being no further discussion, those in favor of the Bill shall vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 112 voting 'yes', 0 voting 'no'. And... and this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 4990?"

Clerk Bolin: "House Bill 4990 is on the Order of House Bills—Third Reading."

Speaker Lang: "Please place this on the Order of Second Reading at the request of the Sponsor. Next Bill on the Calendar is House Bill 5012, Representative Collins. Out of the record. House Bill 5039, Representative Nekritz. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5039, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you. This one I will... I will move on, Mr. Speaker. Thank you. When we ex... expanded early voting or created early voting and grace period voting we did not give the election authorities any additional time in which to conduct all the challenges, do all the ballot checking, certify the ballots, and do all... everything that they do. So, we... we asked the election authorities to cram all that

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work into three less weeks or two and a half less weeks, so that we... they could be prepared for early voting. This adds a little bit of additional time to... it pushes back our petition gathering time a little bit and... and it does some other... one other adjustment in order to give the election authorities a little bit more time in which to... to make sure that the ballots are ready and there ready... and there ready to go for early voting."

Speaker Lang: "The Lady moves for the passage of House Bill 5039. On that question, the Chair recognizes Representative Dunkin."

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

Nekritz: "Mr. Speaker..."

Speaker Lang: "The Lady yields."

Nekritz: "Can I... I think we're going to pull this bi... Bill from the record right now."

Speaker Lang: "Take the Bill out of the record, Mr. Clerk. Representative Farnham, House Bill 5043. Out of the record. House Bill 5079, Representative Harris. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5079, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Lang: "Mr. Harris."

Harris: "Thank you, Ladies and Gentlemen. This is a Bill that's just a minor piece of cleanup language for House Bill 3923 that we passed last year that corrects the definition of physician in one section. I'd be happy to answer any questions."

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Speaker Lyons: "Representative Lyons in the Chair. Is there any discussion on House Bill 5079? Seeing none, the question is, 'Should House Bill 5079 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Phelps. Danny Reitz. Mr. Clerk, take the record. On this Bill, there are 112 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Represen... Representative Lang, on page 22 of the Calendar, you have House Bill 5055. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5055, a Bill for an Act concerning civil law. Third Reading of this House Bill."

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

Lang: "Thank you, Mr. Speaker. This is a Bill that is to save our consumers money by requiring the courts to do what their already supposed to do under the law, but to cleanup the law so that they know that a plaintiff in a foreclosure action has the right to choose any selling agent they wish for the sale of the property. It's cheaper than using the local sheriff. It's faster than using the local sheriff. I know of no major opposition to this Bill."

Speaker Lyons: "You've heard the Gentleman's explanation of House Bill 5055. Is there any discussion? Seeing none, the question is, 'Should House Bill 5055 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 112 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of House Bill 5093?"

Clerk Bolin: "House Bill 5093 is on the Order of House Bills-Third Reading."

Speaker Lyons: "Representative Ramey. Out of the record. Representative Lang in the Chair."

Speaker Lang: "The Bill on the Calendar is House Bill 5095, Representative Cross. And Representative Schmitz to handle the Bill for him. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5095, a Bill for an Act concerning human rights. Third Reading of this House Bill."

Speaker Lang: "Mr. Schmitz."

Schmitz: "Thank you, Speaker, Ladies and Gentlemen. House Bill 5095 actually started with the Secretary of State Task Force back in 2004 and the language was drafted in this Bill and... and the Bill was worked out in '04 and it, for some reason, it... it was delayed and finally picked up now. A constituent in Representative Cross's district brought it to his attention that this was never acted on. This will create the Pedestrians with Disabilities Safety Act. It had some provisions in there with numerous definitions on sidewalks, and what happens when... when you're dealing with people with disabilities who are trying to use our public-rights-of-way. We do have some penalties in there. And this is also agreed language that we worked through with

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the Department of Human Services that... I adopted that Amendment yesterday. Be happy to answer any questions."

Speaker Lang: "The Gentleman moves for the passage of House Bill 5095. There being no debate, all in favor shall vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Colvin. Have all voted who wish? Mr. Colvin. Thank you. The Clerk will take the record. On this question, there are 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mathias on House Bill 5133. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5133, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lang: "Mr. Mathias."

Mathias: "Thank you, Mr. Chairman. This Bill is identical to a Senate Bill carried by Senator Cullerton in the 95th General Assembly. It actually passed both Houses, but if... if you remember, back in the 95th General Assembly the House put a rulemaking Amendment on it and it then died in the Senate. So, basically, what this Bill does it creates the Uniform Emergency Volunteer Health Practitioners Act. It's intended to place a system for emergency medical assistance from volunteers and relief organizations from other states to be able to enter Illinois in the case of an emergency. It really is in response to mistakes made after emergency professionals could not get into Louisiana after their hurricane because of regulatory restrictions. It is

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supported by the Illinois State Medical Society. And I ask for your 'aye' vote."

Speaker Lang: "The Gentleman moves for the passage of House Bill 5133. And there being no discussion, those in favor shall vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brady, Phelps, Reitz. Mr. Clerk, please take the record. On this question, there are 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5139, Representative Moffitt. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5139, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Lang: "Mr. Moffitt."

Moffitt: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5139 is an initiative of the fire service. It has unanimous support of all the organizations making up the fire service. What it does is it would ban the sale of, what we call, novelty cigarette lighters. We had a similar Bill last year. That Bill had passed the Senate by a vote of 58 to 0. We've made some changes at the suggestion of this Body and made that Bill what we believe's a lot better Bill. First change that we made was, we clarified that it does not apply to lighters that are clearly not toys. They're basically for advertisement, have a logo on them. That was one of the changes. We also put an Amendment on it at the, I believe it was Representative Cole that suggested this, that the

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clerk would not be the one accountable but the owner, or manager, or the person making decision. And third, I have a letter here from the National Association of Cigarette Lighters. They have an association in Washington, D.C. and I won't read the whole letter other than tell you it says, Dear Representative Moffitt, please communicate to the Illinois Legislature the Lighter Association's strong support for your novelty lighter Bill introduced this year. So, it's the national association... supports this. Four states have adopted this legislation. We know of nine considering it this year. By novelty lighters, we're talking things that clearly look like a toy. I have here one that looks like a little cell phone, a hammer, a frog, a bowling pin, a wrench. I have one that looks like a can for a... a beverage and then like a... a gun, a lady bug. These are ones that would... a kid would be attracted to. A lot of fires have been started. Most of these are imported. Everyone that I've seen is imported from China and is high in lead paint. I'd be happy to answer any questions. But I think we've addressed those concerns that were expressed last year. I would really appreciate your support."

Speaker Lang: "The Gentleman's moved for the passage of House Bill 5139. This Bill is on Short Debate. I will be using the timer. The Chair recognizes Representative Fritchey."

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

Speaker Lang: "The Gentleman yields."

Fritchey: "Representative, I... I know what you're trying to do and it's a much better Bill than it was. It's still

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drafted in a way that's not going to work. Let me just give a cou... couple of examples here. First of all, you know, you... you talked about one of the lighters being designed as a bowling pin. I don't know that a bowling pin is going to qualify as a toy to start with. Right now, I'll just give you another... give you another example here, you know, a novelty lighter shouldn't include anything that looks like, among other things, a vehicle, but it doesn't include lighters that have shrink-wrapped sleeves and logos on them."

Moffitt: "Correct. That is..."

Fritchey: "So... so, if you have... so, you can't sell a lighter shaped like a NASCAR vehicle, but you can sell a lighter that has pictures of NASCAR vehicles on it. If it's shaped like a lighter and it's nice and colorful, it has a NASCAR logo on it, and pictures of race cars in flames, or whatever else that's okay, but if it's shaped like an old '64 Mustang that's a toy and it's not okay. It's going to create confusion. It's still does... the purpose is right, the language is wrong. It still isn't... I don't know if it's enforceable, but you were going to trip up retail merchants. You're going to trip up individuals. It doesn't... I don't know candidly, Representative, if the Bill can be drafted in the right way, but the way it's drafted right now it's inherently inconsistent, do you agree?"

Moffitt: "The merchants have no opposition. The language was put in that if it's a shrink-wrapped logo, that's clearly a cigarette lighter, that we are not restricting that. So that's why they've removed any opposition."

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Fritchey: "Okay. How... how about... let me... I'm not trying to be difficult. I'm... I'm actually trying to see what happens in the real world. What if you have a lighter that's shaped like a vehicle, but has a shrink-wrap on it with a logo. On one hand, it's prohibited. On the other hand, it's excluded."

Moffitt: "Then I can tell you that the..."

Speaker Lang: "The Chair is going to take this off of Short Debate 'cause there are several speakers wishing to speak. However, I would ask the Members to be as expeditious as possible. We have many Bills to go through. Mr. Moffitt, were you responding to Mr. Fritchey? Please proceed."

Moffitt: "I believe your last question regar... was regar... why don't you repeat..."

Fritchey: "Let... let me re... the last question is this. The... the Bill prohibits a lighter, just one example, the Bill prohibits a lighter that's shaped like a vehicle, but excludes a lighter that has a shrink-wrapped sleeve on it with a logo. So, if you had a lighter that was shaped like a car but has a shrink-wrap NASCAR logo on it, is that lighter prohibited or excluded?"

Moffitt: "I don't know if there are any. The... the people... the business community, the retail merchants, I believe, are one that specifically requested the language that we have in there that they felt was covered with the shrink-wrap. If it's... if it looks like a toy, then it would be... would be excluded, but..."

Fritchey: "No, but..."

Moffitt: "...they apparently did not have a problem with that."

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Fritchey: "But... but that's... it's not what it says. The... the Speaker's right, we have a lot of Bills and a lot of people waiting to speak. I just gave you one example off the top of my head on how a... what a... a lighter can be specifically covered and excluded by this Bill at the same time. I... it's sufficient enough to show that the wording on this language, while a vast improvement, still isn't right yet. Thank you."

Speaker Lang: "The Chair recognizes Representative Bost."

Bost: "Thank you, Mr. Speaker. If the record could reflect that Rep... Representative Senger is excused the rest the afternoon."

Speaker Lang: "The record will so reflect. Mr. Black."

Black: "Thank you very much, Mr. Speaker. I'm not sure why any lighter should be legal, since you're not supposed to smoke in the State of Illinois. So, but I was fascinated by his display of novelty lighters. Reminds me of a limerick that I can't use, unfortunately, on the House Floor."

Speaker Lang: "We'll check in with you later, Sir."

Black: "About a man's ability to have a novelty lighter, but I won't... I won't go there. Well, Ladies and Gentlemen, I have great respect for my good friend, Representative Moffitt. His creativity. His commitment to the fire service is... is... is unparalleled and I will vote for the Bill, but the logic of this... the logic of what we're doing here in the last hour completely escapes me. Not to make light of his Bill, I'm not doing that, but we can spend five or ten minutes talking about what is a novelty lighter and whether or not they should be legal. We can't spend

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any minutes seriously considering a tax amnesty program and we can't spend anytime at all meeting as a Committee of the Whole, even if we just meet for an hour a day to discuss the budget crisis that's facing the State of Illinois. Here we are debating Bills that really, in the overall scheme of what we're faced with, not that important. Not that his Bill isn't real to him, but as the Governor said yesterday, time is short, time is running out. Why don't we, after we pass a few Bills today and maybe tomorrow, why don't we meet as a Committee of the Whole and start hearing from budget experts as to what we have to do to get out of the worst fiscal crisis this state has been in since the 1930's Great Depression. Governor Quinn was right in one thing yesterday. We don't have time to dither and dather and dilly and dally. We are not paying our Bills. Vendors are going bankrupt. Day-care centers are closing. Doctors will not treat state employees, and that includes me, unless I pay up-front because we're not paying the medical claims for state employees who have state insurance. This place is upside down and here we sit and talk about a lighter that looks like a hammer or a hammer that looks like a lighter or a NASCAR that... with a emblem or no emblem. I don't care if the flame comes out of the trunk, the hood, or the window. I'm going to vote for the Bill, but when, Mr. Speaker, you and the Majority Party, when are we going to do? Whether you agree with what the Governor said yesterday or not about his solutions, for crying out loud, I don't think you can disagree with the fact that we're running out of time. We're flat broke. We aren't

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paying our bills and that's what we should be discussing every day or set aside at least two hours of the day for a Committee of the Whole. We are running out of time. In two weeks, we're on spring break. We can't ignore this. We're putting everybody in the State of Illinois at risk. I intend to vote for the Gentleman's Bill and I keep looking for direction from the Majority Party. When do you want to get serious? When are you going to consider some of our options and alternatives? At least, we've made them. When are we going to start talking about the budget. The fact that we're broke. The fact that we aren't paying our bills. The fact that we are endangering Illinois business. The fact that we're endangering Illinois school kids. The fact that college students still, in March, haven't received their Monetary Award Program grant that you promised they would receive last October. It's time to get serious. I'm ready. Our side of the aisle's ready. Why don't you join us."

Speaker Lang: "Representative Cole."

Cole: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Bill and find it a little bit difficult to talk after the last speaker about the importance of this Bill over others. But I... I was one of the people that didn't support the Bill last year. I felt that there was a problem with a clerk, a minimum wage clerk... clerk, being charged \$500 for the sale of one of these lighters that he may not even know is a lighter. I brought a couple of them with me today because I wanted to show just exactly how much of a toy some of these things look like. This... this

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is actually a lighter. It's shaped like a hotdog and I burned myself the first time I used this one. Goes like that. We have a gorilla. Now, this might fit in with the last discussion from Representative Black, a little toy that looks like a farmer for our downstate Members. I just... I brought these lighters to my college students in my AP political science classes in high school for the last year and I... there were a lot of comments about Granny's state, but you know, when it came down to it, they all talked about these things they didn't want in the hands of their brothers and sisters. I do support the Bill. I appreciate the Amendment that Representative Moffitt worked on. I think it's a very good Amendment and these things really shouldn't be in the stores for our kids to buy."

Speaker Lang: "Representative Colvin."

Colvin: "Are you done yet, Will, before I start? No... no lighters. Mr. Speaker to... to the Bill. I rise in support of the Gentleman's Bill for a... a number of very practical reasons. The Sponsor, who is a tremendous Gentleman and an advocate for fire safety for the nine years I've been here in Springfield, and not withstanding the comments of my colleague on this side of the aisle and the Gentleman who spoke after him. Lighters have very specific purposes. We all know this. Obviously, when you buy a cigarette lighter it's typically to light up a tobacco product, but maybe you use it to light a stove, or a... a gas pilot, or... or a barbecue grill, but it has a specific purpose, none of which have to do with children playing with lighters and assuming them as being toys. When Representative Moffitt

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came to committee, he came to committee with several fire chiefs who testified that these lighters, not only pose a significant public safety hazard, but as the Representative also pointed out... the Sponsor also pointed out, there's several public health factors. All of these lighters that he brought to committee, shaped like little toys and little dolls, were made in China. Many of them had significant lead content, which I consider not one of the... the primary reasons why we shouldn't... why we should be supporting this ban, but it's one that we can't ignore, nonetheless. I did understand the... what the... the first speaker on this Bill was trying to establish in drawing a... a difference between the two and... Commissioner... but... but seriously, I think that the Sponsor has done a very good job laying out the public safety and the public health concerns of these which I think clearly outweigh any of the unreadiness that we heard in opposition to this Bill. I would ask everyone to support this. If... if you don't believe him, take it... a look at the lighters. It's startling that anyone would think it was a good idea to fashion a lighter in... into a Hot Wheels toy with the clear intent that... or clearly a child would mistake it and we've all seen the tragedies of what happens when small children have these instruments of destruction in their hands. This should be a... a no-brainer. I ask everyone here to support this. And I want to, once again, commend the Sponsor for his hard work and effort on this Bill, which is the second time he's brought this Bill here. After... after the first time, he met with IRMA and they asked him to make several specific changes

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that'd move them to a position of no position on the merits on this Bill. I... I want to congratulate you on your hard work. And I urge everyone to vote 'yes'."

Speaker Lang: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. And this... I rise in support of the Bill for a number of reasons. The lighters are very attractive to children, to preadolescent boys, especially. I know, I've been in the store with my grandsons, they've seen these and they think they're really pretty cool. At one time, I was telling somebody about them and I almost bought one thinking, well, you know, I could show you what it is, but then I decided I didn't want it in my house where there would be children around. One of the very dangerous things about these lighters is that they only take one maneuver to light. They're not regulated and that's what makes them so dangerous. You just have to open them and you've got a flame. So, I think for helping our youngsters not prevent fires, not playing with fire this is a very good Bill. Thank you for working on it to make sure that it moves forward this time."

Speaker Lang: "Representative Brauer."

Brauer: "Mr. Speaker, previous question."

Speaker Lang: "Gentleman moves the previous question. Seeing no objection, the previous question is put. Mr. Moffitt to close."

Moffitt: "Thank you, Mr. Speaker. I appreciate the discussion. We've made changes that we've been asked. The business community, if anyone had a concern they should. They're

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okay now with the changes we've made. They're officially neutral. If it's a fire issue, turn to the experts. The uni... the fire service is unanimous in support of this. And then the very association that represents the Cigarette Lighters of America is a proponent, not just neutral, they're a proponent urging the adoption of this. The fastest growing fire in the U.S. is fire set by children. Here's a chance to improve public safety, to save property, to save lives. I'd ask for your vote. Thank you."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Flowers. Mr. Clerk, please take the record. This question, 110 voting 'yes', 2 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Connelly, House Bill 5144. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5144, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lang: "Mr. Connelly."

Connelly: "Thank you, Mr. Speaker. House Bill 5144 amends the Property Tax Code. It provides park districts and school boards an abatement of all due unpaid property taxes and liens for unpaid property taxes when it acquires property through a foreclosure or lien. Counties... counties and municipalities already have this abatement when acquiring property through foreclosure or lien. Simply put, this Bill puts park districts and... and school boards on the same

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footing as municipalities and counties. I ask for a 'yes' vote."

Speaker Lang: "The Gentleman moves for the passage of House Bill 5144. On that question, the Chair recognizes Representative Franks."

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

Speaker Lang: "The Gentleman yields."

Franks: "Why do we want to do this?"

Connelly: "You want it... essentially, we've got a park district in DuPage County that is... right now, with the land cash donation a couple of developers have gone into bankruptcy and in... they're having a difficult time getting that land, which is to be used for a park setting. They looked at this portion of the property tax abatement code and noticed that municipalities and counties have the ability to do just this and not have to pay the park district, the townships, and others. We discussed this at length at committee about the... the general merits of the underlying Bill itself. In the end, we're simply trying to put park districts on the same footing as cities."

Franks: "And I appreciate that answer. And to the Bill. I think this is rotten public policy. And I understand what you're trying to do, to try to make it like the other ones, but listen, this is putting lipstick on a pig. What we're doing is we're ripping off our school districts and we're raising taxes on everybody else because what we're saying is if you take foreclosed property that happened to be the government, don't worry about paying the taxes, we'll just raise it on everybody else. We'll have them pay for

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everything because we're the government. So, this is a really bad public policy because what you're saying is the schools won't get their money, the municipalities won't get their money, the county won't get their money. Forget it. If you get this... if you get land because of... it's been foreclosed, you should not extinguish the lien for the taxes because what you're doing then is shifting the burden to all of us who follow the rules. Vote 'no'. If you don't vote 'no' what you're saying is raise taxes on everybody else and let the government take from you."

Speaker Lang: "Representative Coladipietro."

Coladipietro: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Coladipietro: "Representative, why... why is it that the... the municipalities have this power now? For what purpose are they using this statute?"

Connolly: "My understanding is, and... and I believe the... one of the witnesses talked about the City of Bellwood is buying these distressed properties because they're not being purchased on a foreclosure and they're... they're becoming essentially havens for, you know, drug dealers and others and they want to... they essentially need to take over these properties for their communities."

Coladipietro: "So, these properties would simply sit vacant if... if the municipalities didn't acquire them?"

Connolly: "That's correct."

Coladipietro: "Is... are the municipalities abusing this... this power that they have? Have you heard from anyone saying that the municipalities are using this power to... to take

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property that... that would otherwise be sold to private purchasers?"

Connelly: "That was not my understanding. No."

Coladipietro: "To the Bill. Ladies and Gentlemen, this is a good Bill. The... the legislation simply puts governmental entities on the same footing. They're using it for a good purpose. They're using it to try to clean up their communities in a time when there are a lot of foreclosures, a lot of properties that are sitting on the market that are going... that are going unkempt. And I... I support this Bill."

Speaker Lang: "Representative Eddy."

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

Speaker Lang: "Gentleman will yield."

Eddy: "Representative, are... are taxes currently being collected for public use on these properties? Somebody losing money right now, because these properties are already vacant?"

Connelly: "Correct."

Eddy: "So, it might have... it might have been some kind of overstatement that there's all kinds of money that isn't being collected, that... that people are going to have to pay because others aren't going to have to pay. My understanding is that these are vacant properties and there's no taxes being collected on those properties, right?"

Connelly: "That's correct."

Eddy: "Well, Ladies and Gentlemen of the House, I... I think the Representative has brought something that makes a... a lot of sense... a lot of common sense and... and this is something

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that actually could be a productive purpose. Maybe... maybe if we were talking about property that was producing revenue for these taxing bodies it would be a totally different story, but... but I think some previous comments made on the floor just... just simply aren't... aren't the case. We're... we're not doing anything that's going to harm other property taxpayers or schools. This is a good Bill, good public policy. And vote yes."

Speaker Lang: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the Bill. Going after Roger Ed... Representative Eddy sometimes gets... gets ahead of me on there. What he says is exactly right. These taxes are going to sale and nobody's buying them and so we're trying to take over the property. So, the money already is not going to the schools and other municipalities. So, they're not losing out on any revenue and the reality is if you force these park districts to then have to pay the taxes and liens you are making them collect more taxes to have less revenue to service their constituents. So, the reality is more taxes currently are being paid than what Representative Connelly is proposing. On top of that, the benefit of taking off blighted properties that are used for drugs and so many other things this is a net win twice over. It is not a net loss to these municipalities... to these other taxing bodies. I strongly urge an... an 'aye' vote."

Speaker Lang: "Representative Dunkin."

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

Speaker Lang: "Gentleman will yield."

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Dunkin: "Representative, this is a very interesting piece of legislation and it's totally a new concept. So, I have a few questions. I'm not autho... an authority on... in various foreclosure proceedings, et cetera, but if this is... so, this is a major issue in Naperville, I take it."

Connelly: "It's... it's an issue in Naperville, but it's actually statewide because school boards and park districts statewide do not have the same abatement nullification rights that counties and municipalities already have."

Dunkin: "So, when they acquire the property, do they get an opportunity to sell that property, or will they just demolish it, or what actually is sort of the intended next steps after property acquisition?"

Connelly: "The... the intent, particularly with respect to the park district, they had... we had a witness from the park district testify and their... their mission is open space and parks and recreation. This individual represented, I think, 24 different park districts and he was aware of no park district that ever purchased one of these properties and turned around and flipped it. In fact, there is a procedure that would require you to get essentially an order from the court to do that, but that's not the mission of park districts in the state. As you know, it's open space and recreation."

Dunkin: "So, obviously, park districts they want open space and they push for that. So, this is primarily targeted towards those properties that are near park districts?"

Connelly: "Exactly. Contiguous to par... park district property. They may want to expand a park to put in like a tot lot, a

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ball field, or something of that nature and if a... if a property becomes available, that would allow them to do that. This gives them that ability."

Dunkin: "Right. Is there a way that a prior owner or the bank could come back and try to maybe pay off... pay off the lien and deal with the taxes sort of retro... retrospectively?"

Connelly: "That... that I'm not sure. I'm not sure. I don't believe they could. I think this would give the park district the ability to buy that property and then put it to good use per their mission."

Dunkin: "How do we know that we can avoid certain park districts being aggressive in foreclosure or... tax abatement programs, such as this here that you're trying to initiate, that are sort of ill-intended... ill-intended, if you will? In other words, you have a park, lets say in Naperville, where you're trying to... to establish this program or statewide if we... we pass this law, correct?"

Connelly: "Correct."

Dunkin: "What if you have certain board members or certain designers, architects that have been eyeing certain plots of land or locations for park expansion maybe for a water park or for an extra fieldhouse. How do we know that we can avoid that type of egregious approach?"

Connelly: "Well, there's a number of ways. Number one, the property contiguous would have to be distressed. If it's not distressed, they're not going to be able to go and seize it like by eminent domain. Number two, it still costs money to develop that property whether you're a park district or school. So, they'd have to have some type of

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master plan where they were already anticipating building a park, let's say, here and expanding it. I... I just don't think that park districts like any other unit of government in Illinois today is looking to spend a lot of money. I think it's a real case by case basis."

Dunkin: "So, I guess I'm looking sort of long-term... long-term here. If I am a plan developer or an architect, someone that's within that community and in this climate where... where you have a number of property that has just simply failed and people have walked away from them, how is it that we can avoid members of the park district staff or board members sort of taking it upon themselves to aggressively go after certain properties that are contiguous to the park and sort of meeting their objective at the end of developing further for sometimes for the right reasons or for the wrong reasons of property acquisition. Does... does that make sense? Sort of where I'm headed with this, Representative."

Connelly: "I... it does. I think your concern is a valid concern. It's... how do you... how do you prevent a public body from essentially, for lack of a better term, going wild and just buying up properties here and there? And I think the answer to that, Representative, is... is frankly they, too, like the State of Illinois, they have their own financial constraints right now. And again, this was brought kind of as an... on a point by point basis. It's not a broad sweeping thing. It's simply to allow them the ability to purchase a property in very limited circumstances.

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Dunkin: "What if I owned a... an acre and I owed about \$200 thousand on the property and I wanted to bequeath it to the park district. What happens to those taxes?"

Connelly: "I believe if you could provide a deed in lieu of fore... if it's a foreclosure, I believe they're abated."

Dunkin: "Is there a way that the county of... let's say, DuPage County or part of Will, I guess that's a part of Naperville that they can do this on their own other than State Law? In other words, you have to do this here or can they take it upon themselves?"

Connelly: "I believe..."

Dunkin: "Because I... I know the City of Chicago they eminent domain property or abate property all the time."

Connelly: "No, I... I believe because it has to do with the state property tax abatement law it has to be... it has to be statewide."

Dunkin: "Is there a way that, Representative, and you're certainly an honorable Representative down here, someone that I respect and I know you mean well for your respective district but..."

Connelly: "Likewise..."

Dunkin: "...is there any kind of way that we can put an exemption in this legislation that would, you know, to help avoid some of the more... well, abuse, quite frankly, by individuals who are board members of park districts or... or employees who may be ill-intended. That's... that's the only concern I would have."

Connelly: "I've already spoken to Senator Wilhelmi about taking this Bill in the Senate and I told him that I wanted to sit

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down and talk to him about some of the concerns that were addressed in Jud... Judiciary I and I'd be glad to bring that to his attention, as well."

Dunkin: "Well, I'm sorry. Can you clarify that you talked to Senator Wilhelmi and you're going to make some exceptions. What exceptions were you looking at?"

Connelly: "Well, no, I... I said that I would like to talk to him if there were concerns coming out of the House that could be addressed in the Senate."

Dunkin: "Okay. Is... would this affect..."

Speaker Lang: "Mr. Dunkin. Mr. Dunkin. Could you... could you bring your remarks to a close please, Sir."

Dunkin: "Yes, Mr. Speaker."

Speaker Lang: "Thank you."

Dunkin: "Does this affect or how does this affect Cook County?"

Connelly: "Cook... Cook County's within the State of Illinois. It would... it would allow park districts in Cook County to have the same flexibility, as well as all the school districts within Cook County."

Dunkin: "Okay. Thank you, Mr. Representative. To the Bill, very briefly as I wrap up. The only concern that I have with this legislation is you have a number of park districts where members actually run for office and all park districts are not created equal and they don't always often have the right intention of citizens who have desire... who... who are contiguous to the park districts and... or who have de... desirous land. I think it's... we need to be very careful of how we sort of provide blanket tax abatement to park districts without having some form of exemptions.

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And so, I'd be willing to work with you, Representative, over the... you know, once it comes back from the Senate if we can make some type of exception to avoid possible abuse. Thank you, Sir."

Speaker Lang: "Representative Will Davis."

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

Speaker Lang: "The Sponsor will yield."

Davis, W.: "I think, Representative, I... I have a question and... and I... I think you were attempting to try to address it very similar to the previous speaker is how do we... how do we deal with abuses with this? How... it... this is something that can invariably be abused and I think your side would appreciate it because you guys are the main ones fighting corruption, you know, about transparency, at least that's what... what you say, anyway. So... so, in a Bill like this, you know, if I happen to have some friends on the local board and I've had a piece of property that I've decided not to pay taxes on, so no one's benefiting at all. This Bill could invariably allow a local park board to simply take that piece of property off my hands and I can walk away from it without any penalties or anything like that. So, how does your Bill prevent abuses like that?"

Connolly: "Cit... Representative, that's a good question. Cities and counties..."

Davis, W.: "Oh no."

Connolly: "...already have this."

Davis, W.: "Mr. Speaker, I'm having a little trouble hearing could you..."

Connolly: "I am too."

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Davis, W.: "Unfortunately, the speaker's not a very loud talking person. So, if you could quiet everybody down."

Speaker Lang: "Well, we'll ask the Members to calm down and we'll ask the Sponsor to speak louder. How's that?"

Connelly: "I'll do that."

Speaker Lang: "Much better, Sir."

Connelly: "Thank you. What I was getting at, Representative, is cities and counties already have this ability. And how do we manage their abuses? I'm not aware of any, frankly, but the way we would manage abuses by park districts that spend too much and go beyond their mission, at least in my county, we throw them out of office. That's the best way to prevent abuse."

Davis, W.: "So, you impeach them?"

Connelly: "The counties and cities... counties and cities have this ability today and they... they don't abuse that. They use it for specific limited purposes and that's all we're doing here is trying to allow school boards and park districts that same flexibility. It's used very limitedly."

Davis, W.: "So... so, you say you throw them out of office. So, I guess they're impeached or something because they... usually those offices have two-, three-, four-year terms. So, if I'm in the first year of my term obviously you can't get rid of me until a few years down the road. So, that's... that's... that's..."

Connelly: "Well, technically, Representative, a municipality can go out and conduct eminent do... I was on a municipal board for six years and I never voted for an eminent domain

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proceeding ever 'cause I just didn't believe in it, but under the law, a municipality can go out and conduct eminent do... or begin eminent domain proceedings under certain circumstances with impunity, but they don't. They don't because they don't have the resources and they don't because the people don't, frankly, don't support eminent domain, but they have that ability to do that."

Davis: "But we're... but we're talking about park districts. So, I think that puts the conversation a little..."

Connelly: "Well, you're talking about the abuse of power."

Davis, W.: "So... so, then let me... let me just ask then so... so obviously you're talking about your park district which is in a wealthier community and maybe they have the resources to, you know, to use property like this, but in these tough economic times so they're going to acquire a piece of property. What... what are they acquiring it for to add a park to it, is it just going to sit there in use? I mean, is there... are they... are they acquiring it because they want to do something with it right then and right there? I mean, if they're talking about a... if there's a house on this property, are they going to either demolish the house? They have these kind of resources to be able to just hold property like this?"

Connelly: "What... what park districts do with that property is keep it for open space and recreation and public use. What's happened in this particular instance, in Naperville, is the developers are in foreclosure. The developers are out of money and as part of the local ordinance Naperville requires those developers to provide land in lieu of a cash

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donation because the land provides the park for the new development. Well, they're in foreclosure. The development's not concluded. It's not finished, but yet, there's a need there for that park space. This will allow the park district to go and... and purchase that park space and begin to allow the people who live there now to have the open space and recreation that they would have anyways except for this foreclosure proceeding that has slowed everything down."

Davis, W.: "So, at the end of the day though, this will cost the park district money because now they have another piece of property to maintain. They're spending money to possibly put a playground on this piece of property. So, it's going to cost them money, correct?"

Connelly: "And again, absolutely Representative, and as someone who's represented local government before those are the balances you weigh every time you go to a village board meeting or a park district meeting your mission versus the taxpayer. Can we afford this? That's why we elect them locally, both park districts and school boards, to make these decisions."

Davis, W.: "But are you willing to put some type of exemption in this Bill to make sure that those abuses never happen?"

Connelly: "If there's some language that would prevent abuses, I'd be glad to hear it. I'd be glad to talk to Senator Wilhelmi and work with you and Representative Dunkin, as well."

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Davis, W.: "Okay. So... so, you want this to move forward or are you willing to pull it out of the record right now, so we can have that dialogue?"

Connelly: "No. I... I want this to be moving... I need this Bill to move forward. It's very important."

Davis, W.: "You want it to move forward."

Connelly: "Yeah."

Davis, W.: "Okay, Representative. Thank you very much. I... I really wish you would consider it as obviously this is an opportunity for some type of abuse and in the interest of good government, which is what I believe you and others stand for, it appears that there should be some type of exemption even if it's a... a period of time in which that property can be conveyed that would prevent those types of abuses. You really should consider it, doing it here before it moves over to the Senate, but certainly I understand your desire to move it. I hope you're successful in doing what you hope to accomplish, but again, because that is what your side of the aisle always preaches about good government and doing things effectively and appropriately, I'd say you should consider it now before it moves over to the Senate."

Speaker Lang: "Representative McCarthy."

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

Speaker Lang: "Those in favor so say 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the question is put. Mr. Connelly to close."

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Connelly: "Thank you, Mr. Speaker. And I want to thank all of my colleagues both here and in the Judiciary Committee for very good... a very good debate, great rationale. Counties... in the end, the counties and cities have this ability and they're not abusing it. They're not abusing it because they're accountable to local voters. In the same token, park districts and school boards are even more local. So, I urge a 'yes' vote because, frankly, it simply puts park districts and school boards on the same footing as counties and municipalities. I ask for a 'yes' vote. Thank you."

Speaker Lang: "The Gentleman moves for the passage of the Bill. All those in favor shall vote 'aye'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lyons. Representative Currie. Please take the record, Mr. Clerk. On this question, there are 72 voting 'yes', 37 voting 'no', and 3 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5154, Representative Chapa LaVia. Please read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5154, a Bill for an Act concerning employment. Third Reading of this House Bill."

Chapa LaVia: "Thank you..."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. House Bill 5154 is a gut and replacement from the original Bill, but it... it prohibits disclosure of performance evaluations under FOIA. It's part of Senate Bill 315 that had passed out of here that we were so successful getting

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Race to the Top dollars, but there was a portion cut out of it in the last minute. And I'll take any questions."

Speaker Lang: "Lady's moved for the passage of the Bill. The Chair recognizes Representative Eddy."

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

Speaker Lang: "Lady yields."

Eddy: "Representative, just for a little background on this, I've got a couple of questions. You and I remember that we... we passed the original FOIA Bill, I think it was Senate Bill 189, last spring and during that time there was a discussion on the floor regarding the intent of... of the... the Bill, and I asked the Speaker a series of questions that... that got to personnel records."

Chapa LaVia: "Correct."

Eddy: "And I think the Speaker and I don't want to speak for him, but his answers led me to believe, at least, and a lot of people to believe, that certain parts of personnel records would still be exempt from Freedom of Information Act."

Chapa LaVia: "That's correct. And it was the personal records review."

Eddy: "Okay."

Chapa LaVia: "Because, you know, we feel under the Act that we believe that the... there... there should be a qua... quality employees at the workplace and a performance evaluation process should support the goals by this approach that what we're doing is we're keeping the evaluation as input and output to include destructing what's not working and what's... replicating what is working is not to punish the

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employees, but it's... the evaluation is more to corrective action and... and we felt that we were going too far by allowing this open and subject to FOIA. So, that's why we corrected it."

Eddy: "So, first of all, and I think very... most importantly, this is limited to the personnel evaluation portion."

Chapa LaVia: "Correct."

Eddy: "This does not include, for example, the final decision related to employment that's always going to remain public if someone is dismissed or not dismissed. You're talking about the... the actual evaluation that may be written informative. It may have in it certain goals, certain... certain types of evaluation information that... that if... if it became public, may affect the way evaluations are... are even conducted."

Chapa LaVia: "Correct."

Eddy: "So, it limits it to that. Now, having said all of that, there... there is a... a concern that the... the Act that was passed would somehow be, if this... if this type of an exemption were made, it... it would be blown open. Do... do you..."

Chapa LaVia: "That's not my intention."

Eddy: "How do you... how do you address that?"

Chapa LaVia: "It's just for the... the evaluation."

Eddy: "Okay. So, the... the Press Association and... and others have that concern that somehow this is an egregious violation of the intent of the... of the original Act, but that's not what you're trying to do here. It could,

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however, be interpreted by some as... as being some type of major violation."

Chapa LaVia: "That's correct. And what... and what... it's just a thorough and a constructive evaluation. Employees should receive guidance, corrective action, and further development all within the goal of helping employees achieve excellence. I mean, this is what we're trying to do. If this would open up to all the public it would... it would actually derail that and have an outcome that probably wouldn't be good for the workforce, or the employee, or management because things might go awry. But this is just a tool to allow them to make corrective action. This is just for evaluations. And I would thank you for your question."

Eddy: "Okay. Thank you. I... I think... I think what you're doing here is important and I think it... it really does mirror the intent of the original Act. I think it's very important though, that Members pay attention to this vote be... because it is and can be construed as... as going back on what the original Act intended. I don't think that's your intention here..."

Chapa LaVia: "It's not my intention."

Eddy: "...but I do think that it's important that Members pay attention. Thank you."

Chapa LaVia: "Thank you."

Speaker Lang: Representative Chapa LaVia... Sorry. Representative Black."

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

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Speaker Lang: "Lady yields."

Black: "Representative, if I understand this latest exemption on the FOIA Bill, it makes me wonder why we passed the FOIA Bill last year because evidently it was full of all kinds of problems, but let's just say there was a case where a teacher is passed on from school district to school district then you get a school district who finds out that teacher is a child predator. So, that school district fires the school teacher, tries to keep it quiet, but there were parents who complained. So, it gets out into the public and before the trial starts, and this actually happened, I'm being intentionally vague, one of the things that the school district wanted to know, excuse me, one of the things the prosecutor wanted to know and I think the press rightfully so wanted to know was, well, what... what kind of evaluations did this teacher have from previous school districts? And they were told, well, that's... that's not subject to FOIA."

Chapa LaVia: "Right. That's two separate issues that you're talking about. One, they can get information on that if he was... have a criminal background history. This is just performance evaluations. This doesn't have to do with a criminal background. Hopefully, they would have caught that when they were doing the fingerprints and all those matters. But this is just for performance evaluations, Representative. And within those performance evaluations now they're subject to the management review. So, from upper management to lower management so that person could

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review those records under evaluation performance of their job."

Black: "I... I guess I'm having a hard time understanding. If I were... if my grandchildren was in an educational setting and I thought the teacher was simply incompetent, didn't do a good job, belittled the student, not... not that many teachers... I was a teacher for years, my wife's a retired teacher... then under... under current law I could FOIA that teacher's evaluation, could I not?"

Chapa LaVia: "Well, that's questionable and that's what Representative Eddy was saying before in the last discussion with Speaker... when they implemented this, as far as transparency and things like that, the discussion went that that... employee evaluations would not be FOIAable That's what was stated and then we had to put corrective actions in Senate Bill 315 and then this to make sure that that was codified that they are not subject to FOIA because they're evaluations for corrective actions or the person's doing great. It's basically for performance of that duty or that job not necessarily any issues that a parent might have with the teacher 'cause that would be taken up through the superintendent, the school board and through their highers, but this is based on their performance as an employee."

Black: "I had... I had a parent..."

Chapa LaVia: "And that's where the confusion is in the media, too. And not one media... you know, nobody has come to me about this Bill. So, you know, I don't... I don't know where

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they... I know they oppose it, but they... you know, haven't come to me directly and told me anything."

Black: "Well, I... I thought in Senate Bill 315 we specifically exempted personnel evaluations."

Chapa LaVia: "Right. In 315, what we did is we did teacher disclosure... disclosure of teacher, principal and superintendent performance evaluation. Well, what we had a couple of months to put together Senate Bill 315 and we had a lot of people at the table and there was negotiations that went on. They felt that the last years piece of legislation put a lot of their employees during the performance evaluation under a lot of stress that they could be FOIAed... FOIAed. And there was a lot of discussion even before our Bill and that's why once again Representative Eddy brought it up again that this... they would not it'd... be prohibited for evaluations of employment to be FOIA'd. So, what we're trying to do is just codify not only in 315 but this piece of legislation that the intent was with the Speaker that spoke last year is the same intent but we're codifying it so now it's not subject."

Black: "All right. I... I'm just having a hard time grasping this. I... I thought the original Bill, I looked at the original transcript sometime ago and I thought Speaker Madigan at that time made it clear that these were FOIAable and now ev... evidently we've changed our mind and they are not FOIAable. Well, let's just take the issue of a bus driver. The school bus driver is smoking, that's not only against the law it's against school district policy I think

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in every district in the state, and compounding that by using a novelty lighter to light her cigarette or his cigarette. The students complain. The students go home and complain to the parents. The parents are upset; they want to know if, in fact, there's any credence to this. They ask for the evaluation record of the school bus driver to see if the district is aware that complaints have been made about the school bus driver smoking while driving the bus. And you're telling me that that evaluation is not FOIAable."

Chapa LaVia: "That would not be in a personnel evaluation."

Black: "What?"

Chapa LaVia: "That would not be in a personnel evaluation from his supervisor."

Black: "Well, why wouldn't it be in a personnel evaluation? If the superintendent of schools told that bus driver if we get anymore reports of you smoking..."

Chapa LaVia: "It would... it would pro..."

Black: "...on the school bus..."

Chapa LaVia: "Right. That would probably be in a disciplinarian folder. It wouldn't... it wouldn't be in the evaluation of his job performance as a bus driver."

Black: "Oh, I... I worked in 20... I worked 20 years in education and I... I really don't think that's right."

Chapa LaVia: "Well, that's what... that's..."

Black: "What... what administrator's, not only at public institutions, the private generally do is they don't put a letter of reprimand in a file because they know that that might leak out or might get out. So, they write up an

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evaluation form to dis... to initiate a complaint or an item that they don't want you to do again they stick that in the evaluation file thinking that it'll never come to light and so if the person eventually gets fired for smoking, throwing a cigarette out and it comes in the third open window of the bus and burns one of the children then the district could say, we had no idea that bus driver was smoking. I... I've seen these things hidden for years and I know there may be abuses, but when you're a public employee I don't know why you're afraid of evaluations. We get evaluated every two years in an election and the way elections go now, we're accused of everything whether we did it or not. So, we're evaluated. I... I think if you keep exempting FOIA requests, then pretty soon, you know, I guess the former Governor's been gone too long. We wanted to reform things. We wanted to find out what was going on. We wanted to know who was doing what. Why were they doing this? Why was somebody fired? Why was somebody transferred? Why all of a sudden did IDOT want to move an entire division to a different area in southern Illinois? Nobody ever found out. Nobody knew anything about it. Well, somebody had to know something about it. I... I just simply stand in opposition. Give the FOIA Bill a chance to work. If it's abused, if... if things are not working properly, a year from now we can come back and make changes. But all I see, as Representative Eddy said a little earlier, is we're exempting all kinds of things from FOIA when the FOIA Bill is so new I'm not aware of any difficulties or problems with it. I intend to vote 'no'."

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Speaker Lang: "Representative Chapa LaVia to close."

Chapa LaVia: "Thank you, Speaker, Members of the House. See, the members are not in the category or are not afraid of anything. It's the personal information that is put in that evaluation that they're afraid of. That's what they're afraid of is... is letting their confidential information out there for everybody in the world to see. And trying to get the best performance out of somebody isn't always a great idea to let the, you know, to have that open to subjection from other people on personal items. So, I think this is very reasonable. It is just the performance evaluation in the FOIA. Everything else other than that is FOIAable. And I ask for your support. Thank you."

Speaker Lang: "Those in favor of the Bill should vote 'yes'; those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Fritchey, Representative Jehan Gordon, Representative Joyce, Representative Ramey. Mr. Clerk, please take the record. On this question, there are 70 voting 'yes', 39 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jakobsson, House Bill 5157. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5157, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Lang: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 57 has two parts to it. The underlying Bill, before it had the Amendment added, is really a

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cleanup to the statute. It repeals the 'temporarily absent student' notice provision in the Election Code. When we move from having to have various absentee ballot applications based on individuals ability to vote on the election date, they... this part for students was left out and this just adds now that students are no longer required to be part of the absentee voting, which should have been cleaned up in the first place. The Amendment to the Bill, which is the second part, is regarding election judges and in particular the high school students and community college students who are election judges and as... as we know, high school students who are judges can be 16 or 17 years old. They don't have to be voting ages, so that they're not voters. But they're allowed to work in any of the precincts that they... the county clerk assigns them to and they're very helpful to the county clerks. But this simply says that they would not be required to take the ballot boxes from the polling place to the counting center."

Speaker Lang: "Lady moves for the passage of House Bill 5157. On that question, the Chair recognizes Representative Black."

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

Speaker Lang: "She yields."

Black: "Thank you. Representative, on Committee Amendment #1, I think that's definitely a move in the right direction. But let me ask you a question, because I... I have raised this to the State Board of Elections. I will see election judges

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leaving my precinct, for example and they're being driven by their husband or spouse, not always the husband, down to the courthouse and the spouse's car sometimes has a bumper sticker on the back for a partisan candidate. And I always thought that that shouldn't be. The Amendment, I think, clears up some confusion. Does the Amendment, or do we need another Amendment at sometime that says, look, if you have a spouse that's very active in politics, that spouse shouldn't pick you up at the voting prescient. You load the ballot box in and then go down to the courthouse and.. and your spouse has five partisan bumper stickers on the car."

Jakobsson: "Well, this doesn't address that at all and if you want to work on that..."

Black: "Okay."

Jakobsson: "...we can probably do that."

Black: "I... think we need to work on that. That's been a prob... I've had a problem with that for a number of years. The only other... just make a comment and maybe it's a rhetorical question and you can tell me. I wasn't a big fan of no excuse absentee voting. And what happened, I know in Vermilion County, I don't know how Champaign County did, there was an awful lot of people that had an excuse for not voting, period. So, what happened? I mean, what are we doing wrong? Why is our turnout so low? And here we had no excuse absentee and the absentees in my home county, I think were fewer than the past several elections."

Jakobsson: "Oh, I can't..."

Black: "I... it's just a rhetorical question."

Jakobsson: "Right."

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Black: "I mean, something that's on my mind. I... I quite frankly haven't been the same since the novelty lighter discussion."

Jakobsson: "I didn't hear that last statement."

Black: "All right. I said, would you like to buy a novelty lighter. Got one over here I'll sell you cheap. No, I just... we've got no excuse absentee voting and yet the voting percentages keep going down. There's something... We're not... I don't know. Well, you and I can talk about it. We're neighboring people. Something isn't working when only 23 percent of the people turn out to vote in what was a highly contested February Primary. Something's wrong in this room feels that they do their job to get people out. I am sure we all, you know, have the same thought that you do."

Black: "Well, we... we certainly try, but whatever we're doing just isn't working. But I... I particularly appreciate your Amendment on the transportation. And maybe you and I can work on the... transportation issue just a little bit further. Thank you."

Speaker Lang: "Representative Jakobsson to close."

Jakobsson: "Thank you, Mr. Speaker. I urge an 'aye' vote."

Speaker Lang: "You heard the Lady's Motion. All in favor will vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Joyce. Mr. Clerk, take the record. On this question, there are 110 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Majority Leader."

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Currie: "Thank you, Speaker. Could the record please reflect that for this vote and for the rest of the remaining votes this afternoon Representative Jehan Gordon should be on the excused list."

Speaker Lang: "Thank you, Representative. Next Bill is House Bill 5178, Representative Winters. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5178, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lang: "Mr. Winters."

Winters: "Thank you, Mr. Speaker. 5178 is a Bill that we brought here before several times, have not been able to get it out of the Senate. It has passed in the Senate. It deals with motor fuel taxes in counties where one of the townships may not be levying their full motor fuel tax. This would give prorated amount to them. It would be a redistribution of motor fuel taxes within that county but does not effect any other counties. Be happy to answer any question. It has passed several times unanimously out of the House."

Speaker Lang: "Gentleman moves for the passage of House Bill 5178. There being no discussion, those in favor shall vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Berrios, Holbrook, Joyce. Mr. Clerk, please take the record. On this question, 102 voting 'yes', 8 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Moving to page 30 on the Calendar, under the Order

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of Resolutions, there appears House Joint Resolution 107. Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Joint Resolution 107 creates the Joint Task Force on Turkish and Illinois Relations. This task force is charged with strengthening and continuing the state's friendship, business and cultural ties with the Republic of Turkey. It would be composed or comprised of one cochair appointed by the Speaker of the House, one cochair appointed by the President of the Senate and it would be encouraged on that any and all Members of the General Assembly who wish to participate do so. And I would ask for your support."

Speaker Lang: "You heard the Lady's Motion. There being no discussion, those in favor shall vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Saviano, Watson. Mr. Clerk, please take the record. On this question, there are 106 voting 'yes', 4 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Moving to page 10 on the Calendar, we're going to call Second Reading Bills and move them to Third in anticipation of next week. And so, on page 10 of the Calendar, starting with House Bill 5495. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5495, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No

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Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5510, Representative Farnham? Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5510, a Bill for an Act concerning civil law. The Bill been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Farnham, has been approved for consideration."

Speaker Lang: "Representative Farnham."

Farnham: "Thank you, Mr. Speaker. House Bill 5510 amends the Domestic Violence Act by requiring judges who issue emergency orders of protection to communicate or convey the order to the sheriff to facilitate the entry of the order into the Law Enforcement Agencies Data System by the Department of State Police. House Amendment #1 makes identical changes to the statute concerning criminal emergency orders of protection that makes the civil emergency... requires judges who issue either civil or criminal emergency orders of protection to communicate or convey the order to the sheriff to facilitate the entry of the order into the LEAD System. I'll take any questions."

Speaker Lang: "The Gentleman has moved for the adoption of Amendment #1. There being no debate, all those in favor shall say 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments. No Motions are filed."

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Speaker Lang: "Third Reading. House Bill 5513, Representative Rita. Out of the record. House Bill 5516, Representative Mulligan. Out of the record. House Bill 5517, Representative Mulligan. Out of the record. House Bill 5523, Representative Yarbrough. Out of the record. House Bill 5527, Representative Saviano. Out of the record. House Bill 5538, Representative Mendoza. Out of the record. House Bill 5540, Representative Cavaletto. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5540, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5664, Representative Burke. Please read the Bill Mr. Clerk."

Clerk Bolin: "House Bill 5664, a Bill for an Act concerning safety. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5666, Representative Careen Gordon. Please read the Bill."

Clerk Bolin: "House Bill 5666, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5668, Representative Dugan. Please read the Bill."

Clerk Bolin: "House Bill 5668, a Bill for an Act concerning local government. Second Reading of this House Bill."

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Amendment #1 was adopted in committee. No Floor Amendments.
No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5669, Representative
Cross. Please read the Bill."

Clerk Bolin: "House Bill 5669, a Bill for an Act concerning
public safety. Second Reading of this House Bill.
Amendment #1 was adopted in committee. No Floor Amendments.
No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5671, Mr. Schmitz. Out
of the record. House Bill 5673, Representative Wait. Please
read the Bill."

Clerk Bolin: "House Bill 5673, a Bill for an Act concerning
criminal law. Second Reading of this House Bill. No
Committee Amendments. No Floor Amendments. No Motions are
filed."

Speaker Lang: "Third Reading. House Bill 5675, Representative
Wait. Please read the Bill."

Clerk Bolin: "House Bill 5675, a Bill for an Act concerning
transportation, which may be referred to as Bachman's Law.
Second Reading of this House Bill. No Committee Amendments.
No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5677. Let's pass that.
House Bill 5685, Representative Leitch. Out of the record.
House Bill 5696, Representative Bellock. Representative
Bellock. Please read the Bill."

Clerk Bolin: "House Bill 5696, a Bill for an Act concerning
State Government. Second Reading of this House Bill. No
Committee Amendments. No Floor Amendments. A fiscal note
has been requested on the Bill and has not been filed."

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Speaker Lang: "Please hold that Bill on the Order of Second Reading. House Bill 5699, Representative Cultra. Out of the record. House Bill 5701, Representative Berrios. Out of the record. House Bill 5712, Representative Nekritz. Please read the Bill."

Clerk Bolin: "House Bill 5712, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Nekritz, has been approved for consideration."

Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. House... Floor Amendment 1 is truly a technical Amendment to correct a drafting error."

Speaker Lang: "You heard the Lady's motion. There being no discussion, those in favor of the Amendment shall vote 'yes'; those 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5713, Representative Phelps. Out of the record. House Bill 5720, Representative Mathias. Please read the Bill."

Clerk Bolin: "House Bill 5720, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Mathias, has been approved for consideration."

Speaker Lang: "Mr. Mathias."

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Mathias: "Thank you, Mr. Chairman. Floor Amendment #1 is a technical Amendment requested by the Secretary of State. And I ask for your 'aye' vote."

Speaker Lang: "You heard the Gentleman's Motion. There being no debate, those in favor shall say 'yes'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5727, Representative Jakobsson. Read the Bill."

Clerk Bolin: "House Bill 5727, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5728, Representative Sacia. Please read the Bill."

Clerk Bolin: "House Bill 5728, a Bill for an Act concerning the transfer of real property. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. And no Motions are filed."

Speaker Lang: "Third Reading. House Bill 5732, Representative Dugan. Out of the record. House Bill 5735, Representative Graham. Out of the record. House Bill 5744, Representative Saviano. Out of the record. House Bill 5755, Representative Fortner. Please read the Bill."

Clerk Bolin: "House Bill 5755, a Bill for an Act concerning public health. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

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Speaker Lang: "Third Reading. House Bill 5756, Representative Fortner. Out of the record. House Bill 5764, Representative Bradley. Please read the Bill."

Clerk Bolin: "House Bill 5764, a Bill for an Act concerning regulation, which may be referred to as Seth's law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5766, Representative Feigenholtz. Please read the Bill."

Clerk Bolin: "House Bill 5766, a Bill for an Act concerning insurance. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. A state mandates note has requested on the Bill and has not been filed."

Speaker Lang: "Please hold that Bill on Second Reading. House Bill 5772, Representative Mendoza. Please read the Bill."

Clerk Bolin: "House Bill 5772, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "The Chair recognizes Representative Mendoza."

Mendoza: "Sorry, Mr. Speaker. We're working on an Amendment for the Bill. If you could please keep it on Second."

Speaker Lang: "Keep it on Second Reading, Mr. Clerk. Thank you, Representative. House Bill 5783, Representative Burns. Please read the Bill."

Clerk Bolin: "House Bill 5783, a Bill for an Act concerning professional regulation. Second Reading of this House

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Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5790, Representative Yarbrough. Out of the record. House Bill 5791, Representative Yarbrough. Out of... You want to read that one? Please read that Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5791, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5792, Representative Yarbrough. Out of the record. House Bill 5799, Representative Sullivan. Out of the record. House Bill 5802... Representative Senger is not here. House Bill 5824, Representative Bost. Representative Bost. Out of the record. House Bill 5790, we're going back a little, Mr. Clerk. Representative Yarbrough. Please read the Bill."

Clerk Bolin: "House Bill 5790, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5832, Representative Zalewski. Please read the Bill."

Clerk Bolin: "House Bill 5832, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5838, Representative Burke. Representative Burke. Please read the Bill."

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Clerk Bolin: "House Bill 5838, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5842, Representative Burke. Please read the Bill."

Clerk Bolin: "House Bill 5842, a Bill for an Act concerning liquor. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5846, Representative Jackson. Please read the Bill."

Clerk Bolin: "House Bill 5846, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5849, Representative Osterman. Please read the Bill."

Clerk Bolin: "House Bill 5849, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5853, Representative Collins. Please read the Bill."

Clerk Bolin: "House Bill 5853, a Bill for an Act concerning courts. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5854, Representative Colvin. Please read the Bill."

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Clerk Bolin: "House Bill 5854, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5858, Representative Phelps. Out of the record. House Bill 5868, Representative Saviano. Out of the record. House Bill 5871, Representative Fortner. Read the Bill, please."

Clerk Bolin: "House Bill 5871, a Bill for an Act concerning public aid. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5873, Representative Flider. Please read the Bill."

Clerk Bolin: "House Bill 5873, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. No Comm... Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5879, Representative Flider. Mr. Flider. Out of the record. House Bill 5890, Representative Pihos. Please read the Bill."

Clerk Bolin: "House Bill 5890, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5895, Representative Black. Mr. Black. Do you care to move your Bill to Third, Sir?"

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Black: "Mr. Speaker, I'd love to, but I don't think it got out of committee. But if you said it did, it did. Move it to Third."

Speaker Lang: "Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5895, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5901, Representative Dugan. Representative Dugan. Please read the Bill."

Clerk Bolin: "House Bill 5901, a Bill for an Act concerning wildlife. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5907, Representative Walker. Please read the Bill."

Clerk Bolin: "House Bill 5907, a Bill for an Act concerning safety. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5912, Representative Phelps. Out of the record. House Bill 5913, Representative Collins. Please read the Bill."

Clerk Bolin: "House Bill 5913, a Bill for an Act concerning corrections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5914, Representative Collins. Out of the record. House Bill 5916, Representative Collins. Please read the Bill."

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Clerk Bolin: "House Bill 5916, a Bill for an Act concerning courts. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5917, Representative Phelps. Out of the record. House Bill 5918, Representative Golar. Representative Golar. Please read the Bill."

Clerk Bolin: "House Bill 5918, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5923, Representative Sullivan. Please read the Bill."

Clerk Bolin: "House Bill 5923, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5930, Representative McAsey. Please read the Bill."

Clerk Bolin: "House Bill 5930, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5931, Representative McAsey. Please read the Bill."

Clerk Bolin: "House Bill 5931, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

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Speaker Lang: "Third Reading. House Bill 5933, Representative Rita. Read the Bill."

Clerk Bolin: "House Bill 5933, a Bill for an Act concerning professional regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5951, Representative Burns. Read the Bill."

Clerk Bolin: "House Bill 5951, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5956, Representative Dugan. Please read the Bill."

Clerk Bolin: "House Bill 5956, a Bill for an Act concerning employment. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5960, Representative McCarthy. Out of the record. House Bill 5966, Representative Rose. Please read the Bill."

Clerk Bolin: "House Bill 5966, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5969, Representative Rose. Please read the Bill."

Clerk Bolin: "House Bill 5969, a Bill for an Act concerning forfeiture. Second Reading of this House Bill. No

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Committee Amendments. Floor Amendment #1, offered by Representative Rose, has been approved for consideration."

Speaker Lang: "Mr. Rose."

Rose: "Thank you. Ladies and Gentlemen, this a one sentence Amendment that just clarifies the intent of the Bill."

Speaker Lang: "You heard the Gentleman's Motion. Those in favor vote 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5970, Representative Hatcher. Please read the Bill."

Clerk Bolin: "House Bill 5970, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5976, Representative Hamos. Out of the record. House Bill 5996, Representative McAuliffe. Out of the record. House Bill 6000, Representative Lyons. Out of the record. House Bill 6003, Representative Sente. Please read the Bill."

Clerk Bolin: "House Bill 6003, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6006, Representative Rita. Please read the Bill."

Clerk Bolin: "House Bill 6006, a Bill for an Act concerning regulation. The Bill has been read a second time,

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previously. No Committee Amendments. No Floor Amendments.
No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6014, Representative
Graham. Please read the Bill."

Clerk Bolin: "House Bill 6014, a Bill for an Act concerning
employment. Second Reading of this House Bill. No
Committee Amendments. No Floor Amendments. No Motions are
filed."

Speaker Lang: "Third Reading. House Bill 6015, Representative
Mautino. Mr. Mautino. Please read the Bill."

Clerk Bolin: "House Bill 6015, a Bill for an Act concerning
finance. Second Reading of this House Bill. No Committee
Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6017, Representative
Colvin. Mr. Colvin. Please read the Bill."

Clerk Bolin: "House Bill 6017, a Bill for an Act concerning
education. Second Reading of this House Bill. No Committee
Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6030, Representative
May. Please read the Bill."

Clerk Bolin: "House Bill 6030, a Bill for an Act concerning
finance. Second Reading of this House Bill. Amendment #1
was adopted in committee. No Floor Amendments. No Motions
are filed."

Speaker Lang: "Third Reading. House Bill 6034, Representative
Pihos. Please read the Bill."

Clerk Bolin: "House Bill 6034, a Bill for an Act concerning
public health. Second Reading of this House Bill. No

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Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6035, Representative Bradley. Please read the Bill."

Clerk Bolin: "House Bill 6035, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6045, Representative Winters. Please read the Bill."

Clerk Bolin: "House Bill 6045, a Bill for an Act concerning finance. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6047, Representative Mathias. Please read the Bill."

Clerk Bolin: "House Bill 6047, a Bill for an Act concerning safety. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6052, Representative Currie. Out of the record. House Bill 6053, Representative Currie. Out of the record. House Bill 6061, Representative Feigenholtz. Please read the Bill."

Clerk Bolin: "House Bill 6061, a Bill for an Act concerning insurance, which may be referred to as the Women's Health Insurance Justice Law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A fiscal note and a state mandates note have been requested on the Bill and have not been filed."

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Speaker Lang: "Bill should be held on the Order of Second Reading. The Chair recognizes Representative Black."

Black: "Thank you, Mr. Speaker. I thought you needed to catch your breath. I have a point of personal privilege and an inquiry of the Chair."

Speaker Lang: "Please state your point."

Black: "Which would you like me to go first?"

Speaker Lang: "Oh, we'll just leave that up to you, Sir."

Black: "All right. A point of personal privilege, Ladies and Gentlemen of the House. For all the years that I've been here, on the Democrat side of the aisle, there's only been one person who has been the official keeper of the Bill file, which has all the information you would ever want to know about any Bill and the Democrat position on that Bill, and he guards it jealously and that's Mark O'Brien. In all the years, on the other hand, on my side of the aisle we have had more keepers of the official records than I can remember. But I am proud to be joined this year by a new keeper of the official records, a keeper of the official hard copy of the Bill box. And would you welcome with me, the lovely and talented Jason Rudis, undefeated and still champion of the Bill box. And now, Mr. Speaker, an inquiry of the Chair, if I could be so bold."

Speaker Lang: "Yes, Sir."

Black: "On this little piece of green paper, in honor of St. Patrick's Day, I'm sure, it says recessed committees. Thursday, March 11, 4 p.m. or immediately following Session, gives various committees that are meeting with very few Bills. Now, it's my understanding that these are

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recessed committees, so the Bills that are posted are new. I'm assuming that all of the Bills that are still alive in the committee will also be eligible for a hearing. Is that correct or incorrect?"

Speaker Lang: "Your presumption is correct, Sir."

Black: "My what is correct?"

Speaker Lang: "Your presumption, Sir."

Black: "Well... you just don't know how happy you've made me."

Speaker Lang: "That's what I am here for."

Black: "My presumption has been working for 30 years..."

Speaker Lang: "Well..."

Black: "...but if you tell me, that's fine. So, anybody who has a Bill in these committees, recessed committees, that they still want to call, they should obviously go to the committee."

Speaker Lang: "Well, I sure hope so. 'Cause I have one or two. So, yes, Sir."

Black: "As always, Mr. Speaker, you're very kind and generous. And I thank you very much."

Speaker Lang: "Thank you. We'll continue down the Calendar. On page 16, House Bill 6062, Representative Feigenholtz. Please read the Bill."

Clerk Bolin: "House Bill 6062, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6063, Representative Feigenholtz. Please read the Bill."

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Clerk Bolin: "House Bill 6063, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6065, Representative Cross. Out of the record. House Bill 6072, Mr. Fritchey. Out of the record. House Bill 6073, Representative Fritchey. Out of the record. House Bill 6077, Representative Nekritz. Please read the Bill."

Clerk Bolin: "House Bill 6077, a Bill for an Act concerning elections. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6080, Representative Feigenholtz. Please read the Bill."

Clerk Bolin: "House Bill 6080, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6082, Representative Feigenholtz. Please read the Bill."

Clerk Bolin: "House Bill 6082, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6088, Representative Nekritz. Out of the record. House Bill 6092, Representative McCarthy. Out of the record. House Bill 6094, Representative McAsey. Out of the record. House Bill 6099,

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Representative Phelps. Out of the record. House Bill 6103,
Representative May. Please read the Bill."

Clerk Bolin: "House Bill 6103, a Bill for an Act concerning
health. Second Reading of this House Bill. No Committee
Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6105, Representative
Lyons. Out of the record. House Bill 6112, Representative
Flider. Please read the Bill."

Clerk Bolin: "House Bill 6112, a Bill for an Act concerning
employment. Second Reading of this House Bill. No Committee
Amendments. No Floor Amendments. But a state mandates note
has been requested on the Bill and has not been filed."

Speaker Lang: "The Bill should be held on the Order of Second
Reading. House Bill 6120, Representative Nekritz. Out of
the record. House Bill 6124, Representative Harris. Please
read the Bill."

Clerk Bolin: "House Bill 6124, a Bill for an Act concerning
civil law. Second Reading of this House Bill. Amendment #1
was adopted in committee. No Floor Amendments. No Motions
are filed."

Speaker Lang: "Third Reading. House Bill 6125, Representative
McGuire. Out of the record. House Bill 6129, Representative
Burns. Out of the record. House Bill 6132, Representative
Fortner. Please read the Bill."

Clerk Bolin: "House Bill 6132, a Bill for an Act concerning
public health. Second Reading of this House Bill. No
Committee Amendments. No Floor Amendments. No Motions are
filed."

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Speaker Lang: "Third Reading. House Bill 6140, Representative Rose. Out of the record. House Bill 6148, Representative Biggins. Mr. Biggins. Please read the Bill."

Clerk Bolin: "House Bill 6148, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6151, Representative Biggins. Please read the Bill."

Clerk Bolin: "House Bill 6151, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6158, Representative Reis. Please read the Bill."

Clerk Bolin: "House Bill 6158, a Bill for an Act concerning public health. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6177, Representative Golar. Out of the record. Representative Rose, for what reason do you rise?"

Rose: "Mr. Speaker, I had 6140 and 6141 back to back. I had them confused. One of them had an Amendment and the other one didn't. If could move 6140 to Third, I would appreciate it, Mr. Speaker."

Speaker Lang: "Mr. Clerk, please read House Bill 6140."

Rose: "Thank you."

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Clerk Bolin: "House Bill 6140, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Mr. Jackson, for what reason do you rise."

Jackson: "House Bill 5846 has an Amendment to it. Could I move it back to Second for the Amendment purposes?"

Speaker Lang: "House Bill 5826..."

Jackson: "5846."

Speaker Lang: "Mov... shall be... I'm sorry. House Bill 5846 shall be moved back to Second Reading at the request of the Sponsor. House Bill 6178, Representative Brauer. Mr. Brauer. Please read the Bill."

Clerk Bolin: "House Bill 6178, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6194, Representative Pihos. Please read the Bill."

Clerk Bolin: "House Bill 6194, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6201, Representative May. Please read the Bill."

Clerk Bolin: "House Bill 6201, a Bill for an Act concerning safety. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

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Speaker Lang: "Third Reading. House Bill 6205, Representative Currie. Out of the record. House Bill 6206, Representative McCarthy. Out of the record. House Bill 6208, Representative Nekritz. Out of the record. House Bill 6210, Representative Rose. Please read the Bill."

Clerk Bolin: "House Bill 6210, a Bill for an Act concerning drugs. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6230, Representative Rose. Out of the record. The Chair recognizes Representative Currie on House Bill 6205. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 6205, a Bill for an Act concerning health. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. But a fiscal note and state mandates note have been requested on the Bill as amended and have not been filed."

Speaker Lang: "Hold that Bill on the Order of Second Reading. House Bill 6231, Representative Nekritz. Please read the Bill."

Clerk Bolin: "House Bill 6231, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6249, Representative Bradley. Please read the Bill."

Clerk Bolin: "House Bill 6249, a Bill for an Act in relation to firearms. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

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Speaker Lang: "Third Reading. House Bill 6252, Representative DeLuca. Please read the Bill."

Clerk Bolin: "House Bill 6252, a Bill for an Act concerning safety. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6257, Representative DeLuca. Please read the Bill."

Clerk Bolin: "House Bill 6257, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6262, Representative Cole. Please read the Bill."

Clerk Bolin: "House Bill 6262, a Bill for an Act concerning government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6263, Representative Mathias. Out of the record. House Bill 6267, Representative Hatcher. Please read the Bill."

Clerk Bolin: "House Bill 6267, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6268, Representative Pritchard. Please read the Bill."

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Clerk Bolin: "House Bill 6268, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6271, Representative Mathias. Please read the Bill."

Clerk Bolin: "House Bill 6271, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 6428, Representative Currie. Out of the record. All three of those out of... Mr. Clerk, we have some Bills we have to move back to Second. First, House Bill 6151, please place that Bill on the Order of Second Reading. House Bill 5838, please place that Bill on the Order of Second Reading. House Bill 5895, please place that Bill on the Order of Second Reading. House Bill 5918, please place that Bill on the Order of Second Reading. House Bill 5039, please place that Bill on the Order of Second Reading. The Chair recognizes Representative Yarbrough for an announcement or a Motion."

Yarbrough: "Thank you, Mr. Chairman. I would like to... I move to waive the posting requirements for Appropriations-Public Safety hearing that's scheduled for March 15 at 10 a.m. Inadvertently this was not posted."

Speaker Lang: "Is there leave? There being no objection, leave is granted. Mr. Clerk, Agreed Resolutions. Mr. Clerk, committee announcements."

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Clerk Bolin: "The following committees will meet immediately upon adjournment. The Human Services Committee will meet in Room 413, Stratton. The Health Care Licenses Committee will meet in Room 122B of the Capitol. The Elementary & Secondary Education Committee will meet in Room 114 of the Capitol. The Judiciary I-Civil Law Committee will meet in Room 118 of the Capitol. The Cities & Villages Committee will meet in Room 115 of the Capitol. The Youth & Family Committee will meet in Room D-1 of the Stratton. The Environmental Health Committee will meet in Room C-1 of the Stratton. The following committees will meet tomorrow morning at 8:30. The Insurance Committee in Room 118, the Judiciary II-Criminal Law Committee in Room D-1, Stratton, the Health Care Availability & Accessibility Committee in Room 122B and the Consumer Protection Committee."

Speaker Lang: "The Chair recognizes Representative Rose."

Rose: "Thank you, Mr. Speaker. On that, there's no Bills listed under Environmental Health or Youth & Family or Cities & Villages. What's the plan for those committees?"

Speaker Lang: "Thos... those are recessed committees, Sir, with the previously posted Bills available for hearing."

Rose: "On then... on that point, in Human Services there were a number of Bills that we were not able to get to yesterday morning. Will those be available for calling, as well?"

Speaker Lang: "Yes, they will, Sir."

Rose: "Okay. Thank you, Mr. Speaker."

Speaker Lang: "The Chair recognizes Representative Colvin."

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Colvin: "Thank you, Mr. Speaker. Can the Clerk... Did the Clerk indicate what room Consumer Protection was going to meet in?"

Speaker Lang: "We'll provide that for you momentarily, Sir."

Colvin: "Thank you."

Speaker Lang: "While we await that answer the Chair recognizes Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. Could you please give me the status of House Bill 6059?"

Speaker Lang: "House Bill 6059, Representative? Mr. Clerk, can we give Representative Feigenholtz the status of that Bill?"

Clerk Bolin: "House Bill 6059 is on the Order of House Bills—Second Reading."

Speaker Lang: "The Bill will be out of the record for now, Representative. Mr. Clerk, for a room assignment announcement."

Clerk Bolin: "The Consumer Protection Committee scheduled for 8:30 tomorrow morning will meet in Room C-1, Stratton."

Speaker Lang: "And now, allowing perfunctory time for the Clerk, Representative Currie moves that the House stand adjourned until Friday, March 12 at 9:30 a.m. Those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Howard, Chairperson from the Committee on Judiciary-Criminal Law reports the following committee action taken on March 11, 2010: do pass

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Short Debate is House Bill 5321, House Bill 5402, House Bill 5489, House Bill 5525, House Bill 5745, House Bill 5932, House Bill 6101, House Bill 6213, and House Bill 6224; do pass as amended Short Debate is House Joint Resolution Constitutional Amendment 19, House Bill 4578, House Bill 5218, House Bill 5399, House Bill 5749, House Bill 5762, House Bill 5947, House Bill 6234; do pass Standard Debate is House Bill 5164, and House Bill 6123. Representative Jakobsson, Chairperson from the Committee on Human Services reports the following committee action on March 11, 2010: do pass Short Debate is House Bill 5688; do pass as amended Short Debate is House Bill 5388, House Bill 5736, House Bill 6002; recommends be adopted is House Joint Resolution 71, Floor Amendment #1 to House Bill 1598, Floor Amendment #1 to House Bill 6315, and Floor Amendment #1 to House Bill 6434. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken on March 11, 2010: do pass Short Debate is House Bill 5126, House Bill 5786; do pass as amended Short Debate is House Bill 4672, House Bill 4674, House Bill 5836, and House Bill 5863; recommends be adopted is Floor Amendment #3 to House Bill 4711; recommends be adopted as amended is House Joint Resolution 74. Representative Reitz, Chairperson from the Committee on Health Care Licenses reports the following committee action taken on March 11, 2010: recommends be adopted is Floor Amendment #2 to House Bill 4974. Representative Fritchey, Chairperson from the Committee on Judiciary-Civil Law reports the following committee action taken on March

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11, 2010: do pass as amended Short Debate is House Bill 6083 and House Bill 6215. Representative Froehlich, Chairperson from the Committee on Cities & Villages reports the following committee action taken on March 11, 2010: do pass Short Debate is House Bill 5787. Representative Ford, Chairperson from the Committee on Youth & Family reports the committee action taken on March 11, 2010: recommends be adopted is Floor Amendment #1 to House Bill 1653. Representative May, Chairperson from the Committee on Environmental Health reports the following committee action taken on March 11: do pass as amended Short Debate is House Bill 5040. Introduction and First Reading. Senate Joint Resolution 55, offered by Representative Pritchard, resolved the State Board of Education as a collaboration of the Board of Higher Education shall be a legislative recommendation referred to the Order of Senate Joint Reso... referred to the House Committee on Rules. Senate Bill-First Reading. Senate Bill 2350, offered by Representative Reboletti, a Bill for an Act concerning revenue. Senate Bill 2456, offered by Representative Verschoore, a Bill for an Act concerning public employee benefits. Senate Bill 2537, offered by Representative Pritchard, a Bill for an Act concerning education. Senate Bill 2590, offered by Representative Schmitz, a Bill for an Act concerning criminal law. House Bill (sic-Senate Bill) 2601, offered by Representative Hernandez, a Bill for an Act concerning regulation. House Bill (sic-Senate Bill) 2603, offered by Representative Osmond, a Bill for an Act concerning local government. House Bill (sic-Senate Bill) 2615, offered by

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Representative Eddy, a Bill for an Act concerning education. House Bill (sic-Senate Bill) 2647, offered by Representative Leitch, a Bill for an Act concerning education. House Bill (sic-Senate Bill) 2799, offered by Representative Mell, a Bill for an Act concerning professional regulation. House Bill (sic-Senate Bill) 2800, a Bill for an Act concerning professional regulation. House Bill (sic-Senate Bill) 2801, a Bill for an Act concerning finance. House Bill (sic-Senate Bill) 2804, offered by Representative Beiser, a Bill for an Act concerning transportation. House Bill (sic-Senate Bill) 2807, offered by Representative Holbrook, a Bill for an Act concerning business. House Bill (sic-Senate Bill) 2952, offered by Representative Tracy, a Bill for an Act concerning criminal law. House Bill (sic-Senate Bill) 2969, offered by Representative Franks, a Bill for an Act concerning transportation. House Bill (sic-Senate Bill) 2983, offered by Representative Beiser, a Bill for an Act concerning local government. House Bill 2987, offered by Representative Acevedo, a Bill for an Act concerning criminal law. House Bill 2992, offered by Representative Froehlich, a Bill for an Act regarding disabled persons. House Bill 3014, offered by Representative Cavaletto, a Bill for an Act concerning education. Senate Bill 33... correction. Senate Bill 2987, a Bill for an Act concerning criminal law, offered by Representative Acevedo. Senate Bill 2992, offered by Representative Froehlich, a Bill for an Act concer... regarding disabled persons. Senate Bill 3014, offered by Representative Cavaletto, a Bill for an

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Act concerning education. Senate Bill 3035, offered by Representative Reitz, a Bill for an Act concerning regulation. Senate Bill 3037, offered by Representative Howard, a Bill for an Act concerning State government. Senate Bill 3045, offered by Representative Joyce, a Bill for an Act concerning State government. Senate Bill 3087, offered by Representative Burns, a Bill for an Act concerning State government. Senate Bill 3088, offered by Representative Hamos, a Bill for an Act concerning State government. Senate Bill 3089, offered by Representative Burke, a Bill for an Act concerning revenue. Senate Bill 3090, offered by Representative Burns, a Bill for an Act concerning criminal law. Senate Bill 3117, offered by Representative Mathias, a Bill for an Act concerning education. Senate Bill 3128, offered by Representative Poe, a Bill for an Act concerning veterans. Senate Bill 3136, offered by Representative Acevedo, a Bill for an Act concerning liquor. House Bill 30... Correction. Senate Bill 3146, offered by Representative Burns, a Bill for an Act concerning gaming. Senate Bill 3174, offered by Representative Colvin, a Bill for an Act concerning criminal law. Senate Bill 3176, offered by Representative Ramey, a Bill for an Act concerning sex offenders. Senate Bill 38... Senate Bill 3286, offered by Representative Lang, a Bill for an Act concerning business. Senate Bill 3287, offered by Representative Lang, a Bill for an Act concerning business. Senate Bill 3291, offered by Representative Graham, a Bill for an Act concerning public aid. Senate Bill 3295, offered by Representative Turner, a

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Bill for an Act concerning criminal law. Senate Bill 3304, offered by Representative Acevedo, a Bill for an Act in relation to criminal law. Senate Bill 3305, offered by Representative Smith, a Bill for an Act concerning violent offenders against youth. Senate Bill 3315, offered by Representative Currie, a Bill for an Act concerning professional regulation. Senate Bill 3385, offered by Representative Nekritz, a Bill for an Act concerning professional regulation. Senate Bill 3389, offered by Representative Acevedo, a Bill for an Act concerning criminal law. Senate Bill 3390, offered by Representative Acevedo, a Bill for an Act concerning transportation. Senate Bill 3391, offered by Representative Fortner, a Bill for an Act concerning criminal law. Senate Bill 3446, offered by Representative Joyce, a Bill for an Act concerning revenue. Senate Bill 3461, offered by Representative Berrios, a Bill for an Act concerning State government. Senate Bill 3462, offered by Representative Winters, a Bill for an Act concerning revenue. Senate Bill 3464, offered by Representative Rita, a Bill for an Act concerning utilities. Senate Bill 3491, offered by Representative Sacia, a Bill for an Act concerning government. Senate Bill 3494, offered by Representative Phelps, a Bill for an Act concerning employment. Senate Bill 3503, offered by Representative Flider, a Bill for an Act concerning criminal law. Senate Bill 3505, offered by Representative Riley, a Bill for an Act concerning finance. Senate Bill 3507, offered by Representative Chapa LaVia, a Bill for an Act concerning education. Senate Bill 3508,

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offered by Representative Saviano, a Bill for an Act concerning courts. Senate Bill 3603, offered by Representative Phelps, a Bill for an Act concerning wildlife. Senate Bill 3604, offered by Representative Phelps, a Bill for an Act concerning State government. Senate Bill 3628, offered by Representative Turner, a Bill for an Act concerning criminal law. Senate Bill 3629, offered by Representative Beiser, a Bill for an Act concerning transportation. Senate Bill 3645, offered by Representative Mathias, a Bill for an Act concerning business. Senate Bill 3646, offered by Representative Currie, a Bill for an Act concerning revenue. Senate Bill 3654, offered by Representative Black, a Bill for an Act concerning revenue. Senate Bill 3666, offered by Representative Riley, a Bill for an Act concerning revenue. Senate Bill 3672, offered by Representative Sente, a Bill for an Act concerning revenue. Senate Bill 3682, offered by Representative Chapa LaVia, a Bill for an Act concerning transportation. Senate Bill 3695, offered by Representative Mendoza, a Bill for an Act concerning corrections. Senate Bill 3696, offered by Representative Yarbrough, a Bill for an Act concerning local government. Senate Bill 3719, offered by Representative Bradley, a Bill for an Act concerning government. Senate Bill 3728, offered by Representative Black, a Bill for an Act concerning education. Senate Bill 3782, offered by Representative Black, a Bill for an Act concerning civil law. And Senate Bill 3817, offered by Representative Sente, a Bill for an Act concerning State government. This

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has been First Reading and introduction of Senate Bills. We'll go on to Second Reading of House Bills. House Bills-Second Reading is House Bill 5021, offered by Representative McGuire, a Bill for an Act making appropriations. Second Reading of this House Bill. House Bill 5022, offered by Representative McGuire, a Bill for an Act making appropriations. Second Reading of this House Bill. House Bill 5023, offered by Representative McGuire, a Bill for an Act concerning appropriations. Second Reading of this House Bill. We're going to House Joint Resolution Constitutional Amendment 19. First Reading of this Constitutional Amendment as amended. House Joint Resolution Constitutional Amendment 19.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 8.1 of Article I of the Illinois Constitution as follows:

ARTICLE I

BILL OF RIGHTS

SECTION 8.1. CRIME VICTIM'S RIGHTS.

- (a) To preserve and protect a victim's right to justice and due process, a crime victim shall have the following rights:
- (1) The right to be treated with fairness and respect for the victim's dignity and privacy.
 - (2) The right to timely notification of court proceedings and any related post-judgment proceedings.

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- (3) The right to notice and to a hearing before a court ruling on an accused's request for access to any of the victim's records, information, or communications which are privileged or confidential by law.
- (4) The right to communicate with the prosecution.
- (5) The right to be heard in person or in any other reasonable manner convenient to the victim at any plea, sentencing, reduction or change in sentence, or other proceeding in which a right of the victim is at issue.
- (6) The right to review any written description of the offense prepared for sentencing, reduction in sentence, parole, early release or clemency and the accused's prior criminal history.
- (7) The right to be informed of the conviction, the sentence, any post-judgment decision, any reduction of the sentence, the imprisonment, and the release of the accused.
- (8) The right to timely disposition of the case following the arrest of the accused, including related post-conviction and post-judgment proceedings.
- (9) The right to be reasonably protected from the accused.
- (10) The right to have the safety of the victim and the victim's family considered in denying or fixing the amount of bail and release conditions for the accused and in deciding any parole or post-judgment release decision.
- (11) The right to be present at the trial and all other court proceedings.
- (12) The right to have present at all court proceedings, subject to the rules of evidence, an advocate, a

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victim-witness specialist, or other support person of the victim's choice.

(13) The right to restitution.

(b) Definition. For the purposes of this Section, the term "crime victim" means a person directly and proximately harmed as a result of the commission of a criminal offense. In the case of a crime victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardians of the crime victim or the representatives of the crime victim's estate, family members, or any other persons appointed as suitable by the court may assume the crime victim's rights under this Section, but in no event shall the accused be named as such guardian or representative.

(c) A victim, a lawful representative of the victim including the victim's lawyer, or the prosecuting attorney upon request of the victim may assert the rights enumerated in subsection (a) in any circuit or appellate court with jurisdiction over the case as a matter of right. The court shall act promptly on such a request.

(d) The General Assembly may provide for an assessment against convicted defendants to pay for crime victims' rights.

(e) Nothing in this Section or in any law enacted under this Section shall be construed as creating a basis for vacating a conviction. This Section does not create any cause of action for compensation or damages against the State, any political subdivision of the State, any officer, employee, or agent of the State or of any of its political subdivisions, or any officer or employee of the court.

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This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This has been the First Reading as amended for House Joint Resolution Constitutional Amendment #19. There being no further business, the House Perfunctory Session will stand adjourned."