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96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

121st Legislative Day

3/26/2010

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off their laptop computers, cell phones, and pagers. And we ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance."

Reverend Peterson: "Please join me in prayer. Holy and gracious God, I give You thanks this day for this opportunity to lead this House in prayer. I ask Your blessing on each and every Representative here and their guests and all who are guests in this place. I ask You to help them remember every voter who brought them to this place, in this time and not only each voter, but the families that they represent, the children and grandchildren and nieces and nephews and children yet to be born whose future the decisions that are made in this place make a difference. Holy God, I ask You to grant them the wisdom to make decisions on behalf of those people. I ask You to give them the courage to make an unpopular decision, and the strength to stand on their ethical convictions and not be consumed by the satisfaction of achievement and success. We ask that You be with them as they make each decision, as they listen to the people they represent open their hearts, their minds, and their souls to Your leadership. I ask that You make us an informed populous, free from ignorance and apathy, but aware of the pressures that these Representatives face, to pray for them constantly, to give them the courage to represent everyone no matter their status, their livelihood, or their position

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in society. I ask You to guide them to seek Your justice and find Your peace for the people of this state, this country, and across the nations who live in, what seems for many, a very broken world. Holy God, give us all everything we need to seek You in this place that You have put us in this time of trial and celebration. We ask for all those in Leadership to be given the opportunity to make choices that are indeed, with the people, by the people, and for the people, so help us God, Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Tryon."

Tryon - 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 Madigan: "Roll Call for Attendance. Mr. Lang."

Lang: "Thank you, Mr. Speaker. The excused absences on the Democratic side are Representatives Acevedo, Collins and Hannig."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives Fortner, Jerry Mitchell, Representatives Senger, Stephens and Schmitz are excused on the Republican side of the aisle today."

Speaker Madigan: "Clerk shall take the record. There be 107 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk. Mr. Brauer."

Brauer: "Thank you, Mr. Speaker. Personal privilege."

Speaker Madigan: "State your point."

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Brauer: "Ladies and Gentlemen of the House, last year's poster child for Medicare is another year older today, so he has his but... butter cake in the back. So, let's give Raymond Poe a warm birthday greeting."

Speaker Madigan: "Mr. Reitz, did you wish to call House Bill 4935? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4935, a Bill for an Act concerning professional regulation. Third Reading."

Speaker Madigan: "Mr. Reitz."

Reitz: "Thank you, Mr. Speaker. This Bill deals with fee splitting and our intent here is to try and... and clarify existing law. We have a situation where there are doctors and other professionals that are trying to share services, work for each other, share buildings, things of that nature. We have 20... 21 different practices that are basically affected by this. Twenty of the 21 have agreed to the language but we have language that details fee splitting, and this language, we had... I guess we had, let's say, language from the physical therapist, language from Medical Society. Twenty of the 21 practices signed off on the language. We took that language and it was further restricted and tightened up by the Attorney General and we decided to take language recommended by the Attorney General. The other portion of this that we put into law is that if there is any relationship between any practice and the doctors, that when they refer people, they will disclose that and give them a form disclosing that referral. And I'd be happy to answer any questions."

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Speaker Madigan: "The Gentleman has moved for the passage of the Bill. The Chair recognizes Representative Coulson."

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

Speaker Madigan: "Sponsor yields."

Coulson: "I just have a few questions. The advanced practice nurses are included in this Bill and I just wanted to ask a few questions about them. One, can the... does this legislation bar an APN from owning an interest in any professional association with a licensed physician?"

Reitz: "No."

Coulson: "Okay. And does this legislation cur... change any of the current legal relationships between an APN and physicians?"

Reitz: "No."

Coulson: "Okay. And the last question is does this legislation require an APN only to serve as an employee of a physician when they jointly render professional care?"

Reitz: "No."

Coulson: "Okay. Thank you. I would just... to the Bill. I really appreciate Representative... the Representative's willingness to sit down and talk with all the different health care groups. Unfortunately there is still one group, the Illinois Physical Therapy Association that has some concerns about this Bill. My hope is that we can sit down at the table, as we talked about, in a couple weeks with both the Medical Society and the physical therapists to continue to negotiate on this Bill to make sure that there's no interference in the fair and public good and

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that access to care and costs of care do not go up. And I will be voting 'no', but I do look forward to trying to continue to negotiate this Bill. Thank you."

Speaker Madigan: "Mr. Rose."

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

Speaker Madigan: "Sponsor yields."

Rose: "Representative Reitz, on that point, I do notice that the Physical Therapy Association is still opposed. Can you... why are they opposed?"

Reitz: I think they really have just a philosophical difference and they really don't want their Act changed whatsoever. What brought us here is some ambiguities... alleged ambiguities in the law of people that have relationships, employment relationships together and our intent here is to make sure that we clarify that. And this, in no way, mandates anyone to enter into any type of agreement. It just sets... it just lays out guidelines that if you do enter into agreements, that there are going to... We met with them, we tightened the language up some, as they said... as they wanted, didn't quite get all the way there, and then we also went another step behind... ahead and met with the Attorney General and took their recommendations and then, at their insistence, we put in any time there is a referral, we took basically the language, or the agreement that we had with the physical therapists to put that in."

Rose: "And was that the Committee Amendment... was that the Committee Amendment?"

Reitz: "Correct."

Rose: "And when was that adopted?"

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Reitz: "Yesterday."

Rose: "Yesterday, okay. Are you... and I've know you for a long time, I know you're a fair person, are you willing to continue those discussions with the Physical Therapy Association in the Senate?"

Reitz: "We're always willing to do that, and I spoke with Senator Haine. I mean, and you know it's... it's not final until... until it gets through both Houses and if they add suggestions and do that, we just... we met a number of times, as Representative Kosel could tell you, we met a number of times trying to work on this and will continue to. If, you know, if we can make this a better Bill, we will."

Rose: "Okay. But Committee Amendment 1 was designed to address some of their concerns and then we'll continue to work on them in the Senate."

Reitz: "That's correct. They asked... they had two requests. I think one we've met 100 percent, the other one we're probably 60 to 70 percent of what they addressed."

Rose: "All right. Thank you, Representative, I appreciate your comments."

Speaker Madigan: "Mr. Brauer."

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

Speaker Madigan: "Sponsor yields."

Brauer: "I think I have some of the same concerns as Representative Coulson and Rose that we've been getting calls from our physical therapists saying that their concerned that it's going to cut out the competitiveness and that they're going to actually not have the access that

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they have now. And I guess you've stated that you're going to keep working on this and... and hopefully, before you move it through the Senate you'll get an Amendment?"

Reitz: "Well, I don't know. We'll continue to meet, but we've been... we've been talking and everything in this is that nothing mandates anything in this Bill. This just says if you have a relationship these are the rules you'll follow. These are the regulations and the guidelines that you'll follow if you have an employment relationship with any other practice."

Brauer: "Well, I plan to support this Bill but at the same time I'd like to sit down with you and go over it so I understand it a little bit better..."

Reitz: "Okay."

Brauer: "...later on."

Reitz: "Thank you."

Brauer: "Mr Speaker, if I may, I forgot to make the most important announcement on Raymond's birthday, is that he has butter cake in the back and it's still warm."

Speaker Madigan: "Representative May."

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

Speaker Madigan: "Sponsor yields."

May: "Yes. I'd like to ask... I'm told by certain physical therapists that this revokes any fee splitting prohibition. Is that true?"

Reitz: "No."

May: "So, the people who are concerned about this perhaps have some misinformation that was handled in the Amendment?"

Reitz: "Apparently. I don't think we ever revoked anything."

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May: "Right."

Reitz: "We just tried to clarify the language."

May: "As you explained, they're clarifying it..."

Reitz: "Correct."

May: "But it does not stop them from entering in any sort of arrangement. And also... I thank you for that clarification. And also, it wouldn't really stop anyone from renting a space or having that sort of arrangement either. It's just that they have to notify the patient, is that correct?"

Reitz: "If they have a relationship... employment relationship of any kind, yeah, we've laid out the guidelines now and clarified the guidelines to... that they have to do that and we've set in a referral letter that they have to say we have a relationship, just so the patient knows for clarity."

May: "And I guess maybe they feel that even saying that they have a relationship keeps them restricted in some way. I find myself in a dilemma."

Reitz: "No..."

May: "I thought this Bill was a..."

Reitz: "...the physical... the referral to... to say they have it, that was their Amendment. They basically asked for the referral so that if a doctor has a relationship with... and we put it in especially for... there are four disciplines that you can't go to, that someone has to... the doctor has to refer you. So, we've just basically put a referral that if you have a... any type of existing, contractual agreement with them, you will let them know so that it's about patient disclosure so they'll know what's going on."

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May: "Okay. Thank you very much."

Speaker Madigan: "Mr. Tryon."

Tryon: "Thank you, Mr. Speaker. I rise to ask the Sponsor some questions, if he would yield?"

Speaker Madigan: "Sponsor yields."

Tryon: "Representative Reitz, if I understand this right, it is... even if this law passes it will still be illegal for a physician to take a referral fee or a split in a fee if in fact... I mean, a doctor can't say, look, I'm going to send you a bunch of patients and you give me a kickback, right?"

Reitz: "Yeah. That was already covered by the current law and we're just trying to clarify that, but correct."

Tryon: "Right. So, if I understand what has happened here, in the Physical Therapy Act, the physical therapists are saying that a physical therapist who actually works for a physician who might be paid a salary might get benefits like pension or health care or whatever, they're trying to say that that's a form of fee splitting and therefore that physical therapist would have to become an independent contractor or go work for a physical therapists company, is that correct?"

Reitz: "And... and well, yes. Except that what... what we're trying to do is clarify if there's any type of relationships of you... if you have... if you give pension benefits to a physical therapist, a doctor's office does, you know, that we're trying to stay within... they'll stay within the parameters of what's currently permitted in law and we're just trying to clarify that you will stay within these guidelines and if you have a relationship, you will

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disclose that to the patient so that they know that there is a relationship there."

Tryon: "Right. Clear... To the Bill. Clearly, I believe that physicians that hire all types of health care professionals. They hire dieticians, they may hire nurses, they may hire massage therapists, and they... and a hospital may do that too. A hospital certainly would maybe hire a physical therapist or a dietician or some other type of... of health care provider. And they might choose to pay them a salary and give them benefits and I don't see anything wrong with that. I think that's up to the individual practitioner or professional and I think for a physical therapist now, who has employment at a hospital or doctor's office because they want a pension and they want those types of benefits, or they want to work in that type of environment, to have to go be an independent contractor or have to go and be a part of a physical therapy practice. I think would be wrong. And certainly I believe that they have the right to work wherever they choose to work and I would support your Bill and I hope that everyone would support your Bill and this does clarify up this issue and I think, if we don't clarify this issue, we're going to have this and many other of the health care professional so that we regulate. So, I think this is a good change to the statute."

Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker. I rise in support of this legislation. I think this legislation, in a lot of ways, is a landmark in that it, as the Sponsor stated, it

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clarifies a relationship between these health care professionals, but it also allows for transparency in how they... how they work together, how they compensate each other throughout. I think it's a longtime coming that we've had legislation like this and I think as you see other health care professionals in the future become more and more so-called independent and how... and how they collaborate with physicians, this will be the model overseeing how they operate. And I would urge an 'aye' vote. Thank you."

Speaker Madigan: "Mr. McCarthy."

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

Speaker Madigan: "Sponsor yields."

McCarthy: "Representative, I just wanted to clarify, as Representative Saviano just mentioned, this is actually just a... this is not a new practice. This is an ongoing... clarification for hiring procedures that are already in place, isn't that correct?"

Reitz: "That's correct. We're just trying to codify and... and set out more restrictive regulations of what you do if you have an employment relationship. We're just trying to make sure that people can work where they want and not prohibit any type of collaborative measures."

McCarthy: "Okay. And also the... you know, we did have some testimony and they talked about the cherry-picking of clients going to one firm or another. This really doesn't address that and I think you also joined with me in the committee saying we'd be willing to work on that in the future if physical therapists or speech pathologists or

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just about any other profession came to us, but that is not what this Bill is about, correct?"

Reitz: "That's correct. We didn't change any of that. What we've done actually is... is put notice in there so people will know if there is a relationship between their doctor and any other type of referrals."

McCarthy: "Well, I think you've greatly improved the protections against that, and you know, join you wholeheartedly in supporting this legislation. But I do say, if there is further legislation that can help that one issue, I'm certain that all of us on the committee would be willing to look at it. So, thank you for your work."

Reitz: "Thank you."

Speaker Madigan: "The last speaker will be Mr. Miller. Mr. Miller, the last speaker."

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

Speaker Madigan: "Sponsor yields."

Miller: "Yeah. I believe the genesis of this was brought on by a lawsuit in definition between independent contractor and an employee, is that correct?"

Reitz: "Not this Bill. That's what prompted the Bill... the fee splitting Bill last year and this further clarifies that intent."

Miller: "Okay. And so the... and what this does is just, as Representative Saviano mentioned, adds additional transparency in a sense of the possible conflicts that may result in a physician or somebody being viewed as steering business one way or another or receiving essentially a kick-back in one form or another?"

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Reitz: "Correct."

Miller: "Excuse me. This is to help prevent that?"

Reitz: "Yes."

Miller: "Okay. I support the legislation but will be voting 'present' for a potential conflict."

Speaker Madigan: "Mr. Reitz to close."

Reitz: "Thank you, Mr. Speaker. And I appreciate the indulgence of the Body. I know there's a... we've had a lot of correspondence on this. I would just assure you that this just clarifies the fee splitting language that's in there. As the other speaker said, it creates more transparency when there is a relationship. And I'd appreciate an 'aye' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Careen Gordon. Mr. Clerk, is the voting switch turned on for Representative Gordon? Mr. Clerk, this board indicates that Careen Gordon is not voting. The Clerk shall take the record. On this question, there are 82 people voting 'yes', 22 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jakobsson, do you wish to call House Bill 5040? Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 5040 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3, offered by Representative Jakobsson, have both been approved for consideration."

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Speaker Madigan: "Representative Jakobsson on Amendment #2."

Jakobsson: "Thank you, Mr. Speaker. Amendment #2 calls the Act the Cadmium-Safe Kids Act, instead of Cadmium-Free Kids Act. It explicitly defines jewelry and sets as the standards. And it is something that I was working with... with people who came to me about the Bill and had problems with it."

Speaker Madigan: "Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, are there any further Amendments?"

Clerk Mahoney: "Floor Amendment #3."

Speaker Madigan: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. House Amendment #3 just changes the definition of manufacturer so it doesn't include an entity whose brand name is affixed to the product."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Mahoney: "No further Amendments. All notes have been filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "House Bill 5040, a Bill for an Act concerning safety. Third Reading."

Speaker Madigan: "Representative Jakobsson."

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Jakobsson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill creates the Cadmium-Safe Kids Act and this would make sure that jewelry that is sold specifically for children and jewelry is defined in this Act, would have a standard... would set the standards, contain no more than 75 parts per million of cadmium. Cadmium is something we don't want our children wearing around their necks or hanging from their arms, or even especially putting in their mouths. And this is just making our children, our grandchildren safer."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, they're 108 people voting 'yes'; 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hamos, do you wish to call House Bill 6441? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 6441, a Bill for an Act concerning health. Third Reading."

Hamos: "Thank you Ladies and Gentlemen. This is the Illinois Health Information Exchange and Technology Act. Thank you for the beginning of a good discussion yesterday and for all the people who have signed on as cosponsors. And you're in good company because this has been worked on for a number of years by an interesting group of stakeholders that includes really every... any... a range of groups from AARP, to the health insurance companies, to the health care

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provider associations. And this is going to set up a very new and exciting opportunity in Illinois to use electronic health records by health care providers and patients in a private, secure, interoperable environment. This sets up an Illinois Health Information Exchange Authority, which is going to manage the Health Information Exchange. It will set up standards and protocols for the use of electronic health records among providers at the time that patients need health care. And this is something very much promoted by the Federal Government. We already have received two grants in Illinois that is beginning the process of incentivizing and working with health care providers throughout the state to make electronic health records part of... ubiquitous and part of all medical practices. And the purpose, just to remind all of us, is to reduce health care costs by reducing health errors... health care errors, to enhance coordination of patient care among providers, to increase the patient's ability to manage his or her own family's care, and to reduce health disparities. And I urge... I welcome your questions and I urge a strong support."

Speaker Madigan: "The Lady moves for the passage of the Bill. The chair recognizes Representative Osmond."

Osmond: "Thank you, Mr. Speaker. To the Bill. I rise in strong support of this. I think that it is something for our future. It helps with Medicaid fraud against Medicaid fraud, it helps medical malpractice, and I think that it is definitely what we need to look at for the future. And I invite anybody that wants to see this system to contact

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Representative Hamos and get a better understanding of what we're dealing with in the future in medical record keeping. Thank you."

Speaker Madigan: "Representative Howard."

Howard: "Thank you very much, Mr. Speaker. I am very excited about this program that's being... being produced or developed with this legislation not only because of the things that Julie said and Representative Osmond, but also because of the potential of the employment opportunities that our young people will be able to have access to across the state. I'm told there will be thousands and thousands of jobs that will open up and I'm going to be encouraging young people to look at the programs, take those kind of courses in... in college, and to try to be a part of this. Thank you, Representative Hamos and I'm certainly very supportive."

Speaker Madigan: "Representative May."

May: "Yes. I would like to commend the Sponsor for the work on this Bill. It is a major step forward to make sure that we cut down on costs and that we give people a health care home. They will have records. Those of us who have seen it working with patients in hospitals, it is amazing. It will reduce repetitive tests, provide better outcomes. It's a major step forward for the citizens of this state. And I really want to thank Representative Hamos for this... this legislation which will bring us into the next century in providing health care"

Speaker Madigan: "Representative Coulson."

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

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Speaker Madigan: "Sponsor yields."

Coulson: "I just have a couple questions about the issues of confidentiality and privacy and obviously this is a very, very important program and the Federal Government is going to help us fund that. Have... is there something in the Bill that protects the records, makes sure that they are maintained in confidentially, and then protects patients' privacy?"

Hamos: "This will be, I believe, the first key mission of this new Authority that will be guided by a private-public board and its right in the very first Section that... I mean, clearly, HIPAA guides all of this. So, we start with the federal overlay of all medical records and those are of course in control of the patients... guided by what... a patient's privacy rights, but it's right within... and I'm looking for it, the powers and duties. The very first Section of powers and duties of the Authority is the Authority shall create the exchange using information systems and processes that are secure are cost effective and meet all other relevant privacy and security requirements under State and Federal Law. And within this there are also, of course, violations... penalties for violations of privacy rights but they will have to grapple with this from the beginning."

Coulson: "Thank you and that assures me that it's high on the list. Is there only one corporation or are there multiple companies that are going to be able to bid on these types of exchange in technology?"

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Hamos: "Well, we talked about this with Representative Davis yesterday also, there will be a procurement process, but the Illinois Health Information Exchange will be actually an interface between systems to make sure that they're interoperable. So, there is a tech... there is hardware, software, and training that has to go along with making this available throughout the state. Now, most of the purchasing, the procurement, will happen at the provider level because the providers will now be incentivized with federal money actually to get... to develop electronic health systems. This Exchange itself will be a small office that will be the connector among health... electronic medical records."

Coulson: "So, the... so, the... I guess the question is will those providers have some choices in the type of technology they purchase or will it be only one bidder?"

Hamos: "Definitely not just one bidder, definitely not just one company, but the Federal Government is so aware that health records have to be interoperable among providers that there will be new federal consistent standards that will be required of all systems. There are multiple vendors. Last year there was a vendors' conference and 150 different companies were there, many of them minority vendors. So, there will a lot of that work going on throughout the state and it's not... definitely not just one bidder and one vendor."

Coulson: "Okay. Thank you very much. And this is a... to the Bill. This is a great direction that we need to move forward in, in health care, so that we can make sure that

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errors are decreased, that patient records are secure, but also that we can make sure that people receive the best possible care no matter where they are in the United States. Thanks. Thanks for doing this."

Speaker Madigan: "Mr. Black. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, since this involves considerable change and... and some new technology, and I think the Bill is a very good Bill, and yesterday all we talked about was jobs, it would appear to me that this may create additional jobs. Can you... do you have an estimate on how many new technical oriented jobs it might create?"

Hamos: "We are convinced that it's in the thousands because we already had a demonstration the other day of one group of physicians in Texas who came together to develop there own local exchange and with that they realized how many new technical support people had to be hired and of course at the hospital setting also. So, there will be a new workforce that will be very much involved in making this operational and that's what Representative Howard was excited about also.

Black: "And did they give you some attribution as to how these figured are arrived, I mean, did somebody give you information on... I guess what I'm asking is where did the information come from? Is it reliable source on the number of jobs that might be created?"

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Hamos: "Well, I did get information, actually, and I'm looking for it from one vendor, and one group, and that's just one group in Texas as an example that has already implemented something like this.."

Black: "Okay."

Hamos: "...and Illinois, we don't have.. we're a little bit behind. So, we don't have any really reliable data here in Illinois, but from that one group they were able to show us actually, but I can't quite locate the information. I have it."

Black: "So, was this a vendor from Texas?"

Hamos: "They are based out of Washington, D.C."

Black: "Okay."

Hamos: "It's just one example. They happened to come to town and were kind to show us a demonstration. Any.. there's any number of these demonstrations. My own health care provider had.. uses electronic medical records and I can go online right now and access my electronic health record online. So, there is this kind of work going on. This piece of legislation that we're debating right now would pull this together."

Black: "So, did I hear you say just a second ago that Texas was a little bit ahead of Illinois?"

Hamos: "Shockingly so. This one group seems to be doing some very interesting work. We have some of those experiments going on here too."

Black: "Okay. Well, I know you'll want to join me in thanking former Governor Bush for his leadership in the State of Texas."

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Hamos: "Absolutely."

Speaker Madigan: "Mr. Miller."

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

Speaker Madigan: "Sponsor yields."

Miller: "First off, Representative, are dentists included in this?"

Hamos: "Are what, please?"

Miller: "Are dentists included in any of this? They're not named... you've named pharmacists and other professional... health care professionals."

Hamos: "Well, it's interesting you say that because it's any number... all health care providers, I believe, will be using electronic health records. The Federal Government is going to be very directly sending incentive payments down to any health care providers that work with Medicaid and Medicare patients, and I'm sure that's across the board including dentists."

Miller: "So, I... my concern and as this Bill moves on is the fact that either they need to be explicitly mentioned or... or a catchall or something. Maybe, I don't... I don't know what the... our analysis does not explicitly mention it, not that I'm opposed to it. Other point I just want to ask you is, this particular Authority is just simply to try to design a system that will exchange medical records securely here in Illinois, or will it be compatible with other states and other places across the country? And I ask this because when many dental offices decided to... or many hospitals decided to start to use electronic records or electronic means, there were many different systems. There

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was one maybe based on a PC system, one on a MAC system, and I know that type of technology has been emerging, but is this to help integrate that you have one uniform set of standards, or one uniform set of systems that can be interrelated not just within Illinois but also across the country?"

Hamos: "Well, I'm... this particular Bill has to do with a state level exchange and the Federal Government is really pushing states to do this at the state level. However, the problem we have right now, to give you an example of this, is that of an excellent vendor sold a system to Northwestern Hospital, it's a very big system... a very big hospital. So, the very same vendor sold a system to University of Chicago Hospital, again, a very significant health care provider, those two systems don't talk to each other right now"

Miller: "Right."

Hamos: "And if you're a patient that goes from one to the other, they don't talk to each other from the same vendor. So, that's the kind of work that has to now be done to make systa... to make this interoperable, is the word for it, among health care providers. Once that happens, with federal policies for consistency, I'm sure there will be more opportunities across the country to make this interoperable as well."

Miller: "But I guess the question is, the mechanism is that the Authority will decide because part of it is vendors do want to have... there are specifics with possibly the University of Chicago versus Northwestern Hospital. Yes, it's a shame that the fact there's not a... there's not some sense of

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uniformity but also he's got to be mindful that some of these companies in a sense of profitability doesn't want... they want to be able to come up with the interface themselves so there is some sense of them continuing to be involved with a particular hospital or particular provider. I guess my concern... just my concern is and maybe this is a great thing to do is the fact that you'll end up having these different silos of networks whether it's... cause downstate health care is a little bit different than an urban city that to make sure that the interface, to make sure that there's some sense of uniform standards that they're using a similar procedure codes, using similar technology than which they can really be... reach the goal that you're trying to address. And I think this is a great move in the right direction and just wanted to bring those points out to you."

Hamos: "Well, Representative, I think you really get this. And I think that's exactly the challenge, what you just named because as we speak these many networks are being created using their own systems, their electronic health records system, and now we need to knit this together because most importantly electronic health records have to follow the patient, wherever the patient receives care."

Miller: "And last point, I just want to make sure that the Authority at least can be able to address some potential collusion or potential... insider deal with some of these networks or establishments as they move forward and particularly in this new technology and us trying to relate

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this information. That's all. I want to thank the Sponsor.
And thank you, Mr. Speaker."

Speaker Madigan: "The last speaker will be Mr. Will Davis. Mr.
Will Davis, the last speaker."

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

Speaker Madigan: "Sponsor yields."

Davis, W.: "Representative, you and I obviously had some
dialogue yesterday with regard to minority goals and you
pointed out to me yesterday that there was specific... some
specific language that spoke to that any contracting that
would be done would have to speak to business enterprise
goals for minorities and women, things of that nature,
correct?"

Hamos: "Yes, that's right."

Davis, W.: "So, let me ask this... this question and I... it
alludes to something you said a few moments ago. So, any
dollars that come through this entity will be subject to
business enterprise goals, correct?"

Hamos: "Public dollars, yes."

Davis, W.: "Any public dollars that come through it. Okay.
Now, one of the things that's in the analysis and it speaks
to \$18.8 million that's going to be... that Illinois... says
Illinois is going to receive from the Federal Government.
Will this entity receive any of that money?"

Hamos: "Well, I hope so, but that's not really established.
The \$18.8 million, the first grant we received, we haven't
actually seen the first dollar yet of that."

Davis, W.: "Correct."

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Hamos: "The first part of it is just to develop a plan for Illinois, a million dollars, and once we submit that to the Federal Government, the rest, we hope, will follow. I... we... there's an Office of Health Information Technology at the governor's level, the money will come in, I think through the off... Healthcare and Family Services agency and we don't know how much of that money will come necessarily to this Authority. However, whatever that money is, whether it comes to the Office of Health Information Technology, or to the... the state department, it's subject to the same minority goals for procurement, yes."

Davis, W.: "Okay. I just want to make sure that we're very clear on that because the last thing I want to hear, like I've heard before, is that contracts have let... have been let from the state in Healthcare and Family Services for millions of dollars and that there are absolutely no... no minority goals put on the dollars to encour... to encourage that type of participation. I just don't want to hear that in the future. So, if your agency or if this agency, excuse me, is subject to receiving any of these dollars that will ultimately be put into a contract, RFP, if you will, that will be put out, I just want to make sure that those goals will be stated in the contract as it leaves the door, is that correct?"

Hamos: "I... I agree with that."

Davis, W.: "Okay. Now, in any of the language of this particular Bill does it speak to what any percentages would be for minority contracting if such a contract was let?"

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Hamos: "Well, it makes reference to the Business Enterprises for Minorities, Females, and Persons with Disabilities Act, and I can tell you that right now, Representative, there's a big study going on, in fact, within the department of Central Management Services that measured the impact of discrimination on a procurement. And whatever is in this Act I believe is 20 percent, seems to be one of the numbers I see in it, I think this whole Act is going to be reviewed very soon because as a result of this study we will be looking at how well it's worked and whatever this... whatever the state policy is, is now going to be incorporated into the work of this Health Information Exchange."

Davis, W.: "Okay. Well, again, as we continue this dialogue and yesterday I even agreed to be a cosponsor on this particular piece of legislation because I'm understanding, and having a better understanding of everything that's entailed in there, but again, we want to make sure that as dollars, state dollars and even the federal dollars that come through the State of Illinois are utilized for contracting opportunities that minority businesses, both ethnic minorities as well as gender minorities have ample opportunity to participate and have access to those types of dollars to allow their businesses to be able to grow and prosper just like nonminority businesses have been growing and prosper on the state dollar for years and years and years, in the past and presumably in the future. Okay?"

Hamos: "I agree."

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

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Speaker Madigan: "Mr. Eddy, I have announced that Davis was the last speaker. Representative Hamos to close."

Hamos: "Well, thank you Ladies and Gentlemen. I think that we've had a good discussion. I'm very proud of the work that we have been doing for a number of years with all of the stakeholders at the table. I think this is an exciting beginning for Illinois and I'm pleased to get so much really diverse support from the Body. And I urge an 'aye' vote."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 108 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Sullivan, did you wish to call House Bill 5799? The Gentleman indicates he does not wish to call the Bill. Mr. Black, did you wish to call 6241?"

Black: "Yes, Mr. Speaker."

Speaker Madigan: "Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 6241, a Bill for an Act concerning revenue. Third Reading."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. This is a Bill that has been worked on for some years, if I can get it out of my desk here. This Bill represents the work of county assessors, county clerks, county treasurers, mobile home park owners, manufactured home industry and the modular home industry. What it does is to clarify a inconsistency in the law. A manufactured home, when I was married 48

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years ago, we called them trailers, and my wife and I lived in one of those for the first three months of our marriage. And there was some concern about what constitutes a manufactured or mobile home and as most of you should be aware, that is subject to a privilege tax, which is 30 cents a square foot, after seven years it's taxed at 7 cents a square foot. So the mortgage bankers and everybody else, with the advent of modular homes, those are homes built in a factory, stick built, then they're delivered to a lot on the back of big trucks and installed on your lot or your foundation. And some people were saying, well, the... a modular home that could cost \$250 thousand or up should be treated as a mobile home, and only subject to the 30 cents a square foot tax. The mortgage banker said, well, if that's the way you're going to treat it, we can't make a mortgage loan on... on the definition of a mobile or manufactured home. This Bill goes only forward. If you pay the privilege tax now, you will pay the privilege tax in the future, but it makes a distinguishing characteristic between what is a modular home, which will be taxed as real estate, and a manufactured home, which will be subject to the privilege tax. I'll be glad to answer any questions that you have."

Speaker Madigan: "Mr. Will Davis."

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

Speaker Madigan: "Sponsor yields."

Davis, W.: "Representative, a few days ago you had a Bill in the chamber here that would give one of your school districts... well, you were advocating on behalf of one of

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your school districts, what would allow school districts in the state to, by resolution of their board, move to a four-day week in an effort to save money on electricity, diesel fuel for busses. How does a Bill like this impact your school district? Does it help them so they wouldn't have to go to a four-day work... school day week?"

Black: "If this Bill does not become law, school districts in my district and yours could lose millions of dollars in equalized assessed valuation. If a \$250 thousand or \$350 thousand modular home is taxed as a privilege tax, meaning in effect it's a mobile home, the tax rate on that is 30 cents a square foot. They won't pay real estate taxes and most taxing bodies whether they be county, city, school districts, have for years said, you need to clarify this because it has the potential to take millions of dollars of equalized assessed valuation off the real estate tax rolls and put it on the privilege tax which doesn't bring much money into the County General Fund, the School General Fund at all."

Davis, W.: "Okay."

Black: "So, I... I think this Bill does have some help, not only for school districts but for all local taxing bodies."

Davis, W.: "So... do... can you say, with any degree of certainty, that if this Bill does become law that your school district won't try to go to a four-day school week in an effort to save money?"

Black: "Well, I don't think I can say that because the school district that brought that Bill to me, I don't believe has very many mobile home parks or mobile homes in it. I do

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have a school district, Oakwood Unit 76, has an extremely large mobile home park and... and that would stay that way. That they're... most of those are paying seven cents a square foot. I know that the Oakwood School District is very concerned that we not give that kind of rate to a home that costs upwards of a quarter million dollars, but I can't say for certainty whether it would help the Jamaica Unit District because I don't think they have many of these kinds of situations."

Davis, W.: "Okay. I appreciate that. Very quickly to the Bill, Ladies and Gentlemen. I certainly want to commend Representative Black on his efforts. I think this is a noble attempt to help school districts throughout the entire State of Illinois, to help deal with some of their financial problems. Of course, I'm still going to advocate for a broader comprehensive school funding reform, in House Bill 174, that I think certainly will be a benefit to school districts throughout the entire State of Illinois. We certainly want to commend the Gentleman on his efforts to help school districts by moving this measure through. So, I certainly would encourage your support for this measure. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 87 people voting 'yes', 4... 21 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr.

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McGuire, do you wish to call House Bill 5022? Mr. McGuire?
Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5022, a Bill for an Act making appropriations. Third Reading."

McGuire: "Thank you, Mr. Speaker. 5022 is a Bill that I had previously in a couple previous General Assemblies. What the Bill does, it's identical to a Bill from the 96th G.A. and the 95th G.A., and it appropriates a total of \$200 thousand from the General Revenue Fund to the Department of Human Services for grants for family counseling services. The Bill breaks the appropriation down into two separate \$100 thousand grants, The Trinity Services and Catholic Charities of Joliet. Family counseling services are offered to a wide array of ages and ethnic and cultural backgrounds, et cetera. I would sure appreciate your support on this Bill and I thank you very much."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Black."

Black: "Mr. Speaker, when you're through with this Bill, I would request a recognition for a point of personal privilege."

Speaker Madigan: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. To the Bill. With all due respect to the Sponsor, this Bill has been previously posted and not voted on in passed years, but this year it was voted out of committee and certainly has the potential to be a shell Bill to come back with some interesting things. If you're someone that's worried about voting for a Bill that may become a shell Bill, then I would urge that

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you don't vote for this. Other than that, that's about it."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 63 people voting 'yes', 45 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise to a point of personal privilege. And if I could have your attention for just a second because my district office legislative aid, and office manager who I've worked with for the last 14 years, if you're so inclined today, if you would keep her in your prayers. She is at the Indiana University Simon Cancer Center. She had a bone marrow transplant on Tuesday, and will have a stem cell transplant procedure from her identical twin sister today. And if you'll keep her in your thoughts and prayers, I know her family and I would certainly be grateful. She... many of you have worked with her, and many of the state agencies have worked with her. She's a delightful lady and I know she's going to fight this, and I can only hope and pray that the prognosis will be good for her and good for her family. She is a wonderful woman."

Speaker Madigan: "Mr. Colvin, did you wish to call House Bill 6018? The Gentleman indicates he does not wish to call the

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Bill. Representative Dugan, did you wish to call House Bill 5732? 5732. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5732, a Bill for an Act concerning finance. Third Reading."

Speaker Madigan: "Representative Dugan."

Dugan: "Thank you, Speaker. 5732 amends the Downstate Public Transportation Act. The legislation provides that annual 10 percent growth in appropriation may be exceeded when any participant extends his service area by either annexation or intergovernmental agreement. Last year downstate transit we got into statute about a 10 percent increase. This just addresses an issue with participants at transit districts that may incorporate a larger area and larger service area. So, I'll answer any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the questions is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 108 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. McCarthy, House Bill 6206. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 6206, has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Mr. McCarthy."

McCarthy: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. Would you move this to Third, please."

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Speaker Madigan: "Mr. McCarthy. Mr. McCarthy, excuse me. Mr. McCarthy, excuse me. Mr. Clerk, what is the status of 6206?"

Clerk Mahoney: "House Bill 6206 has been read a second time, previously."

Speaker Madigan: "Are there any Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "House Bill 6206, a Bill for an Act concerning education. Third Reading."

Speaker Madigan: "Mr. McCarthy?"

McCarthy: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 6206 is an initiative of the Illinois Student Assistant (SIC-Assistance) Commission. It basically adds something to the definition of eligible schools. You know it's for the College Illinois Program. Many of the residents of our state have these contracts for a certain number of semesters or years of tuition that they prepay and very seldom does this happen, but it has come up that there are some institutions that are not eligible because for one reason or other, they don't... they don't use the MAP program. An example of this would be like Principia College. It's a Christian Scientist School that because of that does not participate in MAP. Another example would be the John Marshall Law School, because they do not have undergraduate classes. If a person finishes their undergraduate degree, and still has a couple semesters left, they could not use it at John Marshall

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where they would be able to use it like at Northwestern, Loyola. The Illinois Student Assistant (SIC-Assistant) Commission thinks this is an oversight. And I would appreciate your support in changing the laws so that these schools could be included as well."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 108 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Rita, did you wish to call House Bill 6434? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 6434, a Bill for an Act concerning public aid. Third Reading."

Speaker Madigan: "Mr. Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 6434 basically just adds a rate for high Medicaid nursing homes. I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Osterman."

Osterman: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Osterman: "Representative, what's the genesis of the Bill?"

Rita: "To help some of these high Medicaid nursing homes."

Osterman: "Help them how come?"

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Rita: "Sort of, kind of like we've done with the... the hospital DHS that... what they call it... that DHS payment."

Osterman: "I agree and some of those high Medicaid nursing homes are in my community. But I... what I want to say is, currently, there's an environment going on right now... or currently, there are negotiations going on right now with nursing home industry as well as advocates about the terrible state of affairs for... of the nursing homes and the care that's provided in the State of Illinois and to say it's a crisis would not be an overstatement. Was this recommendation... or was this Bill part of the Governor's task force on nursing homes? Is this part of that provision?"

Rita: "Not... not that I'm aware of."

Osterman: "And how much would this cost the State of Illinois?"

Rita: "Well, it all depends because it would be done by rule by HFS. And they could appropriate a dollar... they could appropriate 50 cents, and I mean, so it... "

Osterman: "Ladies and Gentlemen, to the Bill. Conceptually, I'm not against helping high Medicaid nursing homes, but we have two realities. The first reality is that we are in a fiscal crisis unlike any we've seen in our lifetime and when we get back from our break, we're going to have to deal with that head-on. Passing legislation like this saying that a rule could be made to give these high Medicaid funded nursing homes more money, at this point in time when we don't know what our financial situation's going to be, and how we're going to pay for schools and a lot of other important health and human service programs, I

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think is something that we should not be doing. Secondly and... and more importantly is that the nursing home industry in our state, the Tribune and others have highlighted some phenomenal tragedies and mismanagement of nursing homes. There's a nursing home in our community, Representative Harris and mine, that was shutdown by the Federal Government and indictments were cast on, on the owners of that facility. Others are going in and looking at all these nursing homes, the way they are run and the care that they're provided for. Giving them the ability to get more money right now while these negotiations on reforming the whole system is very premature. And Representative, I would, you know, ask you to consider pulling the Bill out of committee, or out of the record, but ladies and Gentlemen, there will be time to deal with this when we get back, when we look at how we reform our nursing home industry, and how we pay our bills to the schools and... and health care programs in our state. Doing this today is not a good thing and it sends the wrong message. And I would ask everyone to vote 'no' on this Bill."

Speaker Madigan: "Representative Bellock."

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

Speaker Madigan: "Sponsor yields."

Bellock: "Thank you very much, Representative. We had a lot of discussion on this in the Human Service Committee and I know that we didn't get all the information that we wanted when we talked about how... what percentage of these nursing homes were you addressing. So, we're asking you that if we

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move this Bill, if you will give us your word that you will continue to work on this in the Senate, but that it will be brought back to the House?"

Rita: "Yes. And we're... and we were going to address that by putting a percentage in there so that it would be the very high, somewhere in the 90 percent range would... we weren't able to get that Amendment put on there as I worked with you, but you've got my commitment that we would address that in the Senate to come back."

Bellock: "Thank you very much. 'Cause I agree with some of the comments by Representative Osterman about, you know, not knowing how much this will cost us. We understand that some of these nursing homes do have a high, high percentage of Medicaid populations and so we'll count on you to bring this Bill back to the House. Thank you."

Speaker Madigan: "Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, HFS is concerned about this; they oppose the Bill. I think their concern is that a rate increase that may not be directly related to the... the federal disproportionate share is... is something they... they fear could be a bottomless pit. Now, is this subject to appropriation?"

Rita: "It will be established by rule and they would be in control of that when they... when they set the rate."

Eddy: "But if..."

Rita: "And what their concern from my understanding in committee was, it was stated in the Bill and that's what

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Representative Bellock stated that we just stated what a high preponderance of Medicaid population without stipulating a percentage and we're looking at somewhere in the 90 percent-plus."

Eddy: "Well, without this being subject to appropriation then this is kind of a blank check. I mean, this is a... this is very dangerous because whatever they end up determining, we're on the hook and I mean, I'm uncomfortable with that not... not because the... we don't trust what they might do but what this could become is something that I really don't feel comfortable with. I know your intent to bring this back, but at the same time the way our budget's going to be this year, to pass this without some kind of limitation to appropriation I think would be a mistake. I think we're much better off waiting to do this in a more responsible manner. And I think, Ladies and Gentlemen of the House, with all due respect, this is not what we need to be doing at this time. We have time later. This can all be worked out as part of a process when we know more about it that includes some limitation on the appropriation. And I would either urge individuals to vote 'no' or 'present' until we have more information."

Speaker Madigan: "Representative Feigenholtz."

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

Speaker Madigan: "Sponsor yields."

Feigenholtz: "Representative Rita, I'm a little confused about... about this Amendment and I'm a little... I'd like a little explanation perhaps of what happened in committee. Is there a... you're trying to create like a DSH nursing home. Is

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that... is that what I'm reading here, like we have disproportionate share of hospitals."

Rita: "It... it's not similar to what the hospitals, but it's an incentive to create an extra rate for these very high Medicaid facilities."

Feigenholtz: "Now, aren't we already on an MDS system with nursing homes?"

Rita: "Yes."

Feigenholtz: "And doesn't the MDS system determine the rate?"

Rita: "Yes."

Feigenholtz: "So, why..."

Rita: "This would create additional rate for these very, very high... like the ones that are within my district to give them an additional rate and HFS would set that rate."

Feigenholtz: "But I don't understand why we need to do this. What... what does high or low Medicaid have to do with the multiple data system?"

Rita: "It... it's doing what... keeping these places open when they have a very high Medicaid rate and giving a little additional rate would help the system to keep their doors open. And we're talking about, as I stated before, 90 percent-plus."

Feigenholtz: "Well, I understand that."

Rita: "We weren't sure exactly where we were at. We had an Amendment that we were going to put for 90 percent which amounted to about 100... but was 77 facilities. So, this isn't every facility. It's just taking a portion of them, the ones that are... are... fall within that range."

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Feigenholtz: "Ha... has the number of people on Medicaid in nursing homes increased so exponentially that we have to do this?"

Rita: "I can't... I'm not sure on that."

Feigenholtz: "I think that nursing homes historically have been very high Medicaid. Is that not accurate?"

Rita: "Yes."

Feigenholtz: "Okay. So, as I"

Rita: "But we're taking that very top portion, that top tier that... in creating this. This is not for everyone, as I keep saying, it's that top 10 percent. So... so we're dealing with some of these facilities that are, you know, 97, 95 percent. It's approximately, from what I understand, about 70 to 77 facilities."

Feigenholtz: "So, already in Illinois we have a special part of our rate called psycho social rehab. It's the... we're the only... actually the only state in the country that has that and I know that the nursing home task force is working on fine-tuning that piece of the rate. So, here we're trying to create yet another piece, or another component and it's only going to be because of Medicaid. Now... now Representative Rita, right now in the State of Illinois, hospitals and nursing homes are the only two institutions in Illinois that get paid on a 30-day payment cycle, okay?"

Rita: "Okay."

Feigenholtz: "Because of the Recovery Act. So, there are so many other providers that unfortunately are closing their doors because they are having to lay off personnel and cut programs and I'm ju... I'm just a little concerned about

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where we're going here. Could you explain to me what the word preponderance means in your Amendment?"

Rita: "Well, that's what we're addressing by the top tier, that top 10 percent. So, it would be 90 percent-plus, in terms of Medicaid, in terms of this Bill. And that's... that's what we're going to address and we're going to address in the Senate what that high preponderance of Medicaid means. And... and what I'm saying is it's 90 percent-plus."

Feigenholtz: "Okay. So, there are specific things that were discussed in committee and I know that Representative Bellock just asked you if you are specifically going to be sending this Bill back with the... the occupancy percentages, the..."

Rita: "Yes. That's what mainly was discussed in committee was what she stated."

Feigenholtz: "...the dollar value of the rate adjustment."

Rita: "That's going to be determined by rule, by HFS. So, if they, it's going to be determined by them what the rate the... how they set it."

Feigenholtz: "Okay. Because the lack..."

Rita: "So, you can't really put a..."

Feigenholtz: "...the lack of being specific in this Bill is it's not clear how things are going to work out here."

Rita: "So... so, by allowing HFS to determine the rate, it put... gives them the control on determining the amount that they would put towards this additional rate. You know, it depends on their... the money they have."

Feigenholtz: "Well I, you know..."

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Rita: "So, we're not... we're not directing them to give them so much money, a certain dollar amount, were just saying we're allowing to establish a rate."

Feigenholtz: "So, Representative, have you had..."

Rita: "...for that 90 percent high Medicaid occupancy of these."

Feigenholtz: "Have you had discussions with the Governor's Office or HFS on this? Are they in support of this Bill?"

Rita: "They... they came to committee and they were not in support of it. Is what they stated with the meaning of high preponderance that would... that was the main discussion in committee which I'm agreeing to or I'm stating that I'm... we're going to correct when it goes to the Senate, which then would in turn have to come back here."

Feigenholtz: "So, in committee you said that you would be interested in having the rate increase apply only to homes with 97 or 98 percent Medicaid occupancy rates. Is that accurate?"

Rita: "That's what... that was part of what discussions were and then, and after when we determine how many facilities we came up with..."

Feigenholtz: "How many would... how many is that?"

Rita: "With 97, I... I'm... how many? About 30 or 40. When we looked up down to 90 percent, was somewhere around 77. So, prior to... to putting it in stone saying 97 percent, we weren't sure in committee, but it's... we've come up with a figure of 90 percent."

Feigenholtz: "And can you tell me, Mr... Representative Rita, what... with a 30-day payment cycle being met for all nursing homes in the State of Illinois, what is the problem with

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these high Medicaid? What specifically, since they are a vendor, getting paid on a 30-day payment cycle, what specifically is the problem? Because it's not frequency of payment. Is it the amount or the rate? Because that is decided by Federal Law, by the MDS system that we've been employing in the state and I'm a little concerned about what we're doing now not working. Because this Bill implies that we need more money 'cause what we're doing is not working."

Rita: "It.. it just basically gives them an incentive. It.. it's addressing that... that high preponderance of Medicaid. It's just adding the rate, it just setting it so that HFS could determine what that rate would be. We're talking about that top tier. We're not talking about every nursing home, as I have stated."

Feigenholtz: "I know that we had a five-year plan on MDS, and... and for nursing homes. Do you know, were we able, I don't recall, were we able to pay that last year of MDS to nursing homes?"

Rita: "I... I don't know. I'd have to..."

Feigenholtz: "I'm just wondering if this is an attempt to address that last payment. Ladies and Gentlemen of the House, I appreciate and I'm trying to figure out what's going on, this is kind-of a very vaguely drafted Bill that could cost us a lot of money and I have a lot of questions this last one especially about MDS unanswered. I'm a little concerned. We have so many providers in the State of Illinois that are... that are closing their doors. Perhaps some of these high Medicaid nursing homes also are

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struggling. I'd like to know a little bit more about it and I am, of course, looking forward to see what the Amendment looks like because this is very vague. Thank you."

Speaker Madigan: "Mr. Harris."

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

Speaker Madigan: "Sponsor yields. Sponsor..."

Harris: "Representative, as Representative Osterman mentioned, yeah, we... we've had some pretty bad problems with some nursing homes up in our area. In this legislation, are you contemplating any kind of performance or quality measures that would... that there would be some kind of minimum quality or performance such as stopping or time spent with patients in the homes in addition to just a proportion of Medicaid patients?"

Rita: "Not specifically in this piece of legislation. It's a good idea and it's something that we could address. But it's not within the... in the House Bill 6434. It's... that particular language is not."

Harris: "I would really encourage you to look at that because if we..."

Rita: "And it's... that's something that we could encourage or when it goes to the Senate to work with them to put maybe something possibly with that. I'm not inclined to not addressing something like that."

Harris: "Yeah. I would really like to see some kind of measure or standard to be sure that the money that goes in to this system is really used for the benefit of patients and doesn't just find it's way back into the pockets of some of

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the nursing home owners. Another question Representative, is this a federally matchable funding?"

Rita: "It... it possibly could be, yes."

Harris: "Well, is there an existing waiver for this or would we need to go through another waiver process?"

Rita: "So, from... the rates, from my understanding, are matched so this possibly could be matched."

Harris: "And what... what would our potential match be?"

Rita: "As of December 31, it was 61 percent."

Harris: "So, under the extended stimulus program, we could get 61 cents matched from the Federal Government for every dollar we put into this?"

Rita: "Yes."

Harris: "Okay. Thank you Representative."

Speaker Madigan: "Mr. Miller."

Miller: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, I understand the concept of what you're trying to provide additional dollars for those who treat the underserved. You mentioned a word incentive but in a sense of these facilities are already treating this population. Is that correct?"

Rita: "Yes."

Miller: "And I heard from Representative Osterman and others about some of the problems that are associated with some of these facilities. Are they directly related to money?"

Rita: "I... no, I wouldn't... I wouldn't say that. I mean, I don't think it's directly related to money, I don't know. I think it depends on the different facilities and the

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different problems that they are facing. I don't think you can put a direct link to that."

Miller: "My concern is, you mentioned several times about in regards to the pools of... pool of dollar... additional dollars that this would put on the system, and... and honestly, I haven't heard really a clear answer in terms of the exact dollar amount that will be... you mentioned it will go by through rule, but I'm not quite understanding how rule... rule will decide on the budgetary constraints or budgetary item on this particular Bill."

Rita: "What it says is the payment shall be adjusted... the rate or the payment shall be adjusted annually depending upon dollars available or dollars that they would like to put in to this particular additional rate. So, HFS would determine annually what that rate is so it would, depending upon the rate and depending upon... so it..."

Miller: "Hold it. What... what the rate is or what the... so, for instance, if you see 98 percent low income..."

Rita: "No."

Miller: "...then what you're saying though is that, if you see that you're going to get additional dollars and school systems do that. School systems do have a poverty count where as we represent, or near the Village of Riverdale, additional poverty dollars go towards higher pools of concentration of... of because it's theoretically harder to teach children if they've got lower economic and higher grade needs. Is that the..."

Rita: "So... so, basically when we, they were talking about earlier is setting what the percentage. So, it wouldn't

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fluctuate on the percentage once we set the percentage. If it was 90 percent, it would deal with everybody in that top tier. They would determine the rate which would determine how much money would go in there, whether it be a dollar, whether it be two dollars, whether it be 25 cents. That would determine the actual dollar, so that's why you can't really answer what it is actually going to cost because it would depend on HFS on what they set the rate at, and they could adjust it annually."

Miller: "Well with this particular..."

Rita: "So... it, then it would be based on available funds, how they could look at that rate and what they would put in that."

Miller: "So, an earlier comment was this would be... there is no language dealing with subject to appropriations. So, if it's... if there are no moneys allocated for this and yet by rule in establishment of a higher rate, then essentially there will be no dollars going towards those high needs which would contradict a statement of you saying there's an incentive. And how would somebody have a sense of predictability to know that a agency can say one year, these funds are going to be there, next year, who knows what's going to happen, and in a sense of an incentive of... of trying to provide greater participation or greater service for the Medicaid population."

Rita: "Can you sort of... I mean, I'm trying to follow you on that question there."

Miller: "You said that the amount of population at a facility would be serve, would be set by rule. Correct?"

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Rita: "Yes."

Miller: "That could fluctuate..."

Rita: "Wait, no, it would be... When we address it in the Senate that... and that's where this high preponderance of Medicaid population we're going to address that and make that a... a percentage. Ninety percent was something that we were looking at. So, that would be set."

Miller: "Okay."

Rita: "So, you would know exactly would... what facilities we would be dealing with, and who... what the criteria is. If you fall in that 90 percent to 100 percent, or... that would be determined. Okay. Does that... for that portion."

Miller: "I, Bobby, believe me, as somebody who... I understand what you're trying to do. I agree what you're trying to do, but trying to pay... excuse me, Representative Rita... of trying to pay providers who provide a service to a... to a underserved area... an undeserved area... to a... those who cannot afford it, service that's a higher compensation. The problem exists with this is that there's no seal based on what you're saying, I just want to be clear, there no sense of predictability from year to year..."

Rita: "No."

Miller: "...on what that population should be. That's point one. Point two is the fact that you're saying that... that based on that they could... the agency could provide no doll... no additional dollars for this and once again that's not the incentive, you used the word incentive, because there is no predictability with this."

Rita: "Based upon from... they would have to give something."

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Miller: "I'm sorry."

Rita: "Whether, depending on the amount. You're right, it would be adjusted annually. Yes, there would be... it wouldn't be set exactly where it's at. To address your first part of the question, that's what we're going to address in the Senate. Is what them... is what that percentage is that we're talking about, that tier. So, they would know if they fall within that... if their 90, 92, 93 percent, they would fall in it, that they could... that they would qualify for that additional rate and then that rate would then be determined by HFS. If it's..."

Miller: "To the Bill. To the... Thank... thank you. I've worked with Representative Rita, his heart and his spirit is in the right direction. I'm still not quite clear. There are some problems with this. It's great to incentivize providers who go into underserved areas, who try and provide a service, who are paid a lower rate. That is something that has to happen, that needs to happen; however, without any real checks and balances in regards to how much this is going to cost, with no predictability from year to year on what that incentive is going to be. Unfortunately, you're going to end up with a system that... that I don't think will provide the ends to the means of where this Gentleman is trying to go, where this legislation is going to go. Once again, I would ask everybody to seriously listen to this debate. It's very important on our budgetary implications as we move forward. Thank you."

Speaker Madigan: "Mr. Lang."

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

Speaker Madigan: "Sponsor yields."

Lang: "So, do... there seems to be some dispute about whether this Bill is subject to appropriation. Can you clear that up for us?"

Rita: "It's not."

Lang: "It's not, but nevertheless the department get... has to determine how many dollars they might have available for the program and they can set their rates according to what dollars they might have available."

Rita: "Yes. Yes, correct."

Lang: "Thank you. Mr. Speaker, to the Bill. I believe that the opposition to this Bill is overblown. This while it does not say subject to appropriation in essence is. The department can only create a program for the dollars available for these disproportionate share facilities. We have a disproportionate share program for hospitals that serve heavily Medicaid populations, why not for these facilities as well. This is a program that would only move forward if there were dollars available, subject to appropriation or not, still they can only provide dollars that are available. All the conversation about needing the money for the budget and all this is all true... it's all true, but this is a Body that last year gave the Governor the entire budget of the State of Illinois and said spend it any way you'd like. This is really just a continuation of that. We have a responsibility to recognize that these facilities are part of the health care continuum of our state. A lot of people want to talk about these facilities

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as something else, but in essence they're part of the health care continuum. The deal with people that have real needs and many of these people with these real needs have no dollars. This is an opportunity, if we had money available for the department to create rules to recognize the fact that these are facilities that are part of this health care continuum and to take care of some of their needs, no different than we do with disproportionate share hospitals. I think it's a fair and balanced Bill, and it's a Bill that understands that these facilities are part of what we need to move forward for health care in our state for our senior citizens. I would strongly recommend your 'aye' votes."

Speaker Madigan: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I wasn't sure you called my name, it's so loud in here. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative, I'm going to make some statements about this Bill, and then I'm going to ask you if you agree or disagree, and then I'm going to ask for a favor from you. But quite frankly, my understanding was there was another Amendment to this Bill that would have clarified it, but unfortunately it was a little late to be filed, and so it makes the Bill a little less clear as to where we're going with the provisions of this measure."

Rita: "Correct."

Mulligan: "Okay. And that basically that it only covers 70 out of 825 nursing homes."

Rita: "Yes."

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Mulligan: "And right now there are some negotiations going on with the Governor's Office on other issues because a few bad apples in the nursing home industry have caused quite a scandal and the Governor's running for reelection and I don't expect you to answer that. So, I hear no answer, but that the negotiations are kind of tough and also we've passed major medical health care at the federal level which is going to change probably Medicaid and Medicare and things that strongly affect nursing homes. And so, what they're looking for is to try and protect their high Medicaid nursing homes. That being said, I think there are a lot of questions about this Bill and what I think would be a more appropriate way of doing this is perhaps taking the Bill out of the record right now and shelling it. And then having a little more of a discussion perhaps that could come back from the Senate or something a little better could happen with it so that the people that are actually voting on it and worried about the cost would have a little more time. Although, quite frankly, my understanding is DHS would be the one... or HFS would be the ones that would set the rates. It would come through JCAR for approval. I mean, there are a lot of checks and balances on this and so I think basically the Bill has got a really good concept, it's just not soup yet and that if you were to take it out of the record, it would probably be a little easier to work on it and get it passed after we're able to talk to more people about it."

Rita: "Okay. Mr. Speaker, can we take this out of the record?"

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Speaker Madigan: "Mr. Clerk, take this Bill out of the record. Mr. Cross, did you wish to call House Bill 6065? Mr. Clerk read the Bill."

Clerk Bolin: "House Bill 6065, a Bill for an Act concerning education. Third Reading of this House Bill."

Cross: "Thank you, Mr. Speaker. This is a Bill that deals with the issue of how we treat kids with diabetes in schools. And I want to stress that this is a work in progress. This is a issue that we've been dealing with the last six years. We passed a Bill out of this chamber that was a lot... that went a lot further than this Bill does. We've narrowed it down in scope quite a bit, but I stress we are continuing to work with various groups. Senator Steans in the Senate is working on a comparable Bill, and we are trying to do two things in this Bill. One, we say that kids that have the ability to self-administer their diabetes in a school will be allowed to do that, and we also say that instead of mandating a certain person like a teacher to provide assistance to kids who can't self-administer, that parents have the right to find a volunteer. I would be glad to answer any questions and again, I stress, we will continue to work on trying to resolve differences we have, but this is a big issue. It is an issue that this chamber has addressed in the past and as I said, an even broader sense. And of course, I would appreciate the support of all of you to move this Bill further and to continue to work on it. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall

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this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question, there are 104 people voting 'yes', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. McGuire, do you wish to call House Bill 5023? Mr. McGuire."

McGuire: "Thank you, Mr. Speaker. House Bill 5022... 5023."

Speaker Madigan: "Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5023, a Bill for an Act concerning appropriations. Third Reading."

Speaker Madigan: "Mr. McGuire."

McGuire: "I'm sorry, Mr. Speaker. I don't have the file handy. Could I get back to that?"

Speaker Madigan: "Mr. Clerk, take it out of the record. Representative Mendoza, did you wish to call House Bill 5772? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5772, a Bill for an Act concerning regulation. Third Reading."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5772 is the disclosure Bill. It's a consumer protection issue that... that deals with providing information to the consumers about their purchase prior to making it, prior to falling in love with puppies or cats. Basically the Bill, I spoke about it yesterday, what it would do is it would provide for this information to be posted on or near the cage of the animals, both dogs and cats, and this information would be pertinent to the

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animal's health and welfare. For example, where did the dog come from or cat? Who the breeder is? How many animals were bred at that facility within the year? The number of citations that the breeder or the pet store have received throughout the last five years. The breed, color, weight, those type of things about the animal, price and you know, I'd be happy to answer any questions about this. I think I've spoken to every Member of this chamber about the legislation. I'm looking forward to answering any questions and would ask for your favorable support."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I promised the Sponsor I wouldn't get up and say much about the Bill, so I won't. But I will remind you of this, I married a beautiful young woman 48 years ago. I didn't know who the breeder was. I didn't know whether she had all of her shots and vaccinations. I didn't know if she'd be good with children. So, I... I think if I can marry a woman without, not that she was in a cage, but without all this documentation, I think I could probably be trusted to adopt a puppy without looking at the puppy's entire genealogy. But I promised the Lady I wouldn't speak in opposition of the Bill. So, I hope I've kept my promise, but I do have some concerns about the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'yes'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk shall take the record."

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On this question, there are 81 voting 'yes', 26 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. McGuire, House Bill 5023? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5023, a Bill for an Act concerning appropriations. Third Reading."

Speaker Madigan: "Mr. McGuire."

McGuire: "Thank you, Mr. Speaker. House Bill 5023 is another repeat from previous times. 5023 is a fetal alcohol syndrome Bill and it was brought to me from the Trinity Services and they need \$250 thousand from the General Revenue Fund for the Department of Human Services for a grant that Trinity Services and the FAST Team, F-A-S-T, which is Fetal Alcohol Syndrome of Illinois. I would appreciate any questions that you may have and I'd appreciate your vote for this Bill. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, why is it necessary to do a separate line item for one appropriation for one group rather than waiting for the budget when we know how this might fit in with all requested appropriations?"

McGuire: "This is a separate request, as I mentioned, from Trinity Services and they are in the establishment and operation of these fetal alcohol syndrome spectrum disorders and they have asked me to try to help them get funding."

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Eddy: "Well, I understand that. I have organizations call my office all the time and would like to have a separate line item in the budget for every single appropriation they want to make. And I... you've got a good one here, fetal alcohol syndrome disorders, but why a... why one Bill for one appropriation. This...

McGuire: "Well, I've..."

Eddy: "We did it this way..."

McGuire: "Go ahead."

Eddy: "...for every single appropriation, I think we'd be here a long time. Maybe that'd be better."

McGuire: "It's a separate Bill, Mr. Eddy. It's just a separate Bill, Sir."

Eddy: "Thank you, Representative. I would just alert Members of the Body to keep an eye on this. It looks like it could certainly be a vehicle Bill for additional appropriations and if you're concerned about those types of Bills, this is one to certainly be concerned about. Thank you."

Speaker Madigan: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Representative Eddy said what I would have said that this has the potential to be a shell Bill. If you're worried about that, vote 'no'."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. Those in favor, signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 64 people voting 'yes', 43 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared

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passed. Representative Mell, did you wish to call House Bill 5420? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5420, a Bill for an Act concerning State Government. Third Reading."

Speaker Madigan: "Representative Mell."

Mell: "Thank you, Mr. Speaker and Members of the House. HB5420 establishes a microloan program to be administered to intermediaries, regional and local economic community develop organizations to small businesses. The loans are short-term, fixed rate loans up to \$35 thousand for start-up, working capital, acquisition of materials, supplies, or equipment. After the intermediaries have had a year of experiencing... a year of experience of distributing these loans, they're eligible to distribute federal SBA loans. This Bill... I brought this Bill to committee and there's some issues with it and I've been working with... on an Amendment, and I told the committee I would bring the Amendment back. But I then asked the committee since then if I could pass it out of the House and then amend it in the Senate."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Representative Nekritz."

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

Speaker Madigan: "Sponsor yields."

Nekritz: "Representative, what is the source of the funds for the microloan program?"

Mell: "It's subject to appropriation right now. We were going... the Bill originally says we were going to work with DCEO, but we are going to change that to the Treasurer's Office."

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That's... that's the hold up on the Amendment, is we were working with the Treasurer's Office."

Nekritz: "So, these would be General Revenue Funds that would... that would go into this?"

Mell: "Yeah. There could be many different type of job training funds used."

Nekritz: "But the money going in would be General Revenue Funds?"

Mell: "Right, right. There would be a fund created, but we'd have to... we'd have to supply that fund. It's possible General... GRF."

Nekritz: "Okay. Well, Representative, I... when we've got a \$13 billion hole, I... you know, there's lots of good uses for money and but we've... think we need to meet our current obligations before we start establishing new ones. Thank You."

Speaker Madigan: "The Lady moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 67 people voting 'yes', 40 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Phelps, did you wish to call House Bill 5912? 6099? Mr. Clerk, what is the status of 6099?"

Clerk Mahoney: "House Bill 6099, a Bill for an Act concerning agriculture. Third Reading."

Speaker Madigan: "Mr. Phelps."

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Phelps: "Thank you, Mr. Speaker. House Bill 6099 requires the use of nonphosphorous fertilizer on lawns and turf grass when applied by lawn care professionals. Does not... does not apply to anything to do with agricultural purposes, golf courses, or individual homeowners. I ask for its passage, please."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Pritchard."

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

Speaker Madigan: "Sponsor yields."

Pritchard: "Representative, is there any opposition to this as you've amended it?"

Phelps: "No. Yesterday, I was mixed up on House Amendment #2. House Amendment #2 becomes the Bill. All the language has everybody agreed and... or neutral."

Pritchard: "I compliment you on this piece of legislation and how you've worked to get agreement on this. I hope we will all support it. Thank you."

Phelps: "Thank you very much."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I rise in support of the Bill. If you'll look at it very carefully, it sets a statewide standard for those people who are licensed to put pesticides and fertilizer on your yards. It does not impact the individual homeowner. Some would say that's good, some would say that's bad because sometimes the individual homeowner puts hundreds of pounds of phosphorous on their yard when they don't really need to. What this Bill says is

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that the professional applicator must take a soil test to determine the amount of fertilizer that they put on. It... it tries to do a statewide standard so that each community doesn't adopt its own restrictive ordinance. They can't supersede the State Law. And... and the industry realizes that phosphorous runoff is creating a real problem. It gets in the water system, and if you go down to the Gulf of Mexico, there's several hundred square miles of the Gulf of Mexico in which all life is dead because the phosphorous wipes out the alga and plant life and keeps the sunlight from going in. This is a very reasonable compromise. I think it's a good step. I trust that you can all see your way to voting 'yes'."

Speaker Madigan: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in support of the Bill. Representative... the Sponsor, Representative Phelps and I each started out with our own separate Bills. And we were watching each others as we were trying to work with supporters and opponents and so I want to thank Representative Phelps for getting this one so that many people are supporting it and I think you can look to see all the supporters. I know the Sierra Club held out for a while; they're supportive now. So, I would urge an 'aye' vote. Thank you."

Speaker Madigan: "Mr. Will Davis."

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

Speaker Madigan: "Sponsor yields."

Davis, W.: "Representative, when I was lobbied on this Bill, one of the concerns that I had was the impact that this

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would have on small businesses. Because part of the requirement as I understand it was that, if you are a business and you want to apply fertilizer, say, in a residential neighborhood, that you would have to take a soil sample from every house, say, on a block, if you had the entire block, you'd have to take a soil sample for every house. And you would have to be responsible for paying for the analysis of that soil sample to determine exactly what the percentages of fertilizer or whatever would be that you would apply on a yard. Is that still correct?"

Phelps: "That is... that is correct. Soil samples cost anywhere from 15 to 30 dollars per sample."

Davis, W.: "So, 15 to 30 dollars. So, a small business owner this could be tough on them. If they are... particular if they are starting out into this business, and saw it as a way to help employ youth in the community. So, it could be kind of tough on a small business owner, if they had to pay for a number of soil samples to get done to determine what needs to be applied to the yard, correct?"

Phelps: "Representative, also, too and I agree with you, but we made it not so... not so tough on them because this soil sample is just good for 36 months. So you're talking \$15 for 36 months, onetime."

Davis, W.: "When you say 36 months meaning that..."

Phelps: "'Cause that soil sample's good for 36 months."

Davis, W.: "So, it's good for three years?"

Phelps: "Right."

Davis, W.: "Approximately three years."

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Phelps: "Correct."

Davis, W.: "So, it's not something they'd have to do every season?"

Phelps: "That's right."

Davis, W.: "Okay. Well, obviously, that is certainly helpful to small businesses. I appreciate you... I appreciate you clarifying that as well. So, thank you very much, Representative."

Phelps: "Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 105 people voting 'yes', 2 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Reitz, did you wish to call House Bill 6420? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 6420, a Bill for an Act concerning regulation. Third Reading."

Speaker Madigan: "Mr. Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 6420 amends the... well, it's an issue of the Department of Professional Regulation and it amends the Funeral Directors and the Embalmers Licensing Code. This is an attempt to deal with further restrictions on at-need funerals. We've worked with a number of different interests on this. If you would look on your computer, it eliminates some of the restrictions, add some others, but I think the intent of this is to make

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sure that when people are having funerals... at-need funerals especially trying to deal with that at a vulnerable time in their lives, that we have restrictions on there to make sure people are treated fairly and have transparency in their dealings. And I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. And the Chair recognizes Mr. Brady."

Brady: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, just briefly to the Bill. I also stand in support and have been working with Representative Reitz and many others on this legislation and will continue to work in the future regarding matters that the Bill is attempting to address. So, thank you very much, Representative, for the efforts in working together on the Bill."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 107 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Ford, House Bill 4598. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4598, a Bill for an Act concerning criminal law. Third Reading."

Ford: "Thank you, Mr. Speaker. And before I present my Bill, I'd like to wish my daughter a happy birthday. She's six today and I can't wait to leave here. That's more important than anything. So, House Bill 4598, what it does it exclude those offenders with prior misdemeanors for cannabis

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possession with the intent to deliver and manufacture drugs. The Bill is simply allows for first time offenders to receive probation instead of a felony for minor drug possessions. And I'm happy to say that Reboletti and Rose, we worked together on this and it's by no means an indication that I want to be on your side. I'm very happy as a Democrat, but I like to work with you guys. And I move for the passage of this Bill. Thank you."

Speaker Madigan: "Mr. Reboletti."

Reboletti: "Thank you, Speaker. To the Bill. Representative Ford, you're always welcome to come over across the aisle anytime you wish. But with respect to this Bill, as a former narcotics prosecutor in Will County, I spoke with my supervisor recently, he said that this Bill would help them resolve at least 300 cases more expeditiously, help people into treatment, and help people who have drug problems avoid felony convictions and think about... if that's Will County at about 700 thousand people, think about the impact in DuPage and in Cook. And all this does, it says that if you have a prior misdemeanor cannabis disposition, that if you do pick up a felony possession, that you would still be eligible for what we call Section 4, temp probation, which would give you a chance to complete treatment, to do community service, and at the end of your two years of probation, if you have no other arrests, don't violate your probation, that five years later you can have that expunged from your record. I think it's smart on crime. It makes good sense. It does not impact any... it doesn't take away the penalties from drug dealers. This only effects the

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addicts. And LaShawn, thank you for working with me. We worked on this Bill for about three years. So, thank you very much."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 68 people voting 'yes', 39 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Mautino, did you wish to call House Bill 6015? 6015. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 6015, a Bill for an Act concerning finance. Third Reading."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you Speaker. This is the annual transfer of state funds to the Auditor General for the Audit Expense Fund and mandates that the State Comptroller order the amounts transferred from these various special state funds into the Treasury, into the Audit Expense Fund specifically. And this allows the Auditor General Bill Holland to go and do the audits of all our state agencies that are required either yearly or special audits as requested by the General Assembly through the process of Resolution. And I'd ask for an 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 107 people voting

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'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. McCarthy?"

McCarthy: "Thank you, Mr. Speaker. With apologies to the Body, I would ask the Journal to please reflect that I wish to vote 'no' on House Bill 6065. I inadvertently pressed the 'yes' button."

Speaker Madigan: "Let the record reflect that request. Mr. Hoffman, did you wish to call House Bill 5821, 5821? Mr. Clerk, read the Bill."

Clerk Mahoney: House Bill 5821, a Bill for an Act concerning safety. Third Reading."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5821, as amended, simply indicates that in the Smoke Detector Act... in the Smoke Detector Act that would require that nursing homes, MR/DD community care facilities, child care facilities, and newly constructed or substantially remodeled dorms must contain smoke detectors permanently wired into the AC power line, and not just... and also maintain a back-up battery power source. They can't just be made in the AC power line because if there's a fire many times that power line goes down. You need a back-up battery source to ensure that the fire alarm still works, or the fire... smoke detector still works."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by saying 'yes'; those opposed by saying 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question,

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there are 106 people voting 'yes', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hernandez, did you wish to call House Bill 5927? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5927, a Bill for an Act concerning insurance. Third Reading."

Hernandez: "Thank you Speaker. House Bill 5927 would remove a three-month penalty period for families who wish to reenroll in All Kids after they have paid back all past due premiums and one month of premiums in advance. Currently, some families who when enrolled in All Kids are required to pay monthly premiums, families who miss three months of premium payments have their cases cancelled by the Illinois Department of Healthcare and Family Services. In order to reenroll, families are required to submit a new application, pay all past due premiums plus one month worth of premiums in advance, and then wait an additional minimum of three months before their child's coverage can start again. This simply does away with the three-month waiting period. I ask for your favorable vote."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, I think in committee there were some concerns that deleting the penalty period could result in an increase in the number of individuals. I think your response was you didn't think it would expand the number but you had indicated you were going to work on this and..."

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and bring some type of language back to tighten... tighten it up so those concerns would be addressed."

Hernandez: "Yes. And during committee I did. There was a concern expressed, I did work it out and HFS, in return, has responded that there is very, very minimal increase in the numbers of... currently, because of the situation families have fallen off. Paying the premiums and HFS has had to deal with folks trying to get back and they... they pay up the premiums. However, it's the waiting period, the coverage that's of concern so HFS is very much supportive of this as well."

Eddy: "Well, but that there was no... there was no change made to the language of the Bill to address the concerns in committee that this could have that unattended consequence of others taking advantage of the fact that you're trying to help some. This could open up a pretty big loophole for others. And I... the idea I thought was that there was going to be some type... and in fact the representative from the department acknowledged the fact that could happen, but there's no language that... that's been included in an Amendment to address those concerns."

Hernandez: "I did speak with Representative Bellock about this, Representative Tryon as well. And we... we did come to an understanding that the Bill is... can work out as is, is workable, as is."

Eddy: "So, you... you don't plan to change this in the Senate. You feel like that this is tight enough and that unattended consequence that was brought up really will just work itself out?"

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Hernandez: "It's really not necessary cause we're really... we're focusing on that waiting period and the concern is families not or children not being covered. So, if the family... families are paying up, there paying up what they have... they owe, plus a month, that should be enough. You know, I... I want to remind that these are times... these are economic times that families sometimes are just for some reason or another not meeting their bills and fall into this... this bracket. So, we're just trying to make sure that children are covered because in the end what we're trying to do is prevent medical liabilities from increasing."

Eddy: "Well, Representative, I understand what you're trying to do and I understand your concern to make sure they have coverage. The penalty is there for a reason, and I know that they'll still have to pay the premiums in order to retain the coverage, but I do still have the concern. I thought this could have been tightened up somehow to... to make sure that your intent could be honored while the concerns could be addressed as well and I think there's more work that needs to be done on this at some time."

Speaker Madigan: "Representative Bellock."

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

Speaker Madigan: "Sponsor yields."

Bellock: "I want to thank the Representative for working with us on this issue. It's a little bit confusing. I think in committee a lot of us thought that you were going to alleviate some of the payments and get back into the cycle. Is that true?"

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Hernandez: "That's... that's true."

Bellock: "No. You're not alleviating the payments. There... right."

Hernandez: "No, were not alleviating. I think that's the misunderstanding that is that we were trying to alleviate the payments, but it's the waiting period that we were just trying to do so that the kids get back on coverage."

Bellock: "So, if they pay back the payments, plus a month... a premium... an extra month, then they get back on?"

Hernandez: "That's correct."

Bellock: "There's... I appreciate your working with us. There still are concerns about that people will drop off and get back on. What the Representative tried to point out was that there was a very small amount of families that this impacted and with hard times so bad, they did not want to see sick children when their payments were paid back not being able to get insurance. So, it is confusing. It is something that some feel may cause concern with people going on and off, but we understand where you're coming from."

Hernandez: "Thank you, Rep."

Speaker Madigan: "Mr. Reis"

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

Speaker Madigan: "Sponsor yields."

Reis: "Representative, I... I understand that the HFS said that there's very few people involved, but I think the last two speakers kind of... very eloquently said what we're concerned about. Did you build any thresholds into this to where you can only miss one month or two months? We all understand

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that someone could lose a job for a while. They might have trouble making these premium payments, but what we don't want is people going off the system on purpose and then coming back on when they feel that there might be a need to go to the hospital and then starting up the premiums again. Do you follow what we're... we think this is creating a loophole where people will purposely get off the program, there's no penalty, there's no waiting period, and then they'll just go right back on."

Hernandez: "Yes, and I did address that with HFS and, you know, HFS would be very concerned if they found that there would be an issue, a problem with that, but they, themselves, felt, you know, that the amount of people that were falling into this is not many."

Reis: "But that's based on prior, with the law being the way it is where you have to wait three months, and most people aren't willing to do that. But if you take away that waiting period, people can say, you know what, I'm just not going to pay for the next six months. I can get right back on again. And then maybe they're on again in time to take their child to the doctor and then they don... they stop paying the premium again. So, I mean, I think there needs to be some type of threshold on this where you can only be off for two months and then get back on and then after that first time, you can't do it again. I mean, we have to have some penalty built into this otherwise people are just going to pay their premium when they think they need to go to the doctor. And I know that wouldn't cover emergencies,

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but I think many people are willing to just roll the dice and not pay."

Hernandez: "Let me just give you a scenario. If a family... and if it's after 60 days and a family is dropped, so if they were dropped in March... March 1 and they reenroll in June, they can't... currently they can't get on until sometime in October or November."

Reis: "Right."

Hernandez: "We're just trying to... if they're going to reenroll in June, we're just trying to make sure that the children are covered. They're paid..."

Reis: "Now, I understand what you're doing Representative, but I think there needs to be a second backstop. Give them that opportunity to disenroll or whatever, but don't let them be habitual people that aren't paying their premiums, going off, going on, going off. I think we all want to allow for the bad things that happen, but I think this is just an open-ended way of changing the rules to where people will constantly be going off when they don't want to pay. And I would... I think we all hoped that you would have made changes before you came back for Third Reading. So, I... I ask for a 'no' vote for now. Thank you."

Speaker Mautino: "The Gentleman from Vermilion, Representative Black. And the Chair... the Bill is on Short Debate so for this Bill, with a number of people seeking recognition, I'll go to the timer. Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I know everyone would expect me to get up and say that you should vote 'no'. And you know,

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you can... you can deal with philosophical issues and you can deal with people who scam the system and they are... there are a number of them out there and no matter how much we try to change things, they seem to always be able to scam the system. But when it happens to somebody in your family, you tend to look at these things a little differently. I have a young... a young lady in my family who needed KidCare, child care, and moved... moved to a different apartment. Her mail was not forwarded in a timely fashion. She missed a payment. Missed the second payment, again, because the mail wasn't forwarded in a timely fashion. And one could say, well, you should have known and maybe she should have, but when you're taking care of a small baby, a young baby, you have a lot of things on your mind. And so, when the baby got sick, and she rushed to the pediatrician, somehow the doctor's office knew that her coverage had lapsed and said no. No, we're not going to look at the baby, you can take the baby to the emergency room which would, of course, cost us more money. This happened to her and one could say she should have known that she hadn't paid the premium. I understand that, but the baby was very sick. Things worked out for the best, but to then cancel her insurance while the baby was ill put her and the baby in some very difficult situations and put the family in a very difficult situation. We got it worked out, but she had a family support network, not everybody does. And I think the Lady has a good idea. I'm sure it will need to be tweaked. I'm sure it will need to be strengthened, but I... when you see the impact that something like this has, you... you have a

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whole different view of how the bureaucracy works. She was an innocent... she was caught up in a situation not entirely of her making and it created some very tense moments. So, I rise in support of the Lady's Bill and I have seen firsthand what can happen. And when something happens and to be canceled for three months, I'm not sure is in the best interest of anybody. And when the doctor says take the baby to the emergency room, well that ends up costing the taxpayer a great deal more money than had she just been able to maintain her benefits upon payment of the premium. I thank the Lady for her work. I intend to vote 'aye'."

Speaker Mautino: "Representative... Representative Hernandez to close."

Hernandez: "Thank you. Passing House Bill 5927 will eliminate the three-month waiting period that promotes continuity of health care resulting in fewer emergency room visits. It also would eliminate the three-month waiting period... will reduce the occurrence of treatment delays resulting in improved health outcomes at lower costs. It's very beneficial. I ask for your 'aye' vote. Thank you."

Speaker Mautino: "The Lady's moved passage of House Bill 5927. 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 Thapedi, Representative Wait, do you wish to be recorded? Mr. Clerk, take the record. 75 voting 'yes', 32 voting 'no', 0 voting 'present', House Bill 5927, having received the Constitutional Majority, is declared passed. Representative

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Black, on the Calendar appears House Bill 5109. Read the Bill."

Clerk Bolin: "House Bill 5109, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Mautino: "Representative Black."

Black: "Thank you very... thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Now look, I realize that this Bill isn't going to solve the fiscal crisis of the State of Illinois. And I know it's one of those things that makes some people feel better and may not have a great deal of impact. But a young lady in my district wrote me a letter and she was a teacher who had... who knew she was going to be laid off because schools were not being reimbursed in a timely fashion and in fact she was laid off. She hoped she'll be back to work next spring, or excuse me, next fall, but she's not certain of that. And so she said, I just don't know how, and it must have been in the paper at some point, I don't know how the state can justify commissioning a portrait of an impeached Governor that could cost 20 or 25 thousand dollars, and then be hung in the State Capitol. She said that 20 or 25 thousand dollars, if it were available to my school, I would have a job next year. I don't want to pile on the former Governor. He has certainly his share of difficulties and he will answer in a court of law, but the lady asked me to pursue this, and that's all I'm doing. I'm not trying to rewrite history. I realize the former Governor served as Governor and was elected twice, but he was impeached and convicted of impeachable offenses and perhaps that should be a reason

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not to have the taxpayers commission and pay for a formal oil portrait and then to hang in the State Capitol. Now, Representative Franks suggested that if a private company or donor or a group of donors want to get together and pay for that portrait, I have no problem with that. It can hang wherever they want to hang the portrait of that Governor. But I promised the lady I would carry her concerns and... and that's all I'm doing. And I'll be glad to answer any questions that you have."

Speaker Mautino: "This Bill is on Short Debate. There are... so, I'll be allocating two minutes for each speaker. And we will start with Representative McCarthy."

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

Speaker Mautino: "He indicates that he will."

McCarthy: "Representative, this is the first that I heard of the Bill so I'm sorry to surprise you with any questions, but, when you're given consideration in writing the Bill, did you do anything as far as other Governors who have been already convicted of crimes in a regular court, as opposed to just the impeached Governors?"

Black: "That... that was brought up in committee I believe by Representative Froehlich and I said, well, how far back do you want to go. I think we can take down about four portraits if we wanted to make it for any of those convicted after they served as Governor going back several years."

McCarthy: "Well, it certainly won't save us any money 'cause those portraits have already been done."

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Black: "Well... well, that's it. They... they've already been paid for. Representative Froehlich brought that up and... and I think he was serious and we just talked about, well, how far back do we go. I mean, there were a couple of Governors long before any of us were born. I don't know if they were convicted, but they were indicted, and we all know recent history, Governor Walker but was convicted of crimes not related to his gubernatorial position. Governor... former Governor Kerner on some racetrack, in which he received a good deal, again convicted after his gubernatorial term ended and the same for Governor Ryan. And I... you know, I'm not going to shed a tear if those come down, but we've already paid for those."

McCarthy: "Okay."

Black: "I don't think we can get our money back."

McCarthy: "And did you discover are those portraits currently paid for, like, out of GRF or are they paid for out of..."

Black: "I... I believe and I apologize I was supposed to find this out and I didn't. I assume and I've heard from staff that, yes, they are paid for out of General Revenue Funds."

McCarthy: "Okay. And... but going forward with this legislation, whether they are paid for by private funds or whatever, this would prohibit our former... our most recent former Governor's portrait from being hung in the State Capitol."

Black: "No... no. If it's... that was a suggestion that Representative Franks made. If in fact, a foundation..."

Speaker Mautino: "The Gentleman's time has expired, Representative Franks."

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Franks: "Thank you, Mr. Speaker. To the Bill. When Mr. Black brought this to our committee, which I chair, I told him I opposed it because I don't think that we should have revision as history. I think we should remember our history and all those that served. And I know this was aimed at our prior Governor but he was an integral part of our state's history and something that we should certainly commemorate. So, I didn't think it was proper that we not allow that portrait to be... to be had here in the State Capitol. But I understand the concerns at a fiscal time and Mr. Black, to his credit, accepted my Amendment that would allow the portrait to be displayed if it was funded privately. You know, we have an obligation to not only our citizens but to our future citizens to not sugarcoat what's happened in our state. And hopefully, we will learn from all of our past history and it's been colorful sometimes, sometimes it's been shameful, but it's our history and it's something that hopefully a future generation should learn from and maybe us as well. So, I think that there ought to be a portrait because that... our former Governor was the Governor. I believe he has, he deserves a spot there, but I also believe that with these fiscal conditions and with the circumstances of the removal that should private entities wish to pay for it, they should be able to do so. So, I appreciate Mr. Black's acquiescence to my Amendment on this issue."

Speaker Mautino: "Further discussion? Representative Monique Davis, allotted 2 minutes."

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

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Speaker Mautino: "He indicates he will."

Davis, M.: "Representative Black, are the portraits of Governors hung because there being honored, or are the portraits being hung because they have served as Governors?"

Black: "I don't know the history of how that started. I assume they are hung because they were... they have served as Governor as the State of Illinois."

Davis, M.: "So, will children from different schools come and view those portraits, and look upon those people who served?"

Black: "Well, I did when I was a child, but that's been so long ago I can't remember whether it was this Capitol or the Old State Capitol. And when I was a teacher, I did bring my students down. But one of the things I found out, students don't go back very far. They might know the current Governor, but sure I... children come in and watch them."

Davis, M.: "But as a teacher, what would you say to students if there is no portrait for a four-year period. What happened during that period?"

Black: "Well, I think..."

Davis, M.: "In Russia... I think in Russia, or in some of the old European countries, they would wipe out the history of a person who they didn't like anymore."

Black: "Well, I think you're probably right. I think the Russians have done a fairly decent job of revising their history. The last time I was in Russia it was very hard to find anything of... find any picture of Joseph Stalin, for example. But to your question, as a teacher, it's... it would be my job to tell them what had happened during that

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administration and why that Governor, or any particular Governor who was impeached and convicted of impeachable offenses, why his or her portrait was not hanging in the State Capitol."

Davis, M.: "To the Bill. Thank you, Mr... Representative Black, I appreciate your candid responses and your heartfelt concern. To the Bill, Mr. Speaker. I believe that those portraits are hung..."

Speaker Mautino: "Be allotted one minute."

Davis, M.: "Okay. They're not hung to say you're getting an honor here, or... or you're being elected as the best Governor. Those portraits are hung to show who was the Governor of the State of Illinois. And I don't think we can erase that history by removing a picture. By removing a picture or asking a private donor to pay for it, we are not erasing history. And let me just conclude by saying, a judge will give this person and guilty people their sentence. This is not the place to continue to add sentencing to what was portrayed to be corrupt behavior. We should not do that. We should not distort history by removing a person's picture because we didn't like them. I... I think it's a bad vote. I would vote 'no'."

Speaker Mautino: "Further discussion? And I'd also like for the Body to take note, today is the final day for passage on Bills. We have 42 Bills yet to do today. We have 11 speakers seeking recognition, so I will adhere to the two minutes. Everyone will be allowed to speak on the Bills, but we won't be giving extensions over that time. So,

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please keep your remarks to the two minutes. Representative Boland."

Boland: "Thank... thank you, Mr. Speaker. You know, I think that Representative Franks and Representative Monique Davis made some excellent points and ones that I would like to reiterate. As a former history teacher, I think that it's very crucial that we not interfere with really what has taken place, that we not substitute whatever our feelings are. I don't happen to have any particular love for the previous Governor. He did not treat me what I felt was in a fair way, embarrassed me in front of constituents, as he did others I know, but this isn't a matter of how we personally feel. This is really a matter of our history and we must have in history not only the good things that happened that we like to brag about, and we know that in America there's a lot to brag about, to be proud of, but we know there's some parts of our history that are not so good... slavery, segregation, treatment of American Indians, treatment of the Irish and other immigrants, other types of activities that happened in our history. We have to learn from the lessons of history. I forgot, I think it's the philosopher Santayana that said that those who refuse to learn from the mistakes of history are destined to repeat them. I think actually having a portrait of all the Governors, including those who weren't on the right track, we'll say, as a great opportunity for young people to learn what is good and what is bad, and hopefully to guard against those things that have happened in our history that weren't so enlightens."

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Speaker Mautino: "Further discussion? Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Mautino: "He indicates that he will."

Mitchell, B.: "Representative, how much do these portraits cost?"

Black: "I believe the last one was about \$22,500 with inflation, and remember these are commissioned by an artist and they are oil paintings. I... I've had art experts tell me that the portrait of the previous Governor would probably cost about \$25 thousand not including the frame."

Mitchell, B.: "And the taxpayers pick this up?"

Black: "Yes, they do."

Mitchell, B.: "Representative, have you thought about it, and... and I support your Bill and will support it, but... but why the State of Illinois pays for any Governors picture portrait. They leave office, even when the good ones, with plenty of money in their campaign accounts. Why don't we amend the Bill to say that the State of Illinois won't pay for any portraits. They can finance it and the taxpayers' dime shouldn't be used."

Black: " I would have no objection to that and I think with the fiscal crisis, that isn't going to end whether we adjourn on May 7 or whenever we adjourn, this fiscal crisis is going to take us two or three years to get out of, and we are going to have to change a number of things that we have often taken for granted and I think your idea certainly has some merit. Maybe in the past, and we do things because

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people say, well, we've always done it that way. We don't have to always do it that way, and I think your right, many Governors have enough money in there campaign account certainly to pay for there own picture and it... it's something that we can certainly work on. I don't have time to work on it today because of Third Reading deadline, but I have no objection to that whatsoever."

Mitchell, B.: "Representative Black, does your Bill allow that if the former Governor wants to pay for his own portrait, he can hang it there if he..."

Black: "Absolutely."

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

Hamos: "A quick question of the Sponsor. Does this apply to text books? Because the way it's drafted it's not just the portrait here at the Capitol, but it's any image anywhere paid for by state funds."

Black: "I... I don't read it that way and I wouldn't think any lawyer would read it that way. I think the Bill is very clearly drafted by expert attorneys in the Legislative Reference Bureau and I think we made it very clear that it was the official portrait of the Governor that would be hung in the State Capitol."

Hamos: "Well, it does not say that and I am a lawyer, so I sort of take a little offense to that. But it does say that no portrait... no portrait shall be... no portrait or other image of any person who has served as Governor of Illinois and who has been removed et cetera, shall be financed or paid for by the state. It's says no portrait anywhere. Why

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wouldn't it include textbooks? I mean, we have portraits and images. I mean, if the portrait might have a certain designation or a certain feel to it or maybe it's a specific thing, but it says or other image of any person. And I'm guessing that there are textbooks in many places throughout Illinois that have images of our Governors. And I'm just... you know, this feels like it's so broad and this concept of removing from some textbooks and not other textbooks some places. If it was just one place in the Capitol it might be one thing, one \$25 thousand thing, but to be... it's talking about any images of the Governors in any place in Illinois. We don't know if the state parks have images of our Governors. I don't know where they all are and this is a very broad designation of a policy that really rewrites history and I agree with as many of the other people who spoken and I vote..."

Speaker Mautino: "Further discussion? Representative Fritchey. Excuse me. Representative Black to be... go ahead and answer the question."

Black: "Yeah. If we're going to be in a court of law, then let me address half of the issue that the previous Speaker broke up... brought up. If you look on page 2, it clearly says 'person may be displayed or otherwise placed in the State Capitol'. It has nothing to do with textbooks, good Lord. Don't try to make me out to be something I'm not. You know better than that. And besides, the state hasn't paid for textbooks in three years 'cause we don't have the money."

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Speaker Mautino: "Further discussion? Representative Fritchey.
Representative Washington."

Washington: "Thank you, Mr. Speaker. I want to give the balance
of this time to Representative Boland because I think it
cut off just when he was getting his final point."

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

Boland: "Well, again, Mr. Speaker, I was saying that, you know,
as the great philosopher Santayana said, you know we... those
who do not learn the lessons of history are destined to
repeat the mistakes of the past. And so, I think there's
been a number of points made here by several speakers that
we cannot hide from those things that have happened that
are not good. We need to analyze them; those are the ways
that we learn from the past. Not only the good things, we
have to have the good things about America and about
Illinois brought forth. We have a lot of tremendous people
to be proud of in Illinois history. I would say this, I
happen to be one of these, I guess you would call them
weird people who when I go to another state, I always try
to visit their Capitol. And a number of years ago I went to
the Tennessee Capitol and as I was there... as I walked in
there were two huge life-size portraits, one of which was
of a current Governor at that time who was residing in
federal prison. The people of Tennessee thought it was wise
to put that person's portrait up there as a warning against
what could happen in the future. So, again, I would ask
for a 'no' vote. I know that Representative Hamos got cut
off on her request for a 'no' vote as well."

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Speaker Mautino: "Representative Black to close."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I, too, taught history for a number of years. I have no desire, nor intent to revise history. I also have no desire, nor intent to see to it that someone who is impeached and convicted of impeachable offenses gets into the taxpayers' purse for anything. If a private group, if the Governor's... former Governor's family, if those of you who are retiring with me next year want to use some of your campaign funds to pay for it, fine. I think that's great. And I wouldn't have any problem with his portrait being there, but as my constituents said \$25 thousand would pay my salary next year as a school teacher and I would have a job. He was impeached for impeachable offenses while a sitting Governor and I don't think my tax money, her words, should be used to commission a formal portrait. If you want to put a plaque up there saying that he was Governor and why he no longer is. And I have no idea why Tennessee hung up a picture. I suppose Louisiana has a picture of Huey Long somewhere. To borrow one of the phrases from Representative Franks, some history is very colorful, some isn't. But I think the lesson to be learned in history is that when you forfeit your right to hold office, I don't think it's unreasonable to say you forfeit your right to have the taxpayers memorialize your time as Governor. You've given up that right when you were impeached and convicted by the Illinois Senate, and I don't think the taxpayers should be asked to pay 20 or 25 thousand dollars to memorialize a sitting Governor who was

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removed by the impeachment process. I hope you can vote 'aye'."

Speaker Mautino: "The Gentleman moves passage of House Bill 5109. 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? Mr. Clerk, take the record. 85 voting 'yes', 23 voting 'no', this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Davis."

Davis, M.: "Mr. Speaker, I rise to a point of personal privilege."

Speaker Mautino: "State your point."

Davis, M.: "Governor Ryan looks really good up there on that wall. Governor Ryan is hanging right there on that wall, take a look up."

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

Black: "Mr. Speaker, she's on a roll this week. I resent that remark, it's uncalled for. That is not Speaker... that is not Governor Ryan hanging above the chamber, that is Speaker of the House George Ryan. He served admirably in that role. Now, if you don't want Governor Ryan's portrait to hang on the second floor, drop in a Bill and have it taken down. But that... that portrait was for his role as Speaker of the House. He was not impeached. He was convicted for offenses after he left the governorship. I don't know why the Lady wants to point things like this out. I would think she had... would have learned by now, she's done enough damage this week, for crying out loud."

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Let some things just lie. That's Speaker Ryan, Speaker Blair, and all the other Speakers of the House whose portraits hang all over the Capitol."

Speaker Mautino: "Mr. Clerk, on page 17 of the Calendar appears House Bill 6038. Representative Turner. Read the Bill."

Clerk Bolin: "House Bill 6038, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Mautino: "Representative Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. House Bill 6038 merely extends the donation tax credit for a period of time, another... tell you the exact years. We're adding a five-year extension to the donation tax credit which is a program that has provided affordable housing throughout this state. It has a very proven track record. It was due to expire in 2011. We'd like to add five more years on to that, 'til 2016."

Speaker Mautino: "The Gentleman moves passage of House Bill 6038. 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. 98 voting 'yes', 9 voting 'no', 1 voting 'present', House Bill 6038, having received the Constitutional Majority, is hereby declared passed. Representative Turner on House... House Bill 5007. Would you like to call this Bill on Third Reading? Read the Bill."

Clerk Bolin: "House Bill 5007, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Cook."

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Turner: "Thank you, Mr. Speaker. Hold on just one minute. Can you take this Bill out of the record just for a minute?"

Speaker Mautino: "Out of the record. Representative Brady, on the Calendar appears House Bill 5630. Read the Bill."

Clerk Bolin: "House Bill 5630, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from McLean, Representative Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5630 would amend the Insurance Code in a Section concerning foreclosure proceedings and would require the holder of the mortgage lien to notify the last known insurer of the residential building in question within 10 days of becoming the mortgagee in possession. This is a Bill that the insurance industry, the banking industry have both agreed to continue to work on the legislation in the Senate and that's been my agreement with them. So, there'll be some modifying... modifying changes to it. And I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of House Bill 5630. On that, Representative Franks."

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

Speaker Mautino: "Indicates that he will."

Franks: "The... are we working on House Amendment #2, Mr. Brady?"

Brady: "I'm sorry?"

Franks: "Are we on House Amendment #2?"

Brady: "Correct."

Franks: "Okay. And what you're trying to do is require that a mortgagee in possession notify the last known insurer of

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the property when they become the mortgagee in possession, correct?"

Brady: "Correct."

Franks: "What about for vacant land?"

Brady: "I'm sorry. I didn't hear what you said."

Franks: "What about a vacant land? Let's assume a financial institution files a... an emergency motion for mortgagee in possession. Would this be required as well for vacant land?"

Brady: "I would imagine that... it doesn't specifically state that. It just simply states in the legislation that upon the mortgagee... the foreclosure proceedings occurring, that the last known insurer would be notified. That's simply the discussion."

Franks: "How would you know who the last known insurer was?"

Brady: "The mortgage holder, the bank, in most particular cases would have that information, and then the insurance company would have to actually go through that once... if they have the information to provide to them."

Franks: "Why would we... why would we require the banks to do that? What possible benefit could there be for either the mortgagee in possession or the insurance industry to require this additional step?"

Brady: "Well, there's a number of reasons actually. If the insurer's going to know that they have an individual that's not living somewhere any more, does not own the property, is not going to have the upkeep of the insurance, you're going to have properties that could potentially have pipes

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burst, you could have vandalism occur, you could have a number of different things. And so, here..."

Franks: "Insurance companies, they don't take care of the property, it's not like they go and manage the property. All they do is insure the property. I don't understand what this... what benefit at all there is for an additional requirement."

Brady: "As I was trying to explain, Representative, the insurance company..."

Speaker Mautino: "Grant the Gentleman an additional minute."

Brady: "Thank you, Mr. Speaker. As I was indicating, Representative, the insurance company is simply trying to understand and find out if they have vacant properties that they're insuring, that they're aware of that for the fact that there'd be no need to have that insurance if there's not anybody in the property, and therefore, they need to know... they feel they need to know when those properties become foreclosed."

Franks: "Thank you. To the Bill. This is another government intrusion that's not going to help anybody. It is an extra step and an extra burden on businesses that doesn't help anybody. If the insurance company wants to know if the place is occupied, on their annual renewals, they could ask that question. Or if the people are paying every six months, they can ask that question. This is just a burden that doesn't help anybody. It's silly. It's not necessary and I encourage a 'no' vote."

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

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Brady: "Thank you very much, Mr. Speaker. Obviously, the Representative and I don't agree. I indicated earlier in my remarks that the banking industry, other stakeholders, the insurance industry, were continuing to work. I met with these particular groups on a couple of different occasions. They both see that there's potential merit to the legislation. And so I ask for your 'yes' vote. Thank you."

Speaker Mautino: "The Gentleman moves passage of House Bill 5630. On that question, all in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Gordon, Representative Mell, do you wish to be recorded? Mr. Clerk, take the record. 104 voting 'yes', 4 voting 'no', 0 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5007, Representative Turner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5007, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Mautino: "Representative Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen. I apologize for pulling the Bill out of the record. But this Bill what it does is it creates a review team within the Department of Juvenile Justice that will look at the cause of death of youths who die within the... while they're within the custody of the Department of Juvenile Justice. So, this would take a thorough look to see if there's something that we can do to prevent such accidents from happening again, or if, in fact, there is malicious intent to provide... to

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make certain that no other kid becomes a victim. And that's the intent of this legislation is to create that review team."

Speaker Mautino: "Mr. Turner moves the passage of House Bill 5007. On that question, the Gentleman from Champaign, Representative Rose."

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

Turner: "Yes."

Speaker Mautino: "Yes, he will."

Rose: "Representative Turner, what's the current practice? I would have... quite frankly, I would have assumed they have a death review team. County jails have such a thing."

Turner: "What this would do is bring a number of state agencies into... to be part of this team. It would also include the Inspector General, and that it wouldn't change from what they do probably at other local county jails. But this would just be a man... not necessarily a mandate, but it would be a better vehicle for the department to operate with."

Rose: "Okay. Again, I guess my... and I was just analogizing the county jails that they have such a thing. Anytime there's a death, like for... there would be a review team already in place. So, I was... I'm actually a little surprised this isn't already done. So, thank you for bringing it, Representative."

Turner: "Okay."

Speaker Mautino: "Further discussion? Representative Reboletti."

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Reboletti: "Will the Sponsor yield?"

Speaker Mautino: "He indicates that he will."

Reboletti: "Representative, we talked about in committee the fact of not adding the mortality review of people on parole. Is that something that you think that we should probably look at maybe sometime in the future? I know we had some discussions about that... AFSCME was concerned about that. Was that something you think that we should probably take a look at down the road?"

Turner: "That's something down the road that we could consider, but just based upon economic constraints at this point, I thought that we'd start at home and see what we could do internally. But certainly where we can help prevent and safeguard those young people who are on parole, I would support it. But the intent of this Bill is to just take a good look at those things that we do have complete control of."

Reboletti: "And some of the reasons that we were also talking about reviewing the parolees is some of those deaths may not be parole or DJJ related because they may be involved, and it might be a car accident, or..."

Turner: "That's correct."

Reboletti: "...natural causes, so it has nothing to do with our interaction with the parolees, right?"

Turner: "That's correct. We don't have control over their lives, you do but you don't, and so there are a number of variables that could come into effect. These kids are those children that are within the Juvenile Justice System, where we have a direct responsibility and that's where we want to

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try to improve and safeguard those young individuals that may be in our custody."

Reboletti: "Well, I appreciate your bringing this Bill forward. I think it's a good first step. We need to make sure that, one, there are deaths in our facilities that we do review those and that we do make the changes so that those tragic incidents don't happen again. Thank you."

Turner: "Thank you, Representative."

Speaker Mautino: "No Members seeking recognition, Representative Turner to close."

Turner: "Thank you. I just move for your 'aye' vote on this Bill."

Speaker Mautino: "The Gentleman moves passage of House Bill 5007. 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 Froehlich, Representative Black, do you wish to be recorded? Mr. Clerk, take the record. 106 voting 'yes', 1 voting 'no', 0 voting 'present', House Bill 5007 is declared passed. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. We used to have the practice to be able to explain our vote, and I know we can't do that anymore so I won't. But I would like to rise to a point of personal privilege."

Speaker Mautino: "State your point, Sir."

Black: "I would rather catch my hand in a car door than to vote against any Bill sponsored by Art Turner. And if people want to accuse me of pandering or making a paid political announcement, you go right ahead. You won't hurt my

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feelings. In the 25 years I've been down here, it's been my pleasure to serve with Art Turner. There is no finer man than Art Turner. There is no finer Legislator than Art Turner. He has a phenomenal family and I think..."

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

Black: "I... Mr. Speaker, Representative Turner and I have been in the game of public service and the game of politics for a long time and we're both big boys and we know there are disappointments, and we know that there are people who don't like us simply because what we do. But as I've told you many, many times on this House Floor, I don't take myself very seriously but I take the legislative process very seriously. And I have always thought and will go to my grave thinking that when you put your heart on your sleeve and you campaign statewide, but you don't win a race, but you finish second, then you ought to, just like the Miss America pageant, the first runner-up ought to become Miss America."

Speaker Mautino: "Well said. Mr. Clerk, on page 15 of the Calendar appears House Bill 5539, Mr. Cavaletto. Read the Bill."

Clerk Bolin: "House Bill 5539, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Marion."

Cavaletto: "Thank you... thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 5539 creates a Public Corruption Profit Forfeiture Act. It provides for the forfeiture to the State of Illinois any proceeds and profits gained by public officials convicted of violating

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State Laws regarding bribery, kickbacks and intimidation. House Bill 5539 also provides for the distribution of these proceeds back to the State of Illinois. With that, I ask a favorable vote and would be happy to answer any questions."

Speaker Mautino: "The Gentleman moves passage of House Bill 5539. 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 Burns, do you wish to be recorded? Mr. Clerk, take the record. 107 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5539 is declared passed. Representative Bradley, House Bill 4652? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4652, a Bill for an Act concerning revenue. The Bill was read a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Mr. Bradley. Third Reading."

Clerk Bolin: "House Bill 4652, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Mautino: "Representative Bradley."

Bradley: "Thank you, Mr. Speaker. This is an issue of the Corn Growers Association. It's supported by the Farm Bureau. Basically what it does, it says if the feds change the ethanol percentage that Illinois will go along with that. I ask for an 'aye' vote."

Speaker Mautino: "The Gentleman moves passage of House Bill 4652. No one seeking recognition, the question is, 'Shall

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this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Davis, Representative Pihos, do you wish to be recorded? Mr. Clerk, take the record. 105 voting 'yes', 2 voting 'no', 0 voting 'present', House Bill 4652 is declared passed. Representative Chapa LaVia, House Bill 5169. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5169, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Mautino: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. This is a front-door referendum that was brought to me by Kane County, the developmental disability organizations. And I would suggest an 'aye' vote. Thank you."

Speaker Mautino: "The Lady has moved passage of House Bill 5169. No one seeking recognition. Excuse me. The Gentleman from Champaign, Representative Rose is seeking recognition."

Rose: "Thank you, Mr. Speaker. Lady yield?"

Speaker Mautino: "Indicates that she will."

Rose: "Representative, Champaign County did this exact same thing a few years ago, on what's a 708 Board."

Chapa LaVia: "Uh huh."

Rose: "And Coles County has the same thing with the proceeds going to developmental disabilities... a person with developmental disabilities as well as other organizations. How... why is this different than that?"

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Chapa LaVia: "What do you mean? I mean, they passed their own front-door referendum."

Rose: "Yeah, but... yeah, right. It's called a..."

Chapa LaVia: "This just deals with Kane County."

Rose: "Yeah, right. But the current law allows them to do what's a 708 Board which establishes a local tax through front-door referendum for the funds to then be distributed."

Chapa LaVia: "Right, but the..."

Rose: "And the only reason I know this is Champaign did it, like, three years ago."

Chapa LaVia: "Right. Well, the state's attorney in Kane County told them that they had to do it by us. Giving them the authority to do it, and then they'd run it on a referendum. Because the county board has... had it's own problems and you know AID and organizations within Kane County which is like a shot at trying to get on the referendum and allow the taxpayers to see if they'd like to vote for this."

Rose: "I'll take the... I'd... I'm just wondering if they looked at a 708 situation. Do you already have a 708 Board?"

Chapa LaVia: "We have a 708 that covers a lot of areas, but right now..."

Rose: "Okay. So, this would be in addition to the 708."

Chapa LaVia: "...with the growing population... this would be a addition. They only get small portions of those dollars. They don't get dedicated funds to DD and MI. So this is one way they come in front of..."

Rose: "Well, that's because the board doesn't do it."

Chapa LaVia: "Correct."

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Rose: "But the board could do it."

Chapa LaVia: "The Kane County Board..."

Rose: "No, no, the 708 Board, I'm sorry."

Chapa LaVia: "Well, 708 Board, they have... they cover six counties. So they have to distribute what little money they have between all those Counties, and this would be specific to Kane County. AID the organization itself, does from Elgin all the way to Aurora and services..."

Rose: "Okay."

Chapa LaVia: "...so it's a large county. And they have over a thousand people still waiting to get on that list to get services, they can't even get 'cause they can't afford. So..."

Rose: "Thank you for your answers."

Chapa LaVia: "Thank you."

Speaker Mautino: "Further discussion? Representative Tryon."

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

Speaker Mautino: "She indicates she will."

Tryon: "Representative Chapa LaVia, so if I understand this right, essentially a referendum would be run, and if approved, it would not be part of the aggregate extension of the county. The county would set the rate, but it wouldn't be able to include it in a family of funds under the part... under the PTEL Law today, correct?"

Chapa LaVia: "Correct. If the... it's only after electors vote in favor of the front-door referendum that PTEL proposes the counties aggregate extension and it will not include extensions made for the special... will not include extensions made for special purposes. However, the county

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clerks will calculate a separate limiting rate for the funds used for the care and the treatment that the county's residents have with developmental disabilities."

Tryon: "Okay. But this doesn't take away..."

Chapa LaVia: "No."

Tryon: "...the county boards right to set the..."

Chapa LaVia: "Correct. No."

Tryon: " ...the rate, right."

Chapa LaVia: "No."

Tryon: "I mean, for instance if you appoint a... the members to this board, the board don't... can't in some future date just say, you know..."

Chapa LaVia: "No. No."

Tryon: "...we're raising the rate, right?"

Chapa LaVia: "No, they'd have to come back."

Tryon: "So, the rate is actually set by the county board?"

Chapa LaVia: "Right. Woodchuck."

Tryon: "Okay. All right. To the Bill. This isn't any different than what was done for the mental health boards some time ago, probably in 1998. When you create a family of funds under the auspices of the county board, the county board can cut one fund, and let another fund raise and that's what's happened. Sometimes they would cut one fund, like the Mental Health Board Fund and let their General Fund raise because they wanted to buy computers, or cars or something like that. And clearly, I think that's... something has to be straightened out under PTELL because these funds are approved by voters for a specific use. So, some future date the county board shouldn't be able..."

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Speaker Mautino: "Grant the Gentleman an additional minute."

Tryon: "...it will... shouldn't be able to cut the... this fund and buy cars or computers. So, I think this is sensible legislation to make this a stand-alone fund and let them have a referendum."

Speaker Mautino: "Lady moves passage of 5169. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Representative Harris, Representative Hoffman, do you wish to be recorded? Mr. Clerk, take the record. 78 voting 'yes', 29 voting 'no', 0 voting 'present', House Bill 5169, having received a Constitutional Majority, is declared passed. Representative Bellock, House Bill 5241. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5241, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Mautino: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. And Amendment #1 becomes the Bill on House Bill 5241. What this Bill does, it was a suggestion out of the Taxpayer Action Board. And what it does is it authorizes the Department of Healthcare and Family Services to implement an Internet-based accountability through transparency program, to provide the data related to the state's medical assistance programs. The TAB report recommended that Illinois use technology to ensure that medical claims data, which is already in the data warehouse, be made available so that different entities such as researchers, or the taxpayers could view

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these bills. I think this is a Bill that will help drive better health care outcomes and also provide cost savings due to getting rid of fraud and waste. I'd appreciate your support."

Speaker Mautino: "The Lady moves passage of House Bill 5241. No one seeking recognition, all in favor vote 'yes'; opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Jakobsson, Black, Mell, do you wish to be recorded? Representative Mell, wish to be recorded? Mr. Clerk, take the record. 107 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5241 is declared passed. House Bill 5578, Representative Coladipietro. Read the Bill."

Clerk Bolin: "House Bill 5578, a Bill for an Act concerning education. The Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Mautino: "Third Reading."

Clerk Bolin: "House Bill 5578..."

Speaker Mautino: "Mr. Clerk, leave that Bill on Second Reading and take that Bill out of the record. Representative Connelly, House Bill 5147. Read the Bill."

Clerk Bolin: "House Bill 5147, a Bill for an Act concerning energy facilities. Third Reading of this House Bill."

Speaker Mautino: "Mr. Connelly."

Connelly: "Thank you, Mr. Speaker. Floor Amendment #3 becomes the Bill. House Bill 5147 provides the EPA with the authority to issue a demonstration permit on a pilot basis

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for ther... for a thermochemical conversion technology facility. This Bill's modeled after House Bill 2688, which passed last year with near unanimous support. This is an agreed Bill with agreed language between the Illinois EPA, the City of Naperville, and Packer Engineering. There is no known opposition. I ask for an 'aye' vote."

Speaker Mautino: "Gentleman moves passage of House Bill 5147. 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. 106 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5147, having received the Constitutional Majority, is hereby declared passed. Representative Coulson, House Bill 5076. Read the Bill."

Clerk Bolin: "House Bill 5076, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Mautino: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. House Bill 5076 is language suggested by the Illinois Department of Public Health in relation to release of health statistics for scientific and university research purposes. And I would encourage an 'aye' vote."

Speaker Mautino: "The Lady's moved passage of House Bill 5076. No one seeking recognition, 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. 106 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5076 is declared passed. Will Davis. Out of the record. Representative

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Dunkin, House Bill... Representative Dunkin on House Bill 6439. Would you like to move this Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6439, a Bill for an Act concerning health. The Bill was read a second time on a previous day. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration."

Speaker Mautino: "Representative Dunkin on Floor Amendment #1."

Dunkin: "Yes. I'd like to move that we adopt Floor Amendment #1. This is regarding the Task Force on Bed Bugs."

Speaker Mautino: "Gentleman moves adoption of Floor Amendment #1. And on that question... no one seeking recognition. All in favor say 'yes'; opposed say 'no'. The 'yesses' have it. The Amendment's adopted. Mr. Clerk, further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Dunkin."

Speaker Mautino: "Representative Dunkin on Floor Amendment #2."

Dunkin: "Thank you, Members. I move that we adopt Floor Amendment #2. This issue is regarding the Task Force on Bed Bugs."

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment #2. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment's adopted. Mr. Clerk, further Amendments?"

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

Speaker Mautino: "Third Reading. Read the Bill."

Clerk Bolin: "House Bill 6439, a Bill for an Act concerning health. Third Reading of this House Bill."

Speaker Mautino: "Representative Dunkin."

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Dunkin: "Thank you, Mr. Speaker. I just move that we... after we vote 'aye' on this emergent phenomenon that's come back here to the country, especially in the State of Illinois, through out condominiums, hotels..."

Speaker Mautino: "The Gentleman moves passage..."

Dunkin: "...across the state."

Speaker Mautino: "...of House Bill 6439. On that question, Representative Reis is seeking recognition."

Reis: "Will the Sponsor yield?"

Speaker Mautino: "Yes, he will."

Reis: "Representative, what's going to be the goal of this Task Force? How are they going to study this issue?"

Dunkin: "Apparently the Department of Public Health already have a pest... or Insect Pest Task Force, and we're simply adding this to the Pest Control Task Force that they have. And the goal will be to eradicate the bed bugs that have... there's a new... there's an uptick of new... of the bugs coming back here. It's really in a lot of apartment buildings, a lot of condo... condominiums. As a matter of fact, constituents have brought this to me over the last several years and we seem... we need to come up with a way to saying as of how we're going to treat this particular bug that has reinfested our state. And so..."

Reis: "Who will make the appointments to this Task Force?"

Dunkin: "It's already constituted already. It exists already."

Reis: "The Task Force exists already?"

Dunkin: "It's... The Structural Pest Control Advisory Council already exists."

Reis: "Okay."

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Dunkin: "For... so, we will add additional members in Amendment #1."

Reis: "So how are those members selected?"

Dunkin: "It already exists, Representative. The Structural Pest Control Advisory Council already exists. However, if there... if... it will be... this will be a subcommittee and if individuals are interested in participating on how to eradicate bed bugs, they're more than welcome to... to come to the council with suggestions and ideas."

Reis: "I can... I can't wait for the report, Representative."

Speaker Mautino: "Grant the Gentleman a minute to close... to bring his remarks to a close."

Reis: "All I got to say is, nighty, night, not... don't let the bed bugs bite."

Speaker Mautino: "Mr. Moffitt, with a better pun than that. Next."

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

Speaker Mautino: "He indicates that he will."

Moffitt: "Would you describe this as an undercover agency?"

Dunkin: "No, but the..."

Speaker Mautino: "And with that the Gentleman moves passage... No."

Moffitt: "No, I have... I do have a question."

Speaker Mautino: "Representative Moffitt."

Moffitt: "Does this represent any additional cost?"

Dunkin: "No, no additional cost. This will be a subcommittee of the Structural Controlled Pest Control Advisory Council. Again, there... there are massive reports that a lot of cities, a lot of communities where there are apartment

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buildings where there's transients, hotels, townhouses, apartments..."

Moffitt: "Well, again, and we want to keep things moving, but I just... I guess I don't understand why we need this Task Force, when I thought any pest or danger could be explored or investigated or you know, that the different agencies would have the ability to respond."

Dunkin: "Representative, it's just a subcommittee and because again, there's an uptick in this pest as of recently.. as of recent and there needs to be a concentrated effort to make sure that we eradicate the bed bug phenom certainly across the state. Again, a number of people who travel carry, unbeknownst to themselves, carry this pest very actively from Chicago, New York, internationally. I mean, it's a big issue."

Moffitt: "Now, you..."

Dunkin: "A lot of people don't like to talk about it, but it is huge, certainly in the City of Chicago."

Moffitt: "You made reference to a tick, an uptick?"

Dunkin: "Yes."

Moffitt: "Are there more than one kind? Is there more than one kind of tick here?"

Dunkin: "I would imagine so. That's the reason I have my own apartment down here."

Moffitt: "Has it been inspected?"

Dunkin: "Oh, yes."

Moffitt: "No, I just... in all seriousness, would be concerned if there's additional expense and..."

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

Mendoza: "Thank you, Mr. Speaker. Does the Sponsor yield?"

Speaker Mautino: "He does."

Mendoza: "Representative Dunkin, question for you. If you spray K2 on the bed bugs, do they get the munchies and bite extra hard?"

Dunkin: "I have no idea. I think Representative Fritchey probably could answer that question. He's an authority on trying to ask... you know and understanding the bu... bed bug or Representative Fortner. They're pretty adept at understanding the new... new K2 spice drug, as we've learned."

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

Rose: "Would... will the Sponsor yield?"

Speaker Mautino: "Indicates that he will."

Rose: "Representative Dunkin, will you be the ranking member of the Cootie Commission?"

Dunkin: "You know, I... I plan on being active with this subcommittee, because it's a major issue certainly that's been revealed or outed in my district."

Rose: "In all seriousness, and I know this has become a growing problem, and it's a public health issue, so I understand that, but this is my... this is a legitimate question. Why do we have to pass this Bill? Why couldn't Public Health just do this? Because I think you came to our committee and again I think you demonstrated this is a growing problem, particularly in the Chicagoland community in their

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hotels and motels. So, from a public health standpoint, why aren't the existing laws sufficient to handle this, Representative?"

Dunkin: "That's a good question. I initially brought a Resolution to deal with the issue of Propoxil, which is a chemical substance that's used to kill bed bugs commercially. The problem with that was that chemical element has a toxic that is... a toxin that is dangerous to young kids and pregnant women in particular. And so, we came up with... this is just to have a concerted effort to really make sure that the department was focusing on this new surge or uptick of bed bugs. And so, it is a... again, a major concern. We want to make sure that they had a full understanding of how we can prevent, how we can make sure that we managed and controlled this new bed bug infestation."

Rose: "And you're convinced that there's no cost to this. I mean, how can there not be a cost to this?"

Dunkin: "There... there's no cost to it because the... the... the Structural Pest Control Advisory Council actually exists, and we want to make this a subcommittee."

Rose: "Okay. And that brings me back to my first question, why can't they just do this already?"

Dunkin: "Well, they're doing it. They're going... their charge is to do it. We want to make sure that they... that they do it."

Rose: "Okay. Well..."

Dunkin: "There are... there are a lot of pest issues certainly in the State of Illinois, but this is a... an upsurge a new..."

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Rose: "All right."

Dunkin: "...big movement of bed bugs in some of our potentially populated areas. And again, we just want to have an extra emphasis..."

Speaker Mautino: "Grant another minute. Representative Dunkin, go ahead, you can finish your question... finish your answer."

Dunkin: "Thank you, Mr. Speaker and Ladies and Gentlemen. I ask for an 'aye' vote, please."

Speaker Mautino: "Soon. Representative Garlo... Golar actually wants to ask you a question first."

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

Speaker Mautino: "He indicates that he will."

Golar: "...would you be able to tell me... how long has the Structural Pest Control Act to require the Structural Pest Control Advisory Council been in... in existence?"

Dunkin: "That's a very good question. I don't know the answer to that, Representative. I can find out."

Golar: "And this came to you through what source, the initiative on this?"

Dunkin: "I was riding public transportation in Chicago, and several constituents who lived in one of the complexes... the condominiums were explaining to me this new upsurge of bed bugs. Then I started receiving phone calls and office visits from residents who had major issues... actually one constituent was almost prosecuted because her children were coming home with welts on their body, and the teachers thought that was abuse. But the constituent knew that they

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were bed bugs because they had gone to the doctor and the doctor had spoken... had highlighted that those were bed bug bites. And then we found out in this one particular apartment complex that there was just a mass infestation in this particular location. So, I've heard it from, again, the people who live in condominiums, people who travel a lot in the various hotels. There are a number of lawsuits on some of these major marquee hotels across the country as well as apartment complexes. So, I'm telling you, it's a huge phenom in Ohio, in New York, in the City of Chicago, again, where there's densely populated housing stock and there's a lot of transients."

Golar: "How many people serve on... on the Pest Control Advisory Council?"

Dunkin: "That's a good question. I think 10 members... we have here the Task Force will have at least 10 members on the Task Force."

Golar: "Okay. To... to the Bill... to the Bill, Mr. Speaker. I applaud Representative Dunkin's efforts to work on this. It has been a issue in my... basically, it has been a issue with the Chicago Housing Authority. I've had possibly 2 or 3 of... I have 14 senior buildings in my district, and out of the 14, 3 have had bug infestation to the point of where many of the seniors that live there were... their furniture was taken away from them. There was some other issues they felt of senior abuse. So, this is a problem. It's very problematic. I applaud Representative Dunkin on this; however, I think there's some questions that he wasn't able to answer, but I would urge an 'aye' vote on this."

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Speaker Mautino: "The Gentleman moves passage of House Bill 60... 6439. 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. 85 voting 'yes', 21 voting 'no', 0 voting 'present', House Bill 6439, having received the Constitutional Majority, is hereby declared passed. Representative Durkin, House Bill 5564. Out of the record. Representative Will Davis, House Bill 4827. Out of the record. Representative Lyons, House Bill 5766. Read the Bill."

Clerk Mahoney: "House Bill 5766, a Bill for an Act concerning insurance. Third Reading."

Speaker Mautino: "Representative Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a... it's been proposed by the American Lung Association and the Respiratory Health Association and other like-minded health groups to deal with the definition of a tobacco cessation program. It's going to be limited to a official program sponsored by the United States Public Health Service. It's going to require that providers provide up to \$500 a year annually for these cessation programs to those who are 18 years and older, and it will impact existing health care organizations that provide medical coverage. And to finish the explanation and answer some questions, I'd like to defer to Representative Sara Feigenholtz, if I can, Mr. Speaker?"

Speaker Mautino: "Representative Feigenholtz. The Lady's granted two minutes."

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Feigenholtz: "Thank you, Mr. Speaker. I rise in strong support of Representative Lyons' initiative. I... we talked a lot about the value of smoking cessation in committee and the... we don't have a budget office here that talks about cost offsets, but I, personally, would like to talk about this. I was a 30-year smoker, who fortunately had the resources to pay for smoking cessation assistance and smoking cessation products. I know it has changed my health profile dramatically. It is worth the investment and I would be glad to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of House Bill 5766. And on that question, the Gentleman from Champaign, Representative Rose."

Rose: "Speaker, actually, we just need to excuse Mr. Bost from the... the Roll for the rest of the day, please."

Speaker Mautino: "Mr. Clerk, excuse Mr. Bost for the rest of the day. Representative Osmond is seeking recognition."

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

Speaker Mautino: "Representative Feigenholtz is taking questions on this Bill. She will yield."

Osmond: "Representative, I think we talked about this in committee. Was there no provision for this in the Tobacco Settlement?"

Feigenholtz: "No, no... you... are you talking about paying... insurance companies paying for smos... smoking cessation?"

Osmond: "Yes."

Feigenholtz: "No. No, we have a... invested money in smoking cessation programs in this state, Representative Osmond. But this is specifically necessary because of the four... the

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huge, huge loss of productivity in the workplace. The cost of all... all kinds of other problems that people surface with health care that also adversely effect the cost of health care. But... and this is really to reduce smoking rates."

Osmond: "Do you know what the success rate is in this program?"

Feigenholtz: "I do. The... I think nationally any states that have done this there is a... are... people are 3.1 times more likely to quit if they've used these products along with counseling. They've demonstrated tremendous success. Some of these products have online counseling, which I personally found very helpful."

Osmond: "So, are you considering, you know, how we all look at mandates on health care right now. Is this... is this covered in the national Bill?"

Speaker Mautino: "Grant the Lady another minute."

Feigenholtz: "I believe for pregnant women, Representative."

Osmond: "Well, our information shows that there is only a one percent success rate and they feel that this is a mandate on health care once again. And I stand in... I stand in not... not supporting this issue. Thank you."

Speaker Mautino: "Representative Rita is seeking recognition."

Rita: "Mr. Speaker, a point of personal privilege. We'll wait 'til after the debate."

Speaker Mautino: "Representative Eddy for questions."

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

Speaker Mautino: "Indicates she will."

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Eddy: "Representative, very quickly. What... what's the existing mandate? What... is there an existing mandate for insurance companies regarding smoking cessation?"

Feigenholtz: "No, there's no existing mandate."

Eddy: "Okay. So, this is a brand new mandate, and... and this would... this would allow... or require insurance companies to cover smoking cessation programs that, according to what Representative Osmond just said, those... those programs don't show a very high success rate and we took out a term in the Amendment that required evidence based treatment. So, we want to mandate insurance companies to support up to \$500 in costs. Is that the correct amount?"

Feigenholtz: "Representative, I have a study that I am looking at that I'd like to share with you about the efficacy of cessation programs. And I believe that... you know, your question..."

Eddy: "Well, I don't want to read a study in a minute, eighteen. You're going to take a minute and a half to read a study, when I just asked a simply question. Why did we take out evidence based treatment? So, this... this mandate doesn't even require the cessation program to have any evidence of success. It doesn't make sense. This is something that's going to drive up the cost of health insurance. It's an unfunded mandate on employers because in many cases employers share the cost of the health insurance and in the case, for example, of school districts, whenever school districts are required... or their insurers are... are required to implement this mandate, it's

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going to cost more money. Will there be an appropriation made in order to pay for the mandate?"

Feigenholtz: "Representative, the... Representative, I... I really would... I... I'm not sure what part of the Amendment you're talking about, but I definitely want to talk a little bit about U.S. Public Guide Lines, and what has been effective. There is a tremendous success rate and with cessation medications for people who are seeking FDA approved medication..."

Eddy: "Okay. Then let's put the term back in that says that it has to be an evidence based pro..."

Speaker Mautino: "Mr. Watson, you're seeking to yield time? Representative Watson."

Watson: "Yes. I'd like to yield my time to Representative Eddy."

Speaker Mautino: "An additional two minutes for Representative Eddy."

Eddy: "Thank you. I... this shouldn't take a long time. Just... my point is, we removed the term that requires evidence based treatment. Representative, I think you're... you're stating that you have evidence that there are programs that show success. If that's the case, why would we need to delete the term to include programs that don't show success? I think everybody in here would like individuals to... to be enrolled in programs that would cause them... or help them to quit smoking because in the long run it's going to save everyone money. We get that. But in the short-term, I think if we're going to make an investment like this and we're going to mandate insurance companies to

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spend up to \$500 per person, we certainly want it to be in programs that show success and until that language is in here, I think we're forcing a mandate that is going to cost employers more because they support health insurance premiums that are going to rise and we're going to do it as an unfunded mandate at a time when we simply cannot afford it. Un... until there's some type of accountability written into this, to require those programs to show that there's evidence that the treatment works, this doesn't make any sense and I think until that happens we shouldn't pass this measure. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I listen to the debates about the cost of spending \$500 per person to help a person cease their smoking habits, and about what a cost this will be on health insurers across the state. You know, I look here at some studies that have been done on the cost... incremental cost of treatment of lung cancer where for the initial treatment period for a case of lung cancer the cost for the first three months is \$26,042 per person. The maintenance cost for each year of that person's life thereafter is \$11,325 per person, and the end of life cost for a victim of lung cancer, just the last six months, are \$30,112 for those six months of that person's life. So, a \$500 investment to save the potential cost of a minimum, just assuming the person would live one year once they had developed lung cancer, of close to \$70 thousand seems like

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a very good investment to me. So, I stand in support of the Lady's Bill. I think it would be a good investment for, you know, all of us who are concerned about bringing down the cost of health care in this state. Thank you."

Speaker Mautino: "Representative Miller."

Miller: "To the Bill. I do support the... this legislation too. I think Representative Harris hit the... hit it right on the head. When we look at the cost of not just lung cancer but all carcinoma and the treatment for that, getting someone to smoke is one of the hardest thing that an individual can do. My Dad used to smoke and I remember him telling me a story that he quit when the neighbor developed cancer. And so, when I hear the debate on which that the cost of health care overall will increase because of trying to get someone to stop smoking and try to support a very difficult habit with them to get over, it just doesn't make sense to me. So, for us to sit and say that this is... we don't need to do this because the cost is just absolutely... just a little absurd. And second thing, if you look at the opponents of this Bill, they're all insurance companies. We just had a debate dealing with this on a national level, dealing with our profits and things that are going to go towards the people and the citizens... are people that they're trying to treat, as opposed to profits of insurance companies. This only makes sense; it brings us in the right direction. It helps citizens who are trying to kick the habit. People trying to kick the habit, to help kick the habit, and regardless of how they develop the habit, it's only helping our system out overall. Thank you."

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Speaker Mautino: "The Gentleman from Champaign is our final speaker."

Rose: "Thank you. Will the Lady yield, briefly?"

Speaker Mautino: "Yes, she will."

Rose: "Representative, I... I'm actually thinking of voting for this, but let me ask you one question. In the Senate, could we add an Amendment that says, if you take the \$500 and don't quit smoking you have to pay it back because quite frankly, I agree. It makes a lot of sense to say it's cheaper to have someone quit smoking than to treat it once they have lung cancer. I get that. I agree with that point. But if you're going to take the money and not follow through, I... I don't think that the rest of us should get stuck with that kind of premium increase. And I mean, it could end up being a win-win because it would lower premiums for people when they don't get lung cancer, but if they don't successfully complete the program, it would... they'd pay us back so that the average guy doesn't... I mean... see what I'm saying?"

Feigenholtz: "Well, if..."

Rose: "It's even more incentive to quit."

Feigenholtz: "It's interesting, but one of the things that I want the Body to know, based on some of the conversation that we've been having here is, the success of smoking and tobacco cessation programs and how they're crafted actually..."

Rose: "Well, hold on... what's the... can we add that Amendment? Because I think I'd like to vote for it."

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Feigenholtz: "Representative, when this Bill goes to the Senate, we can talk to whoever's going to pick it up. I'm not going to... I'm not going to be able to answer that question right now."

Rose: "All right. That puts... I... look, my dad died of cancer. I want to vote for this Bill, okay. But I also don't think it's fair to stick everybody else with a premium increase. I mean, could we..."

Feigenholtz: "Representative, I would be glad to have a conversation with whoever picks this up in the Senate. I'd be glad to work on it with you. I... sure you have... we all have tales. We all have stories that have personally affected our lives. I think, although many of us struggle with doing this, I think that the costs benefit analysis, the return on investment, as Dr. Miller said everybody in this room knows... has..."

Speaker Mautino: "Repre... Representative Feigenholtz to close."

Feigenholtz: "Ladies and Gentlemen of the House, I think we have heard a lot of debate on this, but I personally believe that this is an incredibly smart thing for us to do. It's necessary because of the total health care related costs in this country, exceeding unbelievable numbers in the multibillions. So, let's send this to the Senate and continue to talk about it, and help people in Illinois quit smoking. I'd appreciate an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of House Bill 5766. 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

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record. 66 voting 'yes', 40 voting 'no', 0 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. Thirty-six Bills remaining. Representative Leitch, House Bill 5308. Excuse me. If you can hold for just a second. Representative Rita on a point of personal privilege."

Rita: "Mr. Speaker and Ladies and Gentlemen of the House, I'd like you to give a nice warm welcome to Veterans Memorial School, which is located in the City of Blue Island. They're up here. So give them a nice warm welcome. Welcome to Springfield."

Speaker Mautino: "Welcome to the House of Representatives. Representative Leitch, on the Calendar appears House Bill 5308. Out of the record. Representative Feigenholtz, on the Calendar appears House Bill 6063. Read the Bill."

Clerk Mahoney: "House Bill 6063, a Bill for an Act concerning State Government. Third Reading."

Speaker Mautino: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 6063 requires the Department of... I think it's HF... Aging to increase the effectiveness of the CCP Program by ensuring that the program's assessment tools are reflective of the needs of individuals with Alzheimer's and dementia related disorders. I'd be glad to answer any questions. Thank you."

Speaker Mautino: "The Lady moves passage of House Bill 6063. 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 Davis, do you wish

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to be recorded? Mr. Clerk, take the record. 105 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 6063 is hereby declared passed. Representative Flider, House Bill 5879. Read the Bill."

Clerk Mahoney: "House Bill 5879, a Bill for an Act concerning utilities. Third Reading."

Speaker Mautino: "Representative Flider."

Flider: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This legislation is designed to ensure that the utility service is not put in the names of those who are younger than 18 years of age. I had a situation in my district where we had a young lady whose name the utility service was into, and subsequently she could not get credit and so this legislation is designed to prohibit that. Admittedly, as we discussed during the Amendment stage, this legislation will need some clarification. We'll be working on that in the Senate. And we had some good dialogue about that. I think the intent behind this is good. And I'd ask for an 'aye' vote."

Speaker Mautino: "The Gentleman's moved passage of House Bill 5879. 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 Brady, Crespo, do you wish to be recorded? Mr. Clerk, take the record. 103 voting 'yes', 1 voting 'no', 1 voting 'present', House Bill 5879, having achieved a Constitutional Majority, is hereby declared passed. Representative Fritchey, House Bill 6072 appears on the

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Calendar. It's on Second Reading. Out of the record.
Representative Golar, House Bill 5918. Read the Bill."

Clerk Mahoney: "House Bill 5918, a Bill for an Act concerning
civil law. Third Reading."

Speaker Mautino: "Representative Golar."

Golar: "Thank you, Mr. Speaker and Members of the House. House
Bill 5918, this proposed legislation would exempt from
civil liabilities any person who in good faith provides
care, assistance, or emergency equipment to any person at
the scene of an emergency, that necessitates the evacuation
of a building. House Bill 5918 would not cover emergency
responders or others who receive compensation for their
services. This Amendment is the initiative of the City of
Chicago. Also, the Trial Lawyers helped me to put together
an Amendment that would be more to the act of responding to
the care of people with disabilities. I would urge an
'aye' vote."

Speaker Mautino: "The Lady's moved passage of House Bill 5918.
On that question, the Gentleman from Cook, Representative
Fritchey."

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

Speaker Mautino: "She indicates that she will."

Fritchey: "Representative, we already have some good samaritan
in legislation in Illinois, don't we?"

Golar: "Beg you pardon?"

Fritchey: "Don't we have legislation that covers good samaritan
acts in Illinois right now?"

Golar: "Yes. But this is for emergency preparedness. This is
for persons with disabilities. This is, in fact, for

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evacuation of buildings that may be 80 stories or hi... or more."

Fritchey: "Right. So, this deals with those situations where we have to evacuate the building, correct?"

Golar: "It would be similar to the 9... September the 11, issue."

Fritchey: "So, why would that be a different situation than the standard of care that we have right now for good samaritans?"

Golar: "I would say that perhaps those individuals that would be helping would be seek... trying to seek compensation and we put in here that they would not."

Fritchey: "The City of Chicago's a proponent of this Bill?"

Golar: "The City of Chicago wrote the legislation, Representative."

Fritchey: "The Trial Lawyers Asso..."

Golar: "Senior analyst, Laurie Dittman, who works for the City of Chicago, wrote this policy..."

Fritchey: "Okay. I was just asking."

Golar: "...process. The Trial Lawyers tightened the policy up."

Fritchey: " I was just asking. Are the Trial Lawyers still opposed?"

Golar: "They wrote... they helped clean up the Bill."

Fritchey: "Are they still opposed though or not?"

Golar: "No, they are not."

Fritchey: "Is there any opposition?"

Golar: "None."

Fritchey: "That's all I want to know."

Golar: "Thank you."

Fritchey: "Thank you."

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Speaker Mautino: "The Lady moves passage of House Bill 5918. All in favor vote 'yes'; opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Flowers, do you wish to be recorded? Mr. Clerk, take the record. 105 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5918 is declared passed. Representative Rita, House Bill 6415. Read the Bill."

Clerk Mahoney: "House Bill 6415, a Bill for an Act concerning regulation. Third Reading."

Speaker Mautino: "The Gentleman from Cook."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 6415 is a clean-up Act relating to the CPA's licensure."

Speaker Mautino: "The Gentleman moves passage of House Bill 6415. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Arroyo. Mr. Clerk, take the record. 105 voting 'yes', 0 voting 'no', 0 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bill Mitchell, House Bill 4663. Out of the record. Representative Don Moffitt, House Bill 5590. Read the Bill."

Clerk Mahoney: "House Bill 5590, a Bill for a Act concerning transportation. Third Reading."

Speaker Mautino: "Representative Moffitt."

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Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5590 is an initiative of the Illinois Fire Chiefs Association. It would provide for issuance of a special retired Fire Chief plates after they meet the criteria of threshold set by the Secretary of State's Office. There's no known opponents. Secretary of State's Office is neutral. It's a way of honoring retired fire chiefs, at their request. Be happy to entertain any questions."

Speaker Mautino: "Representative Rose."

Rose: "Mr. Speaker, Representative Coladipietro's excused for the rest of the day."

Speaker Mautino: "The Clerk will mark that. No one seeking recognition, the Gentleman has moved House Bill 5590. All in favor vote 'yes'; opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Pritchard, Osterman, Colvin, do you wish to be recoded? Mr. Clerk... Mr. Clerk, take the record. 96 voting 'yes', 8 voting 'no', 0 voting 'present', House Bill 5590, having received the Constitutional Majority, is declared passed. Representative Gordon, House Bill 5677. Read the Bill."

Clerk Mahoney: "House Bill 5677, a Bill for an Act concerning insurance. Third Reading."

Speaker Mautino: "Representative Gordon."

Gordon, C.: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 5677 deals with real estate transactions. This is a continuation of some changes that were made to the Title Insurance Act last year regarding what constitutes

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good funds, and the definition of 'single party' for the purposes of the statute. This is going to continue to be changed in the Senate and will eventually end up being a completely agreed Bill, for purposes of this Session. I would ask for an 'aye' vote."

Speaker Mautino: "The Lady's moved passage of House Bill 5677. Representative Thapedi."

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

Speaker Mautino: "Indicates she will."

Thapedi: "Representative, I notice here that the Illinois Association of Realtors as well as the Illinois Credit Union League are in opposition to this Bill. Does that opposition still remain?"

Gordon, C.: "The... everybody's neutral now, Representative."

Thapedi: "What was the genesis of their initial opposition?"

Gordon, C.: "Just at the... because of the... when they started out to... to change the definition of 'single party', it... they didn't like the way that it was written and that's why it's going to... you know... but the negotiations were on going. As it stands right now, as I said, they're neutral and we're going to continue to change it in the Senate until everybody's happy with the final product."

Thapedi: "So, is your intention to pass it out of this chamber, send it over to the Senate, and for it to come back here..."

Gordon, C.: "Yes."

Thapedi: "...for concurrence after you make that..."

Gordon, C.: "Yes. Yes. And there will be some changes with the... with the good funds as well, but it... until everybody's happy with it, it's not going to move completely."

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Thapedi: "Thank you for the clarification, Representative."

Speaker Mautino: "Representative Rose."

Rose: "Please excuse Representative Bellock, Mr. Speaker."

Speaker Mautino: "Representative Bellock is excused. The Lady has moved passage of House Bill 5677. All in favor vote 'yes'; opposed 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 89 voting 'yes', 14 voting 'no', 0 voting 'present', House Bill 5677 is declared passed. Representative Gordon, Jehan Gordon, 5894. Read the Bill."

Clerk Mahoney: "House Bill 5894, a Bill for an Act concerning civil law. Third Reading."

Speaker Mautino: "Representative Gordon."

Gordon, J.: "Thank you, Mr. Speaker. House Bill 5894, that's before us this afternoon, is intended to clean up the Probate Act. Currently, these exemptions are extended to where the domestic abuse project seeks the appointment of a guardian ad litem. Currently in order to be exempt, Human Services must be operating under a particular sub-section of the Abuse of Adults With Disabilities Act. While under that section, the domestic abuse project may act on complaints of abuse by petitioning for a guardian under the Probate Act... under the Probate Act for three different instances. One, being directly seeking a permanent guardian on its own initiative. Two, when a guardian is alleged to be the source of the abuse and there's a need to seek a substitute guardian, or when the guardian tries to withdraw the respondent from the Human Service programs. Well,

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right now, as the statue stands, Human Services is only exempted when the guardian is alleged to be source of the abuse and there is a need to seek a substitute guardian. This piece of leg..."

Speaker Mautino: "Lady has moved passage of House Bill 5894. Seeing no questions, all in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Black, Representative Turner. Mr. Clerk, take the record. 103 voting 'yes', 0 voting 'no', 0 voting 'present', and House Bill 5894, having received the Constitutional Majority, is hereby declared passed. Representative Mulligan on House Bill 4924. Representative Mulligan. Read the Bill."

Clerk Mahoney: "House Bill 4924 has been read a second time, previously."

Speaker Mautino: "Third Reading. Read the Bill... read the Bill a third time."

Clerk Mahoney: "House Bill 4924, a Bill for an Act concerning insurance. Third Reading."

Speaker Mautino: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I want to be very honest about this Bill. Basically, I said I was going to hold it, and we were going to negotiate it or... and I was going to try for an extension. It was announced earlier there would be no extensions. So, what I'm doing, although the Bill isn't soup yet. We tried to work on this for several years and the insurance companies agreed that they would work on this. I think it is very important. My Bill applies to 18

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years and younger and it works both with cochlear implants and with the device that goes in the ear for young children that has to be changed with hearing aids quite often. So, I'm hopeful that it would go over to the Senate, we'd get a Sponsor and still work on it."

Speaker Mautino: "The Lady has moved passage of House Bill 4924. Representative Fritchey you had a question?"

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

Speaker Mautino: "Indicates..."

Fritchey: "...I appreciate your candor, but based on your previous statement that it was going to be held to work on, are the numerous opponents to the Bill okay with you moving it over and working on the other side, or are they remaining opposed?"

Mulligan: "Actually, we kept holding it because I had promised we'd hold it. Today, I just decided to move it because I was told there'd be no Bills... no Bills postponed, because I asked if I could have it postponed either to the end of the Session or into Veto Session and it was announced from the podium that there would be no Bills held."

Fritchey: "Okay. And I'm not trying to take you to task."

Mulligan: "So, I did not go out and ask anybody, because I..."

Fritchey: "Okay."

Mulligan: "...didn't intend to move this."

Fritchey: "I guess, the only thing that I would point out it and you know... you've never been one to take this lightly as... you know, when we've made a commitment either in

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committee or to interested parties that a Bill is going to be held, and then try to move it out on the last day..."

Mulligan: "Right."

Fritchey: "...it really, you know, it could call those commitments into questions sometimes."

Mulligan: "I understand that, and it's certainly up to the Body. I can remove it or I can move it out. I don't do that lightly, and I've held it continually and it's been amended, amended, amended a little bit, but not really with the insurance people. It's just that this is such a big issue for young children in their development that we'd like to... to work on it a little longer. Right now most people that do this, if they can they apply to KidCare who pays for it or Medicaid who pays for it, and some insurance that pays for it is spotty. So, it needs kind of a general discussion on how to handle it."

Fritchey: "No, I appreciate the merit of what you're trying to do and can, but I don't have the energy to get into the procedural aspects of it right now. I just want to make sure that we're..."

Mulligan: "Right."

Fritchey: "...all clear on the record. Thank you."

Mulligan: "Okay."

Speaker Mautino: "Representative Gordon, seeking recognition? Representative Mulligan to close."

Mulligan: "Well, I guess I ask for an 'aye' vote. I'm really concerned about it, because I would prefer that to have the Bill extended and work on it here, but I'm worried about that not happening this year. So, I'd ask for an 'aye'

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vote. And we'll work on it together with people across the aisle, the other side."

Speaker Mautino: "The Lady has moved passage of House Bill 4924. 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. 76 voting 'yes', 27 voting 'no', 1 voting 'present', House Bill 4924, having received the Constitutional Majority, is declared passed. Representative Jakobsson, House Bill 4936. Out of the record. Representative Nekritz, House Bill 6088 is on Second Reading. Out of the record. Representative Osterman, House Bill 5849. Out of the record. Out of the record. Representative Riley, House Bill... House Bill 4220. Read the Bill."

Clerk Mahoney: "House Bill 4220 has been read a second time, previously. Floor Amendment #3 has been approved for consideration."

Speaker Mautino: "Representative Riley on Floor Amendment #3."

Riley: "Thank you, Mr. Speaker and Members of the House. Can I... Mr. Speaker?"

Speaker Mautino: "Representative Riley."

Riley: "Can I get a little order in the House. This is a very important Bill."

Speaker Mautino: "Representative Riley requests order on Floor Amendment #3."

Riley: "Thank you. Floor... Floor Amendment #3 is a page and line Amendment to Amendment #2, that I brought the other day, and it made some changes..."

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Speaker Mautino: "Gentleman moves adoption of Floor Amendment #3."

Riley: "Thank you."

Speaker Mautino: "All in favor say 'yes'; opposed 'no'. The 'yesses' have it and the Amendment is adopted. Further Amendments?"

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

Speaker Mautino: "Third Reading. Read the Bill."

Clerk Mahoney: "House Bill 4220, a Bill for an Act concerning civil law. Third Reading."

Speaker Mautino: "Representative Riley."

Riley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I've been working on this Bill for quite some time now, and I appreciate the help that I've gotten on it. Floor Amendment #3 essentially took care of some problems that some people had the last time I presented the Bill. Essentially what we're doing now is extending the time that a putative father has to register with DCFS to 40 days. And essentially we changed some language and you know, I'm sorry that it was confusing, but essentially it had to do with the provision of the putative father in terms of him bringing a claim. Before it had originally been put, I... I think in Floor Amendment #2, gave people the idea that there could be some interruption to finalize adoptions and you know, of course, that was not the case. We made those changes with Floor Amendment #3. But essentially what this Bill is all about is just giving a person, who wants to participate..."

Speaker Mautino: "Pritchard and then we'll go to Rose, yep."

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Riley: "...in his child's life, an opportunity to prove his fitness. That's essentially all that the Bill does. And I'll answer any questions you may have."

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

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

Speaker Mautino: "He indicates he will."

Black: "Representative, with Amendment #3 I don't believe that removed the opposition of the Chicago Bar Association or the Adoption Attorney's Association. Is that a correct statement?"

Riley: "No it did not, Representative."

Black: "Okay. Fine. Fine."

Riley: "Essentially, it addressed some issues that Members of the House had."

Black: "Okay. Thank you very much, Representative. Ladies and Gentlemen of the House, to the Bill. I understand.. I understand what the Gentleman is trying to do, and he certainly worked in good faith. As an adoptive parent, I just.. I always have some difficulty and.. and some fear with expanding the.. not the rights of the putative father that's the wrong word to use, but the putative father often doesn't register for any number of reasons, denial, says he didn't know about it. And this simply gives that putative father additional time to register, which can complicate the adoption process tremendously. And unless you have been through the adoption process as I have, although it was many years ago, you have no idea the difficulty, the

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tension, the stress, the tears, that adoptive parents go through and to allow someone to show up ever and ever later to assert parental rights, while certainly part of the process, I don't think aids the adoption process, and at some point the putative father must understand that he has a certain period of time in which to assert his parental rights. And if they don't do that, I just, as an adoptive parent, have some concerns about expend... extending the time for that individual to so register. And because of my personal experience, I rise in opposition to the Bill."

Speaker Mautino: "Further discussion? The Gentleman from Tazewell, Representative Sommer."

Sommer: "Thank you, Mr. Speaker. To the Bill. Mr. Black is correct. The Board of Governors of the Chicago Bar Association, the Committee of Attorneys that work entirely with adoption of the Bar Association, my family's personal adoption attorney, have raised red flags on this and are strongly against this Bill. I urge you not to pass this Bill. It will do serious damage to the Putative Father Registry Act. Thank you."

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

Riley: "Thank you, Mr. Speaker. This is a... this is a very difficult Bill, very difficult issue, and I just want to say that I appreciate all the comments that have made... been made over the last year or so, as I have been working on this Bill. I have all of the respect for all of the speakers, even people in this Body who were not for this piece of legislation. But one of the things I want to say

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that, over time this Bill has been characterized as doing things that it really doesn't do, at least in my opinion and the opinion of proponents of the Bill. One of the things that... that we're leaving out is the fact that this Bill is very narrowly tailored and one of the parts that was added to this Bill was... and we know, just like Representative Black says, there's myriad reasons why people do not get on the registry. And if those people did not get on the registry because of their own fault or their laziness or nonconcern, that's one issue, but this Bill deals with... by clear and convincing evidence that a fraud has been perpetrated upon the court. That's it. That was the reason why... especially my constituent, wanted to be involved in his... in his child's life, basically proposed this piece of legislation. So, it's... very narrowly tailors the class of people who will be eligible for this. And one thing that it doesn't do, doesn't upset the applecart in terms of adoption. The child is not granted to that person. Just has an opportunity, with all due respect, Mr. Speaker, we spend a lot of time on Bills that I would view as being much less important than this one, with all due respect. And so all this Bill attempts to do is allow a person to prove his fitness. That's it. Doesn't get anything. Prove his fitness. I'd just like to end by saying that I can understand, especially knowing a lot of people who have adopted children, what they go through, through the adoption process, but the tears that they shed are no less important than the tears of a man who wants to be involved in his child life, but can't. So, thank you

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very much for your consideration. The whistle's notwithstanding, this is a very serious Bill. And I request an 'aye' vote. Thank you."

Speaker Mautino: "The Gentleman has moved passage of House Bill 4220. 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 Burke, Gordon. Mr. Clerk... Mr. Clerk, take the record. Representative Riley. On a vote of 56 voting 'yes', 47 voting 'no', 0 voting 'present', House Bill 4220 is declared lost. The Gentleman from Champaign, Representative Rose is seeking recognizing."

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

Speaker Mautino: "State you point."

Rose: "Ladies and Gentlemen, we're very happy to have with us in the gallery behind me, high school students from Cerro Gordo High School in... it actually splits Piatt and Macon Counties. So, on behalf of myself and Representative Flider, let's give them a big welcome. It's their government class."

Speaker Mautino: "Welcome to the House of Representatives. Representative Rose, on the Calendar is House Bill 5124. Read the Bill."

Clerk Mahoney: "House Bill 5124, a Bill for an Act concerning State Government. Third Reading."

Speaker Mautino: "The Gentleman from Champaign."

Rose: "Thank you, Mr. Speaker. I want to first of all thank Representative Jakobsson, Representative Coulson, Representative May, and Representative Cole for joining me

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on this, as well as the Governor's Office. All agencies, at this point, are neutral. This would represent, essentially, a first step in beginning to eliminate redundancies and multiple recording requirements within the Division of Human Services and DHFS. We have a number of issues, but what brought this to me was an agency in my district, LifeLinks in Mattoon, Illinois. They normally have three different audits a year, each audit cost them \$20 thousand. They said pick one and let us spend the rest of the money on treating patients. I thought that was a pretty good idea. So, with the help of the agencies and again my colleagues, this would begin the... what is essentially, we're calling a first step towards a clear line of demarcation and agency control. And again, the overall goal here is efficient oversight with an end towards patient safety, quality treatment and the limitation on fraud and abuse. So, with that, I'd ask for a favorable vote."

Speaker Mautino: "The Gentleman has moved passage of House Bill 5124. 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 Cole. Mr. Clerk, take the record. 103 voting 'yes', 0 voting 'no', 0 voting 'present'. Mr. Clerk, House Bill 5494. Representative Washington. Excuse me. House Bill 5124, Representative Rose, is declared passed. Representative Washington on Second Reading is House Bill 5494. Read the Bill."

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Clerk Mahoney: "House Bill 5494, has been read a second time, previously."

Speaker Mautino: "Third Reading. Read the Bill for a third time."

Clerk Mahoney: "House Bill 5494, a Bill for an Act concerning criminal law. Third Reading."

Speaker Mautino: "Representative Washington."

Washington: "Thank you, Mr. Speaker and Members of this Body. I want all of you to give me the same type of vote that you just gave that other Bill. This Bill, House Bill 5494, is a Bill to... I hear the whistles. It's a Bill that would help the Illinois State Police and God knows they need all the help they can get right now. What this says is that if you get a ticket, a fine of some sort, and they have to pull their officers out of rank in order to appear in court and if you don't show up that you're assessed a \$75 fine and that fine would cover some of the costs that we lose in the state when an officer has to be pulled out of service and appear in court. And I'm asking for an 'aye' vote. And I can answer any questions. Thank you."

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

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

Speaker Mautino: "Indicates he will."

Reis: "So, this is a new fine of \$75?"

Washington: "Yes, Sir."

Reis: "And who will be collecting that fine?"

Washington: "The Illinois State Police would get the lion share of the fine..."

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Reis: "No, who will be collecting the fine?"

Washington: "The court system will be collecting the fine, who normally collect fine, Representative."

Reis: "So, the county circuit clerk."

Washington: "Yes, Sir."

Reis: "To the Bill. Ladies and Gentlemen of the House, there's counties that may not even have a circuit clerk come this summer. They're going to shut the courthouses down. I have a county that's got \$4 thousand in their operating expenses 'cause the state won't reimburse them for their money. I don't mean to bring this up on your Bill, Representative, but there are going to be county courthouses that may shut down this summer because the state won't reimburse them for state's attorney salaries, for stipends, for sales taxes that they collect, and we're asking them to do more and more and more. I've learned a lot about what the circuit clerks do since last December. They collect a tremendous amount of fees, have separate accounts for all of them. We can't even give them their stipend and we can't even pay the counties what the state owes them. I see that they're still opposed to this or they're neutral. I don't know that we need to be putting more and more work on our circuit clerks when they're not even getting paid for the work they're doing now."

Speaker Mautino: "Further discussion? Representative Franks."

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

Speaker Mautino: "He indicates he will."

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Franks: "Representative, my question is on this additional \$75 penalty, who would obtain those funds? Would it be the State Police who would get that money?"

Washington: "Yes, Sir. As I was trying to say earlier, the lion's share of the \$75 fee would go to the Illinois State Police for pulling out their officers out of service in order to appear in a court situation where a defendant may not show up for one reason or the other."

Franks: "What happens, though, if it's not the State Police that had to actually issue the warrant and bring the person in? What happens if it's the local sheriff? Does the local sheriff get the money then or would it still go to the State Police?"

Washington: "Well, you know, Representative, I wouldn't have the slightest clue. I can ask somebody, but this Bill was an initiative for me to help our guys who, as you know, are facing a serious cutback in a loss of revenue."

Franks: "I understand and my question is though..."

Washington: "But my answer to you is whatever agency is issuing a ticket... that makes the arrest, issuing a ticket, bringing a person in."

Franks: "So, it'd be the agency, but what about the law enforcement? Here's my point. Let's assume there's a warrant out for someone's arrest, like a body attachment order that may be issued pursuant to a civil order by a judge. And because the... the defendant does not show in court, the sheriff would have to go out and put a levy on that body attachment and bring the person in. That person would post, let's say, a \$100 bond and then the sheriff's

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office would get \$30 of that bond. That's how it works now. What I'm wondering, though, is if you're changing how this works and instead of the arresting agency getting the money, it would be the one actually issuing the original citation which I think is a big change from how we do things here in this state."

Washington: "Once again, Representative, the Bill provides that the arresting agency receive the funds."

Speaker Mautino: "Let the Gentleman answer the question and grant one more minute to Mr. Franks."

Franks: "I appreciate that answer and I appreciate what you're trying to do, but I would hope that we could change this Bill, Mr. Washington, because the agency that is expending the... or the entity that's expending the resources to have to bring someone in for not showing up to a court date is the arresting agency. And I could see where they could get a reimbursement for this but to simply give the agency that it wrote the initial potential violation or the citation would not bring additional moneys into the areas which actually have been expended. So, if you have a sheriff who has to take his folks off the street and instead have to go issue this type of warrant, I think the sheriff's office ought to be the one who gets reimbursed not the issuing agency of the citation. So, I understand what you're trying to do, but I think this ought to be tightened up."

Speaker Mautino: "Representative Boland."

Boland: "Thank you, Mr. Speaker. I think that the previous speaker made some good points, but what I would say is that we all know we're in a great fiscal crisis. We're seeing

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hundreds of state troopers that may have to be laid off. This is really the direction we ought to go. We ought to be... in fact, the only problem I would say with Representative Washington's Bill is that I think it should be stiffer. I think the full cost of taking someone's time... a trooper's time to go and appear before court. That full cost should be bared by the offender and so I would rise in strong support. Hopefully, when this goes over to the Senate, they can address some of the previous speaker's remarks, which I think are well-taken, but in the meantime, I would like to see us move ahead with this. And I would ask Representative Washington if he could put me on as a cosponsor. We've got to get the money somewhere and we ought to start looking at ways to put some of these lawbreakers and others who do various things that cost our... our society money to make them pay more of the burden or at least the full burden of what they're costing the rest of us as taxpayers. Thank you. And I'd urge an 'aye' vote."

Speaker Mautino: "Representative Reboletti."

Reboletti: "Mr. Washington, I... I asked you this question before in committee. We actually passed Representative Rose's Bill out of here within the last week, which basically does... does the exact same thing, except his fine was a \$100 and that... at my request, he put in that if the defendant were to appear within 48 hours, if the defendant was incapacitated in some form that they could prove to the court, then this fine would not attach. I'm not sure why we would need to continue with your legislation if we already have a Bill that's... I think, almost passed

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unanimously out... out of the House. I'm sorry, yours is less of a fine, but otherwise there's really no difference in the Bill."

Washington: "Thank you... thank you, Reboletti. But you know what, Mr. Speaker, I've just been informed that the Bill has some flaw that I wasn't aware of. The Bill was supposed to be... to recoup some of because you can't recoup all of the loss that they would have in terms of the officer being pulled out. So, I would like to pull the Bill out of record. I... I've just found out and been notified that the Bill has some things that I need to work on and I will. And I'll get back with you."

Speaker Mautino: "Representative Washington requests the Bill be taken from the record. That will be granted. Representative Yarbrough, House Bill 5523. Read the Bill."

Clerk Mahoney: "House Bill 5523, a Bill for an Act concerning civil law. Third Reading."

Speaker Mautino: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker, Members of the House. House Bill 5523 does the following: it protects victims of domestic violence and sexual violence by providing them with affirmative defense to an eviction if it's solely based upon the victim's status or solely on incidence of violence. The victim must prove... must provide proof of the violence from a qualified third party who has served as defense. It also allows the landlords to pursue an eviction against the abuser if he or she is a household member without evicting the victims. I've worked very hard on this Bill and actually the Amendment #2 is... is an

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Amendment that's agreed upon by the Illinois Association of Realtors, the Chicago Housing Authority, and the Chicago Apartment Association. I'd be happy to answer any questions."

Speaker Mautino: "Representative Yarbrough moves passage of House Bill 5523. No one's seeking recognition, the question is, 'Shall this Bill pass?' All in favor say... 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? Representative Froehlich, Saviano, do you wish to be recorded? Mr. Clerk, take the record. 103 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5523, having received the Constitutional Majority, is declared passed. Representative Yarbrough, you also have House Bill 6317. Read the Bill."

Clerk Mahoney: "House Bill 6317, a Bill for an Act concerning State Government. Third Reading."

Speaker Mautino: "Representative Yarbrough."

Yarbrough: "House Bill 6317, as amended, is a gut and replace Amendment. It's a Bill that was brought to me by the Department of Natural Resources. It allows the department to assess a fee for the reinstatement of revoked licenses. Currently, there's no reinstatement fee. I'd be happy to answer any questions."

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

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

Speaker Mautino: "She will."

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Fritchey: "Representative, this allows them to impose a fee of up to a thousand dollars?"

Yarbrough: "No. If you'll look in your analysis you'll see that the... the types of suspensions and subsequent suspensions. I think it goes up to \$500 rather than a thousand dollars."

Fritchey: "Okay. I mean, you're right. The chart shows 500, the analysis shows a thousand."

Yarbrough: "I know. That's incorrect. The thousand dollars is incorrect."

Fritchey: "So, it's up to a \$500 fee."

Yarbrough: "Yes."

Fritchey: "I mean, so, is it possible that a fif... you know, trying to reinstate a \$50 license can cost you \$500?"

Yarbrough: "No. First suspension would be \$50. In some of these instances, like delinquent child support, the first suspension would be \$50. The subsequent suspension would be \$100. If you get down to... like a OUI with a watercraft or a snowmobile, the first offense would be 250 and the subsequent would be \$500."

Fritchey: "And what... what's the purpose of the fee in this... in this situation?"

Yarbrough: "They want to... 85 percent of the money's going to be used for the purchase of law enforcement vehicles for the department. The other 15 percent will be used for promotion of safety and safety education."

Fritchey: "So, this is basically a way to help them fill budget shortfalls."

Yarbrough: "Yes. That's correct."

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Fritchey: "All right. Thank you."

Speaker Mautino: "The Lady moves passage of House Bill 6317. No one seeking recognition, 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. 74... 73 voting 'yes', 30 voting 'no', 0 voting 'present', House Bill 6317 is declared passed. Representative Reitz."

Reitz: "Thank... a point of personal privilege."

Speaker Mautino: "State your point."

Reitz: "Thank you, Mr. Speaker. I would just like to remind everyone that we have the Legislative Sportsmen's Caucus when we come back on April 14 and anyone wanting to make a donation, either contact Representative Beaubien or myself with auction items. All of the proceeds go to the Illinois Conservation Foundation to support youth and handicap hunting and fishing events. If you would just like to make a cash or campaign donation, we'll use that to buy gifts for the silent auction. So, don't forget April 14. Thank you."

Speaker Mautino: "House Bill 6035 appears on the Calendar. Representative Bradley, do you wish to move this Bill? Read the Bill."

Clerk Mahoney: "House Bill 6035, a Bill for an Act concerning local government. Third Reading."

Speaker Mautino: "Representative Bradley."

Bradley: "This is an initiative of the Fraternal Order of Police. It would eliminate quotas. Ask for an 'aye' vote."

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Speaker Mautino: "The Gentleman has moved passage of House Bill 6035. And on that question, the Gentleman from Cook, Representative Osterman."

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

Speaker Mautino: "He indicates that he will."

Osterman: "Just a quick question in all sincerity. And that is that the city has brought up some concerns about some provisions of the Bill. You and the State FOP, they're advocating this Bill or willing to work in the Senate.."

Bradley: "Yes."

Osterman: "...to address those concerns."

Bradley: "Yeah. It's actually with regards to paragraph two, which has to do with the meritorious conduct issue and I think that's where most of the issue is. And the FOP has agreed to work that out, or attempt to work that out in the Senate."

Osterman: "I appreciate that. Thank you."

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

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I was a sub in a committee when this Bill came up. I have subsequently heard from a number of my law enforcement agencies and other interested parties that what this does is to put the General Assembly in the position to tell municipalities, counties, law enforcement agencies, therein, how they will run their law enforcement operations. Hello. Okay. I know I've heard from the sheriffs in... in my legislative district, the chiefs of police, even in some cases mayors and council members that

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this kind of policy should be set by the locally elected officials not by the Illinois General Assembly. So, I rise in opposition to the Bill. And... and Mr. Speaker, I have an inquiry of the Chair."

Speaker Mautino: "State your inquiry, Sir."

Black: "Thank you very much, Mr. Speaker. It was my understanding from hearing the Bill when it was presented in committee and looking at it here today that this Bill would preempt Home Rule in a clear fashion and I would think that it would require 71 votes. And I would appreciate a response from the Chair."

Speaker Mautino: "I will speak with our parliamentarian."

Black: "Thank you."

Speaker Mautino: "Is it okay if we continue the debate, there are a number of people asking, while we wait for that? Representative Froehlich."

Froehlich: "Yes. Would the Sponsor yield... a question?"

Speaker Mautino: "Indicates he will."

Froehlich: "Representative Bradley, are the Illinois Chiefs of Police Association still opposed to your Bill?"

Bradley: "I assume. I don't know. I... we don't agree on this issue."

Froehlich: "Have you cited any specific examples of abuse to justify dictating performance standards to police departments across the state?"

Bradley: "I guess I don't understand your question."

Froehlich: "Well, you're proposing a change in a policy about how officers are... or performance is evaluated and I'm

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wondering what... what evidence you have that there's some kind of problem that needs to be fixed."

Bradley: "I saw the evidence that a problem needs to be fixed when we had all those people show up to your committee and say that there aren't any quotas, but please, please don't get rid of no quotas... don't get rid of quotas. We're not doing them, but for goodness sakes don't get rid of them. That's a problem."

Froehlich: "And the difference between a performance standard and a quota is exactly what, Representative?"

Bradley: "I don't know. That's part of the problem, too."

Froehlich: "And... but... and your Bill doesn't... does not define it, does it?"

Bradley: "There's... there's two paragraphs in the Bill. One says point-blank, no quotas. You can't go out and tell somebody they got to get a number of tickets. I can't imagine how anyone would oppose that. The second paragraph says you can't use ticket writing as a basis for promotion, et cetera. And the problem is is that that creates a situation where you're looking for a number, where you're getting a promotion because you write more tickets, where you're getting a raise because you write more tickets. And I believe that the Constitution affords everyone the opportunity and the right to have their specific situation evaluated objectively and not based upon a criteria that's a number."

Froehlich: "So, if somebody... some officer makes twice as many arrests or twice as many calls he can..."

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Speaker Mautino: "Grant the Gentleman an additional minute to finish his question."

Froehlich: "Why would you not prohibit police departments from evaluating based on the number of arrests that an officer makes..."

Bradley: "That's paragraph..."

Froehlich: "...or the number of calls that they respond to?"

Bradley: "I think that each case, each officer should be evaluated upon their own merits. And I think each situation should be evaluated upon its own merits. And I think whenever you have a number, you're encouraging people to write tickets for the sake of writing tickets. That makes me uncomfortable and I think it leads to bad things. What's about the situation where you have a cop that has a reputation for really enforcing an area toughly and so as a result of that people quit speeding. Now that officer doesn't write as many tickets and they're going to get penalized because someone else is writing more tickets than they are. They're not going to get the promotion. They're not going to get the raise. That makes me uncomfortable. Whenever you're... you're in a situation where you say, hey, we're going to evaluate you based upon how you perform in comparison to the people you work with and whoever writes more gets more benefit, that bothers me."

Speaker Mautino: "The Gentleman's time has expired. The Gentleman from Cook, Representative Fritchey."

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

Bradley: "No."

Fritchey: "Do... do you even get that choice?"

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Speaker Mautino: "Yes."

Fritchey: "John, all... all kidding aside, I'm... I'm..."

Bradley: "I haven't been kidding."

Fritchey: "I'm kind of split on this thing..."

Bradley: "Yeah."

Fritchey: "...and let me tell you why conceptually. Like me, you're an attorney. Many attorneys in law firms their partnership track, their compensation, is based upon their performance output. How much they bill. How much they bring in. Likewise, if somebody is a salesman, their performance and their job promotions, et cetera, are based on them executing their duties. Is it identical, no, but it is analogous. So, when you talk..."

Bradley: "I... I don't..."

Fritchey: "...when you talk... when you talk about not knowing any situation where, you know, you're work output is based on a number, that's really not true. It's actually very common that it's based on a number."

Bradley: "But not when you're putting people in jail. Not when you're putting people in prison. And I made the comment, and I'm glad you brought this up, I made the comment in committee. We're not selling microwave ovens here. We're putting people in jail. We're writing people tickets."

Fritchey: "But now there... it would be a difference if you're putting people in jail that don't belong there, if you're writing tickets for people that didn't commit offenses, but to... and that's a situation where that officer would be reprimanded appropriately. But to say that we have an anticipation that as part of your job duties you are going

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to be enforcing the laws of this municipality and whatever it may be and we're going to be able to measure that quantifiably. That's a different issue than an officer that's writing specious tickets."

Bradley: "And that's the issue that the FOP has said that they're willing to work on in the Senate, with regards to paragraph two, to try to get to the situations where that law enforcement can properly evaluate personnel, but to avoid the situation where they're being evaluated or where they're being encouraged to write tickets to make a number. That is a tricky subject. That is a tricky issue. We acknowledge that and that's why the statement by Representative Osterman was made earlier with regards to negotiations to take place continuing in the Senate."

Fritchey: "Is there any indication that there's a comm... that there is..."

Speaker Mautino: "Grant the Gentleman an extra minute to finish his question."

Fritchey: "Is... is there anything... is there any reason to believe that there's a common ground or a willingness on both sides to find a solution here?"

Bradley: "I... I'm an optimist."

Fritchey: "You haven't been here long enough."

Bradley: "What?"

Fritchey: "All right. Thank you."

Speaker Mautino: "Representative Black, you made an inquiry of the Chair. At this time, I would ask the Parliamentarian, for the House, David Ellis to join me at the mic here."

Black: "Where is he? Oh, there he is."

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Parliamentarian Ellis: "Good afternoon, Representative Black."

Black: "Good afternoon, Mr. Ellis."

Parliamentarian Ellis: "On behalf of the Speaker, in response to your inquiry, House Bill 6035 does preempt Home Rule, but it does so under subsection (i) of Section 6. It sets a statewide standard, but allows for concurrent local regulation. And therefore, it's a simple Majority vote to pass."

Black: "But the... if you'll let me just follow up with one quick question. It... it specifically states in the Bill that Home Rule municipalities must comply with this Bill."

Parliamentarian Ellis: "Yes."

Black: "And I thought that if you do that, then you are specifically exempting Home Rule powers and thus it would have to be 71 votes."

Parliamentarian Ellis: "No. Representative Black, there are several ways that Home Rule can be preempted and most of them are simple Majority requirements."

Black: "There are several ways this can be interpreted, in other words."

Parliamentarian Ellis: "Whether this is the exclusive exercise of power by the state or whether it's the exercise of power by the state in allowing for corresponding local regulation, either one of those would be a simple Majority."

Black: "Okay. All right."

Parliamentarian Ellis: "So."

Black: "Thank you very much."

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Speaker Mautino: "So, the Bill will require 60 votes. Further discussion? Representative Mathias."

Mathias: "Will the Sponsor yield?"

Mautino: "Indicates that he will."

Mathias: "So, if you... if your duties were to be a traffic policeman and basically you were, you know, patrolling the highways or patrolling streets, basically what your main duty, you know, as traffic... how would you evaluate the performance of that officer if you can't take into consideration how many tickets he writes?"

Bradley: "Can you repeat the question?"

Mathias: "If you're a traffic patrol officer and your main function is to write tickets, it's to patrol the streets, make them safer. How do you evaluate the performance of that officer if you can't take in consideration how many tickets he writes?"

Bradley: "There's all different ways to evaluate police officers, I'm told by the Fraternal Order of Police. Many of which do not include forcing them to write a certain number of tickets."

Mathias: "Let... the Bill here does not just... if it just said, here is a quota, you must reach this quota, we could argue the merits of that, but this Bill says you can't even take in consideration and compare one officer or a group of officers abilities to write tickets with any other officer."

Bradley: "Maybe... I don't know. Maybe you weren't in the chamber earlier when Representative Osterman made his

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statement, but that's actually the provision that they're willing to talk about further in the Senate."

Mathias: "Well, I'd like to talk about it here in the House..."

Bradley: "Well, if we had more time..."

Mathias: "...because that's where we're voting on it."

Bradley: "...if... if we had more time. It's Third Reading Bill day. Right? So, we have... you and I have a fundamental disagreement on this issue."

Mathias: "Yes."

Bradley: "I think you can evaluate without a number. You think you need a number to evaluate. But they're open to further discussions as this Bill proceeds, if it gets out of here today and I think that's a reasonable position to be."

Mathias: "Thank you. To the Bill. I think that even though... well, we agree it does preempt Home Rule, even though the vote may still be 60, we are going into the... we are micromanaging, in effect, what our municipalities can and can't do in evaluating our police officers. Mr. Speaker, in the event that this Bill gets the requisite number of votes, I would ask for a verification."

Speaker Mautino: "There's been a request for a verification that's acknowledged by the Chair and it will be granted. Representative Reboletti, further questions."

Reboletti: "Will the Sponsor yield?"

Speaker Mautino: "He indicates that he will."

Reboletti: "Representative, we've had some conversations about this. Assuming an officer works a morning shift and one officer writes 30 tickets, the other officer doesn't write any tickets and that type of a process continues on, would

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your Bill say that the police chief, in going through evaluations, would not be able to use that in their personnel evaluation, at whatever time that evaluation would come up?"

Bradley: "What... you talking about paragraph two, again?"

Reboletti: "Yes."

Bradley: "Okay. What about it?"

Reboletti: "The question is, is if the officers on the same shift, you pick the shift, and one officer does 'x' amount and other officer doesn't... he writes 0 tickets or makes 0 arrests over a certain period of time, does your Bill say that the officer who did less, that couldn't be used against them in a personnel evaluation?"

Bradley: "It says that you can't use a quota in an evaluation, doesn't it?"

Reboletti: "When I... when I talk about..."

Bradley: "It says you can't use a number, doesn't it?"

Reboletti: "Well, first of all, I... I'm... I oppose the idea of quotas. And that a police chief telling the officer..."

Bradley: "Then vote for this Bill..."

Reboletti: "But that's not what your Bill says..."

Bradley: "Yes, it does."

Reboletti: "...in... in total."

Bradley: "Paragraph one says that."

Reboletti: "Right. But I asked you about paragraph two, which says..."

Bradley: "And... and so you heard what the FOP said about paragraph two. They're willing to discuss it."

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Reboletti: "I understand they want to discuss it, but why couldn't we take that out and then pass it..."

Bradley: "Well, because it's 2:00 on the last day of Session. This is Third Bill Reading. I've indicated they would further discuss it. You guys are opposed to this Bill. You've been opposed to it since day one. You're going to continue to be opposed to it. I'm trying to work through it with you. We have a fundamental disagreement about this. Okay. They made a gesture to say they'd work with you in the Senate on paragraph two. Paragraph one, nobody has a problem with, says get rid of quotas, right?"

Reboletti: "Well, I think it's very simple. To the Bill. I didn't run for police chief. I ran for State Representative and I don't think we should be in the business of micromanaging..."

Speaker Mautino: "Grant the Gentleman an additional minute."

Reboletti: "I don't think we should be in the business of micromanaging the... our police, our fire, or anything else for that matter when it comes for our personnel issues. Thank you."

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

Durkin: "Very briefly, to the Bill. I just want to point out that 17 states currently have this type of prohibition, one of them being Texas and no, the sky has not fallen. So, I am in support of this legislation."

Speaker Mautino: "Representative Dunkin."

Dunkin: "Will the Sponsor yield?"

Speaker Mautino: "Indicates he will."

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Dunkin: "Representative, does IDOT have any... any connection or grants tied into the number of tickets that various municipalities run?"

Bradley: "No. This is counties and municipalities."

Dunkin: "Right. But are you aware that..."

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

Dunkin: "I understand that there's some grants that IDOT allocates to various municipalities..."

Bradley: "I don't... I don't think that... I don't think that would apply."

Dunkin: "...are tied into certain performance or ticket writes."

Bradley: "It's the first I've heard of that."

Dunkin: "Thank you."

Speaker Mautino: "Representative Fortner."

Fortner: "Thank you, Mr. Speaker. To... to the Bill. I... I think the Sponsor's done a good job of distinguishing between the importance of what's in paragraph one and what's in paragraph two and I think the idea of just a hard and fast quota is something that we don't want to see. However, I think what's in paragraph two gets to a very fundamental point. We struggle in Bill after Bill on this floor with trying to find objective ways to measure various things, to get away from subjective determinations. What this Bill would move us away from, the ability to use objective determinations and towards subjective determinations that are much harder to defend, much harder to explain, much harder to really implement. What we should be doing is say, we want a set of objective criteria, some of which may have to do with specific numbers in comparison not as a

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hard and fast sole number but in comparison. I think it's important that really we don't want to go further until we have a chance to really understand the importance of this and I..."

Speaker Mautino: "Turn the Gentleman's mic back on."

Fortner: "...and... and I would urge a 'no' vote."

Speaker Mautino: "Representative Bradley to close."

Bradley: "Well, I'm glad that most of the Members of the committee that did not support this in committee felt obliged to speak again today. So, anyway, what I said was the case. I think we have a decision here to make today whether or not we think quotas is appropriate in the State of Illinois or whether we're going to stand and say, no, you need to quit using quotas. And again, I come back to the notion that everyone says they don't do quotas, but yet why are they so... fighting so hard to keep us from eliminating them."

Speaker Mautino: "There has been a request for a verification on the Bill by Representative Mathias. That will be acknowledged and honored. The Gentleman has moved passage of House Bill 6035. 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 Ford, do you wish to be recorded? Mr. Clerk, take the record. Representative Bradley."

Bradley: "Consider... Postpone Consideration, please."

Speaker Mautino: "The Gentleman requests Postpone Consideration. Representative Mathias, do you persist in the request for the verification, as it's a lost or a

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Postponed Consideration? Okay. Sorry. Representative Lang."

Lang: "Thank you, Mr. Speaker. Let the record reflect that Representative Ford is excused to the remainder of the day."

Speaker Mautino: "Representative Black, you're seeking recognition."

Black: "Thank you very much, Mr. Speaker. I had my light on before we went to the vote and I find it very interesting that you were kind enough to ask a Member of our side of the aisle if he wanted to proceed with the Verification after it had been erased, which would have been quite a trick. But Representative Bradley used my name in debate and I just want to thank him for that."

Speaker Mautino: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. I'd ask the Members of the House to join me in recognizing seventh grade students from Cambridge and Henry County here behind us to the west balcony. If you would give them a Springfield welcome. Thank... and Mrs. Dawn Lewis."

Speaker Mautino: "Welcome to the House of Representatives. Representative Lyons, House Bill 6113 appears on page 17 of the Calendar. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 6113, a Bill for an Act concerning professional regulation. Third Reading."

Speaker Mautino: "Representative Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 6113 creates the Foreclosed Home Receiver Licensing Act. This... this Bill is in response to,

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of course, the scourge that is across our country with foreclosed homes, people losing their homes. And what this is, is basically an initiative of our former colleague, now sheriff of Cook County, Tom Dart, trying to create a process to protect those individuals who have personal property, furniture, clothes, jewelry, whatever it may be in the house and this... is an attempt to address their right to be able to get their personal property when the house has been foreclosed. So, we had this in committee and we promised to work on this to try to get this thing solved. We did put an Amendment on it which satisfied the Il... the Department of Professional and Financial Regulation, but there's still opposition by the community bankers, the credit unions. Joan Parker called me from the Chicago Association of Apartment Owners. So, there is still work to be done. The IBA, of course, does oppose this 'cause it's... in a large part a lot of larger banks have created some of this issues and actually are... are the... are the end of having some of the lawsuits brought from those who have lost their property. So, I ask you to indulge me with allowing this thing to go to the Senate. It will certainly come back here with continued work done on it, with Amendments that will be done in the Senate. We'll bring it back here sometime later this Session under Concurrence. So, I ask for your support. And will be happy to answer any questions."

Speaker Mautino: "The Gentleman moves passage of House Bill 6113. No one seeking recognition, all in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish?
Representative Beaubien, DeLuca. Mr. Clerk, take the
record. 61 voting 'yes', 41 voting 'no', 0 voting
'present', House Bill 6113 is declared passed.
Representative Washington, House Bill 5494. If you can
hold for just a second, Mr. Washington. Representative
Monique Davis is seeking recognition."

Davis, M.: "Thank you, Mr. Chairman. I'd li... I rise in... to a
point of personal privilege."

Speaker Mautino: "State your point."

Davis, M.: "Representative Bob Rita and I would like to welcome
Kerr School from Blue Island. We welcome you to
Springfield."

Speaker Mautino: "Welcome to the House of Representatives.
Representative Washington, you have House Bill 5494. Read
the Bill."

Clerk Mahoney: "House Bill 5494, a Bill for an Act concerning
criminal law. Third Reading."

Speaker Mautino: "Representative Washington."

Washington: "And Representative Mautino, thank you, Sir.
Folks, I won't burden you without, just briefly go over it.
I kind have got some clarity on what I needed. Same Bill,
brought to me by the Illinois State Police to try to recoup
some of the things when officers are pulled out of service.
They come to court for something and the person is not
there. Sometimes the... reasons are legitimate, sometimes
they're not, but it's a cost saving measure. And I ask for
an 'aye' vote."

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Speaker Mautino: "The Gentleman moves passage of House Bill 5494. And on that question, Representative Black."

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

Speaker Mautino: "He indicates that he will."

Black: "Rep... Representative, you took this out of the record a few minutes ago and said there was a flaw in the Bill. If I understand you correctly, what you're asking us to do is to move a flawed Bill to the Senate where you will continue to work on it. Is that your intent?"

Washington: "The answer to the second part is yes, but Representative, I wouldn't ask you to move a flawed Bill. That's like selling you a wooden nickel. But no, I had some clarity that I... I had some clarity that I needed for my personal self. That's more accurate."

Black: "Representative, depending on the price, I'd be honored to buy a wooden nickel. Well, I just thought I heard you say when you took the Bill out of the record, that you had discovered a flaw in the Bill."

Washington: "You did, but that was a bad choice of words. It was my misunderstanding of some things that I heard, yes, Sir."

Black: "Well, I'm glad I'm not the only person that uses a bad choice of words on the House Floor every once in awhile. Thank you, Representative."

Washington: "All right, Sir. Thank you, Sir."

Speaker Mautino: "The Gentleman's moved passage of House Bill 5494. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted

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who wish? Have all voted who wish? Mr. Hoffman, Mr. Osterman. Mr. Clerk, take the record. 75 voting 'yes', 26... excuse me, 76 voting 'yes', 26 voting 'no', 0 voting 'present'. House Bill 5494, having received the Constitutional Majority, is hereby declared passed. Representative Lyons in the Chair."

Speaker Lyons: "Representative Cynthia Soto, you have House Bill 4755 on the Order of Third Readings on page 13. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4755, a Bill for an Act concerning education. Third Reading."

Speaker Lyons: "Representative Soto."

Soto: "Thank you, Speaker and Members of the House. House Bill 4755 amends the Education for Homeless Children Act. Requires that the State Board of Education to award competitive grants under the Education of Homeless Children and Youth, the state grant program to applicants whose districts... to support school districts throughout the state in facilitate... facilitating the enrollment of attendance success in homeless children and youth. It provides that the grant map must be awarded on the basis of need of the school districts for it's assistance to the quality of applicants submitted. I urge an 'aye' vote. And I'm open for questions."

Speaker Lyons: "You heard the Lady's explanation of House Bill 4755. Is there any discussion? The Chair recognizes the Gentleman from Morgan, Representative Jim Watson."

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

Speaker Lyons: "Sponsor yields."

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Watson: "Is this subject to appropriation or is it just federal pass-through?"

Soto: "It is subject to appropriation."

Watson: "And the money that's coming through is federal pass-through money?"

Soto: "Yes, it is. Yes"

Watson: "Thank you."

Speaker Lyons: "The Gentleman from Ver... Vermilion, Representative Bill Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I don't rise in opposition of the Bill. These are passed through federal tax dollars. I'd like to pass a law before I leave here that says you can't use the phrase federal money, because somehow we think federal money's free. It's all tax money, but this is tax money that comes back to us and is distributed. The one thing I don't like in this Bill is that the State Board of Education gets to keep five percent of any of this money for administrative overhead and as you know, the Governor's budget cut K-12 education by \$1.3 billion but did not cut the bureaucracy at the State Board of Education at all. It's too late to change it. I wouldn't ask you to do that, but you know, one of these days maybe we should say five percent of the grant or five percent of the federal tax dollars that are passing through be put in the Common School Fund rather than the administrative overhead of the State Board of Education."

Speaker Lyons: "Representative Soto to close."

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Soto: "I... I'm going to respond to Representative Black. Representative Black, that was an Amendment that they gave me, but I just want to mention that I did challenge that Amendment because I thought that it was unfair because they're... they already have these funds. They've had them in the past, but they wanted the Bill and if you would have seen that they were opposed to it in the Bill, you would've questioned me then. Thank you."

Speaker Lyons: "Seeing no further discussion, the question is, 'Should House Bill 4755 pass?' All those in favor signify by saying 'yes'; those opposed say 'no'... 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? Bassi, Biggins, Frank Mautino. Mr. Clerk, take the record. On this Bill, there's 102 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative David Reis, you have House Bill 6158 on the Order of Third Reading. David, House Bill 6158. Out of the record. Representative Jim Sacia, you have, on the Order of Third Reading, House Bill 4812. Out of the record. Representative Saviano, you have House Bill 5868. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5868, a Bill for an Act concerning professional regulation. Third Reading."

Speaker Lyons: "The Gentleman from Cook, Representative Skip Saviano."

Saviano: "Thank you, Mr. Spe... Speaker, Members of the House. House Bill 5868 is amended. We... we attached the Amendments

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last night and as I explained we have gotten everybody on board on this Bill. The Illinois Bankers still have an issue with it. I have Senator Link ready to take this over and he and I are going to get an agreement over there and we'll see it back here during Concurrence. So, what I would ask, there's been a lot of work put into this and I commend everybody whose helped work on it, but we're just running out of time and there's... it's about 90 percent done and I would ask for an 'aye' vote. So, we could figure out how we're going to regulate these appraisal management companies. Thank you."

Speaker Lyons: "Is there any discussion? Chair recognizes Gentleman from Lake, Representative Eddie Washington. Ed Washington, your light is on. Do you wish to speak to the Bill? Eddie, do you wish to speak to the Bill? Your light is on. No. Seeing no further discussion, the question is, 'Should House Bill 5868 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? Suzie Bassi. Mr. Clerk, take the record. On this Bill, there are 75... 79 Members voting 'yes', 23 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Thapedi, you have, on the Order of Third Readings on page 15 of the Calendar, House Bill 5409. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5409, a Bill for an Act concerning insurance. Third Reading."

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

Thapedi: "Thank you, Mr. Speaker. House Bill 5409 is a collaborative effort by the Department of Financial and Professional Regulation, the title insurance industry, the realtors, as well as, the lending industry to resolve issues and problems with closings. And I urge an 'aye' vote."

Speaker Lyons: "Is there any discussion? Chair recognizes the Gentle... Gentleman from McHenry, Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

Franks: "Can you tell us what the Bill does?"

Thapedi: "Yes, Mr. Franks. Essentially, the purpose of this legislation is to protect Illinois consumers from losing funds and interest in real property due to problematic actions by title agents who are registered to do business in the State of Illinois. As you know, oftentimes when we have a... the sale of property, title insurance is an important matter but it's very rarely questioned as part of the mortgage process. And as you know, in a home... in a home purchase in Illinois, the seller will pay for an owner's policy that protects the buyer's interest in the property up until the point of the sale and then the buyer will then in... as well pay for a pro... a policy that protects the lender. So, essentially, what we're doing here is that we're making sure that we don't run into any more problems at closings where there's an adequate insurance."

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Franks: "And I understand the intent. I think that's... I think you're right on track here."

Thapedi: "Yes."

Franks: "My question is, if one... can one simultaneously be a... a writer of title insurance as well as also the escrow agent?"

Thapedi: "Yes."

Franks: "Okay."

Thapedi: "And... and that's what we are correcting here. And as... as a lawyer, just like I am, you know, that sometimes we run into those problems and there's always that gap sometimes with the title insurance company and the actual agent whose actually ordering the title and writing the title as to whether or not there's coverage at all. And this particular piece of legislation addresses that issue."

Franks: "So, this would pre... pretty much provide indemnity then for an escrow agent."

Thapedi: "It... it does... it does. And... and essentially, what it does is it makes sure that the escrow agent is brought under the auspices of the title insurance company and the insurer, et al."

Franks: "Well, thank you. I hadn't seen this before and I wanted to find out what you're trying to do and your right on track. So, thank you for bringing this important piece of legislation."

Thapedi: "No, no. It was very comprehensive, Mr. Franks. I think that we've been working on this for probably about six months and as I said at the beginning all of the

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stakeholders were involved. We went through numerous different..."

Speaker Lyons: "Go ahead, Representative. Finish your good thoughts."

Thapedi: "We went through numerous drafts to try to get the language right and that's what brings us here today with an agreed Bill."

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

Nekritz: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Nekritz: "So, Representative, does this apply where the escrow agent and the title company are different companies?"

Thapedi: "When they're different people."

Nekritz: "When they're different people. But even it could be because I mean, and many times the... the escrow agent is... is with the title company."

Thapedi: "Ex... exactly. And I think that that's... that was the challenge that we know that sometimes, say, for an example, and I... and I probably shouldn't use a name, but it's probably better to use a name to put into it's proper perspective, Chicago Title Insurance Company."

Nekritz: "Right. Just the one I was thinking of."

Thapedi: "And there you go. And... and there may be another title insurance company that does business with Chicago Title, so it's unclear as to who is actually insuring the title."

Nekritz: "Okay. Okay."

Thapedi: "And that's what we're clearing up."

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Nekritz: "All right. Thank you."

Speaker Lyons: "Seeing no further discussion, the question is, 'Should House Bill 5409 pass?' All those in favor.. favor signify by voting '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 Fortner. Mr. Clerk, take the record. On this Bill, there's 102 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Zalewski, you have House Bill 6416 on the Order of Third Readings on page 18 of the Calendar. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6416, a Bill for an Act concerning regulation. Third Reading."

Speaker Lyons: "The Gentleman from Cook, Representative Mike Zalewski."

Zalewski: "Thank you, Mr. Speaker. House Bill 6416 is an initiative of the Department of Natural Resources. It is simply a technical Bill that is a rewrite of the Explosives Act. Frankly, it regulates some of the licensures, some of the classification, and some of the definitional standards within the Explosives Act. I ask for an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 6416 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.. Mr. Clerk, take the record. On this Bill, there's 84 Members voting 'yes', 18 voting 'no'. This Bill, having

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received the Constitutional Majority, is hereby declared passed. Representative Ron Wait, you have, on the Order of Third Readings, on page 16 of the Calendar, House Bill 5675. Representative Wait. Ron, 5675. Do you care to call the Bill?"

Wait: "Thank you, Ladies and Gentlemen of the House..."

Speaker Lyons: "Mr... Representative Wait, I believe we have an Amendment on that Bill. Let's move that back to Second Reading. Mr. Clerk, read that... move that Bill back to the Order of Second Reading. And what's the status of the Bill?"

Clerk Mahoney: "A Floor Amendment has been approved for consideration. Floor Amendment #1."

Speaker Lyons: "So, Representative, you have Floor Amendment #1."

Wait: "Yes. Thank... thank you, Ladies and Gentlemen of the House. Yes. We have Floor Amendment #1 here and this is still a work in progress and so I'd appreciate putting this Amendment on there, but we're still working on the Bill."

Speaker Lyons: "Is there any discussion? Seeing none, all those in favor of the adoption of Amendment #1 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5875 (sic-5675), a Bill for an Act concerning transportation, which may be referred to as Bachman's Law."

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Speaker Lyons: "The Gentleman from Boone, Representative Ron Wait."

Wait: "Yeah. Thank you, Ladies and Gentlemen of the House. Yes. This is an unfortunate situation, happened in our area, where an officer was driving 106 miles an hour without his lights and siren on. And this is just trying to put common sense so officers will put their lights and siren on when they're going at excessive rate of speed. Like I say, it's a work in progress. And I'd appreciate your vote."

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

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

Speaker Lyons: "Sponsor yields."

Riley: "Representative, could you sort of explain, 'cause I've got a lot of calls about this Bill. Some of the... the opposition to this Bill, does it have to do with them thinking that the Bill takes away from their ability to patrol or the element of surprise? Could you just sort... sort of explain that to me."

Wait: "No. Yeah. No. There... one there... there's always been a culvert exception in there. So, if there's a kidnapping, bank robbery, or you need to have your lights or sirens off, there's this culvert exception in there. So, they still have that opportunity. But again, if somebody's going 100 miles an hour, and certainly they ought to put their lights and siren on. Like I say, I'm still working with law enforcement on this Bill, though."

Riley: "Thank you."

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Speaker Lyons: "Seeing no further discussion, the question is, 'Should House Bill 5630... 5675 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 Carberry, Fortner, Joyce, Biggins. Mr. Clerk, take the record. On this Bill, there are 80 Members voting 'yes', 19 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise to announce that Representatives Carberry and Joyce should be excused for the remainder of the day and should also.. that should also apply to the vote we just took."

Speaker Lyons: "The Clerk will so note. Representative Lang, thank you. Representative Rose, for what purpose do you seek recognition?"

Rose: "To that point, Representative Biggins and Representative Pihos are excused on our side and Representative Saviano are all excused."

Speaker Lyons: "The Clerk will so note. Thank you, Representative Rose. Representative Walker, you have House Bill 4959. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 4959 has been read a second time, previously."

Speaker Lyons: "Move that Bill to the Order of Third Reading. And read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4959, a Bill for an Act concerning local government. Third Reading."

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

Walker: "Thank you. House Bill 4959 is virtually the same Bill that passed out of this House and the Senate last year. It creates a foreign trade zone in a 30-mile radius around O'Hare. It is meant to create the environment for businesses to be attracted to the area and for the businesses to create jobs."

Speaker Lyons: "You heard the Gentleman's explanation. Is there any discussion? Representative Jackson, you have your light on. Do you wish to be recognized? Representative Jackson."

Jackson: "Yes, Mr. Chairman. On Senate... on House Bill 5675 I had a 'no'. Please change me to 'yes'."

Speaker Lyons: "The Journal will reflect your wishes, Representative. Seeing no further recognition on House Bill 4959, the question is, 'Shall the House Bill pass?' All those in favor signify by voting 'yes'; those opposed say 'no'... all those in favor 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, take the record. On this Bill, there are 97 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Connie Howard, on the Order of Third Reading on page 18 of the Calendar, you have House Bill 6460. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6460, a Bill for an Act concerning criminal law. Third Reading."

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Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Connie Howard."

Howard: "Yes. Thank you very much, Mr. Speaker. I'm presenting today, House Bill 6460. It will reduce the waiting period required to expunge a case resulting in court supervision for the offense of retail theft. As you know currently, that waiting period is five years from the end of the court supervision period. Under this legislation that waiting period would be reduced to two years and would bring parity because other similar offenses are two years. I'll take questions."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussions? Seeing none, the question is, 'Should House Bill 6460 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this Bill, there are 59 voting 'yes', 37 voting 'no'. Representative Howard."

Howard: "Yeah. I want to do it again."

Speaker Lyons: "Do you wish to put that on Postponed Consideration, Representative?"

Howard: "Yes."

Speaker Lyons: "Mr. Clerk, put that Bill on the Order of Postponed Consideration. Representative Dave Winters, you have House Bill 5603. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5603, a Bill for an Act concerning revenue. Third Reading."

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Speaker Lyons: "The Chair recognizes the Gentleman from Winnebago, Representative Dave Winters."

Winters: "Thank you, Mr. Speaker. House Bill 5603 would allow property owners in an enforceably annexed territory to get a refund of the portion of their real estate taxes in the year of annexation that was while they were not in the city. In other words, if they were annexed in December they would pay or get a refund of 11/12 of the property taxes. I'd be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation on his Bill. Is there any discussion? Seeing none, the question is, 'Should House Bill 5603 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? Hoffman, Farnham. Mr. Clerk, take the record. On this Bill, there are 97 voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Danny Reitz, you have House Bill 5224 on the Order of Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5224, a Bill for an Act concerning civil law. Third Reading."

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

Reitz: "Thank you, Mr. Speaker. House Bill 5224 is an attempt to just raise awareness for radon gas with tenants. We are... this is currently a work in progress. We have been negotiating with the Illinois Association of Realtors and the Illinois Rental Property Owners Association. We have

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taken out all the penalties in this Bill and in its current form, it definitely needs a lot of work. Senator Haine is going to pick this up and we'll continue working with the opponents to try and... and make this a better Bill. And it will be back here on Concurrence, if we're able to reach an agreement."

Speaker Lyons: "Heard the Gentleman's explanation. Are there any questions? Representative Riley."

Riley: "Mr. Speaker, I'd just like to let the record show that on House Bill 5675 I'd like to be recorded as an 'aye'."

Speaker Lyons: "The Journal will reflect your request. Representative Tryon."

Tryon: "Thank you, Mr. Speaker. I actually want to notify this Body that I will be voting 'present' because I have a conflict here. I do own a company that performs radon testing and would prefer not to vote. Thank you."

Speaker Lyons: "Intentions will be reflected in the Journal. Representative Monique Davis."

Davis, M.: "I... which... which tenants... which kind of building... what kind of building do you have to provide this information for?"

Speaker Lyons: "The Sponsor yields."

Davis, M.: "Thanks."

Reitz: "Any... it's... it's basically for any rental property. We're trying to provide information, so they know the danger of ra... of radon."

Davis, M.: "Well, according to our analysis it says three stories or below."

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Reitz: "It will... and actually it will probably be two story...
the top two stories below a three story."

Davis, M.: "So... so..."

Reitz: "It... that is compatible with what we have for
residential and as radon goes up higher it dissipates. So,
it's the main reason that why we do it on the lower
levels."

Davis, M.: "So, if you have a building and it's one story, like
a house..."

Reitz: "Yes."

Davis, M.: "...you would have it, or if it's a two story building
you'd have it, or if it's a three story building, but above
three stories you don't have to provide it."

Reitz: "No. A... above... they would not notify people that live
above three stories. It'd just be the first two stories."

Davis, M.: "What is the cost for this test?"

Reitz: "Well, the cost is... is would just be go to Home Depot or
anything like that and get a test to see if you have radon
exposure. If you need a professional tester, it's around a
\$150."

Davis, M.: "So, would we use a professional or will you just
use our word and our Home Depot device?"

Reitz: "They would... initially they would just use a device they
got at... received at a... at any type of store."

Davis, M.: "Does the... does the tenant have to sign that they
received this?"

Reitz: "Yes. And but the intent of this at the end it's just
going to be to give them the information for radon, so that
they're aware of the exposures and if they want to test

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then they'll follow that up with the landlord somewhere in the future."

Davis, M.: "Thank you. I do support your Bill. And thank you very much."

Reitz: "Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Kevin McCarthy."

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

Speaker Lyons: "Sponsor yields."

McCarthy: "The Illinois Association of Realtors, have they changed their position on this?"

Reitz: "No. They are opposed, but willing... they're working with me. When it gets to the Senate, we're going to continue to work on it. This Bill won't move without their approval."

McCarthy: "Thank you very much."

Speaker Lyons: "Representative Reitz to close."

Reitz: "Thank you. Appreciate your support."

Speaker Lyons: "The question is, 'Should House Bill 5224 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? Dave Winters. Mr. Clerk, take the record. On this Bill, there are 74 Members voting 'yes', 22 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Danny Reitz, you also have House Bill 5991. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 5991, a Bill for an Act concerning regulation. Third Reading."

Speaker Lyons: "Representative Dan Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 5991 would.. amends the Podiatric Medical Practice Act. This is.. would put in basically to a fee splitting language and.. and that we talked about earlier this year for podiatrists of.. actually, it would be just the.. the language that was adopted last year for physicians and optometrists. And I'd be happy to answer any questions."

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

Black: "Thank you very much, Mr. Speaker. I know it's late and let me brief. Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Black: "Representative, I see now that it only impacts podiatrists. Is that correct?"

Reitz: "That's correct."

Black: "And.. and all it does is.. what.. what does it do? Does it prohibit fee splitting by podiatrists or allow them to do fee splitting with a referral from an M.D. or I'm.. I'm not sure I understand what this is all about."

Reitz: "It.. it just allows them to share professional fees if.. essentially, the Bill that was passed last year that dealt with fee splitting, podiatrists were left out for some reason and they have just.. they want the same language that we passed last year that applies to the other medical disciplines."

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Black: "Okay. Do... do you have a concise definition of a podiatrist?"

Reitz: "It is someone that performs the act of podiatry."

Black: "Well done, Representative, well done."

Speaker Lyons: "Seeing no further discussion, the question is, 'Should House Bill 5991 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 97 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Fred Crespo, you have House Bill 6419. Read the Bill, Mr. Clerk."

Clerk Mahoney: House Bill 6419, a Bill for an Act concerning regulation. Third Reading."

Speaker Lyons: "The Gentleman from Cook, Representative Fred Crespo."

Crespo: "Thank you, Speaker, Members of the House. House Bill 6419, as amended, is an initiative of school districts 23 and... in Prospect Heights, school district 20 in Hanover Park, and school district 300 in Carpentersville. The Bill allows two or more school districts to form an agency, by intergovernmental agreement, to provide elector... electrical energy for renewable energy sources. Appreciate an 'aye' vote."

Speaker Lyons: "Heard the Gentleman's explanation. Is there any questions? Seeing none, the question is, 'Should House Bill 6419 pass?' All those in favor signify by voting

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'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. Will Davis. Take the record. On this Bill, there are 96 Members voting 'yes', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page.. Representative Phelps has House Bill 5912. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5912, a Bill for an Act concerning business. Third Reading."

Speaker Lyons: "The Chair recognizes the Gentleman from White, Representative Brandon Phelps."

Phelps: "Thank you, Mr. Speaker. House Bill 5912 adds off-road vehicles to the Illinois Equo... Equepment... Equipment Fair Dealership Act. And I ask for its passage. Thanks."

Speaker Lyons: "Heard the Gentleman's explanation of the House Bill. Is there any discussion? Seeing none, the question is, 'Should House Bill 5912 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 97 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mike Tryon, you have House Bill 5214. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5214, a Bill for an Act concerning courts. Third Reading."

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

Tryon: "Thank you, Mr. Speaker. Last year we created a task force to look into drafting legislation to establish a veterans' and servicemembers' court in the State of Illinois and that task force consisted of lawyers from John Marshall Law School, Southern Illinois Law School, Judge Romani from Madison County, and Judge Eckert from St. Clair County. And they drafted language that was agreed upon by all of those entities, including the Veterans' Affairs Department, and this will essentially establish the framework to have a veterans' court, which will be a specialty court that will operate much in the same manner as a drug court, mental health court, and will allow for the adjudication of misdemeanor crimes in... in this court. We know that we will be having a lot servicemen returning from active duty and a lot of veterans who have already returned. Today, about 40 percent of these veterans can suffer from post traumatic stress disorder. We have put in place, both as a country and our state, a lot of programs to deal with these disorder... this disorder and a lot of benefits for these individuals. This will allow the specialty court, which would be a court that would be appointed by a circuit judge, to exist to be able to be active and working and making sure that veterans receive those benefits, if they are so diagnosed with post traumatic stress disorder and trade a sentence... a criminal sentence in for a sentence of therapy and adjudicate just

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like we would with a mental health court or a drug court.
So, with that, I would entertain any questions."

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

Gordon, C.: "Thank you, Mr. Speaker. Will the... will the
Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Gordon, C.: "Thank you. Representative Tryon, with the current
legislation we have for drug courts and mental health
courts is there a reason why those aren't responding to the
needs that are... that are out there?"

Tryon: "Well, what this does is this kind of coordinates the
benefits that are unique to veterans, so that they can work
more in conjunction with the therapy that the court's going
to... going to offer than what you would normally see in a
drug court or a mental health court. Those professionals
may not be as familiar with veterans of the benefits."

Gordon, C.: "So, why is... and... and I don't mean to sound in
anyway harsh or anything, so, why is a veteran who a
commits a drug crime any different than someone else who
commits a drug crime and goes into a drug court program?"

Tryon: "Well, I don't think they're any different. They have
different benefits that are available to them and that's
what... that's what we're trying to..."

Gordon, C.: "So, we're going to cap... capture federal dollars
that may be available through the VA for this?"

Tryon: "That's correct. In fact, there's also a Bill that's
being considered, as we speak, in Washington by Senator
Kerry to fund veterans' courts."

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Gordon, C.: So, there isn't going to be any cost to any of our state courts for any of this, but they're... are they going to funnel off money that may go to drug court programs that are already set up to go to a separate drug court within..."

Tryon: "That would actually be..."

Gordon, C.: "...with... to go to a sep... I'm sorry, to go to a separate veterans' court that may already be going to a drug court program that are setup?"

Tryon: "That... that would be a decision... that would be a decision of the Circuit Court that creates this veterans' court. They can use the fees. This law says that they can use the fees that are added to criminal offenses already for... to fund those courts. I will tell you..."

Gordon, C.: "Does there have to be... does there have to be a minimum number of veterans before they set up a separate veterans' court program?"

Tryon: "No. This will strictly be up to each... each Circuit Court, if... if they want to do it, if they have the numbers or... and if they see a benefit in having one."

Gordon, C.: "Thank you, Representative."

Tryon: "Mmm mmm."

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

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, I'm familiar with the drug court that many counties use. I'm not familiar with what you're

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trying to do here. The... the moneys raised will be used simply for a drug court procedure for veterans?"

Tryon: "No. The statute allows us already to setup specialty courts meaning cases of... that can be adjudicated with treatment and therapy rather than... if the misdemeanant is... is willing to participate in such a court. So, what... what is happening now is we're seeing veterans can return, try to integrate into society who have a lot of benefits that a drug court wouldn't be able to take advantage of or even know about. So, in courts... in Circuit Courts where this is ...where you might see a lot of these cases, this will give them the option of working with the VA to set up a treatment program that's monitored by the court and... and to the benefit of the veteran."

Black: "How... I have a large Veterans Administration medical center in my district. How... how do... how will the Circuit Courts coordinate with the VA so that we can get a continuum of treatment because, you're right, the veteran has a number of benefits and there are a number of programs. I just want to make sure that we don't shunt this veteran off in a direction that isn't coordinated with the Department of Veterans' Affairs."

Tryon: "Well, as you know, that anytime that a veteran is more than 50 miles away from one of our veterans hospitals if we pay... they pay for transportation."

Black: "Right."

Tryon: "They can get them there. They have veterans' agents that work through the state. We have the Departments of Veterans' Affairs. Almost all of our counties have

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Veterans' Assistance Commissions. In fact, this Bill came to me from the Veterans' Assistance Commissions."

Black: "Okay."

Tryon: "So, everybody would be active in knowing what the court is doing."

Black: "Okay."

Speaker Lyons: "Go ahead, Representative. I'll give you another minute to finish this conversation."

Black: "Thank you very much, Mr. Speaker. So, the money raised... do you have an estimate by the additional fee on the... on the court case?"

Tryon: "Well, it's the same fee that would be imposed for drug courts, and mental health courts, and other specialty courts."

Black: "And then that money would go to the IDVA or..."

Tryon: "That money would go to the county that the Circuit's located in."

Black: "Do we have reasonable assurance that it will, in fact, be used for veterans' benefits?"

Tryon: "Not anymore reasonable assurance than we have that it's used for mental health court or drug courts."

Black: "Okay. All right. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Kevin McCarthy."

McCarthy: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

McCarthy: "This is permissive, right? I mean, this is... every chief circuit can or cannot do this underneath the legislation. It's not a mandate that they have to do it."

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Tryon: "That's correct."

McCarthy: "Do you... is your plan... would you li..."

Tryon: "In fact... fact, we already have two or three veterans' courts operating now. And..."

McCarthy: "Is there any age thing. I saw some of the disqualification factors. This goes back for all veterans as far back as they could possibly go or..."

Tryon: "Yes. If they... if they..."

McCarthy: "...or is it... 'cause you keep talking about ones coming back with current problems."

Tryon: "Right."

McCarthy: "But this goes back like veterans from 30, 40, 50 years ago, as well."

Tryon: "Absolutely."

McCarthy: "All right. Thank you."

Speaker Lyons: "Seeing no further discussion, the question is, 'Should House Bill 5214 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 97 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hatcher, for what purpose do you seek recognition?"

Hatcher: "Mr. Speaker, with apologies, on House Bill 6419 I pushed the wrong button. It needs to be a 'yes'."

Speaker Lyons: "How would you like the Journal to reflect your request, which... which way?"

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Hatcher: "A 'yes'. Thank you."

Speaker Lyons: "The Journal will so reflect, Representative Hatcher. On the Order of Postponed Consideration, Representative Connie Howard, you have House Bill 6460. We've had a complete debate on that. If you want to do a closing remark, Representative Howard."

Howard: "Yes. Thank you very much. I've explained what the Bill will do. And I appreciate all of my colleagues voting for it. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 6460 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, all you fast fingered Representatives, we have 61 Members voting 'yes', 32 Members voting 'no'. This Bill, have received the Constitutional Majority, is hereby declared passed. Representative Jakobsson, for what purpose do you seek recognition?"

Jakobsson: "Thank you, Mr. Speaker. The last Bill that was just called was that House Bill 6460?"

Speaker Lyons: "Yes."

Jakobsson: "Please let the record reflo... or record... record reflect that I was pressing my 'yes' button, but I guess you had just maybe turned off. Anyway, I would like to be recorded as a 'yes' on that."

Speaker Lyons: "The Journal will reflect your request. Representative Chapa LaVia, you have House Bill 6335. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 6335, a Bill for an Act concerning local government. Third Reading."

Speaker Lyons: "Representative Linda Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. I was given... this was given to me by IFT. It amends... House Bill 6335 authorizes additional property tax levy in 2010 and 2011 for qualified school districts to supplement their general levy. The levy would be exempt from PTELL."

Speaker Lyons: "You've heard the Lady's explanation. Are there any discussion? Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Chapa LaVia: "Late. Late. Yes."

Eddy: "Okay. Thank you. Representative, Floor Amendment 1 becomes the Bill now."

Chapa LaVia: "Correct."

Eddy: "And... and I think this allows for just two years an outside the cap levy of .25 percent of the EAV."

Chapa LaVia: "That... that... that's correct and it's outside Chicago schools. So, all the school districts outside Cook."

Eddy: "And... and I think you also built into it some other protection that districts that maintain any type of fund balances or cash reserves..."

Chapa LaVia: "That... that's correct. It's 20 percent of the prior year's expenditures."

Eddy: "Okay. So, that's as of the last audited end of year balance of June 30..."

Chapa LaVia: "Correct."

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Eddy: "...for school districts."

Chapa LaVia: "Correct."

Eddy: "And then, I think another qualification is the.. the school district.. the spending rate per student has to be below the state average."

Chapa LaVia: "Correct."

Eddy: "Now, wha... what state average spending are you... is this something that's published by the State Board of Education? Are you using..."

Chapa LaVia: "Yeah... yeah, it is."

Eddy: "So... so, the State Board of Education would be the entity that would establish the state average. Would it use the... have to be using the prior year's state average though to qualify?"

Chapa LaVia: "Correct. And they cannot be on the watch list, also... academic watch list during the last two calendar years prior to the levy year."

Eddy: "Okay. And... and this is something... your idea for this is because school districts are in particular difficulty this year?"

Chapa LaVia: "Financial pressures. Yeah... yeah. I mean, the basic... the Bill is being requested by school districts in... in my district and throughout the state that are under financial pressures on the school districts, which include the... you know, an eligible allowable rate of extension increase allowed by PTELL this year. It's 0.1 percent and the state's latest in spending payments to school."

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Eddy: "Now, how does the school district obtain the authority under this... this statute or this... this proposal? How... how do they obtain the authority to increase the... the .25?"

Chapa LaVia: "I'm pretty sure it has to go before the board. I'm not 100 percent sure. Jessica's not here."

Eddy: "Is... is it the... the county board or is it..."

Chapa LaVia: "No. The school board. I thought it was the school board."

Eddy: "But... Okay. So... so, the school board would have to by resolution..."

Chapa LaVia: "Correct."

Eddy: "During their levy process they would have to... as part of the public..."

Chapa LaVia: "Yeah. It says the levy which may not exceed 0.25 percent could be created by resolution of the school district."

Eddy: "And... and... Okay. And that has to be at a public meeting... Open Meetings Act at their posting. All right."

Chapa LaVia: "Open Meetings Act. Yeah, in front of the public."

Eddy: "Thank you very much for your answers."

Chapa LaVia: "Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. The Lady... the Sponsor wasn't here when the Illinois General Assembly embraced the Property Tax Lim... Limitation Law. I did not embrace that. In fact, many downstate... many downstate Republicans and downstate

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Democrats held out against a mandated PTELL. We were able to get in a county board resolution and a referenda, if you wanted to establish the property tax limitation law outside of the collar counties. But let me... let me just give you an example of what would happen if you violate the PTELL law, and part of one of the counties I represent is under PTELL the other county is not, a one-quarter of one percent increase, in a county that we have figures for, one-quarter of one percent increase in the EAV, which would violate the PTELL law, would generate \$8.5 million. Now, I know there are schools out there hurting, but if a county voted by referenda to establish PTELL, the General Assembly, which created this monster, shouldn't come down here year after year and try to figure out ways to get around it, and this is what this does. And if you think only 25 hundredths of a percent is not a great deal of money, in McLean County this... this little miniscule percentage would raise eight and a half million dollars. I don't think the taxpayers would be real happy with that. I intend to vote 'no'."

Speaker Lyons: "The Chair recognizes the Gentleman from Champaign, Representative Chapin Rose."

Rose: "Mr. Speaker, Representative Cavaletto is excused for the day."

Speaker Lyons: "Thank you, Representative Rose. No one seeking further discussion, Representative Chapa LaVia to close."

Chapa LaVia: "I just ask for an 'aye' vote on this. Everybody knows we're in dire straits, especially in the educational field from 0-12 grade. This is one area in which it's a very public discussion with the school board and when... and

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recommends on whether they can do that or not do that. Just in my district alone, in Aurora, all the school districts that touch me they're owed \$45 million from this state. You know, in a time that we are not able to do a lot here, these are one... this is one little step in order for them to try to pass this referendum in their area in a resolution. So, I'd hope an 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 6335 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Franks, Froehlich, Careen Gordon. Mr. Clerk, take the record. On this Bill, there are 39 Members voting 'yes', 57 Members voting 'no'. And the Bill fails. Representative Chapin Rose..."

Rose: "Thank you."

Speaker Lyons: "For what purpose do you seek recognition, Sir?"

Rose: "Mr. Speaker, Representative Durkin is excused and he said that if the Durbin kids are still watching from yesterday to tell them auf Wiedersehen."

Speaker Lyons: "Representative Lang, I believe you have House Joint Resolution Constitutional Amendment #19. Out of the record. Representative Berrios, on the Order of Second Reading of House Bill 5334. Out of the record. Representative Berrios, you also have House Bill 5701. Out of the record. Representative Will Burns, House Bill 5950. Out of the record. Representative Burns, you also have House Bill 5495. Out of the record. Representative Will Davis, House Bill 1470. Out of the record. House Bill

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4827, Representative Burns. Out of the record.
Representative Feigenholtz, you have House Bill 6061.
What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 6061, has been read a second time,
previously. Floor Amendment #1 has been approved for
consideration."

Speaker Lyons: "Representative Feigenholtz."

Clerk Mahoney: "Floor Amendment #1 has been approved for
consideration."

Feigenholtz: "5430."

Speaker Lyons: "Representative Feigenholtz."

Feigenholtz: "5430."

Speaker Lyons: "Mr. Clerk, take that Bill out of the record.
Mr. Clerk, what's the status of House Bill 5430?"

Clerk Mahoney: "House Bill 5430, a Bill for an Act concerning
regulation. Third Reading."

Speaker Lyons: "Representative Feigenholtz on House Bill 5430."

Feigenholtz: "Thank you. It's really a big transition sitting
all the way back here with the downstaters. Thank you, Mr.
Speaker. I have worked on this Bill with the chairman of
the Licensing Committee and the Minority spokesperson. We
talked about House Amendments 1 and 2, moving the time
frames for this license to be restored though a mechanism.
I'd be glad to answer any questions."

Speaker Lyons: "Heard the Lady's explanation. Is there any
discussion? Seeing none, the question is, 'Should House
Bill 5430 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

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voted who wish? Representative Black, Representative Hatcher. Mr. Clerk, take the record. On this Bill, there are 94 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Will Davis has House Bill 1826. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1826, a Bill for an Act concerning children. Third Reading."

Speaker Lyons: "The Gentleman from Cook, Representative Will Davis."

Davis, W.: "Thank you very much, Mr. Speaker. House Bill 1826 simply establishes the state's policy to support voluntary after school programming for youth ages 6-19. This Bill creates a framework for better coordinating and strengthening existing after school services. This type of planning and consultation with providers is similar to the approach the state took a few years ago when we created the Illinois Early Learning Council. There are some additional things that the Bill does including creating a youth development council. It authorizes a demonstration project and as we mentioned yesterday, it is subject to appropriation. I'll be more than happy to answer additional questions."

Speaker Lyons: "Heard the Gentle... Gentleman's explanation. Is there any discussion? Seeing none. The question is, 'Should House pass House Bill 1826 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? Mike Tryon. Mr.

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Clerk, take the record. On this Bill, there are 90... 89 Members voting 'yes', 5 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bob Flider, you have House Bill 6449. Out of the record. Representative Flowers, you have House Bill 5473. Out of the record. Representative JoAnn Osmond, for what purpose do you seek recognition?"

Osmond: "Thank you, Mr. Speaker. Would you let the record reflect that... Representative Sullivan is excused for the rest of the afternoon."

Speaker Lyons: "The Clerk will so note and the Journal will reflect. Representative Flowers, House Bill 5471 on the Order of Second Reading. Representative Flowers, 5471. Out of the record. Representative Fritchey. Is Representative Fritchey in the chamber? Representative Jefferson, you have House Bill 6195. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6195, a Bill for an Act concerning criminal law. Third Reading."

Speaker Lyons: "The Chair recognizes the Gentleman from Winnebago, Representative Chuck Jefferson."

Jefferson: "Thank you, Mr. Chairman, Members of the General Assembly. This Bill simply states that they're moving the... escalating the crime rates. If, in fact, you're picked up for soliciting a prostitute, your fines would go up to \$500, \$1,000 and half the money would go towards the police who are doing the enforcement. The other half would go towards a female domestic situations, to make sure that we're doing everything we can to help these prostitutes get off the street. I would ask for an 'aye' vote."

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Speaker Lyons: "Heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 6195 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 93 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Emily McAsey, you have House Bill 4037. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4037, a Bill for an Act concerning elections. Third Reading."

Speaker Lyons: "The Lady from Will, Representative Emily McAsey."

McAsey: "Thank you. Thank you, Members of the Body. This legislation makes some changes related to early voting to ensure that voters have more access. In... in counties that are required to have permanent polling places, it requires one central location to be identified. And provides flexibility to provide evening hours, requires additional hours on weekends, particularly the last weekend of the... before the election. And I would ask for an 'aye' vote."

Speaker Lyons: "Heard the Lady's explanation on House Bill 4037. The Chair recognizes the Gentleman from Jasper, Representative David Reis."

Reis: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Reis: "Representative, is this similar to the Bill you brought last year? And my question is, does this include Sundays?"

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McAsey: "What this Bill includes is... it is similar to the Bill that I brought last year. It... but not identical to that Bill. Some of what was in the legislation that I brought last year had been signed into law in another Act. This does provide that in the final weekend of early voting that, for counties who have to designate a permanent polling place, that they would be required... they would be providing 14 hours of... on the final weekend and that the counties that do not have a permanent polling place, that they would provide 4 hours. But it's within their discretion as to when they would provide those hours. They could do it on a Saturday or on a Sunday. There are no set hours or set Saturday or Sunday."

Reis: "So, could there be a situation, and I want to use Sundays for an example, where they would not have to be open on a Sunday? And I could say for different face, maybe on Saturday, that they would not have to be open on a Saturday."

McAsey: "If there is an election authority that has fewer than 250 thousand people in that election authority, there is no requirement that they provide early voting on a Sunday."

Reis: "So, anything... let me ask that once more time. Any... any polling place with less than 250 thousand would not be required to have a polling place open on a Sunday."

McAsey: "That's correct."

Reis: "Okay. Thank you."

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

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

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Speaker Lyons: "Sponsor yields."

Black: "Representative, Amendment #4, does that add to the Bill or become the Bill?"

McAsey: "Amendment #4 became the Bill."

Black: "All right. I'm looking at that Amendment and I don't see anything in here about minimum number of people... for a polling place. Where is that?"

McAsey: "That's in a different section of the current law that speaks to which... which type of election authority."

Black: "Okay."

McAsey: "So, certain... certain election authorities..."

Black: "So, it's already in the statute, correct?"

McAsey: "Right, that's already in the statute."

Black: "All right."

McAsey: "Right. And that was passed last year... not my Bill, but a different..."

Black: "All right."

McAsey: "...different... well, now Public Act."

Black: "Thank you very much."

McAsey: "Thank you."

Black: "Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. This is a mandate on counties at a time when counties wonder if they can even afford to hold an election, let alone pay election judges. Each county should do the best it can. I can't imagine any county clerk who would not bend over backwards to have as many polling places and have a permanent polling place for early voters as they can possibly afford, but to mandate 'x' number of hours when the county clerks have lost their

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stipend, all of the county officials have lost their stipend and some counties are having trouble meeting payroll, I just can't in good conscience vote for this particular mandate at this time in the fiscal history of the State of Illinois."

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

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

Speaker Lyons: "Sponsor yields."

Lang: "Representative, I appreciate your good intentions on this Bill and for the most part, I think it's a fine Bill, but I do have a... I think a problem with part of the Bill. So, can you go through again the provisions of this Bill that deal with weekend voting?"

McAsey: "Certainly, and if I can also respond to Representative Black. First off, what this does is actually gives flexibility to election authorities. Currently, there are... in current law there are specific hours that they need to be open. What this does is provides flexibility in that the election authorities that are required to designate permanent voting locations. On the final weekend before election... or the final weekend of early voting, that they would have to provide 14 hours of early voting, but they have flexibility related to that. Now the election authorities who do not have to designate a permanent polling place, they would have to provide 4 hours that final weekend. They may designate when those hours are provided."

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Lang: "So, there's no requirement, whether it be Saturday or Sunday, regardless of the size of the jurisdiction?"

McAsey: "Current law prov... requires early voting on the weekends for the larger jurisdictions. The ones who are required to... to establish the permanent polling places. This legislation gives them flexibility as to when they can schedule those hours."

Lang: "So this only applies to the larger counties?"

McAsey: "It applies to those counties... the 14-hour requirement applies to those counties that because of their population have to establish a permanent polling place."

Lang: "Could I have one more minute, Sir?"

Speaker Lyons: "I'll extend one more minute, Representative Lang."

Lang: "Thank you. So, currently, there's a requirement in some of these counties that they be open Saturday and Sunday?"

McAsey: "Yes."

Lang: "And I believe the reason for that might be that there are some people that can't vote on Saturday."

McAsey: "Correct."

Lang: "So, what do we do if you make this change for the people who can't vote on Saturday if the election jurisdiction say's well, sorry, you can only vote on Saturday?"

McAsey: "With the number of hours in those jurisdictions, the 14 hours, they would realistically have to provide hours both on Saturday and Sunday."

Lang: "Well, respectfully, I have a problem with this part of the Bill and I won't be able to support it because of this part of the Bill. I think that we need to encourage people

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to vote, which I'm sure you would agree with, but anything that discourages any segment of the population from voting at any time is not a good idea in my book. So, I'm going to have to vote against your Bill."

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

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

Speaker Lyons: "Sponsor yields."

Nekritz: "This mandates weekend hours. What does it do... what... what is the current law with regard to weekday hours?"

McAsey: "Current law with regards to weekday hours is that the a... the early voting hours have to be between either 8:30 and 4:30 or 9 until 5. And this provides flexibility so that election authorities could provide early voting hours into the evening if... if they chose providing greater access to early voting."

Nekritz: "So, to the previous speaker's point. Early voting is... during the last week is open 7 days a week. So, if someone wanted to vote that was unable to vote on a particular day, they would have 6 other days on which... from which to select."

McAsey: "That's correct."

Nekritz: "Thank you. And... also with... as to the... one of the earlier speakers with regard as to, you know, saying that the county clerks are doing everything they can to open up every poll possible... polling place and keep them open as long as they can. The reason we had to do this in the first place, and to require at least one polling place be open on the weekends and... and so forth, was precisely

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because there were clerks that were not doing their best and doing it in a nonpartisan fashion, so that all... all voters had access to the same, you know, and had ability... the same ability to go vote on weekends on... in the evening and so forth during early voting. So, I think the Lady's Bill is an excellent one and we should vote 'aye'."

McAsey: "Thank you."

Speaker Lyons: "Representative McAsey to close."

McAsey: "I would ask for your 'aye' votes to provide greater access to early voting."

Speaker Lyons: "The question is, 'Should House Bill 4037 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? Fortner, Lang, Riley. Mr. Lang. Mr. Clerk, take the record. Representative McAsey."

McAsey: "Postpone."

Speaker Lyons: "Representative McAsey."

McAsey: "I would ask for Postponed Consideration."

Speaker Lyons: "Mr. Clerk, put this Bill on the Order of Postponed Consideration. Representative McAsey, you also have House Bill 5932 on the Order of Third Reading. 5932. Do you wish to call the Bill, Representative?"

McAsey: "Sure."

Speaker Lyons: "Before you... Okay. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5932, a Bill for an Act concerning children. Third Reading."

Speaker Lyons: "Representative McAsey."

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McAsey: "Thank you, thank you. This Bill is something that arose out of having conversations with many people back home in my district and hearing about instances where children were involved in the criminal justice system and wanting to... to make sure that there are procedures in place to protect child witnesses of crimes or child victims of crimes through the appointment of guardians ad litem. So, this is making an addition into the... the Crime Victim Bill of Rights and I would ask for your 'aye' votes. And I.. "

Speaker Lyons: "You heard the Lady's explanation on the Bill. Any discussion? Representative Rosemary Mulligan."

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

Speaker Lyons: "Sponsor yields."

Mulligan: "In the case of a violent crime where the parents may go to jail, it's not like a divorce, who pays the fees for the guardian ad litem?"

McAsey: "The... the guardian ad litem would be provided through the jurisdiction after the judge, who has discretion, has chosen to appoint."

Mulligan: "So, are you saying it would be charged to the court system?"

McAsey: "This is a... a measure which the... there would be a cost. And... and the courts... the court system, whichever jurisdiction is appointing the GAL."

Mulligan: "So, someone would have to ask for the guardian ad litem. It's not exactly like a divorce case or... maybe a judge is looking at this case and thinking, there's a problem and this child needs representation, so they would appoint him. And that court system should have money in

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their budget to pay for a guardian ad litem in that type of a case?"

McAsey: "This is setting forth in particular cases when we have children who are the witness or are victim of crime or there's some sort of conflict with their parent, that the court have the discretion to appoint the GAL."

Mulligan: "That's not exact I did... when I mean, I worked when I worked where we had a guardian ad litem for the law firm, it was with divorce cases, so I'm not sure and it was a really long time ago. So, I'm just wondering, and you still haven't answered, it would still be the court system that..."

Speaker Lyons: "Representative, we'll give you one more minute to complete your response to that. Or are you completed? Rosemary, were you in the middle of a question or are you finished?"

Mulligan: "No, I just asked the same question five times and I still didn't get an answer."

Speaker Lyons: "You have an extra minute."

Mulligan: "Is the... is it the court system that would be responsible for paying the fees of the guardian ad litem? I mean, you could say it pro bono, guardian ad litem, the court system. I mean, what if it's a court system that's very poor? I'm just wondering how you would pay for it. I'm not saying it's bad, I'm just wondering where."

McAsey: "And I worked with the State' Attorneys Office as well as with the Public Guardian's office. In fact, in most cases this is something that is already happening, but we want to make sure there are not children who are falling

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through the cracks. And so, this would be a cost that would be within the court system."

Mulligan: "I give up."

McAsey: "This cost would be borne within the courts."

Speaker Lyons: "Representative Black."

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

Speaker Lyons: "Sir, state your inquiry."

Black: "Have any Amendments been adopted to the Bill?"

Speaker Lyons: "Mr. Clerk."

Clerk Mahoney: "Floor Amendment #1 and 2 were both adopted to the Bill."

Black: "Thank you."

Speaker Lyons: "Mr. Black."

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, does your Amendments remove the opposition from the Cook County State's Attorneys Office?"

McAsey: "That's correct. The language that became the Bill is language that I worked with the Cook County State's Attorneys Office as well as the office of the Cook County Public Guardian. This language was at their suggestion."

Black: "All right. You don't need to explain it to me, I've only got about a minute. I just... just wanted to know if they... if they had removed their opposition."

McAsey: "And they have."

Black: "The original Bill as introduced was a State Mandates Act and may require reimbursement. I don't see any language in here. Have you removed the state mandate or

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have you exempted the state from paying for any mandate that may exist from the Bill?"

McAsey: "I'm sorry, Leader Black, can you repeat your question?"

Black: "The... the Bill as introduced says State Mandates Act may require reimbursement. Have you specifically exempted the state from paying reimbursement?"

McAsey: "No, I have not specifically exempted the state."

Black: "All right. Thank you, Representative. I appreciate what you try to do, I really do, but on the last day of deadline, Ladies and Gentlemen, mandates without reimbursement. We've played this game for too many years and we're now paying the price. I'm not voting for anymore mandates unless we're... unless we provide the money to the local unit of government to pay for the ever increasing mandates that we put on them. We should've learned our lesson years ago and we haven't. We'd better start learning it now."

Speaker Lyons: "Representative McAsey to close."

McAsey: "I would ask for your support with this measure to protect children under 18 years of age if they are the victim or the witness or have a conflict with a parent related to a criminal case."

Speaker Lyons: "The question is, 'Should House Bill 5932 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? Colvin, DeLuca, Mathias, Tryon. Tryon. Mr. Clerk, take the record. Representative McAsey."

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McAsey: "Postpone Consideration."

Speaker Lyons: "Mr. Clerk, put that Bill on the Order of Postponed Consideration. Representative Black."

Black: "Mr. Speaker, inquiry of the Chair."

Speaker Lyons: "State your inquiry."

Black: "Bills today on Postponed Consideration will be considered when? Before the end of the day?"

Speaker Lyons: "Conceivably later today, Mr. Black."

Black: "All right. I think I can get the Republicans to agree that any further Bills that Representative McAsey has, we don't need to debate it, just put it on Postponed Consideration."

Speaker Lyons: "I think she's done for the day, as far as other Bills that she'll be calling. We do have on the Republican side, Representative Leitch, you have House Bill 5305. Do you wish to move that Bill, Mr. Leitch? Out of the record. Representative Mathias, House Bill 4763. Out of the record. Sid, you also have House Bill 5164. Out of the record. Representative Ramey, you have House Bill 162 or House Bill 5646. Out of the record. Representative McCarthy, House Bill 5416. Out of the record. Representative Jack McGuire, House Bill 6125. Representative McGuire, Jack, 6125. Out of the record. Representative Mendoza, House Bill 2490. Out of the record. Representative Miller, House Bill 1429. Out of the record. Representative Nekritz, House Bill 5128. Out of the record. How about, Representative Nekritz, House Bill 6008. 6008. Representative Nekritz, 6008. 6008 is what I have. Take that out of the record. Representative

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McCarthy, on 5... 5416. Read the Bill. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 5416 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5416, a Bill for an Act concerning State Government. Third Reading."

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

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think we could be very quick with this. There is no opposition to it. This is a IEA Amendment that they were working with the Illinois Federation of Teachers. Many of us know that a committee was supposed to have been formed like five years ago for the Teacher Retirement Insurance Program. It's a system that is going down in a hurry. This... five years ago we knew it was already in trouble. Governor Blagojevich never appointed the members to it. So, all this Bill does is ask Governor Quinn to please appoint the members by April 30. I have worked with the Governor's administration, he has agreed to do this. So, I would appreciate your support of House Bill 5416."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 5416 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 Burke,

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Representative Pritchard. Mr. Clerk, take the record. On this Bill, there are 93 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Reis, David, House Bill 5300. Out of the record. Representative Chapin Rose, House Bill 4965. 4965. Notes on the Bill. Out of the record. House Bill 6230, Representative Rose. 6230. Out of the record. Representative Phelps, you have House Bill 5221. Out of the record. Representative Osterman, Harry, you have House Bill 5480. Out of the record. Representative Saviano has House Bill 5569. Out of the record. Representative Wait, House Bill 5601. Representative Ron Wait, 5601. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill..."

Speaker Lyons: "Status of the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5601 has been read a second time, previously. No Amendments. No Motions filed."

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5601, a Bill for an Act concerning employment. Third Reading."

Speaker Lyons: "The Gentleman from Boone, Representative Ron Wait."

Wait: "Thank you, Ladies and Gentlemen of the House. Yes, 5601, is similar to Jacobs Bill. It just says that if you're not going to get unemployment compensation, do not qualify for it, you should... you should let the employee know up front that you do... they would not qualify for unemployment compensation."

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Speaker Lyons: "You've heard the Gentleman's explanation. Any discussion? The Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "The Sponsor yields."

Black: "Do you want to request Postponed Consideration now or wait."

Wait: "If you would support me, Sir, I'd be happy to move it forward 'cause I know it would pass."

Black: "Representative, I've been supporting you for 25 years."

Wait: "I know, you've been car... you've been carrying me, too, all the way, haven't you."

Black: "I... I classify you as a dependant on my income tax."

Wait: "And I'm definitely a heavywiegth, aren't I?"

Black: "A little heavier than you used to be."

Wait: "Yeah, Right."

Black: "Let me ask you a question. The Illinois Department of Employment Security trust fund, I believe, we are into the Federal Government for about two and a half billion dollars that will eventually have to be paid back by employer taxes. Could we just amend this Bill on its face to say, not only do you have to give a notice that you may not... this company doesn't participate in the unemployment insurance, but even if it does, you may not get paid."

Wait: "That might be a good thing to add to it, but right now I don't think it's on it."

Black: "Yeah, but we don't have the time. All right. Thank you."

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

May: "Yes. Thank you, Speaker. Ladies and Gentlemen of the House. I had several Bills about the unemployment insurance to help our businesses, to help our people, to help end discrimination against our seniors and I was told, and I accepted what I'm told, that we were not moving any Bills having to do with the Unemployment Insurance Act. Representative, I guess to the Sponsor, will you yield? How did you get this through?"

Wait: "I guess it's because I was here when Abraham Lincoln was here."

May: "You know, you could give me some advice. Does this mean that we can open up and, after we get back from spring break, move more Bills about unemployment insurance? I've discovered some ways to help our businesses in the state, to help our seniors. And I wasn't allowed to move them."

Wait: "Yes. Was there a question? Sorry about that."

May: "I mean, was it... are Democrats going to be allowed? We're in the Majority and we can't move any Bills about unemployment insurance?"

Wait: "Yeah."

May: "Was this an agreement with the Governor's office? I guess..."

Wait: "This is..."

May: "...give me a reason to support your Bill since I've been trampled on and not allowed to move any Bills about unemployment insurance"

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Wait: "Would you like to be a cosponsor on this Bill, Representative? I'd be happy to let you... have you join me."

May: "It would be nice to end before spring break with some bipartisanship, but I think I'm going to try to read and figure out what you... what you did that made this Bill get through and all the rest of ours are locked up. It's really discrimination against the Majority."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan."

Mulligan: "I'm standing in support of this. If you have to let somebody know, we... I had a Bill a number of years ago that tried to cover a minister who was not in a church that automatically places people that was working for a hospital and they were not covering her with unemployment insurance, which she did not find out until they fired her. So, I think it's important to know what category you fit into and if this happens, particularly and I did notice that churches were listed under his Bill, I think you need to know that ahead of time and I think that's really important."

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

Pritchard: "Mr. Speaker, a point of question. Is this Amendment been adopted?"

Speaker Lyons: "Mr. Clerk."

Clerk Mahoney: "No Amendments have been adopted to this Bill. Floor Amendment #1 was referred to the House Labor Committee, but was not reported out."

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Speaker Lyons: "Mr. Pritchard."

Pritchard: "So, Representative Wait, this is still the shell Bill then?"

Wait: "Yes, this is still a work in proc.. progress."

Pritchard: "Well, you have two weeks. I hope we can get it accomplished then. Thank you."

Wait: "Thank you."

Speaker Lyons: "Representative Wait to close."

Wait: "Yes, like I say, I just think if somebody is not going to be covered by unemployment, at least, we ought to let them know that. I'd ask for your support. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 5601 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bassi, Representative McCarthy. Mr. Clerk, take the record. Got bad news for you, Ron. On this Bill, there are 15 voting 'yes', 17... 77 voting 'no'. And the Bill fails. For your information, there's not a hundred of us left to join the century club. Representative Lang."

Lang: "Thank you, Mr. Speaker. I just want to let Representative Wait know, he's actually lucky so many people have left the building or we might have been going to Representative Dunkin's closet for the trophy for you, Sir."

Speaker Lyons: "Representative Riley, House Bill 5737. What's the status of that Bill, Mr. Clerk? 5735, Mr. Clerk. Read the Bill."

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Clerk Mahoney: "House Bill 5735, a Bill for an Act concerning civil law. Third Reading."

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

Riley: "Thank you, Mr. Speaker, Ladies and Gentlemen. And I promise this is not a shell Bill. This is 5735, that I brought the other day. The Amendment, and essentially, what it does... what it does is it sets aside a court fee... a judge can set aside a sale in a foreclosure judgment for persons participating in the Making Home Affordable Program. There were some comments made the other day which we will address when it gets over into the Senate, but this is a good piece of legislation. As a matter of fact, today the White House announced that they're expanding this program. And I really look at it as a community stability program by helping people keep their homes. So, I would entertain any questions you may have, but I request an 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any questions? Seeing none, the question is, 'Should House Bill 5735 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 79 Members voting 'yes', 14 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Rita, you have House Bill 5514 on the Order of Second Reading. What's the status of the Bill, Mr. Clerk?"

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Clerk Mahoney: "House Bill 5514 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5514, a Bill for an Act concerning professional regulation. Third Reading."

Speaker Lyons: "Representative Rita."

Rita: "Thank... thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is just some cleanup language from the Roofers Licensure Act. I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 5514 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 86 Members voting 'yes', 7 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Smith, you have House Bill... Representative Jefferson, you have House Bill 5424. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5424, a Bill for an Act concerning State Government. Third Reading."

Speaker Lyons: "Representative Chuck Jefferson."

Jefferson: "Thank you, Mr. Speaker, Members of the General Assembly. This a veterans Bill. It simply states that if a veteran is going through a program as it relates to the state that they would be issued an ID card free of charge."

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And there is no opposition from the Secretary of State's Office. I would ask for an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is... Representative Black."

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, at one time, we were waiting and I don't know that we ever did hear from the various veterans' groups: the Department of Veterans' Affairs, VFW, AMVETS. Did you ever hear from them as to their position on the Bill?"

Jefferson: "The only people I've got on the Bill, Lake County Veteran's Assistance Commission, Career... a Midwest Shelter to Homeless Veterans, American Legion. I show no opposition to the Bill."

Black: "All right. Thank you very much. Ladies and Gentlemen of the House, this is a jobs Bill. It takes people to make these ID cards; it's going to take people to handout these ID cards. Obviously, it takes people to carry these ID cards and it will take people to witness the ID cards and it will take people to check the ID card. This is a jobs Bill and I intend to vote 'aye'."

Speaker Lyons: "Representative Jefferson to close."

Jefferson: "Thank you, Mr. Speaker, Members of the General Assembly. This is a good Bill for veterans. I think we need to continue to do everything we can to support veterans because they do make a lot of sacrifices. So, I would ask for an 'aye' vote."

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Speaker Lyons: "The question is, 'Should House Bill 5424 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Fred Crespo. Mr. Clerk, take the record. On this Bill, there are 93 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jim Watson, you have House Bill 5623. 5623, Representative Watson. Out of the record. Representative McGuire, you have House Bill 6125. Representative Jack McGuire. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6125, a Bill for an Act concerning revenue. Third Reading."

Speaker Lyons: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker. 6125 is the county treasurer's Bill and I'll be very brief. The... the current law, the general rule is that the county treasurer must accept personal or corporate checks for the payment of property taxes. However, current law allows them to refuse personal checks 30 days before a tax sale. This Bill provides that a county treasurer may refuse personal or corporate checks 45 days before a tax sale or at any time if a previous payment by the same payer was returned by a bank for any reason. The Illinois County Treasurers Association maintains that some banks, especially those located out of state, take longer than 30 days to send a notice that a check has bounced. Further it states that county Treasurers, just like any other entity accepting

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payment, prefer forms of payment that do not bounce. So, that is the... the genesis of this Bill, 6125. And I'd appreciate your support."

Speaker Lyons: "You heard the Gentleman's explanation of the Bill. Is there any discussion? Seeing none, the question is, 'Should House Bill 6125 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? Brauer, Mendoza. Mr. Clerk, take the record. On this Bill, there's 87 Members voting 'yes', 6 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative McGuire, you also have House Bill 6126. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6126, a Bill for an Act concerning revenue has been read a second time, previously. No Amendments. No Motions filed."

Speaker Lyons: "The Gentleman from Will, Representative Jack McGuire. Mr. Clerk, what's the status of that Bill?"

Clerk Mahoney: "It's on Second Reading. Read a sec..."

Speaker Lyons: "Put that Bill at the order of Third Reading. And read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6126, a Bill for an Act concerning revenue. Third Reading."

Speaker Lyons: "Representative McGuire."

McGuire: "Thank you, again, Mr. Speaker. This is House Bill 6126, again for the Will County Treasurer's Office. Currently the first installment of the real estate taxes must be paid by June 1 and becomes delinquent after that

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date. The second installment must be paid by September 1 and becomes delinquent after that date. When taxes are delinquent for that year, the county collector makes an application for judgment and order of sale in October. The court hears and determines the matter within 30 days after the day specified for application... excuse me... and enters an order. Actual number of days varies by the county, so the sale is completed within five days of this order. I don't know that you want to hear all of this, but I would certainly try to answer any questions. The Bill is for county treasurers and somehow it seems that if people don't pay their taxes on time and then pay the fine late, the county treasurer has another hoop to jump through to get that all straightened out. So, I'd try to answer your questions. I'm not a county treasurer, so I'll have to call on Don Moffitt if I need any expertise. Thanks very much."

Speaker Lyons: "The Chair recognizes Lady from Cook, Representative Rosemary Mulligan."

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

Speaker Lyons: "Sponsor yields."

Mulligan: "What's the genesis of this Bill? Who's asking for it?"

McGuire: "County Treasurer's Association."

Mulligan: "So, they're trying to speed up the time that they can sell a property because someone was delinquent on taxes?"

McGuire: "As I said before, I'm not a county treasurer, so I'm not sure of how that question is to be answered."

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Mulligan: "Well, perhaps your staff person will know because I don't think this is a minor Bill. I think this is punitive to people who for some reason may not get the notice, may be old or something may have happened. And the previous Bill, if I had looked at it a little longer, I probably wouldn't have voted for it. And this Bill, also, I think is punitive to the taxpayer and particularly maybe elderly people or people who don't happen to pay their bills. So, if you're speeding up the time when you can foreclose on them, I don't think it's appropriate. So, perhaps your staff can tell me what that is."

McGuire: "I have no response to that. I'd appreciate your vote."

Speaker Lyons: "Representative Eddy, Representative Roger Eddy."

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

Speaker Lyons: "The Sponsor yields."

Eddy: "Representative, I... I guess I'm reading this a little differently than the previous speaker, and I think we just need some clarification because it looks like the time frame given to make the payment before a property is sold is being extended. Is that... looks like it's being extended according to this. It changes the time period."

McGuire: "Yeah, that's true. I'm trying to find Mr. Eddy."

Eddy: "From... from, yeah, right here."

McGuire: "Oh, there he is. Okay. Thank you."

Eddy: "From the month of October to the 90 days after the second installment due date. And so... so, it appears as if that extended time would be an effort to allow a taxpayer,

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maybe, a longer amount of time to come up with some delinquent tax payments before the property is sold."

McGuire: "It's up to 30 more days."

Eddy: "Okay. Okay. And I appreciate that because I think that's what this does. It appears as if it actually extends the time period and that would be the intent of this and maybe that has to do with the economy or the assessors are seeing more of these types of tax sales because people are having trouble coming up with those payments and with a little extra time, they're may be able to do that. I think that's the intent. I... I just want to kind of clear that up."

McGuire: "Well, that's not the intent. Oh, the intent, excuse me, that is the intent."

Eddy: "Okay. Well, thank you. I appreciate that because I, like I said, as I read the Bill, it seemed like that's what you were trying to do and I wanted to clarify it. Thank you."

McGuire: "Okay."

Speaker Lyons: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, if you read this very carefully, what the Bill does, it's the result of an assessor going to Representative McGuire or the county treasurer and saying that if your late at the second installment, which usually comes in October, normally you're only given 30 days to make it good or they can sell your property at a tax sale. What this Bill does is to give you 90 days. So, it's really a good Bill and it gives the taxpayer more time to

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make the payment before he or she faces a tax sale. And I think we need to clarify that because this is a good Bill to protect the taxpayer. Having said that, let me just say, there was an old saying years ago when I came down here and I notice we're late on get away day and we're on the Order of Representative McGuire. And I remember what Myron Olson, God rest his soul, told me years ago, the big possums walk late."

Speaker Lyons: "Former County Treasurer, State Representative Don Moffitt."

Moffitt: "Thank you, Mr. Speaker. To the Bill. This is simply an attempt, as I see it, to let... give some flexibility for the treasurer and the benefit goes to the taxpayer. The statute did read that they had to make application for judgment in October. Well, if taxing cycle, and many counties are late, it might be because assessment information didn't get in in time and the bills went out late. They're supposed to have installments due June 1 and September 1 and then application for judgment would be after that. Well, if the tax bills go out late, they might have a July or August first installment and then maybe an October second installment. This lengthens out that time when they make application, therefore, giving more time for the taxpayer to respond and flexibility for the county treasurer. I just interpret it as a good government Bill, giving more flexibility to local government and really it benefits the taxpayer. It's delaying... if the tax due date is late, then the application for judgment against that property would be later and that's in the benefit of the

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taxpayer. So, I would urge a... if you proceed, I'd certainly urge a 'yes' vote."

Speaker Lyons: "Representative McGuire to close."

McGuire: "As I said, I'm not a tax collector, so I don't have all the... the answers to the questions, but I would appreciate your vote because the answers to the questions are in the Bill."

Speaker Lyons: "The question is, 'Should House Bill 6126 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? May. Flider. Mr. Clerk, take the record. On this Bill, there are 93 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Represen... Representative Dennis Reboletti, for what purpose do you seek recognition Sir?"

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

Speaker Lyons: "Please proceed."

Reboletti: "On House Bill 5514, I'd like the Journal to reflect that I would intend to vote 'yes'."

Speaker Lyons: "The Journal will reflect your wishes, Sir."

Reboletti: "Thank you."

Speaker Lyons: "Mr. Clerk, Resolution... House Resolution 1020. The Chair recognizes the Gentleman from DeKalb, Representative Bob Pritchard."

Pritchard: "Ladies and Gentlemen of the House, 1030 (sic-1020) declares April 13 as John E. La Tourette Day for the State of Illinois. John La Tourette was President of Northern

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Illinois University from 1986 to 2000. On the 13 of April, we will be naming our Science... or our Chemistry and Physics building after him. He was a great proponent of higher education research in the doctoral program. I would ask for your support."

Speaker Lyons: "You've heard the Gentleman's request. All those in favor of House Resolution 1020 be adopted say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 1020 is unanimously adopted. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1066 and 1068, offered by Representative Tracy. House Resolution 1069, offered by Representative Rose. House Resolution 1070 and 71 and 72... 1072, offered by Representative Turner. And House Resolution 1076, offered by Representative Flider. And House Resolution 1077, offered by Representative Cavaletto."

Speaker Lyons: "Representative Mautino moves for the agreement on the House Resolutions. All those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. And now, seeing that no further business should come before the Illinois House, Representative Mautino moves that the House stand adjourned 'til the hour of 1 p.m. on Tuesday, April 13. So, allowing perfunctory time for the Clerk. Representative La... Representative Mautino moves that the House stand adjourned. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the

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Illinois House is adjourned. Have a happy Easter, have a happy Passover, have a wonderful spring break, clean up week. Have a wonderful two weeks off, everybody."

Clerk Mahoney: "House Perfunctory Session will come to order. Referred to the House Committee on Rules is House Resolution 1055... correction... House Resolution 1065, House Resolution 1067, House Resolution 1073, House Resolution 1074 and House Resolution 1075. Introduction and reading of House Bills-First Reading. House Bill 6842, offered by Representative Bill Mitchell, a Bill for an Act concerning insurance. House Bill 6843, offered by Representative Poe, a Bill for an Act concerning public employee benefits. House Bill 6844, offered by Representative Watson, a Bill for an Act concerning civil law. Introduction and reading of Senate Bills-First Reading. Senate Bill 2476, offered by Representative Fritchey, a Bill for an Act concerning transportation. Senate Bill 2583, offered by Representative Soto, a Bill for an Act concerning State Government. Senate Bill 2878, offered by Representative Tryon, a Bill for an Act concerning civil law. Senate Bill 2951, offered by Representative Sente, a Bill for an Act concerning transportation. Senate Bill 3028, offered by Representative McAsey, a Bill for an Act concerning criminal law. Senate Bill 3085, offered by Representative Burns, a Bill for an Act concerning criminal law. Senate Bill 3619, offered by Representative Winters, a Bill for an Act concerning local government. And Senate Bill 3648, offered by Representative Howard, a Bill for an Act

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concerning revenue. There being no further business, the House Perfunctory Session will stand adjourned."