

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

31st Legislative Day

3/29/2011

Speaker Lang: "The House will be in order. Welcome back to Springfield, Members. We shall led... be led in prayer today by Pastor Carol Gates who is with the Living Waters Lutheran Church in Crystal Lake, Illinois. Pastor Gates is the guest of Representative Franks. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and Pledge of Allegiance. Pastor Gates."

Pastor Gates: "Creator of all, we give You thanks for the abundance of blessings we receive as a people united together under one nation. We are a people as diverse as grains of sand, yet united in a common cause. Creator, our life together requires food, clothing and other necessities and also peace and concord in our daily lives, activities and associations and situations of every source with the people among whom we live and with whom we interact. In short, in everything that pertains to the regulation of both our domestic and our civil or political affairs. For where these two spheres are interfered with and prevented from functioning as they should, there the necessities of life are also interfered with and life itself cannot be maintained for any length of time. Indeed, the greatest need of all is to pray for the civil authorities and the government, for it is chiefly through them that the Creator provides us daily bread and all the comforts of this life. Although all good things are provided by the Creator in abundance, we cannot retain any of them or enjoy them in security and happiness were the Creator not to give us a stable peaceful government. Creator, You have provided us

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with a peaceful government and Leaders who serve Your people and You have given us our communities as our heritage. We unpretentiously and respectfully pray that we and our Leaders may always remember and authentically do Your will. Bless our communities and districts with honest leaders, industry, truthful education and an honorable way of life. Defend our rights, guide our elected officials to choose the harder right instead of the easier wrong, provide our Leaders with the power to discern clearly right from wrong and allow their actions to be governed by the laws of the State of Illinois and the laws of the land. We pray, especially, that the concerns lifted shall be of all the people regardless of their political affiliation, their race or calling. May mutuality be sanctioned and be the aim of those who, by and through the Constitution, work toward that goal for the good of the State of Illinois. May wisdom come among those entrusted with leadership, may the responsibility lie heavily on their hearts. Provide them with honesty, courage and the moral integrity to lead the people of Illinois. We give thanks for our Leaders of the State of Illinois as they work together for the best interests of the communities and districts they serve as well as for the leaders of our nation. When times are prosperous let our hearts be thankful and in troubled times may deepest trust be in the one whose authority governs all people. The wings of prayer carry high and far. May our prayers be heard this day, Amen."

Speaker Lang: "We shall be led in prayer... we shall be led in the Pledge today by Representative Jerry Mitchell."

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Mitchell, J. - 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 Lang: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record reflect that Representative Hernandez is excused today."

Speaker Lang: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives Beaubien, Mulligan and Tracy are excused on the Republican side of the aisle today."

Speaker Lang: "Mr. Clerk, take the record. There being 113 Members present, a quorum is present and we're ready to do the business of the people. The Chair recognizes Representative Arroyo."

Arroyo: "Thank you, Mr. Speaker, a point of personal privilege. I want to let the Body here... I want to introduce my ward superintendent, Willie Aquino, from the 31st Ward. He's the first time here in Springfield. Can everybody give him a big round of applause? Welcome."

Speaker Lang: "Welcome to Springfield. The Chair recognizes Representative Williams. The Chair recognizes Thaddeus Jones."

Jones: "Thank you, Mr. Speaker. I'd like to recognize, and the first time in Springfield, from the Jones Foundation in the gallery, Stephanie Wiederman and Michelle Geddes."

Speaker Lang: "Welcome to Springfield. The Chair recognizes Representative Dunkin."

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Dunkin: "Thank you, Mr. Speaker. Ladies and Gentlemen, may I have your attention. Ladies and Gentlemen, we have a new Member that's joining us. A young man who has been a part of this political Body and well, not this Body, but he's been involved in politics and public service for well over 30 years. He comes out of a great organization with one of our state's Constitutional Officers, Jesse White. He has been serving day one. I met him out helping people within the political districts. He is our replacement for State Representative Annazette Collins. Ladies and Gentlemen, put your hands together and let's give a warm welcome and round of applause to the new State Representative Derrick Smith."

Speaker Lang: "The Chair recognizes Representative Smith."

Smith: "Thank you."

Speaker Lang: "The most eloquent words spoken in my 24 years here, Sir. Thank you very much. Members, as you know we're beginning to call Bills in alphabetical order today based on your priorities. We're going to go back and forth between Democratic Bills and Republican Bills and we're going to start with Bills on Second Reading and so we may skip a few of you along the way who... where your first priority Bill is a Third Reading Bill. Do not panic, your Bill will be called. So the first Bill is House Bill 1375, Representative Beiser. Mr. Beiser. Read the Bill."

Clerk Mahoney: "House Bill 1375, a Bill for an Act concerning finance. Second Reading of this House Bill. No Amendments. No Motions filed."

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Speaker Lang: "Third Reading. House Bill 3241, Representative Brown. Out of the record. House Bill 3597, Representative Burns. Out of the record. You want the Bill moved, Sir, to Third Reading? Read the Bill."

Clerk Mahoney: "House Bill 3597, a Bill for an Act concerning local government. Second Reading of this Bill. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 197, Mr. Cross. Are we moving this Bill, Mr. Eddy? Please read the Bill."

Clerk Mahoney: "House Bill 197, a Bill for an Act concerning State Government. Second Reading of this Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 1216, Representative Chapa LaVia. Please read the Bill."

Clerk Mahoney: "House Bill 1216, a Bill for an Act concerning education has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Chapa LaVia, has been approved for consideration."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "The Amendment just makes small technical changes adding the Lieutenant Governor as chairwoman for the commission and some downstate accountability. I ask for its adoption."

Speaker Lang: "Is there any discussion? The Chair recognizes Representative Eddy."

Eddy: "Thank you. Speaker, will the Sponsor yield on the Amendment?"

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Speaker Lang: "She yields."

Eddy: "Thank you. Representative, we had some discussion in committee on this. Obviously, this approach is to form a commission. You've expanded it with this to include some individuals that came to you and requested representation and that's all this does. It doesn't change the intent in any way?"

Chapa LaVia: "No, Representative, you're right. We also include the parent-teacher associations in the state in the sense of one grou... one member from that group to be at the table because we... we want to make sure that it's a fair and... it's represented by the entire community of stakeholders for education in the state."

Eddy: "And this commission's goal is not to provide the General Assembly with specific consolidations, but... but to give us recommendations on how we handle this... this real controversial issue in the state and we would have to vote on any final... the General Assembly will... this commission will not have any of those powers."

Chapa LaVia: "Correct. What happens is we'd have to vote on their suggestions and recommendations up or down button, but that does not mean that turns into policy. As policyholder... or policymakers, we would then take their information and craft a piece of legislation if we felt the information was sufficient enough to warrant policy."

Eddy: "Okay. Thank you, Representative. I appreciate the inclusion of the groups and your intent with this Bill. Thank you."

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Speaker Lang: "Representative Williams. Representative Williams. Your light is on. You don't wish to speak? The Lady does not wish to speak. Representative Mautino."

Mautino: "Will the Lady yield?"

Speaker Lang: "Lady yields."

Mautino: "Representative, we had talked about the Amendment and I saw in the underlying Bill that it comprised a number of representatives through different statewide organizations. One of the concerns that I had and I'd hope we could address with another Floor Amendment, is since a lot of these districts will be in downstate Illinois I see an underrepresentation of... of downstate's specific basically small rural school districts on this panel and I'd like to see if we can correct that."

Chapa LaVia: "Leader Mautino, I understand your issue. This morning we spoke and I've spoken to staff and I've also spoken with two ag... associations that are included... are there at the table for downstate, as school business associations and the school administrator's association. They understand the issue and they have stated that their focus is to be there at the table for anyone down below 39. And we will be having hearings throughout the state and hopefully we'll have more downstate than we will have upstate with local communities on the way they feel about this. And I understand your concern earlier; you thought that this was targeted to downstate school districts. It is not my intention to have this targeted for downstate school districts. It's to listen to this commission, see what suggestions, what they feel would be a unit or

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district a good candidate for consolidation not naming any locations, but giving us suggestions at that point."

Mautino: "I appreciate that. The... and I know it is statewide, but some comments that had been reported on, I believe when the Governor was in the collar counties, and his education representatives had said we're not looking at consolidations here. So that raised a lot of concerns from those of us who have the bulk of the school districts that will be impacted by changes in this policy."

Chapa LaVia: "Leader Mautino, I'll pull the Bill off record and we'll work on a Floor Amendment and get it through my committee and back on to the floor. If you have suggestions on who you'd like to put on there..."

Mautino: "Thank you."

Chapa LaVia: "...as far as school districts, we'd... we'll take the recommendations. Speaker, can I please pull the Bill off record and leave it on Second?"

Speaker Lang: "Take the Bill out of the record. House Bill 3314, Representative Bill Mitchell. Out of the record. Oh, I'm sorry. I saw you shaking your head, Sir. Please read the Bill."

Clerk Mahoney: "House Bill 3314, a Bill for an Act concerning local government. Second Reading. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 1256, Mr. Colvin. Mr. Colvin, you want to move your Bill to Third Reading, Sir? Please read the Bill."

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Clerk Mahoney: "House Bill 1256, a Bill for an Act concerning State Government. Second Reading. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 2056, Representative Osmond. Do you wish to move your Bill? Out of the record. Mr. Clerk, for an announcement."

Clerk Mahoney: "On the House Calendar, Members, please look to the index in the House Calendar, there's an alphabetical listing by Sponsor. So, all the Bills on the Calendar will be listed in an alphabetical listing by Member and then it will reference the page in the Calendar where your legislation is listed."

Speaker Lang: "House Bill 1726, Mr. Farnham. Please read the Bill."

Clerk Mahoney: "House Bill 1726, a Bill for an Act concerning public employee benefits. Second Reading. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 3334, Mr. Poe. Please read the Bill. 3334, Mr. Clerk."

Clerk Mahoney: "House Bill 3334, a Bill for an Act concerning public employee benefits. Second Reading. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 224, Representative Flowers. Out of the record. House Bill 2089, Representative Rosenthal. Please read the Bill."

Clerk Mahoney: "House Bill 2089, a Bill for an Act concerning criminal law. Second Reading. No Amendments. No Motions filed."

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Speaker Lang: "Third Reading. House Bill 3186, Mr. Ford. Read the Bill."

Clerk Mahoney: "House Bill 3186, a Bill for an Act concerning State Government. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 3411, Representative Roth. Please read the Bill."

Clerk Mahoney: "House Bill 3411, a Bill for an Act concerning government. Second Reading. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 144, Mr. Franks. Read the Bill."

Clerk Mahoney: "House Bill 144, a Bill for an Act concerning public employee benefits. Second Reading. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 1384, Representative Gordon. Representative Gordon. Out of the record. House Bill 234, Mr. Schmitz. Mr. Schmitz. Read the Bill."

Clerk Mahoney: "House Bill 234, a Bill for an Act concerning revenue. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 3045, Representative Jakobsson. Out of the record. House Bill 212, Representative Jones. Out of the record. House Bill 2053, Representative Senger. Please read the Bill."

Clerk Mahoney: "House Bill 2053, a Bill for an Act concerning criminal law. Second Reading. No Amendments. No Motions filed."

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Speaker Lang: "Third Reading. House Bill 1748, Representative Lilly. Representative Lilly. Please read the Bill."

Clerk Mahoney: "House Bill 1748, a Bill for an Act concerning criminal law. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. However, notes have been requested and not yet received."

Speaker Lang: "Please hold that Bill on the Order Second Reading. House Bill 2050... Excuse me. House Bill 2984, Representative Sosnowski. Please read the Bill."

Clerk Mahoney: "House Bill 2984, a Bill for an Act concerning education. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 1439, Representative Mautino. Mr. Mautino. Out of the record. House Bill 3236, Representative May. Representative May. Read the Bill."

Clerk Mahoney: "House Bill 3236, a Bill for an Act concerning business. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 1719, Mr. McCarthy. Mr. McCarthy. Out of the record. House Bill 3222, Mr. Stephens. Mr. Stephens. Read the Bill."

Clerk Mahoney: "House Bill 3222, a Bill for an Act concerning education. Second Reading. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 1084, Representative Mussman. Representative Mussman. Do you wish to move your Bill to Third Reading? Please read the Bill."

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Clerk Mahoney: "House Bill 1084, a Bill for an Act concerning State Government has been read a second time previously. No Committee Amendments. Floor Amendment #1 is referred to the Rules Committees. No other Motions filed."

Speaker Lang: "Your Amendment's been referred to the Rules Committee. Out of the record. House Bill 1296, Mr. Osterman. Read the Bill."

Clerk Mahoney: "House Bill 1296, a Bill for an Act concerning public safety. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 3237, Mr. Phelps. Mr. Phelps. Out of the record. House Bill 1380, Mr. Reitz. Please read the Bill."

Clerk Mahoney: "House Bill 1380, a Bill for an Act concerning health facilities. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 1215, Mr. Riley. Read the Bill."

Clerk Mahoney: "House Bill 1215, a Bill for an Act concerning local government. Second Reading. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 1130, Representative Sente. Carol Sente. Representative Sente. Representative Sente. Out of the record. House Bill 1711, Representative Soto. Representative Soto. Out... out of the record. House Bill 171, Representative Thapedi. Please read the Bill."

Clerk Mahoney: "House Bill 171, a Bill for an Act concerning public health. Second Reading of this House Bill. No

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Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Lang: "Third Reading. House Bill 2105, Mr. Winters. Mr. Winters. Out of the record. House Bill 1907, Mr. Zalewski. Out of the record. The Chair was looking in the wrong place. Please read that Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1907, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was tabled. Amendment #2 was adopted to the Bill. Notes have been requested on this Bill and not yet received."

Speaker Lang: "Please hold that Bill on the Order of Second Reading. Members, we're now going to go through your first priority Bills on Third Reading. Now just for the record, Members, I had to say some of your names many times. We're trying to move as many Bills as possible so, in the interest of time, in the interest of efficiency, in the interest of respecting each other so we can get as many Bills passed as we can, I would ask all of you to retire to the rear of the chamber, if you're having a conversation and I would like attention paid to the Chair and to each other and let's move as many Bills as we can. First Bill is House Bill 1294, Mr. Acevedo. Out of the record. House Bill 3275, Mr. Barickman. Please read the Bill."

Clerk Mahoney: "House Bill 3275, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Lang: "Mr. Barickman."

Barickman: "Thank you, Mr. Speaker, Members of the House. This legislation creates a special fund with the State Treasury

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to handle a request of the Department of Veteran... Veterans' Affairs. This would set up a fund called the Veterans Traumatic Brain Injury and Post-Traumatic Stress Disorder Public Service Announcement Fund. In essence, it allows the Department of Veterans' Affairs to collect funds, private donations and use those funds towards educating the public on the services available to veterans. It has the support of the Department of Veterans', no opponents and I'd ask for your support on this Bill."

Speaker Lang: "The Gentleman moves for the passage of the Bill. Is there discussion? Seeing no discussion, those in favor of the Bill shall 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, please... Representative McGuire. Please take the record. On this question, 114 voting 'yes' 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1531, Representative Berrios. Please read the Bill."

Clerk Mahoney: "House Bill 1531, a Bill for an Act concerning local government. Third Reading."

Speaker Lang: "Representative Berrios."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill all it says is that it only affects the Chicago Park District and says that as long as it's a health fair free of charge to the community, that registered nurses may provide services on-site at the park district."

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Speaker Lang: "The Lady's moved for the passage of the Bill. Is there debate? There being no discussion, those in favor shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Burns, Chapa LaVia, Leitch. Have all voted who wish? Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1659, Representative Bellock. Please read the Bill."

Clerk Mahoney: "House Bill 1659, a Bill for an Act concerning health. Third Reading."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. House Bill 1659 addresses the issue of when a mental health facility or a DD facility closes, such as when Howe closed, and that a report would be given by DHS back to the General Assembly as to what percentages of the people go into community settings or back into state ops. The point of this Bill was to address the issue that Representative Ryg and I had addressed several years ago, is that when a facility closes that some of that money would go back into the community settings and serving the people that were taken out of where they were addressed from."

Speaker Lang: "The Lady's moved for the passage of the Bill. Is there debate? There being no debate, those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 114

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voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3010, Mr. Biss. Please read the Bill."

Clerk Mahoney: "House Bill 3010, a Bill for an Act concerning human rights. Third Reading of this House Bill."

Speaker Lang: "Mr. Biss, before you proceed am I correct, this is your first Bill?"

Biss: "Yes, it is my first Bill."

Speaker Lang: "And I'm up here."

Biss: "Yes, Mr. Speaker."

Speaker Lang: "Please proceed."

Biss: "Thank you, Mr. Speaker. House Bill 3010 deals with the Illinois Human Rights Act. Over the course of the last 20 years we've seen a pretty substantial increase in diagnoses of Autism Spectrum Disorder in the United States, probably between a factor of 4 and a factor of 10 and as those diagnoses have increased, there have been a number of instances of pretty disappointing discrimination against individuals who suffer from this condition. House Bill 3010 amends the Illinois Human Rights Act to clarify that access to public accommodations are open to all people who suffer from mental disabilities including Autism Spectrum Disorder. And of course, I'd be happy to answer any questions."

Speaker Lang: "The Gentleman's moved for the passage of his first Bill and on that question, the Chair recognizes Representative Eddy."

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

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Speaker Lang: "The rookie yields."

Eddy: "Representative, I think everyone at this point is wondering have you been watching the proceedings on the House Floor related to first Bills?"

Biss: "I've been trying to, Representative."

Eddy: "Well, I think you missed an important detail related to presenting your first Bill. That's a little better. Is that going to be a little tight? You need a tailor?"

Speaker Lang: "Mr. Ramey, could you help out Mr. Biss, please?"

Eddy: "Mr. Ramey has his jacket if that one doesn't fit."

Speaker Lang: "Mr. Ramey's coming over to see you, Mr. Biss."

Eddy: "Representative, while you're waiting for the proper attire, was this Bill amended?"

Speaker Lang: "Very becoming, Sir."

Eddy: "It's very nice, very nice. That's a good look. Representative, as I look at the history of this Bill, is this... has this Bill been amended?"

Biss: "Yes, Representative, it has."

Eddy: "What happened?"

Biss: "I'm afraid there was something of a typographical error in the initial draft which I filed. Because of an error in punctuation the Amendment applied too broadly and had to be changed."

Eddy: "Well, Representative, did you have a chance to look the original document over? Were... did you review it? Did you sign the original Bill that was introduced at the well?"

Biss: "Yes, Representative, I'm afraid that I made the error of signing a Bill with a mistake in it."

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Eddy: "What did you miss, a comma, a semicolon, an exclamation point? What happened? Was there a dangling participle?"

Biss: "Representative, there was an additional line break. The area of the Bill which is... which... The area of the law which we seek to amend is a particular Section. Unfortunately, the amended language didn't appear in that Section and it appeared to apply to a much larger chunk of existing statute."

Eddy: "Who opposed the original Bill?"

Biss: "The Illinois Chamber of Commerce opposed the overbroad Bill that I accidentally filed."

Eddy: "That you what?"

Biss: "That I mistakenly filed."

Eddy: "Accidentally."

Biss: "Yes."

Eddy: "Mistakenly. So we really got off to a bad start here, didn't we?"

Biss: "Yes, Representative."

Eddy: "You introduced a Bill that was an accident that was con... that contained several mistakes, some of those grammatical. Don't you... wouldn't you feel better to just take this out of the record, start over, introduce a Bill that was both grammatically correct and was not an accident?"

Biss: "Representative, I've sought to correct the accidental and grammatical mistakes of the initial Bill as filed and I would be happy to correct any further errors, if you see any."

Eddy: "Representative, what's your background?"

Biss: "I used to be a mathematics professor."

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Eddy: "Pardon me?"

Biss: "I used to teach mathematics."

Eddy: "You didn't teach grammar?"

Biss: "Evidently not, Representative."

Eddy: "Okay. So we're okay with the fact that a math teacher made a grammatical error. Are there any mathematical mistakes in this Bill?"

Biss: "I'm not aware of any, Representative."

Eddy: "Is there any math in this Bill at all?"

Biss: "None to my knowledge, Representative."

Eddy: "Why in the world did you introduce a Bill that didn't reflect your past expertise as your first Bill?"

Biss: "Like many people, Representative, in this chamber, I come from a professional area that's quite different from being a Legislator and I attempted to make something of a break from my past and reform myself."

Eddy: "So, Representative, this Bill, as amended, only applies to public accommodations and relates to civil rights violations at public accommodations?"

Biss: "Yes, Representative."

Eddy: "Aren't there Federal Laws that take care of this?"

Biss: "The... Well, one could certainly make the argument that the Federal Americans with Disabilities Act does address a very similar set of issues. My feeling in filing this Bill was simply that because of the explicit increase in diagnoses of Autism Spectrum Disorder it would be constructive to have that specific disorder written into statute. But I do understand the argument that this..."

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something very similar is already covered by federal statute, yes."

Eddy: "Okay. So we've established the fact, Representative, although your wearing a red jacket you introduced a Bill that was an accident, was riddled with grammatical errors and has no real purpose. Good luck."

Biss: "Thank you, Representative."

Speaker Lang: "Mr. Fortner."

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

Speaker Lang: "I'm not sure. Mr. Biss yields."

Fortner: "Well, I guess I'll have to ask him then."

Speaker Lang: "He'll yield."

Fortner: "Representative, I appreciate the fact that with the rise of autism we've established this right, this protection in the Human Rights Act of Illinois for this group of people who... our population... let's say, we've got a lot of diagnoses. I understand you have a lot of background in group theory and I'd like to ask you some questions as it relates to this group. Are they an abelian or non abelian group in your opinion?"

Biss: "My understanding is that this is actually a cyclic group, Representative, so entirely abelian."

Fortner: "A cyclic group of what order?"

Biss: "It's a growing group, actually, so really it's an indirect system. There's an inverse limit taking place here, Representative."

Fortner: "A growing group, so it doesn't have enough fixed number of elements at this point in time?"

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Biss: "Correct. At any given moment it does have a fixed number of elements, but that number is changing so quickly that the professional experts on the subject have been unable to pin it down as of this early afternoon."

Fortner: "So it would seem to me, you know, if we're going to be able to apply strict group principles, we'd have to know how many elements so we can identify the group properties. Normally we can completely describe the set at any given point that makes up the group, isn't that correct?"

Biss: "Well, I appreciate that approach, Representative, but the Bill as constructed it simply says that should one encounter an element of this group, then one must carry out certain activities. It doesn't, to my understanding, require a pre... a preexisting list of all of those elements."

Fortner: "Well, I obviously have to defer to some of your background as an expert in this, but certainly, in my experience, one has always wanted to be able to define as a set those elements that are going to be making up the group so we can describe their properties. Another thing, we often... when we talk about rights, we often consider them to be a bundle and I know this is another area where you have a great deal of expertise. Are they more like a tangent bundle or a cotangent bundle?"

Biss: "They are without question more like a tangent bundle."

Fortner: "More like a... And could you tell us 'cause... just to help us understand what that distinction is between a tangent and cotangent bundle?"

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Biss: "Well, the difference is really this. In this context, setting a tangent bundle means that we are attempting to understand as an individual with this disorder interacts with an existing system. We try to understand the path that they take into the system and the path that we expect them to carry on as they walk past it. A cotangent bundle is an altogether different entity which wouldn't really help us regulate the interaction the individual has with the existing public sector structure."

Fortner: "Well, I think that would be a very helpful explanation for everybody and I'm sure there's some other important questions that other Members may have for you."

Biss: "Thank you."

Speaker Lang: "Mr. Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Durkin: "These are serious questions, Representative. I'm looking at that you have a... you list mental, psychological or developmental disabilities including autism spectrum. I just want to make clear what we're talking about. Would a... somebody who suffers from anger management, would they be able to qualify under this definition?"

Biss: "My understanding is that this would be interpreted based upon whether there had been diagnoses as carried out by the psychological and psychiatric profession as in, for instance, their DSM manual."

Durkin: "Yeah."

Biss: "So, I would expect that that particular set of conditions would be covered, yes."

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Durkin: "Is that response which you just gave me, is that referenced in the statute about the DSM... reference to DSM standards?"

Biss: "No, Representative, it's not."

Durkin: "All right. I look at this and well-intentioned, but there is a certain amount of vagueness in here when we're talking about certain types of life psychological afflictions when someone suffers from depression, which people can go in and out, they could have intermittent depression, but also with autism. Now, that's a very broad... if you look at autism and there's many different types of, I don't think they've actually counted the different types of autism diseases or inflictions that there are. Do we have any type of reference in here about any true definition of autism or do we refer to anything in the statute, whether it's in federal code or any other type of medical document, which gives us a broader explanation of what would qualify as autism?"

Biss: "Yes, Representative. There is not, to my knowledge, in statute a definition of autism, but there is certainly a medical... a medical code. I actually brought with me, if you're interested, the DSM for definition of autism which is extremely precise. It is broad, certainly, but it's precise and technical and..."

Fortner: "What I think you need to do is you need to have those, the DSM definitions are referenced in the legislation because when we... when we do make these Amendments, what we're doing is that we're building in a cause of action and these are going to have to be

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interpreted whether or not individuals who are claiming some type of discrimination are going to bring a claim before the commission or maybe ultimately before the Circuit Court and the question is going to be... is going to come down on whether or not these individuals qualify under this Section. So, I think if you just... my advice is to tighten it up, make references to, you know, DSM or other types of learned treatise as we refer to in your legislation 'cause I think it does leave some type of vagueness which, you know, ultimately, at the end of the day, someone's going to have to argue this, someone's going to have to litigate it. So I hope you would take that under consideration."

Biss: "Well, I appreciate the recommendation. My use of the phrase autism spectrum disorder was meant to address this because it is a specific phrase that is used consistently in the medical community and which has a variety of other impacts. Again, I don't know it to be defined in statute, but there are various other protections certainly in the School Code for individuals with autism spectrum disorder."

Durkin: "True. True. And it doesn't mean that what they have is actually right. What I'm trying to do is that we are as specific as we can to leave no uncertainty with someone who ultimately would be covered under this statute of... and... and again, the party who is being charged with having discriminated against that individual, they need to be given some guidance on whether or not this individual qualifies under this... under this legislation. Now, lastly, I think that you've mentioned that you are a mathematician

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of sorts and you have a... some type of background and I looked on your bio from MIT, is that correct?"

Biss: "Yes, Representative."

Durkin: "And University of Chicago? Okay."

Biss: "Yes."

Durkin: "And you've taught mathematics classes at the U of C?"

Biss: "Yes."

Durkin: "All right, one last question. What's 590 times 16?"

No further questions."

Biss: "Eight thousand... 81,440."

Durkin: "Well, I would tell you that there are... I think that your education is outstanding, but I will say that you're incorrect. It's 9,440 and I would think you need to go back to the drawing board at... and I think that while you've done well, I'm a little disappointed with your last response, but anyway, congratulations, I'm going to support your Bill."

Biss: "Thank you."

Speaker Lang: "Mr. Beiser."

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

Speaker Lang: "The Gentleman will yield."

Beiser: "Representative, are you a baseball fan?"

Biss: "A modest baseball fan, yes."

Beiser: "And are you aware of the tradition in the Illinois House that if a Member presents their first Bill during the week of opening day, should they wear red, they have to publicly declare their allegiance to the St. Louis Cardinals?"

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Biss: "Representative, I have to say I was unaware of that tradition. It would have really changed my sartorial preparation for this day had I known."

Beiser: "Well, I would hope you would give serious consider... to that public declaration because the entire Southern Illinois delegation's going to be listening for that and absent that, I'm not sure we can support this Bill. Thank you."

Biss: "Thank you."

Speaker Lang: "Representative Will Davis. Is that a..."

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

Speaker Lang: "The Gentleman yields."

Davis, W.: "Representative, as I look into the screen up there, you do realize that on screen the red looks pink, don't you?"

Biss: "I... yes, Representative. In preparation for this phenomenon I actually wore a tie, which is itself actually pink, to see if the difference would show up on screen."

Davis, W.: "I see. You know, I must have missed it. Why do you have on the red blazer?"

Biss: "Representative, I'm new here and I don't want to presume, but my understanding is that it's become custom for Members to wear a red jacket when presenting their first Bill."

Davis, W.: "You realize that the goal of the other side of the aisle is to embarrass this side, don't you?"

Biss: "Yes, Representative, I've learned that."

Davis, W.: "Or you just figured it out, right? You just figured it out?"

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Biss: "Perhaps, Representative."

Davis, W.: "Perhaps? Okay. Obviously there's a lot of... a lot has been made about the fact that you are a mathematician, correct?"

Biss: "Yes."

Davis, W.: "I... and you know, it's great that you are a mathematician because you know on the other side of the aisle they have a rocket scientist on their side, don't you?"

Biss: "That's right."

Davis, W.: "Well, I mean, I'm just happy that we have someone of your caliber on this side so that when he starts talking rocket scientist talk you can have that conversation with him, right?"

Biss: "It's certainly a great honor to be here and if I can be helpful in that way, I look forward to it."

Davis, W.: "Well, we certainly appreciate your being here and you certainly have raised the caliber of this side of the aisle. No... no offense to my colleague, Representative Riley, who I know wants to be, you know, a rocket scientist or you know, has that kind of expertise as well. But you know... Thank you very much for being on... on this side of the aisle and please, I would just encourage all freshmen, please don't wear the red jacket. Please, please don't. Please don't. Just not a good look for you. Thank you very much."

Speaker Lang: "The last speaker, Mr. Bost."

Bost: "Thank you, Mr. Speaker. I just... an inquiry of the Cha... or just a statement to the House after the last debate. It

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is not the goal of our side of the aisle to embarrass that side of the aisle, you can do it all by yourself. We don't have to help you."

Speaker Lang: "Well said, Sir. Mr. Biss to close on his very first Bill."

Biss: "Well, I simply, I appreciate all the robust questioning and I do feel that in light of the... the real spike in diagnosis for this condition, this is an opportunity to make a difference for people in our community and I would be honored to have your support for this legislation. Thank you."

Speaker Lang: "The Gentleman moves for the passage of his first Bill. Those in favor shall vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Gentleman looks nervous. Have all voted who wish? Cavaletto, Hays, Sosnowski, Winters. Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 113 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, committee announcement."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on March 29, 2011: approved for floor consideration is Floor Amendment #1, offered by Representative Mussman, to House Bill 1084."

Speaker Lang: "The Chair recognizes Representative Lyons."

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Lyons: "Mr. Speaker, I know we had that very serious floor debate on that first Bill, but I have... arise for personal privilege."

Speaker Lang: "Your point, Sir."

Lyons: "I do believe we still have in the gallery a group down here I'd like to give a Springfield welcome to, the Hemophilia Foundation of Illinois. Thanks for coming down today. I hope you're up in the gallery. The Hemophilia... above the Republicans. Thanks for coming down. God love you for the work you do."

Speaker Lang: "Thank you for coming to Springfield. Next Bill on the Calendar is House Bill 1156, Representative Bost. Please read the Bill."

Clerk Mahoney: "House Bill 1156, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. House Bill 1156, after it being amended, amends the State Prompt Payment Act and provides that the penalty that payments of checks must exceed 5 thousand... or \$5. I'm sorry, \$5 at the end of the year so that we don't get these small checks being sent out. It'll save us a lot of money in that way."

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

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Bill 1965, Representative Dan Burke. Ready to proceed, Mr. Burke? Please read the Bill."

Clerk Mahoney: "House Bill 1965, a Bill for an Act concerning public health. Third Reading."

Speaker Lang: "Mr. Burke."

Burke, D.: "Thank you, Mr. Speaker and Ladies and Gentlemen. I think everyone in this Body has been somewhat familiar with the intent of this Bill. This would offer a temporary lifting of the statewide smoking ban in our state for casinos, our 10 existing gaming licenses. Ladies and Gentlemen, since the imposition of the statewide smoking ban to date our state has lost revenues in excess of \$800 million. I don't know how other we would be able to recover those dollars or how we would continue to ignore the fact that our neighboring states are benefiting from the unintended consequences of our statewide smoking ban. I have referenced in the communications to each and every one of you one particular gaming enterprise in our state in the City of East St. Louis where, in fact, the City of East St. Louis has had to lay off 14 policemen, 9 firemen and all the intended social services that they were able to provide based on their one important economic engine and that is the Casino Queen casino in East St. Louis. It is troubling to think that we would go back on our concern for health issues in our state, but I might submit to you the fact is that by statistics 70 percent of people who go to casinos engage in smoking. We are putting our boats, our casinos, at a competitive disadvantage. It's not fair. They have been good corporate citizens to our state. They

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have been those that have offered resources that we otherwise would not have had and certainly will not receive in the future. I'd be happy to answer any questions in this regard."

Speaker Lang: "The Gentleman's moved for the passage of the Bill. And on that question, the Chair recognizes Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. To the Bill. You know, the Illinois Legislature originally placed the current 9 casinos in the most economically deprived areas of the state to stimulate local economy and provide jobs for those areas. They usually have just one hotel and one small gift shop and limited restaurants. Surrounding states place their casinos in more tourist type destinations. Surrounding states, usually there are nightclubs and shopping and other places that would encourage people to spend their money there. Since smoke free Illinois was implemented in... implemented in January of 2008, Iowa, Indiana and Missouri have all opened new additional casinos. Illinois has not opened any casinos. Total statewide gaming revenue from Illinois... from Indiana, Iowa and Missouri now includes the new additional revenue from the other new additional casinos. Obviously, their revenues have increased with the addition of new facilities. We are no longer comparing apples to apples. If you had 9 Burger Kings in 2007, now you have 11, of course your revenue is higher. In December 30, 2010, the Associated Press in the St. Louis Post-Dispatch says that Missouri casinos are falling short of revenue projections.

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The article has a quote and let me quote it: 'A slow economic recovery continues to severely impact the base gaming forecast. Missouri casinos still allow smoking plus, they removed the State Law that had capped losses at a casino. The law repealed a \$500 loss limit over a two-hour period. It is the economy'. Now when we first introduced this Bill, it was all about people's health. And I still say today, why are people who work in casinos lives any less important than anybody else's? I urge a 'no' vote."

Speaker Lang: "Mr. Mautino in the Chair."

Speaker Mautino: "Mautino in the Chair. The Gentleman from Morgan, Representative Watson."

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

Speaker Mautino: "Indicates that he will."

Watson: "Representative, can you tell us the states around us what their status is as to smoking?"

Burke, D.: "I'm glad you inquired, Representative. The State of Indiana just passed a statewide smoking ban and has, in fact, exempted casinos, VFW posts and nursing homes."

Watson: "What about Missouri?"

Burke, D.: "Missouri has no smoking ban."

Watson: "Okay. And do you... this Bill is only limited to ca... casinos, correct?"

Burke, D.: "That is correct. And my legislation goes further to insist that when a neighboring state would impose a statewide smoking ban that we would then revert back to our smoking ban."

Watson: "Okay. Thank you, Representative."

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Speaker Mautino: "Further discussion? The Gentleman from Madison, Representative Beiser."

Beiser: "Thank you, Mr. Speaker, to the Bill. The Sponsor talked about the dire economic impact it had on the facility in East St. Louis. I can speak to the facility that's located in Alton much to the same effect of East St. Louis. The City of Alton, which is the home to the facility, has laid off close to 50..."

Speaker Mautino: "Representative?"

Beiser: "Yes."

Speaker Mautino: "Representative, can you hold for one second? I'd ask the Members to bring the noise level down in the chamber so that the Members may hear the debate."

Beiser: "Yes."

Speaker Mautino: "Please continue, Mr. Beiser."

Beiser: "Talking to the impact of the City of Alton and their facility with the loss of revenue, a loss that is approaching the... or exceeding 30 percent of their revenue that they normally gained prior to the smoking exemption. Smoking ban, excuse me. Now the City of Alton has laid off close to 50 people. The police and fire protection are down, not as severe as the general public works force, but they are strained and they are at levels prior to this smoking ban going into effect. So, I only mention that to reinforce what Representative Burke said is a terrible impact to the East St. Louis facility. The State of Missouri is absolutely killing the boats down in our area and I think this is the right thing to do, I think it's the right time to do it and I think it was presented in a fair

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fashion acknowledging that should these states that neighbor us go with a smoking ban, we'll follow suit. I think it... I think it's a very straightforward, timely piece of legislation. And I commend the Sponsor for bringing it forward."

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

Bost: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I understand that this only deals with the boats and the concern that I have is that maybe we should look at also, and I brought this up in committee and I think it's important to realize, we have clubs and organizations, the VFWs, the Legions. You know, in the fine wisdom of the United States Government, for many years, through many wars up until just after the Vietnam War, every meal that was given to our servicemen and women presented them, if it was in cigarette form back then, four cigarettes, encouraged them to smoke and actually many of them got into that habit at... even encouraged by the government. The problem I see is with our ban that we've had and we put in place is these ladies and gentlemen, at the end of their life when all they want to do is go to their clubs and organizations, set down and have a beer and a cigarette, play cards with their friends and they fought for those freedoms to be able to do that, we've taken that away. I had asked that this Bill would include that and I think it's very important and there's another Bill coming up that does include that, that we would go ahead and pass that first before moving forward with this. I understand what the Representative's trying

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to do. My concern is with that particular part of the... of this equation and I do hope that that Bill would be called in the future."

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

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I appreciate Representative Burke bringing this Bill forward. He's been working on it a long time and this Bill's been a long time coming. As you know, I've worked on a lot of gaming issues over the years. Our economy in part depends on the gaming industry, it employs thousands of people; it brings thousands of people to travel around our state. Some come in from out of our state, but the truth is there are more people leaving our state to gamble in other states today than come into Illinois from the surrounding states. There are many, many reasons for that. In some ways the casinos in the states surrounding Illinois sometimes are able through tax rates, et cetera, to treat their... their visitors better, but certainly one of the things costing us dollars in our casinos is the smoking ban. Now I recognize there's a major issue here. I recognize many of us on this floor voted to protect people's health by passing the smoking ban. I recognize there are people working on these... in these casinos, on these riverboats, who will have to deal with these smokers, but there are many things that can be done: filters, nonsmoking floors, et cetera. The Gentleman doesn't simply abolish the smoking ban, he says, as long as the states around us allow smoking then we should as well; and when they stop, we should stop. It's a

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simple matter of economics. I know, some will say it's a matter of health, but it's a matter of health and a matter of economics. When thousands of people leave Illinois every day to spend their money in Missouri and Iowa and Wisconsin and Indiana, thousands of Illinoisans who do that, who could be spending their money here, they could be spending it on casinos. They could be eating at the casino. They could be buying merchandise at the casino, but we're sending people and jobs out of our state because we haven't taken the time to look at the obvious and clear economic realities. Representative Burke talked about one riverboat in Illinois. There are others that have the same story to tell and it's not about their livelihood, it's not about that it's so important that each of these riverboats be able to make all kinds of money, it's about what it brings into the State of Illinois. Today they're paying 50 percent of their gross in taxes. Not 50 percent of their net, 50 percent of their gross revenue before they pay their employees, before they pay their insurance, before they pave the parking lot or fix the roof, 50 percent of their gross revenue. And yet we have a philosophy and a legislation in place that says to people that want to spend money, where we get 50 cents from every dollar, go somewhere else and spend the money. Go to the surrounding states. Spend all the money you want to there, Illinois residents, so go ahead, earn the money in Illinois, but get in your car and drive to Wisconsin to gamble. Drive to Indiana to gamble. What sense does it make for us to have a policy in place that purposely, with purpose, with a plan

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aforethought to say to people, go somewhere else and spend your money? We wouldn't do that to any other business, but for some reason we do that to this business. This is a very good, very well-reasoned Bill and it cries out for your 'yes' vote."

Speaker Mautino: "Further discussion. And the.. With the permission of the Body, there are 10 people seeking recognition. I would like to go to the clock. We'll allot each person five minutes. With that agreement, I will use the.. and our next speaker will be Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker. I, too, would like to echo those very strong words that Representative Lou Lang mentioned. The reality is gaming does exist here in the State of Illinois. It's already here. And I know a number of us pass judgment on individuals who have certing.. certain vices, as we may say or certain habits, but gaming exists in this state. And if we're going to be a state that allows gaming, we need to allow those facilities to run their business as efficiently and as effectively and as freely as they possibly can. The facts, as the last speaker.. our dear colleague pointed out is, the State of Indiana, the State of Missouri, they allow those casinos to be exempt from state smoking ban laws. Our state like other states, do not invest.."

Speaker Mautino: "Excuse me, Mr. Dunkin. I'd ask the Members of the House to please bring down the noise level so we can hear the debate. Mr. Dunkin."

Dunkin: "Ladies and Gentlemen, it is high time that we allow private businesses to run as they are, as competitively as

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they should be with other states. When you go over to Indiana, when you go over to Missouri and you look at the parking lot and you see 75 percent or more of the vehicles, the license plates have Illinois residents, there's a problem. Now I'm not a smoker. An occasional cigar maybe every six, nine months, but I'm not a smoker and it bothers me, quite frankly, when I go into places and it's filled with smoke, so I don't go. I don't go to places where it's smoke filled; however, I don't think government should be over-arching or smothering some of these businesses that take care of their own. I think losing, over two years, \$800 million is a real travesty, it's a real problem, especially if you're along border states. Unless we're going to ban gaming altogether, we need to allow the casinos to do what they need to do legally so they can be as prosperous as any other private business 'cause people have a choice when they walk into these casinos like they have a choice when they walk into a bar or any other place. It's high time that we do the right thing and exempt casinos from the smoking ban. Let adults do and continue to do adult things. Some of us are completely or indifferent about gaming. We're passing judgment on gaming, now we're passing judgment on smoking. Gaming exists in the State of Illinois. Unless we want them to go under, let's allow them to do what they need to do in order to support their industry. And if you don't like smoking, leave the facility, don't go there. If you don't like hanging out around people who drink a lot, don't hang out at bars. Allow the casinos to do what they need to do,

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legally, as they... as their competitors are doing in Indiana and Missouri. I'm voting 'aye'. I think this... this is high time we need to allow casinos to do what they're going to do, just like we should come back up with smoking shops. Vote 'aye'."

Speaker Lang: "Representative Lang in the Chair. The Chair recognizes Representative Jackson for five minutes."

Jackson: "To the Speaker, I rise in support of this Bill Representative Burke is bringing. It's an excellent Bill. He's already outlined the economic impact that it's had on the state as well as implied to how it's affected East St. Louis. East St. Louis is not affect... not only affected by the smoking ban, but it has within one mile of it a boat in Missouri that does not have a smoking ban. The economic impact of the smoking ban for East St. Louis which has a boat because it was a distressed city is... needs that boat to be able to operate at its total efficiency in terms of earning dollars and that's with the smoking ban in place. And I rise in support of Representative Burke."

Speaker Lang: "Representative Williams."

Williams: "To the Bill. First of all, I have nothing but respect for the Sponsor. I know his intentions are the best for the people of the State of Illinois, but I think we need to think about what we are really voting on here. Think about this Bill from the worker's perspective and what this means to the workers who work in casinos every day. This Bill would result in hours of heavy secondhand smoke for all the workers at the casinos. Whether you're a dealer or any worker at a casino, you're just trying to

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support your family. While these are skilled jobs, these skills don't translate easily into other jobs. So, when Represen... one of the Representatives mentioned choice here, we're talking about workers who really don't have a lot of choice. You can't just go get another job in this economic climate. I've talked to some casino workers who worked at casinos when smoking was permitted. Unlike the worker at a bar or restaurants, when you're a casino dealer or work at a casino you can't simply walk away when someone's blowing smoke in your face, you have to stand there and take it. As you can imagine, people at gaming tables chain smoke, lighting cigarette after cigarette and cigar after cigar. There's no ventilation system that can address that. I want you to imagine what this means to the workers by putting yourself in the shoes of those workers. Imagine doing whatever job you do, whether it's being a lawyer, teacher, farmer or even here being a Legislator. Now imagine doing that job sitting and breathing in hour after hour of heavy constant secondhand smoke. That's what this Bill means. And I'd urge a 'no' vote. Thank you."

Speaker Lang: "Representative Will Davis."

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

Speaker Lang: "Gentleman yields."

Davis, W.: "Representative, just a couple of questions for you. There's another proposal out that would allow for limited smoking on some of these boats. Why are we not using that as a compromise to what you want to try to do?"

Burke, D.: "As the data would insist, that proposal that I did support in committee would offer a system where it would go

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back to the previous experience on our riverboats where they provided a no smoking section. The proposal that was offered would now reverse that, flip it and say that there would be a smoking section which would be a very minor section of the gaming facility. As all statistics would insist, that is opposite of what their experience is. We know the majority of the people that go to these gaming facilities engage in smoking, so it would not support the economic distress that has been imposed by our ban to say that you would provide a smoking section which would be a minor section of the casino."

Davis, W.: "Well, I mean, but when you describe it as a minor section, obviously we can create the rules that will allow for more than a minor section to be considered a smoking section of the boat. I guess what I'm trying to get here is while I've heard the arguments, the Gentleman in the Chair made a very poignant argument about why we should do it. The Lady from Chicago just made a very poignant argument about why we shouldn't do it based on certain... certain factors. Is there an opportunity for some type of compromise that will allow for some type of movement on this type of an issue?"

Burke, D.: "Well, I have actually been given assurance by all of the gaming enterprises that they would indeed provide for nonsmoking sections, just as they did for the 20 years that they've been in existence. But to suggest, at this stage of the game, that we impose a reverse of what their experience had been is not something they would support and they did not support it. They do support this Bill."

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Davis, W.: "Now, when you talk about, obviously, you talked about loss of revenue. Are we talking about specifically one particular part of the state that is really struggling? Is that really what this is directed at or is it really the entire state that we're talking about?"

Burke, D.: "And as you know, Representative, when you present a piece of legislation you have, you do your homework and you discover what the effects of your Bill would do on the intended party. In my situation, it was brought to my attention having been acquainted with people who are engaged in the business in East St. Louis. I invited all of my colleagues out to a discussion last November in East St. Louis to hear for themselves and see for themselves the devastation that the smoking ban has wreaked on these communities such as East St. Louis. That is the most dramatic example that I could offer. When you look at a community that has suffered a loss of 14 police officers, very desperate community as you understand, 9 firemen and 500 jobs in a community that does not have an alternative for these people to find employment. Five hundred jobs in East St. Louis is devastating. They cannot make up the difference. The City of East St. Louis cannot make up the revenues that the boat was providing that have now been taken away from them. We have literally dangled the carrot in front of that community and now we've snatched it back by the imposition of that smoking ban. It's not fair. They are at a competitive disadvantage, with Missouri in particular, as all other gaming enterprises are in our state. We have put them at a competitive disadvantage.

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It's not fair. We've been taking their money for 20 years. It's about time we at least give the market the opportunity to do its job and make it an equal playing field."

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

Speaker Lang: "Representative Reboletti."

Reboletti: "Thank you, Speaker and to the Bill. From my district, you can drive 35 miles to Joliet boats or you can drive to Aurora about 30 miles away. You can go out to Elgin about 30 miles away or as many people that I know drive to East Chicago to go to the boats in Indiana because they can smoke. They then take the two or three hundred dollars that they were going to gamble, they spend it there, they buy their meals there, they pay for parking there, they do all those other things there. They have a choice. They are voting with their money and they're going elsewhere. I don't like the idea of smoking anywhere and I voted for the original Bill, but economics tell us that our boats are losing out and we have an opportunity to stop some of that bleeding. So, I would urge an 'aye' vote."

Speaker Lang: "Representative David Harris."

Harris, D.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Question of the Sponsor?"

Speaker Lang: "Sponsor will yield."

Harris, D.: "Representative, if this Bill gains traction is there any... and should it pass the House and gets over to the Senate... is there any possibility that over in the Senate there might be some compromise about what the previous Representative spoke about, a significant smoking

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section versus nonsmoking section or are we just looking to leave it the way that it is?"

Burke, D.: "Well, I think you're asking two questions here. First of all is there any hope for traction in the Senate. At this stage of the game, yes, there is. I have acquired a Sponsor that is supportive of this initiative and the Bill has not been hijacked as it was back in the Veto Session by an antismoker in particular. But this is not necessarily a smoking issue, it's about... it's a money issue as far as I'm concerned. What was your second?"

Harris, D.: "Well, let's... let's leave it at that. I think you just said something that's really key when you said it was a money issue. And to the Bill, Mr. Speaker. Ladies and Gentlemen of the House, if you look at the COGFA report that just came out in 2010, wagering in Illinois, they looked at the gaming industry overall and this really is an issue that we're talking about here of economics versus there is an health consideration, but it's a big economic consideration. And what I'd like to do is I would like to quote from the COGFA report that came out just approximately seven or eight months ago and it says this: 'Several factors have contributed to the dynamic downturn in riverboat figures over the last three fiscal years. These factors include the struggling economy, increased competition from other states and the effects of the graduated tax structure. However, the numbers continue to suggest that the biggest contributor to the drop in Illinois casino revenues is the indoor smoking ban. Since the indoor smoking ban began in January 2008, adjusted

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gross receipts for Illinois revenue... Illinois riverboats have fallen a combined 28 percent'. That's COG... those are COGFA's words attributing the drop in... the biggest drop in revenue to the indoor smoking ban. I think it's time that the ban be reversed. And I would urge an 'aye' vote."

Speaker Lang: "Representative Holbrook."

Holbrook: "Thank you, Speaker. You know, in the Metro East we have two small riverboats, Alton and East St. Louis. We used to have 70 percent of the gaming revenue on our side of the river. We now have 11 percent and hundreds of people laid off. You don't have to guess where it's going. All you got to do is drive through the parking lots in the Missouri casinos, half the cars are from Illinois. You don't have to look in Chicago; all you got to do is check the receipts on the winning tickets. There are zip codes from Illinois. How much longer are we going to give away our tax money when our schools and our nursing homes and our children and our disabled need this money to help function as a state? And I think that Representative Burke's Bill could not be fashioned better because it says, if the adjoining state does away with smoking on the gaming floors, then we will also. We're fighting with one hand tied behind our backs and we're losing. Our children are losing, our elderly are losing, our communities are losing. This is absurd. Vote 'yes' for this Bill."

Speaker Lang: "Representative Kosel."

Kosel: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Lang: "The Gentleman yields."

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Kosel: "Can you tell me if this particular piece of legislation would forbid a local boat from setting up a smoking and nonsmoking area?"

Burke, D.: "Absolutely not, Representative. It would be their choice. And as I was just telling one of my... our other colleagues, it was the practice when there was no smoking ban in Illinois that they did indeed provide a nonsmoking area. Now, I'm certain that those successful business people would decide that they would not want to lose the business of a nonsmoker and they would provide for a nonsmoking area. I might also comment that the air filtration systems in these gaming facilities are state of the art. I can again reference the East St. Louis casino, where they installed a air filtration system to the tune of \$5 million that indeed insists that the air quality in that casino is better than on the outside of the building. And we had the doctor, the MD from the casino, come into our committee and testify to that fact. So, indeed, your question is very well stated, good point. Yes, these gaming enterprises would provide a nonsmoking area in each of the facilities."

Kosel: "Thank you."

Speaker Lang: "Mr. Burke to close."

Burke, D.: "Thank you, again, Mr. Speaker, Ladies and Gentlemen. I think the debate certainly highlighted some of the importance of this initiative. If not for anything else, the \$800 million in tax revenue that our state has lost since the imposition of the smoking ban. This is 800 million that we will never see again. We have, in our

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state, not only with the imposition of the smoking ban, but some other controls that we've placed on our casinos. Do you know, Ladies and Gentlemen, we are the only state in this country that limits the number of gaming positions? What is the point of this artificial limitation on gaming positions? Whatever happened to the old story about the market doing its job? If there are customers at the door, you let them in. Missouri does it; Indiana does it. All of our surrounding states provide accommodations to their patrons. The State of Indiana, as I stated earlier, has also just passed a statewide smoking ban, but in their wisdom decided to exempt the casinos. Why, because it's a source of revenue that they could not find in any other area. Ladies and Gentlemen, if we're serious about our budget crisis here in Illinois, let's be real. This is not about the smoking issue, this is about the money. How in the world are we going to find 800 million any place else? Let's give these 10 licenses, and they bought them at no small cost by the way, they've been contributing to our state for 20 years revenues that we would otherwise not find. How dare we put them at a competitive disadvantage at this unfortunate economic time? How dare we ignore the \$800 million that's been sitting on a table for two and a half years? I voted for the smoking ban in Illinois, but I certainly didn't realize the unintended consequences it would have: the job loss, the revenue loss. Can we continue to ignore these opportunities without being real and say, Indiana, as you laugh your way to the bank with Illinois's residents' dollars? It's got to stop. We have

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to provide these legitimate business enterprises a competitive playing field. I would insist to you, Ladies and Gentlemen, unless you have another way to come up with 800 million you will certainly support this legislation. I would invite you to be real about this and certainly encourage your 'aye' vote. Thank you."

Speaker Lang: "The Gentleman has moved for the passage of the Bill. Those in favor shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brauer, Poe, Smith. Mr. Clerk, please take the record. On this question, there are 62 voting 'yes' and 52 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1852, Representative Brady. Please read the Bill."

Clerk Mahoney: "House Bill 1852, a Bill for an Act concerning liquor. Third Reading of this House Bill."

Speaker Lang: "Mr. Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1852 simply seeks to amend the Liquor Control Act of Illinois to allow the Weibring Golf Club... golf course at Illinois State University to be permitted to sell beer and wine on a daily basis to guests for consumption while they are on the premises. It's to provide a beverage service to golfing clientele during the normal operating hours of the course and to be competitive with the revenue that other courses, not only in the state, but in the Bloomington-Normal area benefit from the sales of beer and wine. And a quick check of the top 10 on campus

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courses show that all provide beverage services as part of their daily product mix, with the exception of Illinois State University. I ask for your 'yes' vote and will be happy to answer questions."

Speaker Lang: "The Gentleman has moved for the passage of the Bill. There being no debate, those in favor vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Dunkin, May, Smith. Mr. Dunkin. Please take the record. On this question, there are 78 voting 'yes', 35 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Next on the Calendar is House Bill 3358, Representative Kelly Burke wearing a red jacket for her first Bill. Please read the Bill."

Clerk Mahoney: "House Bill 3358, a Bill for an Act concerning insurance. Third Reading."

Speaker Lang: "Representative Burke."

Burke, K.: "Thank you, Mr. Speaker, Members of the House. House Bill 3358 is an extension of existing law to other insurance plans regulated by the state. The Insurance Code currently provides that companies authorized to transact insurance in Illinois may not deny or refuse coverage, cancel or terminate coverage because the individual has been the subject of abuse or has sought treatment for abuse or protection from abuse. The law then defines abuse. House Bill 3358 extends that provision to plans under various other Codes, including plans under the State Employees Group Insurance Act, the Illinois Municipal Code

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and the School Code. To ensure compliance with current law the Bill extends this Section to the plans mentioned in the Bill. And I urge an 'aye' vote."

Speaker Lang: "The Lady's moved for the passage of her first Bill. I see no one wishing to discuss the Lady's first Bill with her. Saved by the bell. Representative Osterman."

Osterman: "Representative..."

Speaker Lang: "Wait. Wait."

Osterman: "Will the Sponsor yield?"

Speaker Lang: "Protocol. The Lady will yield? Now you may go."

Osterman: "I was just curious if a 'C' vote on this or a 'D' vote or an 'F' vote or a 'G' vote would work on this or do you really, really want an 'A' vote?"

Burke, K.: "'A' for all right, yes."

Osterman: "Okay. 'Cause I was not a real 'A' student in school, so I usually vote a 'D' or 'C' but maybe on this one vote."

Speaker Lang: "No one else wishing to speak on the Lady's first Bill? Going, going. Those in favor of the Bill shall vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish on the lucky Lady's first Bill? Have all voted who wish? Have all voted who wish? Arroyo, Bellock, Smith. Please take the record. On this question, there are 113 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. You are so lucky, Representative. House Bill 3171, Representative Cavaletto. Please read the Bill."

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Clerk Mahoney: "House Bill 3171, a Bill for an Act concerning education. Third Reading."

Speaker Lang: "Representative Cavaletto."

Cavaletto: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3171 provides that employment provisions in the School Code for assistant principals, including their duties, contract, reclassification and development of a submission of an assistant principal evaluation plan. There's no opposition to this Bill."

Speaker Lang: "The Gentleman moves for the passage of the Bill. There being no debate, those in favor shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Turner. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1461, Mr. Cunningham. Please read the Bill."

Clerk Mahoney: "House Bill 1461, a Bill for an Act concerning firearms. Third Reading."

Speaker Lang: "Mr. Cunningham."

Cunningham: "Thank you. This Bill is an initiative designed at... designed to give schools the ability to petition the State Police for revocation of the Firearm... Firearm Owners Identification Card. It's patterned after legislation in other states. And what it would do if an individual... if a school, like for instance Northern Illinois University had to deal with, like the community college in Tucson recently had to deal with, if they have

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an individual who's acting in a violent manner, an erratic manner, they can call the local police, file a report and petition the State Police to revoke their FOID Card. It is not mandatory. It gives the schools discretion. They do not have to do it if they don't want to, but it's an important measure that would help ensure security at our schools. And I ask for a 'yes' vote."

Speaker Lang: "The Gentleman's moved for the passage of the Bill. And on this question, the Chair recognizes Representative Reis."

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

Speaker Lang: "Sponsor yields."

Reis: "Is this the Sponsor's first Bill?"

Cunningham: "No, it is not."

Reis: "Oh, okay. I was going to say. Representative, could you tell us how your legislation would change from what is currently acceptable for schools to do?"

Cunningham: "Currently, there's no provision of the law. As you know, the State Law on FOID Cards has a number of provisions that allow for revocation of the card. Right now there's no vehicle for schools to petition the State Police for revocation. This Bill would do that."

Reis: "Why would we just want to allow schools to do this?"

Cunningham: "Well, because as we, I think, have all seen throughout the nation that schools, particularly universities but also secondary schools, are frequently sights of mass shootings. And for me the idea that really.. that the event that really crystallized this idea was reading media reports about what happened in Tucson prior

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to the shooting of Congresswoman Giffords, where that individual was kicked out of a local community college and students at the college as well as the college's administration all reported that they felt threatened by him. One teacher, in fact, said he was afraid to turn his back to the student in the classroom for fear that he might shoot him. So, this Bill, if it was the law in Illinois, would give a community college like that an opportunity not just to suspend the student, which was what they did in Tucson, but would also allow them to contact the local police, fill out a report and petition the State Police to revoke his FOID Card."

Reis: "Would your Bill only apply to students or only to faculty or both?"

Cunningham: "Just to students."

Reis: "Just to students. Now what constitutes acting in a violent manner?"

Cunningham: "Making threatening statements and behave..."

Reis: "But sometimes people say that we make threatening statements, we're passionate about our beliefs. We've heard in the news before that people that believe in guns and stuff like that are domestic terrorists. I mean, would that fall under..."

Cunningham: "No."

Reis: "...the category of violent manner?"

Cunningham: "Absolutely not, Representative."

Reis: "Is it spelled out in your legislation?"

Cunningham: "Yes, it is. It talks about acting in an erratic or violent manner and making threats. So, and what would

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happen there are safeguards in place. This is not just a unilateral thing that a school can enact. They have to go... and they're not required... it is... they... if they have an individual acting this way they do not have to follow this path, but if they wish, they can report it to the local police department. The local police department has to take... take a report. The local police department has to act with the university or school in reporting it to the State Police and then the State Police has to evaluate the situation and decide whether revocation is appropriate, which is what they already have the power to do in other instances."

Reis: "So, will they be given due process to make their case in order to keep their FOID Card?"

Cunningham: "No. Actually, the way the State Law is written presently is you can appeal a revocation. And as I said, I believe there are 15 different elements of State Law right now that allow for revocation of FOID Card including some very nonspecific much less specific language than is included in my Bill, language that refers to the mental instability of FOID holder or FOID applicant."

Reis: "How is this situation handled in other states? Illinois is the only state that has a FOID Card. So, how is this handled in other states where they don't have FOID Cards and in some cases, with concealed carry laws that vary, but they may have a law that they can carry a gun on campus."

Cunningham: "I don't know."

Reis: "To the Bill. Ladies and Gentlemen, I think sometimes that this is a... we seek for solutions, seeking questions.

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Illinois is the only state that has a FOID Card. There's other states... all the other states don't. FOID Cards don't kill people, guns don't kill people, people kill people, and to take away someone's right to have a FOID Card simply because a subjective process may determine what or is... what or what is not a violent manner is just something I don't think we need to be taking a look at right now. I would encourage a 'no' vote."

Speaker Lang: "Members, the Chair is going to begin to use the timer. We would appreciate everyone keeping their remarks as brief as possible so we can move through the agenda. The next speaker is Mr. Stephens."

Stephens: "A point of order, first of all. Every time you recognize me you put me some sort of limitation. I just don't get it. I think I should talk forever."

Speaker Lang: "Mr. Stephens, I'll give you somebody else's five minutes when you're done with yours."

Stephens: "How about giving me forever, please? Will the Gentleman yield for a question?"

Speaker Lang: "I'm certain he will."

Cunningham: "Yes."

Stephens: "Representative, would you be affected by this Bill?"

Cunningham: "Well, I would be affected, I suppose, if my daughters, a couple of years from now, are in a college or in high school and there's an individual that is acting in a violent matter, has made threatening statements and they're confronted with sort of situation then, yeah."

Stephens: "Are your daughters... do your daughters have FOID cards?"

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Cunningham: "No, they do not."

Stephens: "Do you?"

Cunningham: "No, I do not."

Stephens: "You implied earlier that this would have saved the lives of some people in Phoenix."

Cunningham: "No, I don't believe I did that. I said, what would happen in this type of situation where if something that happened in Tucson happened here, it would give the schools the ability to report it to the State Police. I didn't say it would prevent it."

Stephens: "You implied that it would and I gave you the wrong reference, the wrong town. I apologize for that. But your implication was your implication. The... I think we've got a divide here that's more than just political. Do you believe in gun ownership?"

Cunningham: "Yes, I do. I support Second Amendment rights. I believe that citizens have the right..."

Stephens: "So you... do you agree with me? If you believe in the Second Amendment and that's true and I take you at your word, we don't even need a FOID Card Act, do we?"

Cunningham: "No..."

Stephens: "Why don't you amend your Bill right here on its face and let's just do away with the FOID Card?"

Cunningham: "Well, because I think that, although I do believe in Second Amendment rights, I believe that there are situations where they can be curbed and a FOID Card helps do that."

Stephens: "FOID Card and the Second Amendment should not be related. I have a right to own a weapon."

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Cunningham: "Correct."

Stephens: "And it shouldn't be infringed by you or the State of Illinois. And I am worried about this divide that we have between those of you who think you're smarter and safer and care more about children than we do. I believe that that divide is more than philosophical; I believe it's deep in Illinois and I believe it presides predominately on your side of the aisle. You are afraid of men and women who own handguns, aren't you?"

Cunningham: "No, I'm not."

Stephens: "Oh, I believe you are, Representative. Because if you weren't you wouldn't have to bring this Bill before us because the issues that you talk about in Tucson and in other schools, have nothing to do with guns, but everything to do with violence. Every time we come to this House Floor or anywhere in America and we want to get tough on crime, you say that, oh, we got to be... we got to be more politically correct."

Cunningham: "Well, I..."

Stephens: "We've got to be... To the Bill, Mr. Speaker. To the Bill. We've got to be more politically correct. We want to make sure that we don't hurt anybody's feelings. I have a right to own a weapon and not to be presumed to be guilty of anything. No matter what my threats are, they have nothing to do with my handgun at home. If I threaten you, that's a threat. So what else do you want to take away? You want to take away my handgun. What else? Would you like to take away any of my other constitutional rights? How about my right to free speech? Let's... That's only one

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Amendment away. It's only one Amendment away from the one that you seem absolutely intent on ruining. You have to... you have to eek away a little bit at a time. Any time you can approach those of us that are law-abiding citizens and say you know what, you're probably going to commit a crime, you're probably going to use your constitutional right and commit a crime. Maybe I'm going to give a hate speech tonight. Let's shut my mouth. How's that? That we get a... ..how about that. We'll get a... Now there's a Motion... there's a Motion that'll pass. Why don't you take away my right to free speech because I might commit a hate crime? It's the same concept, Representative. Leave my constitutional rights alone. Join me and let's do away with the FOID Card. Let's quit presuming that God-fearing, law-abiding citizens are a problem in Illinois. They are not. Thank you for the time, Mr. Speaker."

Speaker Lang: "Mr. Sullivan."

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

Speaker Lang: "Gentleman yields."

Sullivan: "Representative, can you explain in your Bill the portion in regard to civil and criminal immunity by the institution of higher learning and why that's involved here?"

Cunningham: "Yes. The idea behind it is that a university would not or high school would not be subjected to... to a lawsuit if they either engaged in this action or decided not to."

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Sullivan: "So, it's blanket immunity, not immunity should there be some type of knowing report. It's just blanket immunity."

Cunningham: "It's immunity that... as I said, they're provided with immunity. If there is a situation involving a shooting, let's say that shooting happens and the university had taken no action, they are immune from being sued by the victims of that shooting. On the other hand, if they do take action and a FOID Card is revoked, they are immune from law... lawsuit from the individual who had his card revoked."

Sullivan: "The latter is what I'm trying to obviously get at here. When we talk about due process for people that have FOID cards, what you're saying is that potentially you could have a case where someone files a fraudulent case to have this person, you know, maybe there's an axe to grind, something of that nature. I'm sure it would happen, quite frankly. You're taking away immunity from any type of liability for or some redress from this FOID card owner who now has not only his FOID card taken away, but potentially his guns and all the above. And so why would we have in there... if it's at least not knowingly?"

Cunningham: "Right. Any sort of report has to be done in good faith. If they did not display good faith, then they could be challenged civilly."

Sullivan: "That's not in your Bill."

Cunningham: "I believe it says good faith in the Bill. I apologize for not having a copy of it, but I believe that's what it says."

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Sullivan: "If it's not specifically pointed out, you're saying they have to make a... a good faith, but they're immune from any action. They're immune from any civil or criminal liability. I think it starts on..."

Cunningham: "It's line 16 of page 5, Representative."

Sullivan: "Line 16 of page 5, Section... department... that's not where it goes. I'm starting on line 23. The administration of a secondary school or institution of higher learning that reports mentally erratic or violent behavior to the local law enforcement agency of jurisdictions, subsequently reports to the State Police is presumed to have acted in good faith and is immune from civil or criminal liability. It doesn't say they have to act in good faith, it says they are presumed to have acted in good faith. There's a very big difference between what you just said and what the Bill actually reads and says. You're automatically taking any redress away from anybody that has a report made because you're presuming it's in good faith and you're presuming that they're going to be held immune from criminal or civil liability. That's exactly what that reads. I mean, if I'm wrong, I'm wrong. Please... please identify where I'm wrong."

Speaker Lang: "Mr. Bost."

Sullivan: "Wait a second. I don't think I'm done yet. I'm waiting for an answer on my question."

Speaker Lang: "I'm sorry."

Sullivan: "Thank you."

Cunningham: "If it was... if it's presumed to be in good faith and they do not act in good faith, first of all, that's

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stepping back to... something that a prosecutor could evaluate. It also, I think, one of the important elements that is being missed here is that this is voluntary. It does not mandate the school to take any sort of action."

Sullivan: "Representative, I understand it's voluntary. That has nothing to do with the question. You are writing into law presumed immunity and presumed good faith. You're writing that in that no matter what they've done, whether you had someone with an axe to grind, whether they did it intentionally, whether they did it by mistake, in your Bill it says they're presumed to have acted in good faith."

Cunningham: "But there are two..."

Sullivan: "You're writing it in your Bill."

Cunningham: "...there are two safeguards in order to stop someone acting in the way you presume and that is the local police department has to take a report, has to agree, has to petition the State Police along with the university and then the State Police has to assume... has to agree with them in order to do this revocation. Now, I point out there are other elements of the FOID law, for instance, that place the same sort of restrictions on mental institutions..."

Sullivan: "Sure."

Cunningham: "...and require that they do the same thing when someone is institutionalized in a mental... It also provides them with the same level of immunity, so it's patterned after that."

Sullivan: "Representative, we're not... we're not disagreeing."

Cunningham: "Alcohol rehab. That's all... My point is that's already in the statute."

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Sullivan: "We're not... we're not disagreeing that people with mental problems..."

Cunningham: "This is patterned after the way..."

Sullivan: "...shouldn't have guns."

Cunningham: "...the statute is already written for other, as I said, I believe 15 different... 15 different ways the State Police can revoke a FOID card, whether it's someone being institutionalized in a mental institution, going into inpatient treatment for alcohol and drug treatment, committing a felony. As I said, there are a number..."

Sullivan: "Representative..."

Cunningham: "...of individuals that allow the revocation."

Sullivan: "...I get all that, but what I'm talking about here is you are writing into law the ability for someone to do something bad, to go after somebody and then they are presumed to have acted in good faith."

Cunningham: "That is just not the case. I'm sorry, that's not the case. There are..."

Sullivan: "And you're going to lose redress from the... Well, thank you. Thank you, Representative. To the Bill. Ladies and Gentlemen, the end of this Bill says directly that these institutions of higher learning and secondary education have acted in good faith. We're automatically going to assume and I realize that the State Police can investigate that and so forth, but they're automatically going to assume that this is correct with no redress. Why would we put that in the law? It's not needed. Please vote 'no'."

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

Bost: "Thank you, Mr. Speaker, to the Bill. And I wouldn't question the Sponsor, but I think he's very committed to try to move this. But I wish that each person here, regardless of what your position is on guns, takes the opportunity to see exactly what this language actually says. A student or former student... now there's no time limit on that... a former student of a secondary school or instruction of higher learning has been identified by the administration of the school. By the administration, not by someone who might be trained in how to identify, and then it says by that... in acting in a mentally erratic way. By whose standards, Ladies and Gentlemen? I think this country was formed on a lot of people that were acting what some people would have thought was a little bit mentally erratic. My gosh, they were forming a new nation. Now, all of a sudden, some student stands up and he starts to say some new ideas, which we encourage, which we encourage and all of a sudden the administration doesn't like it. They can bring that person up. Now do we want to stop violence in the schools? Do we not want... we don't want a situation like occurred in Arizona, but this doesn't do that. This not only goes after your Second Amendment, it goes after your First. Look at what the language says. Ladies and Gentlemen, what we need to do and I wish the Sponsor would pull it completely out of the record and come back with maybe another idea on how to deal with this, but... but if we pursue going on and having this vote, Ladies and

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Gentlemen, this needs to go to the Century Club to send a clear message that the First Amendment is being violated in this, not just the Second."

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

Eddy: "Thank you, Mr. Speaker. Representative... First of all, Mr. Speaker, before I forget, if this Bill receives a requisite number of votes I ask for a verification."

Speaker Mautino: "Your request is acknowledged."

Eddy: "Thank you. Representative, was there a hue and cry from those that are associated with schools and secondary institutions that they weren't being given the opportunity on their own to report what they might consider to be erratic behavior? Where did this come from?"

Cunningham: "No, as I said, it was my initiative. I was not approached by any group and that, under the context you're mentioning. I, you know, would point out that State Law currently, currently allows for revocation or suspension for a person whose mental condition is such a nature it poses clear and present danger to the applicant or any other person in the community."

Eddy: "Representative, my question was..."

Cunningham: "My point being..."

Eddy: "My question was..."

Cunningham: "My point being in that regard..."

Eddy: "...whether or not people came to you..."

Cunningham: "...is that actually, as we speak..."

Speaker Mautino: "Gentlemen, one at a time."

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Cunningham: "Actually, as we speak, State Law would enable the State Police to revoke a license in a similar type situation right now. What my legislation does is aim at empowering universities, secondary schools and other schools and investing them in the process, where if they feel like they need to take action there is a pathway for them to do that. It really does very little to change the way the FOID law..."

Eddy: "Representative, are you going to answer my question?"

Cunningham: "...is written right now."

Eddy: "You're taking up half my time answering something I didn't ask you. The question was, did a group, a large group of school..."

Cunningham: "No, I answered that. I said no."

Eddy: "Okay. Then... then give me the rest of my time to ask other questions. We don't need to take up all the time. I want to know where this came from. It's your own initiative? School districts didn't come to you and say we're having a tremendous amount of problems being able to report to law enforcement officials, erratic behavior. This... this was your brainchild because you think that they need authority that they already have and you point out correctly in the law already that a person whose mental condition is of such a nature that it poses a clear and present danger to the applicant, any other person or persons in the community, they already have the authority. The purpose of this Bill is what, then?"

Cunningham: "The purpose, as I just stated, the purpose of the Bill is to get the school community, get higher ed,

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secondary ed institutions part of this process. To let them know that they do have a path they can go down to hopefully prevent violent incidents on their campuses."

Eddy: "Representative, to the Bill very quickly. Ladies and Gentlemen of the House, I understand that from time to time somebody comes up with an idea they think is well-intentioned, but I got to tell you this is nothing that I see as an impediment to anybody in education, anyone in education right now. We have all kinds of opportunities and requirements to work with law enforcement officials. In fact, there are reciprocal reporting requirements in Code today that would require school districts to report to local law enforcement officials issues related to this kind of behavior. And really what you've done in this legislation, Representative, is you've held those school districts immune from their liability to do that. Because of what Representative Sullivan pointed out to you at the very end of this legislation, you're providing blanket immunity to those school districts. At this point, school districts understand their responsibilities with local law enforcement officials because there are multiple statutes that require reporting. They exist today. This does nothing more than continue the same old drum beat to erode the rights of law-abiding citizens by having another law, another mandate related to FOID card ownership which I'm... I'm beginning to wonder why we need that under the Second Amendment of the Constitution anyway. We have it because people have tried to carve out this niche. Let's let the laws work. Why don't we become more concerned about law

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enforcement than we are about creating ways to bother law-abiding citizens. Ladies and Gentlemen of the House, this is a simple vote. We don't need this. It's not necessary. It's just another in a series of attempts to erode Second Amendment rights. Although the Representative may be well-intentioned, this does not, this does not solve any problems and it causes problems for people who are trying to obey the law. Vote 'no'. This is... this is a candidate for the Century Club, Representative. I don't know why we even are... are discussing Bills that are common sense and we are allowed to do this and the law already covers the issue. Vote 'no'."

Speaker Mautino: "Further discussion? The Lady from Champaign, Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. Will the Sponsor yield? Is the list limited to FOID card issues only?"

Cunningham: "Yes."

Jakobsson: "Is it... that's my, you know, my real concern about this because we don't want someone who maybe is bipolar and their medications aren't effective for them at a particular time and they have some kind of a, you know, bad day."

Cunningham: "No, it just... it just pertains to their legal ability to hold a FOID card."

Jakobsson: "And we can... I'm just, you know, really concerned that that list then is only going to be secured there and not be allowed to be somewhere else in the hands of someone else who may want to use it for other purposes."

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Cunningham: "No, it would... it requires the... the university or school to work with their local police department and then the State Police. There's... no one else is involved in it."

Jakobsson: "Thank you."

Speaker Mautino: "Further discussion? The Gentleman from McHenry, Representative Tryon. Representative Tryon. Oh, in the gallery. Out of the rec... Excuse me. The Gentleman's not seeking recognition. The Gentleman from Menard, Representative Brauer."

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

Speaker Mautino: "He indicates that he will."

Brauer: "Representative, I might have missed where the idea of... the genesis of this Bill came from. Could you tell me that, please?"

Cunningham: "It's my initiative, my personal initiative."

Brauer: "Okay. Well, I was looking through our analysis and it talked about the fact that they were wanting to keep this from happening in other states. Can you tell me how many other states have FOID Cards?"

Cunningham: "I don't know. I believe Roger... Representative Eddy or another Representative on your side of the aisle said that only Illinois did."

Brauer: "That's correct. Illinois is the only state that has a FOID Card. So, you know, typically what happens with... a lot of laws are copied from state to state. This has been in place for almost 30 years. No other state has copied this bad Bill. No other state thinks that this is a good idea. And now we're going to give people the expression, the ability to go ahead and limit a bad Bill to begin with

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'cause you talk in there about limiting what happened in Virginia Tech. This will have no effect what happens in any state but Illinois."

Cunningham: "Yeah, I.. with all due respect, I believe you're putting words in my mouth, Representative. I never mentioned Virginia Tech. I didn't say that this would prevent things from hap.. incidents from happening. I said this would merely give schools a path to follow to help make their campuses safer."

Brauer: "Well, this will take the FOID Card away from people that bothers to get one, but if no one has a FOID Card this will have no influence at all."

Cunningham: "That's correct."

Brauer: "To the Bill. I think this is one of those well-intentioned Bills. I really have concern when we look at what this does to the Second Amendment. I think it's a bad Bill and I would urge an ay.. a 'no' vote. Thank you."

Speaker Mautino: "Further discussion? The Lady from Lake, Representative May. Further discussion? The Gentleman from DuPage, Representative Reboletti."

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

Speaker Mautino: "Indicates that.. yes."

Reboletti: "Representative, over the years I have served as an Adjunct Instructor of Criminal Justice at Triton College. Would I then be in a position of teaching prospective law enforcement students, some who are part-time police officers, some who are security guards. Do I have the authority then to basically put them in a position of

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losing their jobs because I believe they're acting in a mentally erratic fashion?"

Cunningham: "No."

Reboletti: "Well, what would... what would... walk me through a scenario in my classroom then if I think somebody's acting with some type of mentally erratic behavior."

Cunningham: "If... Sure."

Reboletti: "What would my job be?"

Cunningham: "Okay. Your job as an instructor?"

Reboletti: "Correct."

Cunningham: "Okay. If you had someone in your classroom that's making threatening statements, is acting in a... in an erratic manner, had made threats of violence, you could obviously report it to your administration. The Bill doesn't contemplate you taking action on unilaterally. Again, there are a number of checks and balances in place. You would have to report it to your administration. The administration would have to report it to the local police department of jurisdiction. They would have to agree, together, to contact the State Police and express their concerns and request that they revoke or suspend the FOID card."

Reboletti: "What about the driver's license? Would we also put a request in to suspend or revoke the driver's license if the person's acting mentally erratic?"

Cunningham: "No."

Reboletti: "Why wouldn't we take that step then?"

Cunningham: "You know, maybe you can point me to an incident that I'm not familiar of, but I'm familiar with several

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shootings on high school campuses. I'm not familiar with anyone driving a car through a lecture hall to kill people."

Reboletti: "Well, Representative, with all due respect, you're asking people to make decisions in classrooms that may or may not be correct decisions, and then you're asking them to go to the administration who then only can take hearsay evidence from a teacher or a janitor or an electrician or whoever's working in the school to then make a determination to then send that down to the State Police for them to make another subjective determination. So if you're going to take somebody's rights away, you're going to have to have some level of due process, you're going to have to have an opportunity to be heard. And I don't know if this is the right way in which to accomplish what you're trying to do. And I can appreciate that. I want to make sure that we have safe classrooms. I have a third-grader. I also teach in the schools, I want to make sure that the community colleges are safe, but the problem is that it's too subjective at this point and I would urge either a 'present' or a 'no' vote."

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

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

Speaker Mautino: "Indicates that he will."

Rose: "Representative Cunningham, how are you today, Sir?"

Cunningham: "Quite well, thank you."

Rose: "Good. I just have a couple of quick questions. First of all, Representative, in all seriousness police are

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already able to report this, someone that they suspect is having an issue, to the Illinois State Police. I know you worked for the Cook County Sheriff's Office, so you know this. So if there is someone on a University of Illinois campus why would not the University of Illinois police, in their better judgment, go ahead and do this anyway? Ergo, why is this needed because we already have law enforcement on all of our campuses that can do this anyway? So, obviously, if someone has a suspicion, they're going to refer that to campus police, campus police will follow up on it and if it is warranted, they will make a report to the State Police or an arrest if necessary."

Cunningham: "I think that's valid point when you talk about the University of Illinois. I there are major universities that have their own in-house police department. I think that there are mechanisms in place, but this Bill doesn't only... doesn't only affect those universities. It affects any institution of higher learning, also affects high schools who don't have those sort of law enforcement mechanisms in place."

Rose: "Well, but can't they, I mean, let me just... In all seriousness, I'm not... I'm not trying to be funny here. I don't know what a mathematician, which is the President of Eastern Illinois University, what basis in fact he would have to make a judgment call about someone's mental health, even though he has a Ph.D., he has a Ph.D. in mathematics. The University of Illinois President has a Ph.D. in history. That's not exactly someone who's trained to deal with mental health issues. I will... I'm a little concerned

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that you might have an administrator call the State Police to revoke a FOID Card without calling the police. And the..."

Cunningham: "Well, they can't do that the way the law's written. You cannot... they cannot unilaterally go to the State Police. They have to go through local law enforcement. When I first draft..."

Rose: "Then how is this any different than anything... I mean, I can call local law enforcement."

Cunningham: "Sure."

Rose: "I mean any teacher in any high school in Illinois can call local law enforcement. So, what are we doing?"

Cunningham: "What we're doing is drawing attention to this issue and we are empowering the schools. We are providing them with an extra measure they can take, an extra step they can take to safeguard their schools."

Rose: "Well, and Representative Cunningham, I... I have respect for you, Sir, and for the profession you came from for sure. I was a former prosecutor myself. But in my world review we can already do this under current law. Any citizen can file a complaint with the local police department who are trained to evaluate the voracity of that complaint, the seriousness of that complaint and take the appropriate action. Everything from the FOID Card notification to State Police, all the way up and to arrest of the citizen and I don't know why we would need this Bill when any citizen of Illinois can already do that. So, I... I respect you, Sir, but on this issue I don't think it makes a whole lot of sense to be codifying what we can do anyway."

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I mean, anybody in Illinois can pick up 9-1-1 and make a phone call. So, thank you, Mr. Speaker."

Speaker Mautino: "Further discussion? Representative Zalewski."

Zalewski: "Mr. Speaker, to the Bill. The Gentleman's entertained a number of questions about what the Bill does and what the... what... why the Bill's needed. And to put the rhetoric aside for a second and address two specific points. Number one, with regard to immunity: the Bill simply says that a school that makes this type of report to local police is granted immunity for the purposes of civil and actual liability. This type of immunity is granted in state statutes frequently, in my opinion, and there's no difference between this and any other type of immunity that we already grant in state statute. So, there's nothing different about this Bill than what we do already. Second, with regard to why this Bill is needed: I think what the Sponsor has said and what's been... what's been supported in... with empirical data is that a lot of these school administrators feel that there is no proper venue to address these types of students and in Arizona we saw what could happen with that... when that mechanism isn't in place. I would suggest that while we can already do this, this Bill gives the law enforcement and the school administration an opportunity through a fair and procedural way to allow these kids to be handled appropriately. I ask for an 'aye' vote."

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

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

Speaker Mautino: "He indicates that he will."

Osterman: "Representative Cunningham, I appreciate you bringing this forward, just a few questions. I'm confused by all the outlandish, you know, remarks about this terrible, terrible Bill. So, basically what you're trying to do is allow for high schools and colleges to allow their faculty, if they see someone that they see as erratic, a student, someone who may be going through mental health issues on the campus, they would go to local law enforcement, report that, local law enforcement after doing an investigation would then potentially, if they found it was warranted, go to State Police and say here's the situation we think should be looked at for revocation of a FOID card. The State Police would look at that and make a decision about revoking the FOID card or not. That's pretty much the gist of it."

Cunningham: "That's very simply what the Bill does. The State Law already recognizes that mental incapacity should in some cases disqualify you from holding a FOID Card. As we know, mental illness is very much underdiagnosed. Throughout our society and people who teach in universities and teach in high schools and other institutions of higher learning will tell you that they do have instances of students with undiagnosed mental health issues. This would help provide them with another way to safeguard their schools."

Osterman: "And while a campus security guard or someone else may see something, a teacher or someone who's in close

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contact on a daily basis or weekly basis with the student, who may know more about what's going on in that young person's life, may be more aware and see more that's there that would cause him or her concern to raise this issue about the individuals, not only the well-being of everybody else in the classroom or at the school, but with the high rates of suicide potentially the individual's own public... their own safety."

Cunningham: "That's correct."

Osterman: "This also deals with immunity for those universities that do everything that they can on the right way to protect their student population as well as... as well as the individuals involved."

Cunningham: "That's also correct."

Osterman: "So, Ladies and Gentlemen, to the Bill. You know, while all of us want to get up and beat our chest about the Second Amendment, what the Representative is trying to do is protect universities and all of us should have that concern. This Bill is well-intentioned and it's good public policy. There's currently backlogs and loopholes on information that should go into the state database dealing with those people with mental illness. We don't need anymore examples of schools or universities with mass shootings. They're far too often. If you think they're never going to happen again, all of us will unfortunately see the day that that does happen. All of us must do everything in our power. This does not whittle away at the Second Amendment rights. It simply says that someone can't have a FOID card and thus would not be able to own a

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firearm. To those people that want to take the FOID card away, I would remind all of them that about 800 people a year with FOID cards, people that claim to be law-abiding citizens, 800 of those people not allowed to purchase a firearm because of background checks because of those FOID Cards. Eight hundred people with domestic abuse, convictions, revoked parole and a number of other situations. So, with that, I would ask for the support of this important public policy. Thank you."

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

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

Speaker Mautino: "Indicates that he will."

Davis, W.: "Representative, I think someone asked the question earlier, but does this apply to only four-year institutions or two-year institutions?"

Cunningham: "Any institution of higher learning, which would make it apply to junior colleges, two-year institutions."

Davis, W.: "Okay. So, obviously I'm not a lawyer, so you'll have to explain some of this to me. So, how subjective is the determination that someone's behavior is erratic? Where does it speak to what erratic behavior is, anywhere in this?"

Cunningham: "Well, it talks about making threatening statements and acting violently. And of course those type of incidents would have to be reported to the administration and the administration would have to report it to the local police department who would have to investigate it, find them credible and then report them to the State Police."

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Davis, W.: So, this speaks to a teacher, correct?"

Cunningham: "Potentially, that's where it could start, with a teacher."

Davis, W.: "This is directed toward a teacher. So, does a student have the ability to do this?"

Cunningham: "A student could. The main initiation is from the school administration. So, potentially a student could bring something to the attention of the administration."

Davis, W.: "Okay."

Cunningham: "A student could not unilaterally set the wheels in motion."

Davis, W.: "Okay. But if a student only witnesses this behavior and they go to the administration, then it is unilateral because a student is saying I observed this."

Cunningham: "The administration would.. yeah, the administration would have to agree that there's a pattern of this behavior here and further the local police department that investigates it would have to do the same."

Davis, W.: "So... so you're going to get a pattern of behavior. So it has to happen more than once?"

Cunningham: "Not necessarily. I mean, it depends on the severity of the incident. It provides the school with the ability to make... the individuals that are with the tea... with the students on a daily basis, watching their behavior. They have the opportunity to evaluate that behavior, report it to the local police department. The local police department would have to investigate it as well in order to, as I said, start the wheels in motion."

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Davis, W.: "So what are they investigating? I mean, so on a day that I come to school somebody thinks that I'm acting erratic or maybe threatening in some respect. So, what behavior... how do they investigate something like that if it happens once?"

Cunningham: "Well, that would be up to the investigative techniques of the local police department exactly who they talk to or what statements they take."

Davis, W.: "But don't you think that because of what's happened on the university campuses, that you're pointing out, that someone might want to err on the side of caution even though they have nothing to investigate?"

Cunningham: "They could. Again, it's important to point out this is completely optional. They do not have to go down this path if they don't want to, but it's totally up to the administration."

Davis, W.: "But your objective, though, is to provide cover and protections for someone that, if they didn't report it and somebody... unfortunately there was an incident, you're trying to provide cover to say, well, why don't I just err on the side of caution and just say I think this person's acting erratically. If something happened, then at least I'm protecting myself. So, I guess what I'm... I'm losing the subjectivity of this that really... really causes someone to really examine, really someone's behavior and not just make a flash judgment, whatever the case may be. That's really what my concern is and I think I voiced the concern of a lot of other individuals, you know, that someone can just make an arbitrary decision that someone is acting

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erratically and then it goes through a process and because someone does not want to err on the side of caution because you never know when someone actually may be or have the potential of causing harm to others, that someone goes through an unnecessary process, their name gets dragged through something when maybe they weren't dangerous at all."

Speaker Mautino: "Further discussion? The Gentleman from Saline, Representative Phelps."

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

Speaker Mautino: "He indicates that he will."

Phelps: "Representative Cunningham, I'm still having a lot of people come back to me and I think I'm one of the final speakers on this. In all due respect, I know what you're trying to do to make our learning facilities a better place, a safer place, if you will. But I think there's a lot of problems the way the Bill is drafted and I want you to clarify some of these for me, not only me, for some of the other people in the General Assembly. You spoke of students and former students. Is there anywhere in this legislation that describes the time limit that we can go back on a former student in this Bill?"

Cunningham: "No... no. No, there's not."

Phelps: "Okay. Personally, I think that's..."

Cunningham: "Yeah, I understand what you're saying."

Phelps: "Okay."

Cunningham: "The idea behind that would be if, say, a school took action, did suspend someone, did expel them immediately, they could then invoke this sort of action..."

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Phelps: "Okay."

Cunningham: "...sometime after, but it is not time-specific."

Phelps: "Okay. So... so, the scenario of that, what if Representative Rose and I went back to Charleston and Eastern Illinois University, not trying to be cute here, and we... we're talking on this Bill and we had an administrator say, we think you're wrong on that debate that you had with Representative Cunningham and we start talking about it and he says, Representative Rose and I are acting bad or acting up, then he goes and turns us in. Could that administrator take our FOID Card away? Does he have the authority or she..."

Cunningham: "No."

Phelps: "...to take our FOID Card?"

Cunningham: "No. The administrator has no such authority. All the administrator has the authority to do under this legislation is to call the local police department, ask them to come in and investigate the matter and if the local police department agrees that it is a concern, then the complaint goes to the State Police."

Phelps: "Okay. Now, just right there. To go back on Representative Osterman and if I have any time left I don't plan on yielding it to him, just so you know, but to back on what he was saying, so with this legislation what is really different than what we can do now?"

Cunningham: "The difference is that this... this legislation brings attention to this issue and empower the school districts and the institutions of higher learning that there is a path that they could follow to take extra

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precautionary measures to prevent violence from occurring on their campuses."

Phelps: "Okay. Now, let's go back to Representative Will Davis, great friend, what he was talking about. Is there anything in the language, in the legislation that describes the behavior or is it deemed different from each point of view from every person or person? Is it going to be different so there's really not the behavior described in here? It's going to be different from every person, correct?"

Cunningham: "Do you mean every person's perception of the behavior?"

Phelps: "Exactly."

Cunningham: "Okay. I suppose that is correct."

Phelps: "Okay."

Cunningham: "Obviously, it calls for certain elements like threatening behavior or violent behavior."

Phelps: "Yeah. And so to the Bill. Ladies and Gentlemen, I hope it clarified some of this up. I hate to kill any kind of Bill on this, but I think this could be drafted better. I think the Gentleman could get more votes with that. I just got to say this is the wrong path and I urge a 'no' vote."

Speaker Mautino: "Representative Mautino in the Chair. Further discussion? Representative Lang."

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

Speaker Mautino: "Indicates that he will."

Lang: "Thank you. Representative, I certainly share your view that we've had far too many problems at schools with

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erratic people who bring guns, who could be dangerous and I must say that I'm rarely on the side of some of the people we've heard on the floor today, but I think I might be today not with you. And let me try to tell you why and maybe ask a question or two. Your Bill... your Bill refers to the administration. That's the word that's used deciding that someone is erratic. Well, it doesn't say who the administration is. It doesn't say if it's a teacher, a dean, a professor, a staff person, a psychologist, it just says the administration. It also doesn't define erratic behavior. And so as an attorney I have learned that you have to have some nexus, you have to be able to show through some kind of convincing evidence the chain of this decision. You have to be able to show, it seems to me, how the decision is made. The student should be entitled to some kind of due process and so, if some nameless, faceless administrator reports this student for what is erratic behavior, whatever that person thinks it might be, without any kind of training and the person doesn't even know that this report has been made, what opportunity do they have for due process? What opportunity do they have to make... to the have administration take a step back and at least listen to a point of view. Perhaps a student had an erratic day, but isn't an erratic person. Perhaps the student is going through some personal turmoil, but really is okay. I note that you don't have anything in here about referring it to a social worker or a school psychologist, the school psychiatrist, and it seems to me if you did those things, this would be a better Bill. And so if this

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Bill had a clear chain of command; how this got reported, to who it got reported, how a decision was made and that a mental health professional be involved and there be some definition about what the word erratic means, I would be much more inclined to support your Bill. But I don't see those things and I'm wondering if you have a comment on that."

Cunningham: "No, just a couple of issues. First of all, the language of the Bill is very much patterned after existing language in the FOIA statute. Or excuse me, the FOID statute. It talks about mental condition. It, too, does not define... elsewhere in the statute does not define the elements you're speaking of. I wouldn't say that those... I agree that those are legitimate points. I patterned it after existing legis... existing language in the statute that also fails to identify those elements. But I think that that is legitimate... I think those are legitimate concerns."

Lang: "Well, so I don't know if this is something you're interested in doing, but if you're interested in my vote, my one vote, I would have to have this defined better. To say that the 'administration', just put that word in quotes, can make a decision to report somebody as erratic, it just doesn't sound like enough... enough evidence. It doesn't sound like you've got a chain from... Okay. Who has to see this student be erratic? If a professor sees it, do they get to report it? If they have to report it to someone else, to whom do they have to report it? What if five students see someone being erratic? Can they report

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it to another person? And why is there no appeal process in this Bill?"

Speaker Mautino: "Repre... Mr. Lang."

Lang: "Thank you. I just want to say, these are the things that concern me about the Bill. And I would be, again, I would... I would be interested in joining you in this Bill if those things could be cleared up."

Speaker Mautino: "There has been a request for verification by Representative Eddy. And with that, Representative Cunningham to close."

Cunningham: "Mr. Speaker, I'd ask that the Bill be pulled from the record and back to Second Reading."

Speaker Mautino: "Take the Bill out of the record. The Lady from Lake, Representative... Place the Bill on Second Reading. No longer a need for the verification, Mr. Eddy. And the Lady from Lake, Representative May is seeking recognition."

May: "Yes, thank you, Mr. Speaker. I have an announcement. I'd like to invite everyone to the Capital Development Board Office at 4 p.m. tonight in the Stratton to receive the report from HJR45, which I was proud to Sponsor and we had much bipartisan support. This is the Green Schools Task Force and their report is done, so they're providing some refreshments and invite all of you to stop by if you don't have another commitment. I'd also like to recognize Representative Pritchard who has served on the task force with me under the leadership of the Green Building Council and we had public/private partnership with the State Board of Education, Capital Development Board, Green Building

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Council, the architects, many, many other people. And I'd also like to recognize Representative Mussman, one of our great freshmen, who is going to spearhead a Green Schools Caucus. From this day forward, you've got the Legislator's Guide to Green Schools recently, so I hope you'll look at that and I hope you'll stop by and pick up your copy of our report. Thank you."

Speaker Mautino: "The Lady from Kankakee is seeking recognition, Representative Dugan."

Dugan: "Thank you, Speaker. If you will indulge me I just want to talk just a little bit about March is Women's History Month. So, if you will indulge me."

Speaker Mautino: "Proceed."

Dugan: "I want to tell the House about Sarah Raymond, an Illinois native who was born in LaSalle, now Kendall County, in 1842. She was 24 years old when she graduated from a four-year course at Illinois State Normal University in 1866 and took a job in a private school. Two years later she joined the District 87 (Bloomington) faculty as a primary teacher at the Old Barn School and two years later was made principal. In her third year she was appointed principal of what became Sheridan School and the following year was named principal to organize yet another new large school. And when the principal resigned the next year to return to his medical career, there was Miss Raymond ready to take full charge of the high school. She accepted the position at \$1 thousand a year, which was \$600 less than her predecessor had received, simply because unwritten board of education policy discriminated against women.

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Four months after she was named principal of the high school in August of 1874, she was summoned by the board and asked to accept the position of superintendent of the school system at once. Her predecessor in that job had been caught with his hand in the till. Even then she was paid \$1,400 a year, \$600 less than the thief. She was the first woman superintendent of Bloomington Schools and one of the few in the country. So, again, we're just recognizing women during Women's History Month of... in Mar... in the month of March. Thank you, Speaker."

Speaker Mautino: "It's the plan of the Chair to continue on, on Third Readings. We are going alphabetically by height. The next one will be Mr. D'Amico. Do you wish to call House Bill 14... excuse me, 1315? Read the Bill."

Clerk Mahoney: "House Bill 1315, a Bill for an Act concerning transportation. Third Reading."

Speaker Mautino: "The Gentleman from Cook."

D'Amico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1315 is an initiative of the Illinois State Police. It's just going to prevent people from riding on trailers on the highway. I encourage an 'aye' vote."

Speaker Mautino: "The Gentleman moves passage of House Bill 1315. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hays, Representative Lang, Representative Winters, do you wish to be recorded? Mr. Clerk, take the record. 114

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voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 1315 is declared passed. Representative Monique Davis, House Bill 2086. Out of the record. Representative DeLuca, House Bill 1512. Read the Bill."

Clerk Mahoney: "House Bill 1512, a Bill for an Act concerning spending. Third Reading."

Speaker Mautino: "The Gentleman from Cook."

DeLuca: "You clarify that's the right Bill number? Yes."

Speaker Mautino: "One moment while we're correcting the board. Please take this Bill out of the record. Okay. Place that Bill back on the board. That's House Bill 1512. The Gentleman from Cook."

DeLuca: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 1512 creates the Commission on Taxpayer Oversight and Reduction of State Spending Act. This was created to examine expenditures of the state and make recommendations to the Governor and the General Assembly to reduce state spending. We will conduct investigation to ascertain facts, review appropriations and expenditures, make recommendation and reports concerning revenues and expenditures of the state, its departments, subdivisions and agencies. We will also review programs, strategies, activities conducted by agencies and grant recipients to determine whether they are achieving the prioritized outcomes and meeting the goals established. Now, this will be a 10-member commission; 8 Members of the General Assembly, two from each caucus; two members will be appointed by the Governor, but will not be voting members. I ask for your support and your 'yes' vote."

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Speaker Mautino: "The Gentleman moves passage of House Bill 1512. On that question, the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you. Would Representative Smith-DeLuca yield?"

Speaker Mautino: "Absolutely, they will."

Eddy: "Representative, what happens to this report? You said it goes to the Governor, does it come back to the General Assembly?"

DeLuca: "Only if the Governor rejects what is submitted to him.. the recommendation that's submitted to him."

Eddy: "So, there's 10 members; they'll vote on the final product?"

DeLuca: "Eight of the 10 members will vote."

Eddy: "Eight of the 10. So, by a majority vote, they approve the recommendations to the Governor's Office and then the Governor has the choice to accept? Is he bound if he accepts the recommendations to implement those recommendations in the budget?"

DeLuca: "Yes. If he accepts them, yes."

Eddy: "Okay. So, if he then rejects the report, the General Assembly becomes involved?"

DeLuca: "Yes, he rejects it in writing and I believe he has 30 days to submit that rejection in writing to the General Assembly. And then the way the General Assembly would react to that is create legislation and move forward that way."

Eddy: "Okay. So at the end of this process is the normal budget appropriations process that we would enact. We're just giving the Governor kind of a direction heads up as we develop the budget process."

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DeLuca: "That's correct, but it doesn't have to be part of the budget process."

Eddy: "Okay."

DeLuca: "It gets this specific issues... specific items..."

Eddy: "I can't imagine the Governor ever..."

DeLuca: "...that are identified."

Eddy: "...rejecting one of your ideas or something that is a seed from one of your ideas. So, I don't think that'll ever happen 'cause this is obviously a move toward the budget process which is supposed to focus on outcomes, correct?"

DeLuca: "That is correct."

Eddy: "Okay. So I think everybody's in agreement here. I guess I was just wondering why this didn't come back to the General Assembly for a vote, but the reason is, at the end of the day, we have final say in the budget process."

DeLuca: "Yes, that's correct."

Eddy: "Okay. Thank you, Representative. I urge people to support it. I think it's a... I think it's a good interim step to show that we're moving in the direction of a... of a responsible approach to a budget that's well-thought-out, that has recommendations. And I see all caucuses are represented in this and I think it has potential here to help what has been a really bad budget process. Vote 'yes'."

DeLuca: "Thank you."

Speaker Mautino: "The question is, 'Shall this Bill pass?'
Excuse me. Representative Hays is seeking recognition."

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

Speaker Mautino: "He indicates he will."

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Hays: "Representative, are the members of this taxpayer oversight board compensated beyond mileage and incidentals and are they eligible for the state's health care plan?"

DeLuca: "No, they are not and there is no travel reimbursement."

Hays: "Thank you."

Speaker Mautino: "The question is, 'Shall this Bill pass?' Gentleman moves passage of House Bill 1512. All in favor will vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 1512 is declared passed. The Gentleman from McHenry, Representative Tryon."

Tryon: "Thank you, Mr. Speaker."

Speaker Mautino: "Welcome back."

Tryon: "Thank you. I rise for a point of personal privilege and... Absolutely. And I just want you to know that today is the Student Nurses Political Action Day. And in Springfield today we have nurses from all over the state. And if you would welcome with me, especially nurses from Northern Illinois University in the back there and one of them is my daughter, Lauren, who is on the House Floor with me here, so... So, give them a welcome. Thank you."

Speaker Mautino: "Welcome to the House of Representatives. Representative Eddy, on the Calendar appears House Bill 3139. Read the Bill."

Clerk Mahoney: "House Bill 3139, a Bill for an Act concerning highways. Third Reading."

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Speaker Mautino: "The Gentleman from Crawford."

Eddy: "Thank you, Mr. Speaker. This Bill basically allows for the Department of Transportation to issue switchgrass production permits if we're... right-of-ways. It's something that is already allowable and they have a system set up to allow for this. It just allows for a certain crop, switchgrass, which can be used in ethanol production and I would appreciate your support. This came from some gentlemen in my area who would like to see this crop highlighted for use in ethanol production. I'd be happy to answer questions."

Speaker Mautino: "The Gentleman has moved passage of House Bill 3139. Question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Chapa LaVia, Representative Will Davis, Representative Saviano? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 3139 is declared passed. Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Representative Tryon acknowledged some lovely ladies earlier and he said his daughter is up there, but I think the Body should have the opportunity to see his daughter. Perhaps she would stand."

Speaker Mautino: "Miss Tryon, would you please rise? And from the Speaker's podium I would like to acknowledge the lovely ladies from Illinois Valley Community College, the nursing program in LaSalle County. Welcome. Representative Dugan, 1095. Do you wish to call this Bill? Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 1095, a Bill for an Act concerning State Government. Third Reading."

Speaker Mautino: "The Lady from Kankakee."

Dugan: "Speaker, I think it's supposed to be House Bill 147. I'm just going by the list, but..."

Speaker Mautino: "The Bill that we're calling on the list, we're going by priority Bills, is House Bill 1095 that you have listed."

Dugan: "Okay, could you hold on for just a second?"

Speaker Mautino: "Would you like to call that Bill?"

Dugan: "Okay. Speaker, House Bill 1095."

Speaker Mautino: "We're delighted."

Dugan: "Thank you. House Bill 1095 addresses an issue that was brought to me by a constituent that has to do with rebuilt flame safeguard controls. These particular rebuilt flame guard controls are in furnaces and they're in the ignition switch and it seems as though... those are... they're used in Illinois. And the issue that was brought forward was actually in a school. And of course if these thing... if these malfunction, of course they certainly can cause a fire, they can cause an explosion. And so what this House Bill does is it prohibits the use of flame guard safeguard controls in furnaces in commercials and schools. Not in residential, but in commercial and in schools. And I'll certainly answer any questions."

Speaker Mautino: "The Lady moves passage of House Bill 1095. On that question, the Gentleman from Jasper, Representative Reis."

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

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Speaker Mautino: "She indicates she will."

Reis: "Representative, just one question. Our analysis says in nonresidential structures. Is agricultural buildings exempt 'cause we use a lot of furnaces in agricultural buildings and I just..."

Dugan: "I believe... Representative, I believe so because we're talking about commercial and school facilities. So I don't think the agriculture buildings would fall into that, but I certainly would be happy to check. And if I do need to exempt those I can certainly do that in the Senate when the Senator takes the Bill. I'll check into that."

Reis: "Okay. Thank you."

Dugan: "Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Winnebago, Representative Jefferson. Representative Jefferson? The Lady moves passage of House Bill 1095. All in favor will 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 Saviano, Representative Rose. Mr. Clerk, take the record. 113 voting 'yes', 1 voting 'no', 0 voting 'present', House Bill 1095 is declared passed. Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker. Members of the General Assembly, I would like to ask you to indulge me in congratulating Leader Colvin on his birthday today. If we could give him a round of applause. Leader Colvin, happy birthday."

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Speaker Mautino: "Happy birthday, Marlow. House Bill 2009, Representative Fortner. Do you wish to call this Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2009, a Bill for an Act concerning elections. Third Reading."

Speaker Mautino: "The Gentleman from DuPage."

Fortner: "Thank you, Speaker, Members of the House. House Bill 2009 will codify some recent court decisions that have dealt with the issue of when it is and when it is not permissible to switch Parties. It's a very simple basis that the courts have used and that's the basis of this Bill as well, which is to say that whenever you're between election cycles, whether they be odd-year or even-year cycles, you're free to switch Parties. But once you have committed by voting a particular way in a Primary, you're committed to be in that Party in terms of what candidacy you might choose to adopt through that cycle. I'd be happy to answer any questions."

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

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

Speaker Mautino: "He indicates that he will."

Franks: "Representative, why do we need this Bill?"

Fortner: "I think that, though we've had court decisions on this, many people who are looking to run for office don't necessarily want to have to have a lawyer research a bunch of case laws to understand what the rules are. By having it part of the Election Code, it's clear to anyone who

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would choose to be a candidate, what is the law in Illinois."

Franks: "But why would it be good public policy to pass this Bill?"

Fortner: "Well, I think that when someone has committed to vote a certain way in a Primary, they've made a declaration of what Party for that election they wanted to associate themselves with. And if they want to be that way, that's fine. They've made that commitment and it's clear to both the voters as well as to a person who might consider a candidacy that they've made that commitment."

Franks: "But who cares? I mean, think about Senator Lieberman, for instance, and he ran as a Democrat in his Party's Primary and he lost and then he ran as an Independent and became the United States Senator from his state. What you're saying is, if someone loses a Primary that they should not be able to run even as an Independent, correct?"

Fortner: "In the particular case you cite he would not be able to do so already under Illinois law because we have a 'sore loser' provision, as it's often termed, that says if you lose a Primary you cannot file for that same office. It is true that if they wanted to then run for a different office as Independent, this Bill would have that same effect 'cause it connects the Party in all respects. But we already have a lot of that in place."

Franks: "Do you... I don't agree with that law and what about a sore winner? You had a guy who won the Democratic Primary this last time and then dropped out after winning the Primary, giving up his Party's nomination and then deciding

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to run for another office as an Independent. Why should we restrict individuals to run for public office? Where is the public policy in that?"

Fortner: "I think if someone is considering to run as an Independent and we've candidates, in fact, on this last ballot as well, who chose to not take a Party ballot and then run as an Independent. This doesn't prohibit them. I think the problem that you're suggesting is in fact because of a different issue that you and I have tried to work on, the fact that our Primary is so far removed from our General Election. You and I have both worked on this in the past and I think we both agree we'd like to see a shorter cycle. That's a different matter of policy than this and I think this would be much clearer than that, but nonetheless that Primary is part and parcel, I believe, of the associated General Election."

Franks: "I appreciate that and to the Bill. And I respect the Gentleman very much. I think he's one of the brightest Members that we have and we're lucky to have him, but I think he's dead wrong on this Bill. I don't see why we, as a Body, should be telling people that they should not be running for office. We should not do anything to prohibit people from running for office. As a matter of fact, in this state we should encourage as many people to run for office as possible. We need good people to be part of our system. This Bill is simply a way to help strengthen Parties, to protect Party Leaders and to coalesce power in fewer people. This is the wrong policy that we should have for the State of Illinois. This is the opposite policy of

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what we should have. We've had so many problems in our state. We've had so much corruption in our state. We ought to encourage everyone who wishes to run for office. And so what if they lose a Party Primary. If they want to run as an Independent, let them. There should be nothing impeding someone to run for office. I encourage all of us to vote 'no' and to send a very strong message that we want to open up our electoral possibilities in this state instead of restricting them."

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

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

Speaker Mautino: "He indicates he will."

Davis, W.: "Representative, so as I'm reading our analysis of your Bill, I just want to make sure I understand something. So if someone filed papers as a Democrat, got petition signatures and filed those papers, but withdrew them at some point in the process because they can withdraw, does this prohibit them from then becoming a candidate for another political Party?"

Fortner: "Yes, it treats the filing of papers of candidacy the same as if they were to take a Primary ballot associated with that Party. So in either case they have made that step. Simply circulating petitions would not bar them from changing, but the act of filing is treated the same as the act of voting a particular way in a Primary."

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Davis, W.: "So what if someone circulated petitions for two established political Parties and actually filed both sets of petitions?"

Fortner: "I think they would likely be challenged and we certainly seen chall... we saw challenges even by candidates who signed petitions for another Party. There was a case in 2010 of a candidate that signed a petition for another Party and was ruled invalid because of merely signing for a different Party. So I think we already have that case that comes up before us."

Davis, W.: "Well, what I want to be clear about and my colleague just wanted to know in a situation where someone files, their petitions are challenged and they're kicked off the ballot, then does this prohibit them from showing, you know, after the fact, where they get appointed by the political Party."

Fortner: "By the other Party, you're saying..."

Davis, W.: "By another Party."

Fortner: "By a different Party."

Davis, W.: "Absolutely. That was a question from the colleague. But... I'll let you answer."

Fortner: "What this says is that it's the act of filing is treated the same as the act of taking a Primary ballot. That's the commitment from that candidate as to what Party they want to be associated with for that one election cycle."

Davis, W.: "Well..."

Fortner: "So I think the answer is that, yes, it would in that particular case."

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Davis, W.: "In that particular case. But again, going to where someone circulated petitions for two different political Parties, how's that any different than if someone circulated petitions for two different offices under the same Party. They file both and then before the appropriate deadline they make a decision for which office they actually want to run for and withdraw. So how's that any different than if there are two political Parties? I circulate petitions, submit both of them and before the appropriate deadline, I pull one?"

Fortner: "Well, certainly I've seen and perhaps you've seen as well the case where other well-meaning people, in fact, circulate petitions on behalf of someone. What matters is what does that person then sign to when they file that statement of candidacy with their own signature on it. I mean, I can circulate a petition for other people. They may or may not choose to run. I can say hey, look, I've circulated this petitions for you. That doesn't obligate them. What obligates them is when they choose to sign their name to the statement of candidacy as an act of filing."

Davis, W.: "But again, if it's not expressly prohibited that someone can actually file two sets of petitions for two different political Parties, I'm just trying to figure out... So, your Bill, how does it treat the filing?"

Fortner: "Well, in that case, as I say, I think normally you'd find a challenge because we've seen challenges of exactly that kind."

Davis, W.: "Well, I'm not..."

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Fortner: "My Bill does not address that specific..."

Davis, W.: "Okay."

Fortner: "...instance that you're... if someone were to file for two different offices under two different political Parties, this does not address that specific case."

Davis, W.: "Okay. So, this is something that you probably would have to address if this Bill passes because that could be a situation."

Fortner: "That certainly could be..."

Davis, W.: "And it may not be Democrat/Republican, but it could be one of those and a Green Party because we've seen people who file as a Democrat or Republican, they may get kicked off the ballot and then they show up as a Green Party. So I guess that somewhere being a Green Party candidate is acceptable to whatever their political ideology is. So I'm just wanting to..."

Fortner: "Well, first of all, the case I think you just mentioned would be covered if the other Party was an established... this has to do with what you file with an established political Party. So it only would..."

Davis, W.: "But we're talking about two established political Parties..."

Fortner: "At this time..."

Davis, W.: "...if you file."

Fortner: "...at this point there are only two. Now, in the previous cycle there were three, now there are two. It depends on the votes received."

Davis, W.: "I thought there were three. So they're not established anymore?"

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Fortner: "That de... There had been three established political Parties..."

Davis, W.: "Okay."

Fortner: "...after the 2006 election."

Davis, W.: "I see."

Fortner: "At this point, based on the percentage of vote that were received in the 2010 election, there are two..."

Davis, W.: "There are only two now?"

Fortner: "...established Parties."

Davis, W.: "Thank you very much, Representative. I appreciate it."

Speaker Mautino: "Representative Fortner to close."

Fortner: "Thank you very much. Again, House Bill 2009 is really nothing different than what is already the law of Illinois as established by the Illinois Supreme Court. It does have two benefits, though, by codifying that decision. One is to make it clear to potential candidates by just simply looking at our state's statute, what is the law of the land. It will also make it easier for the State Board of Elections when they choose to adjudicate filings because they will now have clear statute that they can point at when they have to do adjudications. I'd ask for an 'aye' vote."

Speaker Mautino: "The Gentleman moves passage of House Bill 2009. All in favor vote 'yes'; opposed vote 'no'. Voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative DeLuca, Gordon, Harris, Jackson, Soto, Zalewski, do you wish to be recorded? Representative Soto, Zalewski. Mr. Clerk, take

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the record. 75 voting 'yes', 38 voting 'no', 1 voting 'present', House Bill 2009 is declared passed. Representative Gabel, House Bill 1338. Read the Bill."

Clerk Mahoney: "House Bill 1338, a Bill for an Act concerning health. Third Reading."

Speaker Mautino: "The Lady from Cook."

Gabel: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 1338 codifies the existing immunization registry which is run by the Department of Public Health. It makes it easier for health care providers to enter data into the system and allows individuals or their parents to opt out of having their records included. I encourage an 'aye' vote."

Speaker Mautino: "The Lady's moved passage of House Bill 1338. On that, the Gentleman from Crawford, Representative Eddy."

Eddy: "Representative Gabel, I just want to make sure that the Body is... understands exactly what this does. This does not create a new registry?"

Gabel: "Correct."

Eddy: "Then what's the purpose, state that again, of the existing registry? Does it make people aware at the time that they... that they're signing into that registry?"

Gabel: "Right now, health care providers have to get a signature from every parent in order to put their immunization records into the registry. What this legislation does is it allows providers to give the parents a sheet of paper when they first come in and they can decide at that point if they want the immunizations in or out."

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Eddy: "So instead of the current process, which has to be affirmative, they would go into the registry unless they opt out?"

Gabel: "Correct. But they will... but we put an Amendment on where they are all going to be given a form to fill out when they come in, if they want to opt out."

Eddy: "Okay. So will there be some kind of prominent placement of the opt out provision on the form so... so..."

Gabel: "Yes."

Eddy: "I mean, it's an existing registry, it's a subtle change. But how will the individuals know that in a stack of papers that they're being provided at the time they're getting these immunizations that they have the option to opt out? How is that clear to them?"

Gabel: "Well, the health care provider will be required to present this form to the parents to have... and show them that they can opt out."

Eddy: "Do they have to point that option out verbally or is the option contained somewhere within? What's..."

Gabel: "The sheet is just a one-pager and there's not a lot of language on it. So it will be very clear that it's an opportunity to opt out..."

Eddy: "Okay."

Gabel: "...to having their..."

Eddy: "Well, I think that's important because at this time individuals have to opt in. It is an affirmative decision on their part and they're... they know they're doing it. My only concern is whether or not individuals would know... not

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knowingly become part of a registry simply because they didn't realize they had that opportunity to opt out."

Gabel: "Well, at this point there are very, very few, if any, parents who do not sign the form when it's given to them from their provider to opt in."

Eddy: "Okay."

Gabel: "So, this is just making it really easier for the provider."

Eddy: "So if there are very few, what is the genesis of this? Why is it needed if it's something that's not a major problem?"

Gabel: "It's to make it easier for the provider. The providers have said that they would like to have... it'd be easier for them to be able to use the registry. Right now, the registry, it's not mandated, it's optional."

Eddy: "Right."

Gabel: "And we are working with the providers on a number of different areas that we can make it easier for them to use the registry."

Eddy: "Well, this doesn't make it mandatory either."

Gabel: "No, no."

Eddy: "It just changes the option from an affirmative to the individuals having to request the opt out..."

Gabel: "Correct."

Eddy: "...which... which I just hope is... is known to them, that they have that option and if they really want the registry information not to include their immunizations, that they have that clearly stated to them. I appreciate what you're trying to do. I think you're trying to make it easier for

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the providers and also maybe increase the accuracy or of the database, but..."

Gabel: "Correct."

Eddy: "...but if your intention is to allow that opt out to be known, I think this is okay."

Gabel: "Thank you."

Eddy: "And I think that's your intention."

Gabel: "Yes."

Eddy: "Okay. Thank you."

Gabel: "Thank you."

Speaker Mautino: "Further discussion? The Lady from DuPage, Representative Bellock."

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

Speaker Mautino: "Indicates that she will."

Bellock: "We had a lot of discussion over this in the Human Service Committee and I know almost every health care provider and health... public health is for this Bill. I just wanted to go back over the Amendment that you brought back to committee because what Representative Eddy was just asking the question was of great concern to myself and a couple of other people. So please explain to us how that process works again when we address the opt out issue."

Gabel: "What it says is, the printed immunization data exemption form will be distributed in conjunction with the vaccine information statements that are required to be disseminated by the National Childhood Vaccine Injury Act before giving any vaccine containing, and then it lists all the different vaccines in there."

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Bellock: "So is the form... I thought the form was being given to the parent when the vaccine was being given."

Gabel: "Yes."

Bellock: "That's correct."

Gabel: "That is when it will be given."

Bellock: "Okay."

Gabel: "Yes."

Bellock: "Thank you. And we thank you for addressing that issue because there is a lot of concern on that. Thank you very much."

Gabel: "You're welcome."

Speaker Mautino: "The Lady's moved passage of House Bill 1338. All in favor will 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 Morrison, Pihos? Mr. Clerk, take the record. 108 voting 'yes', 5 voting 'no', 1 voting 'present', House Bill 1338 is declared passed. Representative Hammond, House Bill 3178. Read the Bill."

Clerk Mahoney: "House Bill 3178, a Bill for an Act concerning wildlife. Third Reading."

Speaker Mautino: "The Lady from McDonough."

Hammond: "Thank you, Mr. Speaker. House Bill 3178 amends the Wildlife Code. It provides that a person who possesses an appropriate license, stamp or permit for fur-bearing mammals and the season for the species is open, shall be able to take or possess a fur-bearing mammal that is found dead or unintentionally killed by a vehicle along a roadway. I'd be happy to answer any questions."

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Speaker Mautino: "Is this your first Bill?"

Hammond: "...Mr. Speaker."

Speaker Mautino: "Your first Bill's a roadkill Bill?"

Hammond: "Yes."

Speaker Mautino: "Okay. Thirty-seven lights just lit up. The Gentleman from Jackson can start us off, Representative Bost."

Bost: "Will the rec... will the Sponsor yield?"

Speaker Mautino: "She indicates she will."

Bost: "So your first Bill is roadkill?"

Hammond: "Yes, Representative."

Bost: "And basically you're saying that if someone has their vehicle and they hit a deer, per se?"

Hammond: "A deer would not be included in this specific Bill."

Bost: "Oh, it's a possum."

Hammond: "It's... yes."

Bost: "A possum would qualify."

Hammond: "A possum would qualify."

Bost: "A skunk. A skunk might work?"

Hammond: "Yes, a skunk would work as well."

Bost: "And... and if it is laying dead alongside the road, you can actually claim this and... Explain this Bill one more time."

Hammond: "During a specific season, if you have the proper license or stamp you may pick up a fur-bearing mammal from the side of the road that has been killed or unintentionally killed by a vehicle."

Bost: "Don't you believe that certain people will just go, ooh."

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Hammond: "I assume that there's certain ones would, but then there are others that go, ooh!"

Bost: "Oh, oh. If, now... But this particular fur-bearing animal must be in season, correct?"

Hammond: "Yes."

Bost: "And you must have a hunting license."

Hammond: "A license or a stamp, right."

Bost: "Do you have to have a FOID Card?"

Hammond: "You probably better have a FOID Card, too."

Bost: "Is... I'm trying to figure out here... now, do you think this will encourage people who are hunting these furbearing animals to use their vehicles to hunt with instead of their guns?"

Hammond: "I don't believe so, Mr..."

Bost: "You know, I once had a... I once had a friend in high school that actually had a pickup truck and he put a big bumper on it specifically for hunting that way. Now, I'm not saying that's the legal thing to do, I'm just saying that he did that. So this basically will make what he did at that time legal, correct?"

Hammond: "Well, it would be unintentional. That would be intentional."

Bost: "So, his critter... his critter wagon wouldn't work?"

Hammond: "Right, that would not work."

Bost: "Well, I'm a... I'm a little concerned with this, but I'm... if, you know, if we can encourage people to pick up dead animals alongside of the road, I'll... I'll watch the debate very closely."

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Speaker Mautino: "And now for something completely different,
the Gentleman from Cook, Representative Lang."

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

Speaker Mautino: "She indicates that she will."

Lang: "Hello, Representative."

Hammond: "Hello, Representative Lang."

Lang: "So does that qualify as a red jacket?"

Hammond: "I am hoping so."

Lang: "Where's Representative Ramey? Is he in... is that a red
jacket, Sir? All right. We'll leave her alone. I've got
too much else. There's a lot of material here,
Representative. So let me see if I understand your Bill
and then we'll talk about your Bill. This Bill says... this
Bill says that if you're driving along in your car... if
you're driving along in your vehicle, thank you,
Representative, and you either hit a fur-bearing mammal or
find a dead fur-bearing mammal on the road, if you have a
FOID Card you may pick it up and take it home."

Hammond: "That's not what the legislation says,
Representative."

Lang: "Okay. So, would you tell me what it says?"

Hammond: "It has to be during fur-bearing mammal season."

Lang: "Excuse me. All right. So, I want to go through this
again. Please, no timer, Mr. Speaker, please. So, okay.
So, I'm driving along a road in my vehicle and I... it's fur-
bearing mammal season and I hit and kill a fur-bearing
mammal or see one that maybe you have killed sitting along
the side of the road. If tho... and if I have a FOID Card...
and if I have a FOID Card, I can pick that mammal up and

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take it home, do whatever I want to do with it when I get it home."

Hammond: "Representative, the FOID Card would not necessarily be a part of it. It would be required for you to have a hunting license or a hunting stamp."

Lang: "So are you suggesting that we can now hunt fur-bearing mammals during mammals... during fur-bearing mammal season?"

Hammond: "Absolutely."

Lang: "With a car?"

Hammond: "No."

Lang: "Well, so what is the whole purpose of what you just said about a hunting license?"

Hammond: "You have to have the license or the stamp for that particular hunting season to qualify to pick up the dead animal from the side of the road."

Lang: "Well, a lot of rules here, Representative. So..."

Hammond: "It's a cleanup Bill, Representative."

Lang: "I bet. I don't know who gave you that line, but you need a new writer. So, I'm driving down the road and if I have a hunting license or if I have a stamp and if I drive my Edsel and into a fur-bearing mammal like a skunk during fur-bearing mammal season and I kill it, then I can take it home."

Hammond: "Do you have the license?"

Lang: "I... I ask the questions, Representative."

Hammond: "If you have..."

Lang: "If all that it true..."

Hammond: "...if you have the license..."

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Lang: "...then I can pick up that skunk and take that skunk home with me."

Hammond: "Absolutely, if you have the license."

Lang: "And what can I do with that skunk?"

Hammond: "You may do whatever you would like with that skunk, Representative."

Lang: "Okay, very good. So, next question. How am I supposed to know... do I need to be a scientist to know what a fur-bearing mammal is? Is there some list somewhere? When I buy my Edsel, will they give me that list?"

Hammond: "A fur-bearing mammal, according to the Wildlife Code, means mink, muskrat, raccoon, striped skunk, weasel..."

Lang: "Wait, wait, wait, only a striped skunk?"

Hammond: "Right."

Lang: "Okay. Remember that, not the solid ones. Okay."

Hammond: "Weasel, bobcat..."

Lang: "Weasel."

Hammond: "...possum, beaver, river otter, badger, red fox, gray fox, and coyote."

Lang: "Can you tell me how a river otter would be in the middle of I-55 for me to run over?"

Hammond: "You just never know. We'll get to... I think we'll get to river otters..."

Lang: "I see."

Hammond: "...on down the line."

Lang: "All right. So, how am I... but the fur-bearing mammal during fur-bearing mammal season has to be dead before I can pick it up and take it, right?"

Hammond: "Absolutely."

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Lang: "So, if I hit the thing and it's still breathing, I have to wait 'til it dies?"

Hammond: "I would prefer that you did."

Lang: "All right. So, if... if I hit the thing and I think it's dead, but it isn't and I take it anyway, is there a penalty?"

Hammond: "Yeah, there would be a penalty."

Lang: "What would the penalty be?"

Hammond: "I'm not quite certain."

Lang: "I beg your pardon?"

Hammond: "I'm not quite certain what that would be. I could get back to you on that one."

Lang: "No, really, don't. So, you can't... so, you have the... if you want that striped skunk or that river otter, you literally have to pull over and watch it 'til it stops breathing?"

Hammond: "Well, you could come back in an hour, but someone else would have probably picked it up by then."

Lang: "I could. All right. So, but how do I know if it's dead? I don't want... you don't know what the penalty is, but let's assume I'm a law-abiding citizen, as all FOID Card holders are, apparently, let's assume I hit it and I want to take it, but I don't want to pick it up 'til I know it's dead. How do I know it's dead?"

Hammond: "Well, you could see if there's a pulse."

Lang: "Am I required... I even hesitate to say this. Am I required to perform mouth to mouth on that skunk?"

Hammond: "I would suggest you not do that."

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Lang: "So why does anybody want this Bill? Is it... is it the... the... Who wants this Bill?"

Hammond: "This came to me from a constituent who is a retired conservation officer. Oftentimes these animals are laying along the side of the road. Department of Transportation has the responsibility to pick them up and they frankly do not have the money to do that. So it's a cost saving measure as well as a cleanup Bill."

Lang: "Who is it saving money for?"

Hammond: "Department of Transportation."

Lang: "Well, what if it's not a Department of Transportation road? Why don't we just arm all of our citizens with shovels and brooms and let them pick up these things and we don't have to worry about it at all? Why are we so worried about fur-bearing mammals during fur-bearing mammal season? Are we only interested in saving IDOT money during fur-bearing mammal season?"

Hammond: "We would also be saving money for the Department of Conservation..."

Lang: "Right, but..."

Hammond: "...'cause it would go back on them. Our county highway department..."

Lang: "So let me..."

Hammond: "...our township highway departments..."

Lang: "When is..."

Hammond: "...so we're saving money all around."

Lang: "When is fur-bearing mammal season?"

Hammond: "It... it varies depending upon the fur-bearing mammal."

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Lang: "It's getting better. And how do I know when that is? Am I just supposed to know as a driver? Let's assume... let's assume I'm driving down the road and I hit a fur-bearing mammal. I'm a scientist and I know it's a fur-bearing mammal 'cause I took zoology in eighth grade. I know that the river otter... I know it's a river otter and I know it's dead, but I'm not sure what season it is. How am I supposed to know? Are you going to create a hotline to somewhere where I can call?"

Hammond: "No, Representative, you would know because you would be required to have that permit."

Lang: "Let me ask you, who gives those permits?"

Hammond: "I'm sorry."

Lang: "Who provides those permits, DNR?"

Hammond: "DNR."

Lang: "All right. Does DNR have a weasel hunting permit?"

Hammond: "It would... it would be included in their hunting and their trapping season, yes."

Lang: "Really? Okay."

Hammond: "Do you have... did you need a permit for that?"

Lang: "I beg your pardon?"

Hammond: "Did you need a permit for that?"

Lang: "I was just asking. I don't know anything about this at all. So, that's why I'm asking so many questions. I find this so fascinating. Yes, indeed. So, tell me about what this Bill says about disposing of the fur-bearing mammal during fur-bearing mammal season, but only for that mammal?"

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Hammond: "Representative, you would have your choice. If you want the pelt, then you could remove the pelt. If you wanted to make burgoo, you could make burgoo. You could dispose of it in any way that you felt appropriate."

Lang: "All right. Representative, I... I think you've done a brilliant job not answering any of these questions."

Hammond: "Thank you, Representative."

Lang: "And... and I can tell you this, I'm getting a plastic covering for the front of my car if this Bill passes."

Hammond: "Thank you."

Speaker Mautino: "To replace the plastic cover that's currently there. Representative Winters."

Winters: "Yes, Mr. Speaker. Will the Sponsor yield? Representative, I have one... one serious question and that is if you do find a freshly killed roadkill and the fur-bearing mammal season is normally from the 1st of November to the 15th of February, so they should cool fairly quickly. Would those animals be available to the Rathskeller if they were short on something for chili or..."

Hammond: "I would leave that up to you to supply."

Winters: "Well, in other words, would... would you be able to go to a restaurant or another public eating establishment and say, I really want the fur, but there is other parts of this body that might be of use to society?"

Hammond: "I don't believe the..."

Winters: "Would that be permissible?"

Hammond: "I don't believe the Department of Public Health would permit that, no."

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Winters: "That is hopefully the correct answer. The other... the other issue I wanted to bring up for the Members of the General Assembly, this hat is a very exclusive membership. You have to be a member of the Capitol... or excuse me, the Century Club in the House. And by the way, today is the 10th anniversary of the starting and the founding of the Century Club. Do you know what that tradition means?"

Hammond: "I do, Representative."

Winters: "Well, just to put it on the record, you have to get a hundred 'no' votes on a Bill that got out of committee on the floor. And I'm suggesting that we are asking Representative Dunkin, the current officeholder, if he would bring the trophy to the floor. It possibly... that this Bill might exceed that magic number."

Hammond: "I'm actually..."

Winters: "It is a very prestigious club. There's about 10 of us here on the floor that have managed to write legislation so effective that it got a hundred 'no' votes. I hope that that red jacket that is maybe not an indicator of the future of this Bill, but with that I appreciate your efforts and your good humor in answering our questions."

Hammond: "Thank you, Representative."

Speaker Lang: "I'm worn out. Representative Eddy."

Eddy: "Thank you."

Speaker Lang: "Representative Lang in the Chair, just for the record. Thank you."

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

Speaker Lang: "I'm certain she will yield, if you're a fur-bearing mammal."

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Eddy: "Well, that was my first question. I read through the text of the Bill... First of all, did you call Representative Lang a weasel?"

Hammond: "Oh, no. Absolutely, I did not."

Eddy: "I thought... I thought you discussed weasels to some extent that somehow that somewhere in the colloquy weasel was directed Representative Lang's way."

Hammond: "Absolutely not."

Eddy: "Ah, well, that's good because he... he is not a weasel, he's an attorney. You... you can fill that in. Let me ask you this question. The other thing I find missing in this Bill, well, there's not much missing because every single fur-bearing animal is somewhere in the legislation. But under this Bill would Representative Lang qualify as a fur-bearing mammal?"

Hammond: "No."

Eddy: "Well, why not?"

Hammond: "No. Because..."

Eddy: "I mean, he's a mammal."

Hammond: "...the definition does not include Representative Lang."

Eddy: "Okay. Would you put the Bill on Second, amend the Bill and include Representative Lang in the Bill as a fur-bearing mammal? That's easy. We can do that here. I don't think he would object."

Hammond: "No."

Eddy: "You don't want to do that?"

Hammond: "No, I don't want to do that, thank you."

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Eddy: "Okay. Well, let me ask you this question because in the legislation it says intentionally killed. That just concerns me from a variety of angles. How... unintentionally killed, how and who is going to do the investigation to determine whether or not the fur-bearing mammal was killed intentionally or unintentionally?"

Hammond: "I don't believe that a investigation would be required. Certainly, if a law enforcement officer saw an individual intentionally kill the fur-bearing mammal..."

Eddy: "Okay."

Hammond: "...then they would be treated appropriately."

Eddy: "Which... Whoa. Well, I mean... Okay. So, there's a dead animal that's a fur-bearing mammal on the side of the road, I have my permit, I'm... it's within the season and I stop and I'm just so excited that I've been able to locate and I have an appropriate license or stamp and someone accuses me of intentionally killing it, what would I have to do? Would I get due process? Is... would there be charges? Who could charge me with intentionally killing that fur-bearing mammal?"

Hammond: "I can't imagine why someone would charge you if they did not in fact see you intentionally harm that animal."

Eddy: "Is there any require..."

Speaker Lang: "Mr. Eddy. Mr. Eddy, may I just interrupt briefly. I would just like to let the Members know that the trophy has made it to the floor. I just thought I'd let you know."

Eddy: "Okay."

Speaker Lang: "Mr. Eddy."

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Eddy: "Okay. Well, is there anything in this Bill that requires the next of kin of the fur-bearing animal to be notified in the event of their untimely demise or is this poor fur-bearing mammal on their own and now have we opened season on them?"

Hammond: "They are all treated individually."

Eddy: "They're all treated indiv... Let me ask you one final question. This is an important question. What about this guy? What about birds? Is there anything in the legislation that protects this bird from the unintentional kill? Is there anything in this legislation?"

Hammond: "That bird would not be included in the legislation."

Eddy: "Why not?"

Hammond: "I am only..."

Eddy: "Besides the fact that it's fake."

Hammond: "...I'm only addressing fur-bearing mammals and that would not be included in my definition."

Eddy: "Would you amend your Bill to include this bird?"

Hammond: "No, but maybe next year we could sponsor one together."

Eddy: "I doubt that. Representative, this is interesting. I come... Let me ask you this. Can you use your catch? I guess we can call it a catch now, huh? Can you use your catch in roadkill stew?"

Hammond: "Absolutely."

Eddy: "You could?"

Hammond: "And that would be burgoo."

Eddy: "Are you familiar... do you... do you... have you cooked roadkill?"

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Hammond: "I have had burgoo before."

Eddy: "You have?"

Hammond: "Yes."

Eddy: "And what's the best... what's the best method of cooking up a good pot of roadkill stew?"

Hammond: "I really don't care 'cause I'm never having it again."

Eddy: "You're never having it again. You had it onetime."

Hammond: "Yes."

Eddy: "Okay. Well, Representative, I got to tell you I think this is a good idea. I'm not going to maybe vote for it, but I think it's a good idea because we have lots and lots of fur-bearing mammals along roadsides all over Illinois that need to be collected up, put in a big pot, boiled up and eaten along with whatever it is you have to throw in there to swallow the stuff. So good luck, I do like the red... is that a scarf?"

Hammond: "Yes."

Eddy: "I like the red scarf. I think it would have been a nice touch for Representative Biss, actually. Thank you."

Hammond: "Thank you."

Speaker Lang: "Representative Riley."

Riley: "The Sponsor yield?"

Speaker Lang: "Yes, certainly."

Riley: "Representative, I'm going to be brief and I hope I'm last. I just want to get a few things straight. People have talked about roadkill, dead animals on the side of the road. I'm just wondering, dead animals in the middle of the road, do they count also?"

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Hammond: "Sure."

Riley: "Dead skunk?"

Hammond: "Yes."

Riley: "Middle of the road?"

Hammond: "Yep."

Riley: "Stinking to high heaven?"

Hammond: "Yep. I think that'd make a good song,
Representative."

Riley: "Do you know who Loudon Wainwright is?"

Hammond: "I do not."

Riley: "You might want to name this Bill after Loudon
Wainwright. I suggest that what you do is put this Bill on
Second Reading and find out who Loudon Wainwright is, then
bring it back up to Third. That's my suggestion."

Hammond: "Okay. Thank you, Representative."

Riley: "Thank you, Representative."

Speaker Lang: "Representative May."

May: "Thank you. Representative, will you yield for a couple
of questions here?"

Speaker Lang: "Yes, she will yield."

May: "Thank you. Many people have asked you about fur-bearing
animals and Representative Lang, but I'm from the northern
county in this state and its cold up there and you haven't
really clarified; must the fur be attached to the animal?
There are a lot of people up north who wear fur coats to
stay warm, so wouldn't they be classified as mammals?
Human beings are mammals, so that's a fur-bearing mammal."

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Hammond: "You're right, Representative. I would suggest that if someone had left their fur coat along the side of the road, perhaps you could pick that up."

May: "Wow. Are you going to start patrolling around Highland Park and Lake Forest looking for fur coats at the side of the road?"

Hammond: "I am not."

May: "Do you think that these retired people might be doing that?"

Hammond: "They may."

May: "They may. So it doesn't need to be attached is what you're saying. So any weasel or skunk wearing somebody else's fur coat is fair game, so to speak."

Hammond: "Absolutely."

May: "Okay. And I had the great pleasure of sponsoring a Deer Bill once and it's much like this where my... one of my communities wanted to trap, neuter and release a deer instead of killing it. So I think you should include deer in this also. And Representative Eddy brought up a feathered friend, but you've excluded one huge class, chickens all want to cross the road and you've excluded chickens. So this is a huge, huge class of discrimination also that I think you should take care of in this Bill. And take it out of the record, please, to include chickens who want to cross the road to get on the other side."

Hammond: "I'll be happy to do that in a separate Bill, Representative."

May: "Do you think that's... the Senate could do that for you?"

Hammond: "It's possible."

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May: "That sounds like it's perfect for the Senate to handle. My last point that I want to make is, I have a FOID card, but I don't have a gun. So, what's to stop Representative Osterman and I forming posses and hunting fur-bearing animals with our cars? I mean, it could be a very danger to the State of Illinois."

Hammond: "I would be very hopeful that the residents of the State of Illinois would not intentionally kill the fur-bearing mammals just because of this piece of legislation."

May: "But that's a loophole that maybe you'll have to close in the Senate also?"

Hammond: "Absolutely."

May: "A lot of loopholes: the chickens who want to cross the road, clarifying that the fur must be attached and to stop people from just creating a posse and tracking down with our hybrids because we all drive hybrids, too, right? So with the hybrid, so we don't get the blood splattered all over them. So, well, I look forward to seeing these Amendments in the Senate and I hope that they're up to handling it because we've got some flaws here. Thank you."

Hammond: "Thank you, Representative."

Speaker Lang: "Representative Moffitt."

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

Speaker Lang: "Yes."

Moffitt: "Representative, just to make sure, you've established that you would have to have a FOID card."

Hammond: "You would not necessarily have to have a FOID card, Representative."

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Moffitt: "Would you have to have a hunting license then? Is that..."

Hammond: "You would have to have a hunting license or a stamp for that particular species."

Moffitt: "Okay. The vehicle that you're driving, does it have to be a licensed vehicle?"

Hammond: "It certainly would."

Moffitt: "And would the person have to have a driver's license?"

Hammond: "Yes."

Moffitt: "What if they were on a suspended license?"

Hammond: "It really doesn't pertain to my Bill, Representative."

Moffitt: "Well, it might not be a legitimate pickup of the animal. What's the definition of a mammal?"

Hammond: "A fur-bearing mammal? A fur-bearing mammal would include mink, muskrat, raccoon..."

Moffitt: "You're naming them. What's the definition of a mammal? What's it take for an animal to be a mammal?"

Hammond: "A mammal... well, a mammal is ever encompassing. We are mammals."

Moffitt: "And what makes us mammals?"

Hammond: "I'm not certain, Representative."

Moffitt: "Okay. We can come back to that. Do you represent part of Fulton County?"

Hammond: "I do."

Moffitt: "Is there now or was there ever a restaurant in one of your counties that was the Road Kill Cafe?"

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Hammond: "I believe that you have called that to my attention.
I was not familiar with it."

Moffitt: "You haven't checked it out?"

Hammond: "I haven't checked it out."

Moffitt: "Well, assuming it's still in business, would this be
competition for them? You're going to allow other people
to pick up roadkill and they are running on the name of
Road Kill Cafe."

Hammond: "I think they have separate suppliers,
Representative."

Moffitt: "I was concerned that you were going in competition
with, possibly, a constituent. You don't think so?"

Hammond: "No, I don't believe so."

Moffitt: "Are there any precautions built into this that when
you stop to pick up this animal in terms of being off the
road, having your flashers on, being... putting out flares,
warning cones, are there anything... any precautions that
way?"

Hammond: "I have not addressed that in this particular Bill.
If we see a problem, then we could go forward with that
later on."

Moffitt: "Representative, in all seriousness, even though it's
your first Bill, I'm impressed with the way you have
answered the questions."

Hammond: "Thank you, Representative."

Moffitt: "And you have identified an issue that's real. You're
trying to save the taxpayers some money by proper disposal
of animals that are along the road. Is that correct?"

Hammond: "Absolutely."

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Moffitt: "Actually trying to save money and actually putting to potential use the... the animal or the hides, the fur, that otherwise would be totally wasted."

Hammond: "Absolutely."

Moffitt: "Saving money and making better use of what would otherwise just be a burden, a problem and a waste. And in spite of the interesting questions, you've addressed an issue that needed to be addressed and it certainly deserves our support. Thank you."

Hammond: "I appreciate that, thank you."

Speaker Lang: "Representative McCarthy."

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

Speaker Lang: "The Gentleman moves the previous question. Those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the previous question is put. Representative Hammond to close on her first Bill and I remind you that no one's ever won the trophy on their first Bill. Please proceed to close."

Hammond: "Thank you, Mr. Chairman. And I appreciate all of your interest in the Bill and I would also appreciate your support. Thank you."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 98 voting 'yes', 16 voting 'no'. And this Bill, having received the Constitutional Majority, is

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hereby declared passed. The Chair recognizes Representative Gordon."

Gordon: "Moment of personal privilege."

Speaker Lang: "State your point."

Gordon: "If the Members would mind turning to the back of the... to the back of the chamber, there are two folks from my district; Mr. Larry Ivory and Ms. Irene Brown. Mr. Larry Ivory is the President and CEO of the Illinois Black Chamber of Commerce and Ms. Irene Brown is the President of the Peoria Black Chamber of Commerce. These two work diligently and in tandem to improve the economic conditions of African Americans and minorities across the entire State of Illinois and I'd like for them all.. like for them to have the opportunity to be recognized today. Thank you for all your hard work."

Speaker Lang: "Welcome to Springfield. The Chair recognizes Representative Reis."

Reis: "Thank you, Mr. Speaker. I would like the Members of the floor to help me in wishing our seatmate, Representative Bill Mitchell, his 51st birthday today."

Speaker Lang: "Happy birthday, Representative. The Chair recognizes Representative Morrison."

Morrison: Thank you, Mr. Speaker. House Bill 1338, would the record please show me as a 'no' vote, 1338."

Speaker Lang: "The record will reflect your intentions. The Chair recognizes Representative Golar."

Golar: "Yes, Mr. Speaker. Thank you. I would like to... for the Body to congratulate Representative Marlow Colvin. His

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birthday was yesterday. If we could just wish him well.
Thank you."

Speaker Lang: "I noticed he wasn't here for the birthday wishes, Representative. Oh, right there. I didn't see you, Representative. The Chair recognizes Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Earlier today I moved House Bill 1380 to Third and we're still in negotiations on that Bill. So I would request that House Bill 1380 be moved back to Second if that's possible."

Speaker Lang: "Mr. Clerk, what is the status of House Bill 1380?"

Clerk Mahoney: "House Bill 1380 is on the Order of Third Reading."

Speaker Lang: "Please put that on the Order of Second Reading at the request of the Sponsor. Moving down the Calendar, House Bill 3462, Representative Greg Harris. Please read the Bill."

Clerk Mahoney: "House Bill 3462, a Bill for an Act concerning insurance. Third Reading."

Speaker Lang: "Mr. Harris."

Harris, G.: "Thank you, Mr. Speaker, Members of the Body. This Bill would allow persons who are covered by the CHIP program to obtain routine physicals or other preventative care. I know of no opposition."

Speaker Lang: "The Gentleman has moved for the passage of the Bill. And the Chair recognizes Representative Reis."

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

Speaker Lang: "Gentleman yields."

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Reis: "Representative, was this the Bill that we had some... quite a bit of debate in Insurance Committee over and you were going to work with some of the various departments in removing the opposition? I just wanted to make... I don't see where you amended the Bill."

Harris, G.: "No, I don't think this one had opposition. Am I not recalling this correctly?"

Reis: "The Life Insurance Council?"

Harris, G.: "No, that was another... that was 1191, I believe. Or 1193?"

Reis: "We still have Illinois Life Insurance Council as being an opponent."

Harris, G.: "I don't show that on ours. This is... regards the Illinois Comprehensive Insurance Plan."

Reis: "Maybe the opposition... was there a cost to this?"

Harris, G.: "There was a cost of about \$54 thousand, but it is not borne by the CHIP... it is not borne by members of the Life Insurance Council."

Reis: "But who would pick up the cost?"

Harris, G.: "These are... this is the state CHIP program, Representative."

Reis: "I mean would that come out of GRF? Is this a..."

Harris, G.: "That would be... it would be GRF and the idea would be, if you remember in the discussion in the Insurance Committee, is this is money that would be invested in preventive health care or routine physicals that would identify and allow treatment of problems before they reach an acute stage."

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Reis: "So is there any cost savings that are factored into this as well?"

Harris, G.: "It's hard to predict the cost of something if it does not happen, but because the belief is that by providing people routine wellness care and a physical up front that there would be substantial savings, but it's hard to quantify what these savings would be going down the line. I don't know why the Insurance Council would be oppose... opposed to this, frankly."

Reis: "And I was refreshing myself there and I think it was because of the cost factor. To the Bill. Ladies and Gentlemen, it's so easy for us to come in with little bitty Bills that just cost a little bit more in the hopes of saving money. We're all cognizant of where we're at with the budget. This is another Bill that will increase spending for the State of Illinois. Thank you."

Speaker Lang: "Mr. Harris to close."

Harris, G.: "Thank you, Mr. Speaker. We are doing this because we all know that emergency room treatments, that acute care hospitalizations, that surgery, all of these, you know, later treatments will cost the taxpayers of Illinois a substantial amount of money. I think all of us who heard testimony in the committee, listened to the witnesses from the CHIP program testify that this would be a substantial savings to the state in the short and the long run. I would urge an 'aye' vote."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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wish? Please take the record, Mr. Clerk. On this question, there are 76 voting 'yes', 38 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 1415?"

Clerk Mahoney: "House Bill 1415 is on the Order of Third Reading."

Speaker Lang: "Please put that Bill on the Order of Second Reading at the request of the Sponsor. And Mr. Clerk, please tell us the status of House Bill 2086."

Clerk Mahoney: "House Bill 2086 is on the Order of Third Reading."

Speaker Lang: "Please put that Bill on the Order of Second Reading at the request of the Sponsor. Continuing with the Bills, we have House Bill 180, Representative Hatcher. Please read the Bill."

Clerk Mahoney: "House Bill 180, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Representative Hatcher."

Hatcher: "Mr. Speaker, thank you for your attention. House Bill 180 addresses the disorderly conduct at a funeral or a memorial service. It increases the time period for which the conduct at the event is prohibited before and after the service from 30 minutes to 60 minutes and increases the distance from which the conduct is prohibited from 200 feet to 1000 feet."

Speaker Lang: "Lady moved for the passage of the Bill. Is there any discussion? Seeing none, those in favor of the

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Bill... Let's hold on that. The Chair recognizes Representative Brady."

Brady: "Thank you very much, Mr. Speaker. First off, Representative, I'm in support of your Bill but I just wanted you to clarify one more time for me the distance and the time that's involved for the funeral service and location. Are we just talking cemetery, we talking church? Can you clarify that for the record?"

Hatcher: "We're... we're talking wherever the service is being held and it is 1000 feet and it is 60 minutes."

Brady: "Okay. Thank you very much."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record, Mr. Clerk. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3035, Representative Holbrook. Please read the Bill."

Clerk Bolin: "House Bill 3035, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Mr. Holbrook."

Holbrook: "Thank you, Speaker. House Bill 3035 is an extension of the Interstate Compact for Educational Opportunities for Military Children. It extends it from 2012 to 2015. It also adds, at the request of the Pentagon, a nonvoting member to the committee for each of the three active bases. I also would like to thank Representative Eddy for his work on this and as we've put this extension together."

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Speaker Lang: "Mr. Holbrook has moved for the passage of the Bill. There being no debate, those in favor will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Saviano? Please take the record, Mr. Clerk. On this Bill, there are 114 voting 'yes, 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1487, Mr. Hays. Please read the Bill."

Clerk Bolin: "House Bill 1487, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Mr. Hays."

Hays: "Thank you, Mr. Speaker and Members of the Body. House Bill 1487 permits county boards to create renewable energy districts or wind farm districts through a front door referendum. The trustees would have the power to construct, operate, maintain a renewable energy facility; contract with entities to construct or operate the facility and accept money from legal sources and sell the energy produced by the district. I urge an 'aye' vote."

Speaker Lang: "The Gentleman has moved for the passage of the Bill. There being no debate, those in favor vote 'yes; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Bost, Chapa LaVia, Franks, Leitch. Please take the record. On this question, there are 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1604, Representative Howard. Please read the Bill."

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Clerk Bolin: "House Bill 1604, a Bill for an Act concerning child visitation, which may be referred to as the Steven Watkins Memorial Act. Third Reading of this House Bill."

Speaker Lang: "Representative Howard."

Howard: "Thank you, Mr. Speaker. House Bill 1604 amends the Illinois Marriage and Dissolution of Marriage Act, to provide that a person held in contempt for not complying with court ordered visitation may have his or her driver's license suspended. That's one of the things that can happen. Two, it could be that his or her professional license would be suspended or that person could be fined up to \$500."

Speaker Lang: "Mr. Eddy."

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

Speaker Lang: "Lady yields."

Eddy: "Representative, the Secretary of State has signed in in opposition to this. Can you discuss what the opposition was based on?"

Howard: "Well, they just believe that it's something that they just don't want to do. They already... they are already obligated to... to consider the driver's license of those individuals who are not paying alimony... or child support, that is. So, they feel that this is just something else that they just don't want to do."

Eddy: "So in this case... well, I also see that the Coalition Against Domestic Violence is opposed. What's their opposition based on?"

Howard: "I'm not familiar with the Coalition Against Domestic Violence's opposition. That was never brought to me."

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Eddy: "Okay. But your intent is, is to..."

Howard: "The intent is to make certain that an individual who happens to be the noncustodial parent is able to visit with the child without the interference of the custodial parent when the court has ordered that that be the case."

Eddy: "Okay. So the final group that has shown, at least in our analysis, is the Bar Association has concerns. Did they state to you what their concerns were, the State Bar Association? Was there anything specific?"

Howard: "Whatever their concerns were, they decided that they would not be in opposition to this Bill."

Eddy: "What's the penalty for the offending person under this legislation?"

Howard: "Well, the... they could either have their driver's license suspended or their professional license can be suspended or they can be fined."

Eddy: "Okay. And what's the extent of the fine for interference?"

Howard: "It's my understanding that they can be fined up to \$500. A repeat... repeating of the offense; they could be incarcerated and required to post a \$5 thousand bond."

Eddy: "So if they repeat the offense of interfering with these visitations, at the end of this they could be subject to incarceration or a \$5 thousand fine at the top. But that's if they repeat..."

Howard: "A \$5,000 posting of a bond. Posting of a bond of \$5,000."

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Eddy: "Okay. Okay, Representative. Is this an issue that was brought to you by a certain group? Has there been a lot of problems?"

Howard: "Yes, there was a group, a fathers group that brought this legislation to me."

Eddy: "So there's quite a problem with this type of interference and they're wanting to have a method to ensure their visitation rights and this is really that it..."

Howard: "That is correct."

Eddy: "Okay. Thank you, Representative."

Speaker Lang: "Representative Sommer."

Sommer: "Will the Sponsor yield?"

Speaker Lang: "The Lady yields."

Sommer: "Let me try to understand this. On its face it looks like a good piece of legislation, but I had a constituent talk to me about this. In most cases the custodial... custodial parent is the mother. So we are saying if that custodial parent does not allow the appropriate visitation, their driver's license may be suspended and their professional license may be suspended. Yet, if we flip the coin, what about the deadbeat dad? Let's say he's not making payments and hasn't made payments for years and owes thousands and thousands of dollars. What are the penalties that the state applies to that deadbeat dad? Is his driver's license taken away? Is his professional license taken away?"

Howard: "Yes, as stated earlier, that is already the case. There's already on the books legislation that does provide that if a person who is the noncustodial parent is not

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paying the child support that the license can be taken away."

Sommer: "Can be. Is it mandated?"

Howard: "I'm not sure that it's mandated, but I'm... this is a... it's the same kind of situation as this, it can happen."

Sommer: "So this is permissive, it does not mandate that this happens?"

Howard: "This is permissive, so it is not mandated. Yes, that is correct."

Sommer: "Okay. My concern is that both parties are treated equally and I'm not sure from my reading of the language that that's the case, so that's my reservation about the Bill. On the surface it's good, but I'm not sure that we're really doing the right thing. Thank you."

Speaker Lang: "Representative Riley. The Gentleman wishes... he says he does not wish to speak. Representative Howard to close."

Howard: "Yes. This Bill is merely trying to get some kind of justice for the noncustodial parent who is trying to remain in the life of their child or children. And oftentimes because of disagreements between the two parents, then the child is withheld. The visitation for the child is withheld. We just believe that's unfair and we are hoping that there is something that can be done. We think this legislation will do it."

Speaker Lang: "The Lady moves for the passage of the Bill. Those in favor shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Schmitz, Mr. Winters.

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Please take the record. On this question, there are 78 voting 'yes', 36 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3417, Representative Kay. Please read the Bill."

Clerk Bolin: "House Bill 3417, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Mr. Kay."

Kay: "Thank you, Mr. Speaker. This Bill, 3417, provides... is a modification and amends the Uniform Code of Corrections. It provides that moneys collected from the fee imposed on defendants convicted of nonalcohol and nondrug offenses and placed on probation or conditional discharge shall be deposited in a probation and court services fund, rather than the general cash fund which it now goes to. I move that we pass on this Bill. It's a practical matter and it takes money out of the General Fund. It allows this money to be designated to those people that need to be monitored on an ongoing basis. Thank you."

Speaker Lang: "Representative, there's been an inquiry. Is this your first Bill?"

Kay: "Well, not necessarily. I've been up before, but I guess that's the discretion of the Chair."

Speaker Lang: "Get the man a red jacket. The Gentleman moves for the passage of the Bill and on that question, the Chair recognizes... somebody must wish to speak on this Bill. There being no debate, those 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.

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Pritchard. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, have received the Constitutional Majority, is hereby declared passed. House Bill 3331, Representative Jackson. Please read the Bill."

Clerk Bolin: "House Bill 3331, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Mr. Jackson."

Jackson: "Yes, thank you, Speaker, Ladies and Gentlemen. House Bill 3331 amends the Illinois Vehicle Code, provides that the Secretary of State may defer the expiration of the driver's license of a licensee who is serving in the Armed Forces of the United States on active duty outside the state or who is a spouse or a dependent child living with such a licensee until up to 120 days. What this legislation is doing is extending the period from 90 days to 120 days. I ask for an 'aye' vote."

Speaker Lang: "The Gentleman moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Acevedo? Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1872, Representative Kosel. Please read the Bill."

Clerk Bolin: "House Bill 1872, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lang: "Representative Kosel."

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Kosel: "Thank you very much. Ladies and Gentlemen, this is a Bill that would allow transfer of pension funds from Chicago to down... Chicago Police Department to downstate pension funds for a period... for a transfer of up to 10 years for a period of 60 days after the effective date of this Bill. There is absolutely no cost to either the Chicago Pension Fund or the State of Illinois Downstate Police Pension Fund associated with this. The entire cost would be borne by the person doing the transfer. I would ask for your approval. I know of no... no opposition to this Bill."

Speaker Lang: "The Lady moves for the passage of the Bill. And on that question, the Chair recognizes Representative Franks."

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

Speaker Lang: "Sponsor yields."

Franks: "Representative, I'm looking at our analysis and our... was there a Floor Amendment #2? Was that adopted?"

Kosel: "Yes, it was."

Franks: "Okay. And what does that do?"

Kosel: "It changes the calculation to the actuarial instead of a percentage. So it was a guarantee to make sure that the state would have no cost."

Franks: "Okay. I'm just concerned. I've seen some of the actuarial numbers that this administration has been relying on and those numbers have been much inflated. Do you know what the actuarial numbers are today for instance and also, I guess the second part of my question is why had you initially indicated six percent?"

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Kosel: "Six percent was what was suggested as what the cost would be and actually staff on your side suggested we put in the actuarial table."

Franks: "Do you know what that number would be today if someone wanted to take advantage of this?"

Kosel: "No, I do not."

Franks: "Okay. And maybe you can let us know or let the Senate Sponsor because I'm concerned because on some of the estimates that this administration's been using, they've been assuming eight percent returns on our money when it becomes, for instance, how it's invested in the pension funds which is an absolute fallacy."

Kosel: "Yeah."

Franks: "Our returns aren't anywhere near that and as a result, it's digging a deeper hole. And if you're trying to be revenue-neutral, I want to make sure that we're using certified actuarial numbers and not the ones that the Governor's using."

Kosel: "Okay. I will check that out before I get the support of the Senate Sponsor."

Franks: "Thank you."

Kosel: "Thank you."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? May, Pritchard, May, Unes? Please take the record. On this question, there are a hundred.. on this question, there are 96 voting 'yes', 17 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared

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passed. House Bill 79, Representative Jefferson. Please read the Bill."

Clerk Bolin: "House Bill 79, a Bill for an Act concerning liquor. Third Reading of this House Bill."

Speaker Lang: "Mr. Jefferson."

Jefferson: "Thank you, Mr. Speaker. All this Bill does is allows the Memorial Hall in Rockford, Illinois, to be able to issue permits for special occasions that might occur at the Memorial Hall. I would ask for an 'aye' vote."

Speaker Lang: "The Gentleman moves for the passage of the Bill. There being no debate, those in favor of the Bill shall vote 'yes'; those opposed 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Bost, Cole, Pihos, Smith? Please take the record. On this question, there are 78 voting 'yes', 35 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3289, Mr. Mathias. Please read the Bill."

Clerk Bolin: "House Bill 3289, a Bill for an Act concerning the Internet. Third Reading of this House Bill."

Speaker Lang: "Mr. Mathias."

Mathias: "Thank you, Mr. Speaker. House Bill 3289 creates the Online Child Safety Act. It provides that an Internet access provider must make a parental control available to a subscriber at or near the time of subscription. There was an Amendment that AT&T wanted that was previously adopted. There are no opponents to the Bill. And I ask for your 'aye' vote."

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Speaker Lang: "The Gentleman moves for the passage of the Bill. There being no debate, those in favor say... vote 'yes'; those opposed 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Cole, Eddy, Mitchell, Winters? Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Smith."

Smith: "On the House Bill 79 I wish to vote 'yes'."

Speaker Lang: "The record will indicate your intention, Sir. House... Mr. Clerk, returning to the Order of Second Readings, House Bill 3255, Mr. Moffitt. Please read the Bill."

Clerk Bolin: "House Bill 3255, a Bill for an Act concerning health facilities. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Moffitt, has been approved for consideration."

Speaker Lang: "Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker. 3255, the reason for this legislation is twofold; it's really to encourage that we have more EMT license. And the... We passed legislation last year called the Critical Care Transport and we agreed to exempt small units of population were under 5 thousand, where their applications would be no charge for that for getting their EMT license. So this is to encourage more EMT license and that the State Police would also be encouraged to have that if we... State Police pay for their

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license and then turn around and are reimbursed. There's added cost to the department. It's just money changing hands within the state. There's no opposition and I... it's a way to increase the number of license in the state. Thank you."

Speaker Lang: "The Gentleman moves for the passage of the Amendment... or the adoption of the Amendment. There being no discussion, those in favor say 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. House Bill 1425, Representative Currie. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1425, a Bill for an Act concerning public aid. The Bill was read for a second time on a previous day. Amendment #1 has been tabled. Floor Amendment #2, offered by Representative Currie, has been approved for consideration."

Speaker Lang: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This Bill would enable the Department of Health Care and Family Services to spend federal dollars that will help us move to... to Internet and other informational technology. The Amendment clarifies how the money will be spent. I'd appreciate your support."

Speaker Lang: "The Lady moves for the adoption of the Amendment. There being no debate, those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Mr. Clerk, committee announcements."

Clerk Bolin: "The following committees will meet tomorrow morning before Session. At 8 a.m. the Elementary & Secondary Education Committee will meet in Room 114. At 8:30 a.m. the Appropriations-Elementary & Secondary Education Committee will meet in Room 118. Also at 8:30, Counties & Townships will meet in Room D.. correction, in Room C-1 Stratton and Disability Services Committee will meet in Room D-1 Stratton. At 9 a.m. tomorrow morning the Appropriations-Public Safety Committee will meet in Room 118. The Appropriations-General Services Committee will meet in Room C-1. The Agriculture and Conservation Committee will meet in Room 122B and the Cities and Villages Committee will meet in Room 115. And at 9:30 a.m. tomorrow the Appropriations-Human Services Committee will meet in Room 118 and the Appropriations-Higher Education Committee will meet in Room D-1 Stratton."

Speaker Lang: "And Members, please review the pink sheets that have been handed out to you for the same information. The Chair recognizes Representative Rose."

Rose: "Thank you, Mr. Speaker. On that same pink sheet this has 5 p.m. or immediately after Session. I'm thinking that to mean tomorrow, Wednesday at 5 p.m. or immediately after Session. Is that accurate?"

Speaker Lang: "That is correct, Sir."

Rose: "So no committees tonight?"

Speaker Lang: "That is correct, Sir."

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Rose: "Okay. Thank you, Mr. Speaker."

Speaker Lang: "Thank you. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 194, offered by Representative Osmond. House Resolution 195, offered by Representative Will Davis. House Resolution 196, offered by Representative Flowers. House Resolution 197, offered by Representative Riley. House Resolution 199, offered by Representative Pihos. House Resolution 200, offered by Representative Pihos. House Resolution 202, offered by Representative Schmitz. House Resolution 203, offered by Representative Schmitz. House Resolution 204, offered by Representative Hammond. House Resolution 205, offered by Representative David Harris. House Resolution 206, offered by Representative Coladipietro. House Resolution 207, offered by Representative Rose. House Resolution 208, offered by Representative McCarthy. House Resolution 209, offered by Representative Kosel. House Resolution 210, offered by Representative Jones. House Resolution 213, offered by Representative Nekritz. House Resolution 214, offered by Representative Connelly. House Resolution 216, offered by Representative Biss. House Resolution 218, offered by Representative Dugan and House Resolution 219, offered by Representative Phelps."

Speaker Lang: "Representative Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, for an additional Agreed Resolution."

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Clerk Bolin: "House Resolution 215, offered by Representative Cole."

Speaker Lang: "Representative Currie moves for the adoption of the additional Agreed Resolution. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolution is adopted. And now allowing perfunctory time for the Clerk, Representative Currie moves that the House stand adjourned until Wednesday, March 30 at 10 a.m. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does stand adjourned until Wednesday, March 30 at 10 a.m.."

Clerk Bolin: "House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 198, offered by Representative Chapa LaVia. House Resolution 201, offered by Representative Berrios. House Resolution 211, offered by Representative Bellock. House Resolution 217, offered by Representative Brady and House Resolution 223, offered by Representative Chapa LaVia. Introduction and First Reading of House Bills. House Bill 3755, offered by Representative Soto, a Bill for an Act concerning appropriations. House Bill 3756, offered by Representative Golar, a Bill for an Act concerning appropriations. House Bill 3757, offered by Representative Colvin, a Bill for an Act concerning appropriations. First Reading of these House Bills. There being no further business, the House Perfunctory Session will stand adjourned."