

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

33rd Legislative Day

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Speaker Lang: "Good morning. The House will be in order. Members will be in their chairs. We shall be led in prayer today by Pastor Shaun Lewis who is the Illinois State Director of Capitol Commission, serving the political Leaders of Illinois. He's the guest of Representative Brauer. 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 Lewis"

Pastor Lewis: "Will you bow with me in prayer? Father in heaven, thank You for each of our Legislators. You have established the institution of government and You've given each one of them a stewardship. Bless them in their labors to the degree they uphold what is right and what is good, what is pleasing in Your eyes. Many of our political Leaders are tired of travel, tired of meetings, tired of long hours away from home. Session and campaigning can be tough and a very lonely road. I pray that You would comfort them, protect each one that is here, protect they and their loved ones. Give them peace and most of all give them the highest joy of knowing Your Son. And Lord, before the House convenes today, I would also like to pray for our Governor, Pat Quinn. He is a man with many years of experience in State Government and I pray that he would look to You for wisdom and for strength to rise to the challenges that he faces today. Many of... may our Legislators come together as one, that they would prove themselves today just to be statesmen concerned about the next generation, not merely

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politicians concerned about the next election. We ask these things in Jesus' name, Amen."

Speaker Lang: "We shall be led in the Pledge of Allegiance today by Representative Sullivan."

Sullivan - 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 show that Representative Jefferson is excused today."

Speaker Lang: "Representative Bost."

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

Speaker Lang: "Representative Currie, is Representative Osterman here today? Mr. Clerk, please take the record. 112 Members being present, a quorum is present to do the business of the people. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Representative Franks, Chairperson from the Committee on State Government Administration reports the following committee action taken on March 31, 2011: recommends be adopted is House Resolution 143, House Resolution 211, House Resolution 217 and House Resolution 223, House Joint Resolution 11; Floor Amendment #1 to House Bill 2313 and Floor Amendment #2 to House Bill 2500. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on March 31, 2011: recommends be adopted is a Motion

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to Concur in Senate Amendment 1 to House Bill 1030. Representative Crespo, Chairperson from the Committee on Appropriations-General Services reports the following committee action taken on March 31, 2011: do pass as amended Short Debate is House Bill 3697. Representative Dunkin, Chairperson from the Committee on Appropriations-Higher Education reports the following committee action taken on March 31, 2011: do pass as amended Short Debate is House Bill 116. Representative Greg Harris, Chairperson from the Committee on Human Services reports the following committee action taken on March 31, 2011: recommends be adopted is Floor Amendment #1 to House Bill 286, Floor Amendment #5 to House Bill 1191, Floor Amendment #2 to House Bill 2321, Floor Amendment #3 to House Bill 2982 House Resolution 39, House Resolution 111, House Resolution 183. Referred to House Committee on Rules is House Resolution 227, House Resolution 229, House Resolution 230 and House Resolution 234."

Speaker Lang: "Referring to Supplemental Calendar #1, under House Bills Second Reading there appears House Bill 116. Mr. Clerk, please read the Bill."

Clerk Mahoney: "House Bill 116, a Bill for an Act making appropriations. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 3697. Mr. Clerk, please read the Bill."

Clerk Mahoney: "House Bill 3697, a Bill for an Act making appropriations. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Lang: "Third Reading. The Chair recognizes Representative May."

May: "Yes, thank you. I would like to recognize in the gallery today right behind me, Nathan... Noah Shapiro... Noah Shapiro. He gave me this charming note. It said, my name is Noah Shapiro, I'm seven years old. I love history and government and famous people, I hope to meet you. But Noah, I want you to meet all the Members of the General Assembly here because you are a charmer and we think you're going to be down here one day too. Noah brought his sister, Rose, his parents and both sets of grandparents to Springfield. Thank you, Noah."

Speaker Lang: "Welcome to Springfield. Happy to have you here. On page 36 of the Calendar, under the heading of Motions in Writing, there appear five Bills... five items to consider. The first one is House Bill 1071, House Bill 1072, House Bill 1915, House Bill 3382... All right, let me start over. There are four Motions to table House Bill 1072, Representative Pihos; House Bill 1915, Representative Pihos; House Bill 3382, Representative Rose and House Joint Resolution 23, Representative Holbrook. Representative Mautino moves to... for the passage... to table all four of these items. There being no objection, those in favor shall say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion passes and is adopted. The Chair recognizes Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to take a moment to introduce some folks who have come over from Champaign County today to be able

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to learn a little more about State Government. Teri, who is my legislative assistant, up here in the balcony on my left has brought two of our interns. Let's give them a big Springfield welcome. Thank you."

Speaker Lang: "Members, we're going to continue to run Bills as quickly as we can. Those items that are on Short Debate, we're going to leave on Short Debate unless requested otherwise. The first item is House Bill 1907 on the Order of Third Reading, Representative Zalewski. Please read the Bill."

Clerk Mahoney: "House Bill 1907, a Bill for an Act concerning criminal law. Third Reading."

Speaker Lang: "This Bill is on the Order of Standard Debate. Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. I bring to the House, House Bill 1907 which is a narrowly drawn criminal enforcement tool that Illinois, frankly, needs to become up to date with law enforcement. It is a Bill which would allow state's attorneys to indict criminal enterprises, bring them to trial and convict them. Frankly, we've run into a problem where some individuals are able to avoid criminal prosecution simply because they let the underlings take... take responsibility and ultimately, punishment for their actions. This Bill would merely allow a prosecutor to bring together predicate activities like gun offenses, drug offenses, dog fighting, child sexual crimes to one predicate enterprise and indict those responsible. It's a narrowly drawn Bill that, frankly, it's time has come in Illinois. I'd respectfully ask for an 'aye' vote."

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Speaker Lang: "The Gentleman moves for the passage of the Bill.
And on that question, Representative Eddy for five
minutes."

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

Speaker Lang: "Gentleman yields."

Zalewski: "Mr. Speaker... Mr. Speaker... Mr. Speaker, can I pull..."

Speaker Lang: "Yes."

Zalewski: "...the record out of the... could I pull the Bill out of
the record for one second?"

Speaker Lang: "Gentleman pulls the Bill from the record. Next
Bill is House Bill 178, Representative Yarbrough. Read the
Bill."

Clerk Mahoney: "House Bill 178, a Bill for an Act concerning
human rights. Third Reading."

Speaker Lang: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. House Bill 178 was brought
to me by the Department of Human Rights. Under current law,
the department must conduct a fact finding conference unless
the director has determined whether there's substantial
evidence that an alleged civil rights violation has been
committed or the charge has been dismissed for lack of
jurisdiction. House Bill 178 adds the ability for both
parties to voluntarily and in writing agree to waive the
fact finding conference. I've been told that this proposal
has the opportunity to save the department about \$200
thousand. There's no opposition to the Bill. Be happy to
answer any questions."

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Speaker Lang: "Lady moves for the passage of the Bill. The Bill is on Short Debate. The Chair recognizes Mr. Eddy for two minutes."

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

Speaker Lang: "Lady yields."

Eddy: "Representative, I... I think you alluded to the fact there is not opposition at this time. I think originally the Chamber opposed the underlying Bill and they removed that opposition?"

Yarbrough: "Yes, that's correct."

Eddy: "That was based on... originally, their concern was that there might be an inadvertent default because of an employer or a respondent not receiving a document that would be sent by regular mail?"

Yarbrough: "That's correct."

Eddy: "How... how was that addressed?"

Yarbrough: "Okay. Under... under the Bill as written and we passed the Amendment, it simply returns the time that a respondent has to file a required verified response. They wanted 30 days and we went back to the original 60 days."

Eddy: "Okay. Thank you, Representative."

Yarbrough: "So, that removed the opposition."

Eddy: "Thank you for that and your indulgence with that. I feel much... much more comfortable with it. I think the underlying Bill was their concern and we certainly have no problem now. Thank you very much."

Yarbrough: "Thank you."

Speaker Lang: "Lady moves for the passage of the Bill. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Beiser, Dunkin, Mell, Nekritz. Mr. Beiser, Mr. Dunkin. 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 2853, Representative Thapedi. Out of the record. House Bill 2105, Representative Winters. Please read the Bill."

Clerk Mahoney: "House Bill 2105, a Bill for an Act concerning health. Second Reading of this House Bill. Amendment #1 was tabled. Amendment #2 was adopted. No Floor Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 1871, Representative Sente. Representative Sente. Out of the record. House Bill 1889, Representative Rita. Mr. Rita. Out of the record. House Bill 2982, Representative Sosnowski. Out of the record. Let's go back and read House Bill 2982, Mr. Clerk."

Clerk Mahoney: "House Bill 2982, a Bill for an Act concerning health. Second Reading of this House Bill. Amendment #1 was tabled. Committee Amendment #2 was also tabled. Floor Amendment #3, offered by Representative Sosnowski, has been approved for consideration."

Speaker Lang: "Representative Sosnowski."

Sosnowski: "It's just an Amendment. Would like to move to adopt this Amendment."

Speaker Lang: "Representative, can you tell the Body what the Amendment does, Sir?"

Sosnowski: "It's a small technical Amendment that modifies some of the language of the organizations referred to and also

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takes care of some concerns that the Department of Human Services had."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. House Bill 148, Mr. Phelps. Please read the Bill."

Clerk Mahoney: "House Bill 148, a Bill for an Act concerning firearms. Second Reading of this House Bill. Floor Amendment #1, offered by Representative Phelps, has been approved for consideration."

Speaker Lang: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I believe that this is a Floor Amendment to not let libraries be able to have... to take your concealed carry into a library. This was a... we worked this out and this is what most of the people wanted. So, this is just an exemption we put in."

Speaker Lang: "Those in favor of the Amendment shall say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Chair recognizes Mr. Kay."

Kay: "Thank you, Mr. Speaker. In the gallery today is Collinsville Mayor John Miller and City Manager Bob Knabel. He's accompanied... they are accompanied by Darcy Davidsmeyer from the Lincoln Foundation for Performance Excellence. I

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just want to bring to the attention of this gallery, in January, Collinsville was one of four cities in Illinois to be recognized for the excellence in government management, receiving the Lincoln Bronze Award, a Malcolm Baldrige Recognition. Please help me welcome and congratulate Mayor Miller and Manager Knabel on a job well-done."

Speaker Lang: "Congratulations. Next Bill on the Calendar is House Bill 1514, Representative Reis. Mr. Reis. Please read the Bill."

Clerk Mahoney: "House Bill 1514, a Bill for an Act concerning criminal law. Third Reading."

Speaker Lang: "This Bill is on the Order of Short Debate. Mr. Reis."

Reis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1514 is legislation that we've passed out of the House now three times; it's passed out of the Senate as well. It simply allows people who are trading firearms... one firearm that they can trade it for another without going through the waiting period. We did modify the Bill last year and say that it had to be a one short firearm for one short or one long for one long. So, we did narrow it down. But this simply allows people to go to gun shows or travel long distances to purchase or trade guns... trade guns, to go ahead and take that gun home with them so they don't have to make a second trip back. I would ask for your 'aye' vote on this and would be happy to answer any questions."

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Speaker Lang: "Gentleman's moved for the passage of the Bill.
This is on Short Debate. And for two minutes, the Chair
recognizes Representative Riley."

Riley: "I'm sorry. Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Riley: "Representative, is there any distinction made about
whether or not the... the firearms being transferred were
bought, you know, with... it was a licensed purchase of those
firearms or just any firearm?"

Reis: "It has to be a similar firearm, but it can be any
firearm, yes."

Riley: "So, there's no distinction of whether or not that
firearm was purchased, you know, through a licensed dealer
or not?"

Reis: "No, and that... that doesn't matter because they may be
able to trade them amongst family members, they may have
been inherited. But they will have to go through an on the
spot background check and that will have to approved before
they can take the gun with them."

Riley: "Thank you."

Speaker Lang: "Gentleman moves for the passage of the Bill.
Those in favor say... vote 'aye'; those opposed vote 'no'.
The voting is open. Have all voted who wish? Have all
voted who wish? Have all voted who wish? Mr... Representative
Lilly. Please take the record. On this question, there are
78 voting 'yes', 33 voting 'no', 1 voting 'present'. And
this Bill, having received the Constitutional Majority, is
hereby declared passed. For those who were jumping up and
down, the Bill was on Short Debate. I'm following the Rules

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of the House from the Chair. House Bill 1907,
Representative Zalewski. Please read the Bill."

Clerk Mahoney: "House Bill 1907, a Bill for an Act concerning
criminal law. Third Reading."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Thank you, Mr. Speaker. I was able to get that note
to Representative Thapedi. So, I'm an... I'm available to
answer questions."

Speaker Lang: "Gentleman's moved for the passage of the Bill.
We had some debate on it, previously. Seeing no further
debate, those in favor... Representative Flowers."

Flowers: "I'm sorry, Mr. Speaker. I didn't hear the debate."

Speaker Lang: "Mr. Zalewski, since you had some gap between
when you tried to run it and running it now, why don't you
explain the Bill briefly."

Zalewski: "With pleasure, Mr. Speaker. House Bill 1907 is a
narrowly constructed criminal enterprise Bill which allows
state's attorneys to indict, bring to trial and prosecute
criminal enterprises. Illinois is... is one of the few states
that does not have a modern statute such as this. It would,
frankly, allow law enforcement to... to collect different
offenses into one indictment and go after the principals in
the illegal activity as opposed to just the underlings.
It's a necessary tool to evolve law enforcement. And I
respectfully ask for an 'aye' vote."

Flowers: "Representative, in regards... is this dealing with
drugs and guns and..."

Zalewski: "Rep... Representative, the predicate offenses that
would constitute the ability to indict what... are drug

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offenses and firearm offenses are in that... in those predicate activities."

Flowers: "Okay. How will this be preventing the drugs from coming over into this country, coming into this state, specifically?"

Zalewski: "Well, I... I think these... the simplest answer to that question, Representative, is this would be a deterrent because those who wish to commit crimes such as those would realize that it wasn't just going to be the underlings and the guys on the street that were committing these crimes, that the central principals of the activity would be ultimately held accountable and would face significant jail time."

Flowers: "I guess I'm trying to figure out, how do you get to the principle? Because this Bill is about the underlings. But, my next question is, is this statewide or this only applicable to Cook County?"

Zalewski: "No, Ma'am, it's statewide."

Flowers: "Pardon me?"

Zalewski: "No, Ma'am, it's statewide. It's applies... we're amending the Criminal Code, so it applies to the State of Illinois."

Flowers: "Thank you very much."

Speaker Lang: "Chair recognizes Representative Reboletti for five minutes."

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

Speaker Lang: "Gentleman yields."

Reboletti: "Representative, you have a very good Bill here. Where'd you get the idea for it?"

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Zalewski: "Why it came from several sources, Representative. Some of them belong to yourself and you should be given due credit for them."

Reboletti: "Well, thank you, Representative. And it's been a pleasure working with you on this issue. And to the Bill. For four years I've stood on this House Floor, we've talked about the devastation that gangs with guns and drugs can... can do to a community. What this Bill will allow prosecutors and the police to do is to treat the gangs as a criminal enterprise, which is what they are. Not only does it seek to go after your street level folks, but really what it does is it follows the money. That is why they have these enterprises. There are millions of dollars that are made in this trade every year. This takes the profit out of being in the gang. This follows the money into the businesses that are used to wash the money. The cars that are purchased can be seized. The homes that are purchased can be seized. It follows up all the way to the person who is in charge of the operation. So, you can follow into a pyramid form who are the people on the street all the way up to the person who is the drug kingpin. So, this will follow those transactions all the way back to... from a sale on the street to purchases of property. So, this will give prosecutors and the police an extremely valuable tool in shutting down gang individuals and the gang enterprise. Without this, the gangs have flourished. The Federal Government has used this time and time again in the State of Illinois, but based off of federal prosecutions for guns and drugs. Why won't we give our own police and prosecutors

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the same tools? I was talking to one of my chiefs last night about how they would go about this. They're going to have to work with the prosecutors to investigate the crimes differently because this will be a much different approach than just taking the street level dealer off the street. So, I would urge an 'aye' vote. This will help get to the root of the problem. This will not only deal with the street level, but will go all the way up to the top and take the profit out of the enterprise. Thank you, Representative Zalewski, for bringing this Bill."

Speaker Lang: "Representative Tracy for five minutes."

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

Speaker Lang: "Gentleman yields."

Tracy: "I rise in support of this legislation. When we heard it in committee, it... it is a major piece of legislation. And it... we only had a limited time to allow the explanation of the Bill and at the time we... we weren't fully able to get our hands around what it would do. But I do rise in support of it as I understand now that it's only narrowly drafted, so it applies in a very limited circumstance. And I thank the Sponsor for bringing it forward."

Speaker Lang: "We've had three Members speak in favor. Under our Rules on Standard Debate, three Members may speak in favor. Representative Monique Davis is next. Are you speaking in favor or opposed to the Bill?"

Davis, M.: "For a bad Bill, Sir, I'm always opposed."

Speaker Lang: "You have five minutes."

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Davis, M.: "Thank you. First, I'd like to ask the Representative what changes are you making in current law in reference to charges as well as penalties?"

Zalewski: "Representative, what we're doing in this Bill is narrowly drafting and adding to the statute book the offenses that are in... that are... that are contained in the Bill and allowing law enforcement, specifically a state's attorney, to indict, bring to trial and convict a criminal enterprise involved in the predicate activities. We are not changing anything."

Davis, M.: "Involved in what?"

Zalewski: "The offenses that would constitute the enterprise, namely weapons violations, drug violations..."

Davis, M.: "Okay. Let's stop right there. Do we currently have laws in reference to weapons violations?"

Zalewski: "Yes."

Davis, M.: "Okay. Move on. What's the next one?"

Zalewski: "Do you want... Representative, do you want the entire list of predicate activities?"

Davis, M.: "Well, what I'm trying to get at, Representative, with all due respect, is why the Illinois Bar Association... the State Bar Association is opposed to your Bill?"

Zalewski: "That's a good question, Representative. It's been represented to me that historically they have..."

Davis, M.: "That is what?"

Zalewski: "...they... it's been represented to me that historically the Illinois State Bar Association has been opposed to these types of Bills, but I would remind you that this is drastically narrowed and tailored specifically for the

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predicate activities. There is... this is not a broad and overreaching Bill that historically that has been associated with the term 'RICO'."

Davis, M.: "Well, Representative, do you think it's fair that we're making things a Class X Felony, putting them under one umbrella? In other words, if you do and you list a number of things and we're now going to conclude that these are Class X Felonies?"

Zalewski: "Rep... Representative, in answer to your question, we don't have this tool in Illinois right now and as a result, criminals are getting away with crimes that they shouldn't be getting away with. And furthermore, individuals who are lower rung on these criminal organizations are taking... are being held accountable when we could go further up the chain and get to the people that are really responsible for these organizations."

Davis, M.: "Representative, I believe if we wanted to climb up that chain today we could do it. We could climb that chain today with the existing laws. To the Bill, Mr. Speaker. We constantly add to our Criminal Code and it is not reducing crime nor making our streets any safer. All we continue to do is fill up our prisons, increase that prison budget, increase the AFSCME contracts and give more money to those in charge of these prison locations. Currently, there are laws on the books in the State and the Federal Government Laws to deal with any of this criminal activity that's listed here. It's redundant, it's excessive and it will in no way create the climate that our Representative wants us to think it will create. Current law says if you're dealing

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drugs, you can be gone after, you can be, you know, eavesdropped on. We can get the money from you, you can go to a federal prison. So, what this Bill simply will do is cloud up the court system with the Illinois Bar Association realizing the dangers of this kind of legislation in the state. Now, Representative, we know that you want good government just as we do. Well, good government includes careful spending of state funds. This Bill will create a climate in which greater state funds are being used and will not lower the crime rate as you have attempted to indicate. Mr. Speaker, I thank you for your time. I urge a 'no' vote. Save the taxpayer money. Let the state's attorney do her work. Let her do the work that she's given to do today with the current existing laws. Thank you."

Speaker Lang: "Chair recognizes Representative Thapedi for five minutes."

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

Speaker Lang: "Gentleman yields."

Thapedi: "Mr. Zalewski, would you tell me that you provided me with a copy of the correctional note, essentially what did the correctional note opine?"

Zalewski: "Representative, the correctional note basically said that... I'll paraphrase. It was pretty much undetermined what the impact would be on the correctional system. I... I... the language, though, I remember specifically stating that a lot of the crimes that were included in this would.. would not be an immediate impact on the... on the jail because of the down the road implications. And I would remind the

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chamber... remind the Body, that that note was ruled inapplicable by this same Body yesterday."

Thapedi: "Why did you find it necessary to move that that note would be inapplicable because it sounds like at least some of the information that you've shared with us here this morning is highly relevant to this piece of legislation."

Zalewski: "For... for two reasons, Representative. First of all..."

Thapedi: "Other than... other than Representative Collins leaving the chamber."

Zalewski: "The second reason is, I honestly, sincerely believe that this, if not revenue neutral, will be a plus revenue for the State of Illinois and the government because we are able in this Bill to go after the assets, the forfeiture assets of these organizations and get their money, not just their time, their money as well."

Thapedi: "Thank you. Mr. Speaker, to the Bill. RICO is not all good and RICO is not all bad. And I believe that the Legislature needs to be informed of what it does accomplish, what it doesn't accomplish and actually what it cost. The federal model provides a helpful backdrop with which to analyze this proposal. First, RICO does not criminalize conduct that is currently legal. We already have laws that prescribe drug dealing, drug trafficking, violent crimes, sex crimes and conspiracies to commit these crimes. These crimes, the violent crimes, the sex crimes and the narcotics crimes involve large amounts of money and drugs. They already have serious penalties and we already have the related forfeiture provisions. What RICO does is it does increase the mandatory minimum sentences and

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sentences ranging in a major way. But since we already have serious sentences for these serious crimes, the biggest impact of RICO is to create huge penalties for the smaller players in drug conspiracies. Is it the Legislature's goal to incarcerate these little guys in large conspiracies for huge amounts of time? Those legislators who feel that the social benefits of increased incarceration outweigh the huge costs for the investigation, trial and incarceration that will result from this Bill should in fact support RICO. There is no question about that. But here's how RICO gets the little guys. Law enforcement arrests the small dealers, the small gang members and then threaten them with huge RICO consequences. They will threaten and squeeze these little guys and some of them will then become cooperators, wear wires and testify against other gang members and leaders in particular. The police will obtain eavesdropping orders based upon these statements of these little people. They listen to the conversations of the leaders for a month or two, draw a circle around everyone who buys or sells for the kingpin and charge everyone within that circle, be it large or small, with the overreaching drug conspiracy and with each member potentially on the line for the full amount of drugs bought and sold by the full group. This means that the indictment of 6, 10, 15, 20 or 65 defendants in the conspiracy will allow the conflicting of all but 1 or 2 defendants at trial. That is a problem. So, while this is definitely a powerful tool for law enforcement and if that is the sole priority for the Legislators, then they should vote for it.

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But here is the real reason to oppose it. The federal experience has taught us that capitalism is a wonderful thing. When you remove a supplier from the marketplace but demand remains the same, the new suppliers are going to step up and fill the void. This is what has happened as a result of the RICO cases. So, again, I understand what Anita Alvarez wants to do. I understand what you're doing, Mr. Zalewski, I have a lot of respect for you. But I think that we should all recognize what RICO truly is and its implications. Thank you, Mr. Speaker."

Speaker Lang: "We've already had three speakers in favor of the Bill and two opposed. The next person wishing to speak is Mr. Dunkin. Are you speaking in opposition to the Bill, Sir? Mr. Dunkin for five minutes."

Dunkin: "Thank you, Mr. Speaker and Members of the Illinois House. Representative, currently if you look at the text of your... of this legislation, it has a number of items that, such as aggravated juvenile pimping, solicitation of a prostitute, murder first degree, kidnapping, unlawful restraint, forcible detention, child abduction, et cetera and so forth that's listed in your Bill. Do we have laws that exist right now that are supportive or that are against all of those items that I mentioned or at least what's in the text of your... your legislation?"

Zalewski: "Representative, your question is similar to what Representative Davis just asked me a few minutes ago. They... the key to these... this legislation is that those are predicate activities. We do have those offenses as stand alone offenses in Illinois, granted; however, we are

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woefully behind when it comes to law enforcement in this state enabling to bundle those offenses together to get at the criminal enterprise. And we are, frankly, missing out on enforcing... taking the head off of these organizations by not having this type of statute."

Dunkin: "Representative, we just convicted... this state... federal prosecutors just found guilty our former Governor for lying to the FBI. You mean to tell me that they can't go after a... the head of a criminal enterprise here in this state? They just took down the head of our state not too long ago. In other words, what's the real significance of this Bill? If... if the Attorney General, excuse me, the State's Attorney wants to take out the head of an organized... a criminal enterprise or an organization, can she do that right now already?"

Zalewski: "I think the State's Attorney would argue that they are having instances, specifically serious grave occurrences, where judges are finding defendants not guilty because they cannot tie the offense to the individuals that ordered the offense. And therefore, serious criminals are being found not guilty in our court system."

Dunkin: "Representative... Representative, a... a murderous drug kingpin in this state, are you saying that... in Cook County, are you telling this Body here that the State's Attorney of Cook County cannot take away that person's freedom and arrest them, a murderous drug kingpin?"

Zalewski: "I mean, Representative, I..."

Dunkin: "It's a yes or no question, Representative."

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Zalewski: "...can they arrest them? Can they arrest them? Sure, Representative."

Dunkin: "Can they sentence... can they arrest and convict a murderous criminal drug kingpin in Cook County, Illinois?"

Zalewski: "You just said the magic word, Representative, they cannot convict them."

Dunkin: "They cannot convict them?"

Zalewski: "If they can't tie the offense to..."

Dunkin: "If a... if a State's Attorney cannot convict a murderous..."

Zalewski: "Mr. Speaker..."

Dunkin: "...criminal drug pin, she needs or whoever they need to step down and not do their job or give it to someone who can do their job."

Zalewski: "Representative, what I would tell you about your question... the way I would answer your question is that law enforcement has come to us as a Body and has said, they can do a more effective, a more thorough job of protecting our citizens if they are able to use this tool to collate offenses and go after the enterprise and not the individuals who right now are not ultimately responsible."

Dunkin: "Representative, there's not one Member here who supports any criminal individual or enterprise. You know, what's curious is, why is it that the Illinois State Bar Association is against this Bill?"

Zalewski: "Again, Representative, as I said to Representative Davis just a few minutes ago, it's their long-standing practice to oppose this Bill. I... I will tell you what I told them and what I told Representative Davis and anyone

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who would listen this Bill has been narrowly drawn, it's been narrowly... it will be narrowly implemented and it is not the same Bill that's been introduced in the past. So, to the extent that you're concerned about the Illinois State Bar Association's opposition, I would just tell you that this is not the same Bill that they've been opposed to in the past. And going forward, this is the Bill... that they just stated that they would opposed to this Bill."

Dunkin: "Representative, the Cook County State's Attorney has the confidence that in myself and many Members here in this Assembly, we expect her to do the right thing all the time with any criminal at any level, quite frankly. What we don't want to do it to over criminalize anybody's process at the state or the county level. I'm just surprised..."

Speaker Lang: "Mr. Dunkin... Mr. Dunkin, your time has expired. Please bring your remarks to a close, Sir."

Dunkin: "Okay. To the Bill. I certainly see... see the intent of the legislation. You know, RICO... RICO... federal RICO law is far-reaching as most of us are aware of it. Again, if a... our former Governor was convicted of lying to the FBI, we surely can... can convict... arrest and convict a murderous drug kingpin or a kidnapper at any level, even in Cook County. And so, to have an excuse and say that they would not be able to convict someone of that level is... is misinformation and I'm questioning this piece of legislation. And I'm encouraging Members to vote 'no'."

Speaker Lang: "Mr. Zalewski to close."

Zalewski: "Thank you, Mr. Speaker. We've had a thorough debate on the issue. I would close... I would close..."

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Speaker Lang: "Representative Davis, on a point of personal privilege."

Davis, M.: "Thank you very much. My name was used twice in debate; however, I will only speak once. I want to ask the Representative, has the state's att... excuse me, excuse me. Has the state's attorney been in the news recently..."

Speaker Lang: "Representative Davis... Representative Davis, you can state your point, but the time for debating with Mr. Zalewski has completed."

Davis, M.: "Okay. Well, then, I'll state my point."

Speaker Lang: "Please."

Davis, M.: "My point is the illustrious State's Attorney was recently in the news for her great investigative powers. I think the Chicago Sun-Times is seeking her use of those powers and encouraging her to use them all the time. Now, what I would ask, Mr. Speaker, because this is such a serious, egregious issue, I want a verification of the vote. Thank you, Sir."

Speaker Lang: "Lady has asked for a verification. That will be granted. Mr. Zalewski to close."

Zalewski: "I would bring four points to the Body in closing that I think they should know before they cast their vote on this Bill. Illinois has a disproportionately high gang problem when compared to other states. And one of the reasons why is because we do not have this tool, it is necessary to protect citizens from crime. Our State's Attorneys have asked for this and as a result, we should vote 'aye'. Second, we have instances in the past where judges have found individuals not guilty, specifically gang

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leaders, because they were not able to tie the people that committed the crime to the people that ordered the crimes to be committed. That is a serious flaw in our criminal justice system in Illinois and we need to correct it. Furthermore, I've heard a lot of comparisons to the fed... to the Federal RICO statute and how it compares to the state, vis-a-vis, the feds... the feds have the funding to do this. They selectively prosecute. We need the ability to do this as well. We need more cases done on the state level to be both a deterrent and a crime fighting tool. Finally, I would leave the Body with this thought, we are experiencing an issue in Chicago and throughout the State of Illinois, as far as I'm concerned, where gangs are breaking up into smaller groups. They are breaking up into smaller groups which increases the violence and makes it difficult to prosecute those responsible. Again, we've had a thorough debate on this issue. This is a narrowly drawn Bill whose time has come in Illinois. I'd respectfully ask for an 'aye' vote."

Speaker Lang: "Gentleman has moved for the passage of the Bill. A verification has been requested, so please vote your own switches. 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. Eddy, Mr. Phelps. Please take the record. On this question, there are 90 voting 'yes' and 23 voting 'no'. Representative Davis, do you persist in your request for a verification? Representative Davis."

Davis, M.: "Representative Brady."

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Speaker Lang: "Representative, we... we haven't started the..."

Davis, M.: "Oh."

Speaker Lang: "...verification process yet. There are 90 'yes' votes. Do you persist in your request for a verification?"

Davis, M.: "No."

Speaker Lang: "The Lady withdraws her request for a verification. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Sacia."

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

Speaker Lang: "State your point, Sir."

Sacia: "Mr. Speaker and Ladies and Gentlemen of the House, we have two wonderful ladies with us in the balcony today that are here as sponsors for our Pages. We have Bambi Dillavou and Rosemarie Edwards and our four Pages are Alexandria Magnuson, Ryan Dillavou, standing beside me, Miss Katherine Edwards and Rebecca Edwards. Would you make them feel welcome, please."

Speaker Lang: "Welcome to Springfield. Moving to Supplemental Calendar #2, under Order of Resolutions, there appears House Resolution 183. Representative May."

May: "Thank you, Speaker, Ladies and Gentlemen of the House. I want to thank every one of you who has been so receptive to the children who are here from Children's Oncology Services to lobby for House Resolution 183, acknowledging the week of March 27-April 2 as Pediatric Cancer Survivorship Week. They are behind me in their red sweatshirts. They came to committee where they brought tears to the eyes of the Members of the Human Services Committee as they unanimously

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agreed to this Resolution and all of them became Sponsors. These children face life threatening cancer illnesses at a very young age. They all know the date they were diagnosed. They can give you the date of each surgery, each radiation, each treatment that they face. This is part of one of nine programs that the Children's Oncology Services do. They bring them to Springfield for a week to learn advocacy because they are going to have to advocate for money to pay for the services and for all of the... all of the things to deal with government, have government work for them. So, are they rising yet? I would like to acknowledge all of the children from Children's Oncology Services. Will you please stand?"

Speaker Lang: "Welcome to Springfield. Thank you for being here."

May: "They are brave, they are wonderful, they are my heroes. And as is everyone from this chamber who has signed on and talked to them and signed on as support, we have even more people signing on. So, with that, I just ask for your support for passage of House Resolution 183."

Speaker Lang: "Lady's moved for the adoption of the Resolution. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Resolution 223, Representative Chapa LaVia."

Chapa LaVia: "Oh this is the Resolution I was speaking about yesterday about how the United States Federal Government they're starting to do proclamations and recommendations. And while I'd like to get a point... first, I want to thank my colleague over here, Representative Jack Franks, for

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running it this morning in committee, but is that we make a point that this ends up being a national recognized day, not necessarily a paid day off. But, 40 years overdue, as a female veteran, it's so important that you guys all understand is the reason why you sit in those seats so comfortably is somebody died to give you the ability to do that. There are... people died. American soldiers, sailor, airmen died to give you the right to do that and at no time do I ever take that for granted down here in Springfield. And I just want to make sure that, you know, we live that every day and this is just a small little token for us to give back to... over 40 years ago not welcoming our sailors, soldiers and airmen back into our country and treating them disrespectfully for wearing the uniform of this country. So, this is just a speck of what they really deserve. And I hope for its adoption and I hope for the recognition that you as an American citizen understand what costs we ask of our men and women that wear the uniform of this country and that every day that you have the ability to change somebody's life by just thanking a veteran for what they do. So, I ask for its adoption. I would hope that everybody in the General Assembly on this chamber would be added as a cosponsor to this Resolution out of respect for our men and women that served at that time. And it... I'm honored to be able to be the only female veteran in the General Assembly and honored to represent veterans throughout the State of Illinois and the United States."

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Speaker Lang: "Lady moves for the adoption of the Resolution. On that question, the Chair recognizes Representative Stephens."

Stephens: "Thank you, Mr. Speaker. And I would.. I would like to take a moment, if we could have the attention of the Body. I want to thank the Lady because she represents everything that is good about America. And I believe that an overwhelming majority of Americans did welcome us home from Vietnam. The.. the news media did not portray the Vietnam War correctly and didn't describe it as it should have been. And I don't believe history has been kind to those of us who served. But and I.. I say that based on facts. First of all, let me give you a fact about the average soldier in Vietnam. First of all, two out of every three who served in Vietnam volunteered, they were not draftees. Compare that, Ladies and Gentlemen, to the average veteran from World War II, World War II the greatest generation. Two out of every three who served in World War II were drafted one out of three volunteered. The.. there were 240 Medals of Honor issued to men who served in Vietnam. Of the 58,260 who died in Vietnam, 61 percent were under the age of 21. Many of them had not yet earned the right to vote and yet they gave their life for their country. Five of them.. five men who died in Vietnam were 16 years old, one was age 62. Eight of the people whose names are on the wall in Washington, D.C., are women. And Ladies and Gentlemen, I don't know how long that I will be involved in this process, but we have.. I had a Member initiative last year that would create a Women's Veterans Memorial here in Springfield. Four hundred

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thousand dollars that the Governor has not seen fit to release yet and I hope that we will see that done before I leave but if not, I hope that you will carry that banner for me. Ninety-seven percent of those who served in Vietnam were honorably discharged; they were not a bunch of troublemakers. Seventy-four percent... Seventy-four percent when asked this question, knowing what you know today would you do it again, said yes, gladly. Ninety-six percent are proud of their service, seventy-four percent would go back today. The average income of the Vietnam veteran, we hear all about the homeless veterans this and drug addict that. The average income of the Vietnam veteran is eighteen percent higher than those who did not serve. They are less unemployed than those who did not serve. They are different in many ways, but I believe that those ways are very positive. The proudest days of my life were wearing the uniform of my country and those wonderful days in Vietnam not, for what we did, but for who I was proud enough and lucky enough to serve with good men and good women. God bless you and thank you, Representative."

Speaker Lang: "Representative Watson."

Watson: "Thank you, Mr. Speaker. Linda, thank you for bringing this up. And Ron, with a heartfelt thanks. I think everybody in the chamber knows what happened, what the culture was like in the '70s when you came home. Not everybody in this chamber knows that Ron Stephens was hit three times when he was injured and then awarded the Purple Heart. We ask ourselves... we ask ourselves in this Body, how do you pay respect to people? We pay respect by the things

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that we have done in a bipartisan fashion, how we take care of those who fall and how we honor those who served. So, Ron, you are one of the best and thank you. And Linda, thanks for bringing it up."

Speaker Lang: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I, too, would like to praise Linda Chapa LaVia for bringing this before this Body. And I give honor to Representative Stephens, Representative Watson and any of those who have family members who have served in the Vietnam War or others. We know that in America some of the poorest people in our country, some of the poorest families are the families of former veterans. Some of them come home with problems and we never have enough money to address those problems that they have and they only have them because of the horrors they have seen or been a part of in the war. I would urge everyone to become members of this Resolution and give honor to those who have certainly earned it in a very, very difficult fashion. Thank you again, Representative Chapa LaVia. And please add my name to this. Thank you."

Speaker Lang: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. I, too, want to commend Representative Chapa LaVia for bringing this. And we heard some outstanding comments of appreciation by Representative Watson for Representative Stephens. Representative Watson, one who's done two tours of duty during the current conflict. Could we have all our veterans stand that the rest of us may salute all veterans that are in this chamber, could we do that?"

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Speaker Lang: "Representative Chapa LaVia to close."

Chapa LaVia: "And we walk among heroes all day long, a couple of our door guys are also Vietnam veterans. I would request that my name be taken off as the lead Sponsor and we place Representative Stephens as lead Sponsor on the Resolution, please."

Speaker Lang: "Mr. Stephens, the Sponsor of the Bill requests that... moves that all Members be named as cosponsors on the Bill. Leave is granted. And Mr. Stephens moves that the Amendment... the Resolution be adopted. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Moving back to the regular Calendar for a bit of amusement. Next Bill is House Bill 1084, Representative Mussman, who will pull the red jacket from her desk. Mr. Clerk, please read the Bill."

Clerk Mahoney: "House Bill 1084, a Bill for an Act concerning State Government. Third Reading."

Speaker Lang: "Representative Mussman on her first Bill."

Mussman: "Thank you, august Speaker of the House and Members of this committee. House Bill 1084 creates the Business Mandate Note Act. Provides that every Bill which may effect... which may in effect raise the cost of doing business in Illinois may have a brief explanatory statement of the proposed cost requested before the Second Reading of the House, provides that the Department of Commerce and Economic Opportunity shall prepare the note with assistance as necessary from the businesses impacted, the ICC, the LRU

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or any other state organization representing our business communities. I request a 'yes' vote."

Speaker Lang: "Lady moves for the passage of her first Bill. And on this question, the Chair recognizes Representative Eddy."

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

Speaker Lang: "The Lady most certainly will yield."

Eddy: "Where... where is she? Where is she at? Could she stand up, please? Oh, I see. There you are, I'm sorry. She is standing up? Right there, okay. Thank you. Representative, let's get two things straight right away. Are you a mom?"

Mussman: "I am."

Eddy: "Is this your mission?"

Mussman: "One of many."

Eddy: "Didn't know if this was it. Can you... just based on your obvious knowledge of House proceedings, without looking or asking questions, provide the Body with the existing list of notes that can be requested?"

Mussman: "I believe that there's a least seven individual notes and I could not name them all at this time."

Eddy: "Can you name one?"

Mussman: "The mandates note."

Eddy: "Very good. Can you name another?"

Mussman: "There's a fiscal note."

Eddy: "That's two. Another?"

Mussman: "Pensions."

Eddy: "There's three. Keep going."

Mussman: "Correctional."

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Eddy: "There's four. See how easy this is? See how easy, that's only four though and where I come from, four out of seven... hey, wait a minute you have a cheater behind you. Somebody's whispering. All right."

Mussman: "We are all in this together."

Eddy: "Well, four out of seven isn't bad, but that's what... I don't know percent wise, a 'D', a 'D'?"

Mussman: "A 'D'?"

Eddy: "But, you'll work on that, I think you'll do better as time goes by. So, why is it so important that we add another... a note when we have seven? Couldn't you have incorporated this into some existing note by adding a hyphen or a slash or a comma or a semicolon?"

Mussman: "No, I think it's important that this one remains on its own. We know that Illinois has a... has a reputation for not being friendly to our businesses and not taking into account how they will be impacted when we change the rules on them. And I think that we need to further examine what we do and why we do it."

Eddy: "So, if someone puts a business mandate note on a Bill, would the same rules apply? Like, right now, if there's a Bill on Second Reading, you put a business mandates note on there, would the Bill be held until the note is returned?"

Mussman: "Yes."

Eddy: "Who... who's res... DCEO is responsible for returning the note."

Mussman: "Yes."

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Eddy: "Now, my understanding is that the Department of Commerce and Economic Opportunity in this state is against your Bill, is that true?"

Mussman: "Yes, it is."

Eddy: "Why?"

Mussman: "They're concerned about the change in their workload. But they honestly already do a number of the notes. It is the appropriate place to do this business."

Eddy: "Our analysis states that it would need to hire at least two people."

Mussman: "You know what, they have actually changed that number on me a number of times. They have changed the cost estimate of what it might likely be and I don't think that they're... I don't think that that's a reason to do this or not do this. It's their job to help influence the businesses of our state and encourage them to prosper. And that's what this Bill will help them do."

Eddy: "So, how much... how much do you estimate? Is it your intention that they do this with existing staff?"

Mussman: "Yes."

Eddy: "Does the Bill state that they can't hire any additional people?"

Mussman: "Nope, it doesn't state that in any way."

Eddy: "Do you think that would be a good Amendment?"

Mussman: "And they are allowed to rely on outside entities to help them with this. They can have extra time in order to do this. They can do whatever they need to get the job done."

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Eddy: "Do you think it'd be a good Amendment to put on the Bill that specifically states that DCEO cannot hire any additional people, that they have to do their work with the existing staff they have."

Mussman: "No, I don't think that's a necessary Amendment."

Eddy: "You don't think so? Well, I was going to suggest that you move the Bill back to Second Reading, take it out of the record and maybe add that Amendment."

Mussman: "I respectfully appreciate that suggestion, but I think that I'm going to leave the Bill as it stands."

Eddy: "Okay. One final question, Representative, because I think... I think since the last couple days when we've talked about Bills related to roadkill and we've talked about Bills related to driveways being shoveled, how do you think your Bill rates as a priority compared to dealing with roadkill and dealing with shoveling snow? I mean, how can you possibly bring..."

Mussman: "I... I think..."

Eddy: "...this type of a Bill to the floor that doesn't carry the same... the same importance?"

Mussman: "Well, I think in this time of economic uncertainty that this Bill does... does rise to the top a little bit."

Eddy: "Representative, we'll see. I mean, I'm sure there are other people who are going to weigh in on this. I do appreciate the fact that no one had to prod you to put the red jacket on. You came here with the red jacket on..."

Mussman: "I was prepared."

Eddy: "...showing... showing respect for a tradition that just started last year, but it's still a tradition. And... and as

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a mother, I like to see that traditional role. So, mom, first step in the mission?"

Mussman: "Yep."

Eddy: "We'll see how it goes."

Mussman: "Thank you."

Eddy: "If this fails, what's that say about your mission?"

Mussman: "Ouch."

Speaker Lang: "Just for the record, I've heard you better, Representative. The Chair recognizes Representative Franks."

Franks: "I... I actually have some serious questions I'd like to ask, if I could, from the Sponsor?"

Speaker Lang: "Lady yields."

Franks: "Thank you. The previous speaker had asked about a certain agency's objection to your Bill, and you recall that came up in committee? And as I recall at that time their only objection was based on the fiscal consideration, correct?"

Mussman: "Yes."

Franks: "Okay. After that committee, I just want for the Members to be aware that Representative Ramey, who's the spokesperson on that committee, and myself had written a letter to that agency as well as the others admonishing them for putting in objections to Member's Bills based on fiscal considerations. I think it's important that we're aware that it's... and we need to make sure that the agencies know that it's the General Assembly that sets the policy. It's the General Assembly who creates the budget and it's the General Assembly who directs them and not the other way

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around. Today in committee we also had Representative Moffitt had a Bill that had been hijacked in the Senate because a state agency had determined to get their own Sponsor to kill that Bill. So, we ran another one that was identical where Representative Moffitt had the ability to choose his own Sponsor. And I think it's very important that we look at these objections by state agencies with a highly critical eye because what they're always going to tell us, is they're going to tell us no, we don't want to do the work. And we have to remember that we are the ones who dictate the policy and we tell them what their jobs are, not the other way around. So, that's why I believe that this Lady's Bill is very important on a number of levels. And I encourage an 'aye' vote. And I think we need to send a very strong message to the agencies that we're not going to let the inmates run the asylum. So, please vote 'aye'."

Speaker Lang: "Representative Will Davis."

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

Speaker Lang: "Lady yields."

Davis, W.: "Representative, it's apparent that for freshman doing their first Bills that they are being asked to wear a red blazer of sort. And it appears that this tradition was started by Representative Ramey, who wears a very bright red blazer. Well, it shows up pink up there. So, he wears a blazer, as a matter of fact he's putting it on right now, I believe. So, but... but my question is, is that since this was started by him and he's asking the men to wear his blazer, is that his wife's blazer you're wearing?"

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Mussman: "No, Representative, it is not. I... I came prepared."

Davis, W.: "Oh, you came prepared?"

Mussman: "I did."

Davis, W.: "Okay. I just want to make sure that that blazer's not a part of his wardrobe and he's just sharing his clothing with men or women..."

Mussman: "It... it is not."

Davis, W.: "...whichever, you know."

Mussman: "In all due respect to the new tradition, I felt that it was appropriate to be prepared."

Davis, W.: "Well, nothing wrong with that. You must have been a girl scout at one point in your life then I guess, too, being prepared. Well, it's your blazer so... But one thing that I am impressed with as we've seen from a few of the freshman that are introducing Bills is that they're actually introducing Bills of substance and that mean something and they are being talked about and discussed in some detail and not just flying out of here with absolutely no 'no' votes as well. So, I don't know if your Bill will necessarily do the same but as I've read the... the synopsis of it, I think it is actually something that's prudent as the previous speaker spoke to because there are impacts to the things that we do down here in Springfield. And there's nothing wrong with necessarily requiring a note of this type to be placed on those Bills that impact State Government and may have cost associated with them so at least we know what those costs would be moving forward as we make those decisions. So, congratulations, on your first Bill."

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Mussman: "Thank you very much."

Davis, W.: "You're welcome."

Speaker Lang: "Representative Sullivan."

Sullivan: "Sorry, we were talking to Representative May about an issue. Representative, I actually had a technical question in regard to Section 20 of your Bill."

Mussman: "Yes?"

Sullivan: "Can you explain that Section? Obviously, it says that you might have a Bill that you feel does not have an impact to the state financially, I might disagree with you. So, I as a Member of the Body for which you are a Member of that chamber could request that you go through the process of getting this fiscal note, is that correct?"

Mussman: "Yes."

Sullivan: "Okay. What... what does it mean when we talk about the applicability of the Act shall be decided by the majority of those present voting in the House. Can you explain that provision?"

Mussman: "Well, it means that if I felt that it wasn't necessary but you felt that it was necessary, the House, by Majority could vote... could decide whether it was necessary or not."

Sullivan: "Okay. Of... of just those in the room? So, I... you know, it would have to be... it would be a recorded vote and then I could... I look at it as potentially a way to keeping the Minority Party from not being able to... to ask for these fiscal notes because obviously you guys are in control. It's just one more way that potentially we could be locked

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out of the process. Do you understand where I'm coming from there?"

Mussman: "I... I do, but I do not think that that was in any way the intention of... of the wording it that way."

Sullivan: "Okay. I... I think you're right. I'm not accusing you of that, believe me, that's not where I'm going with this. I just feel that potentially, and we should look at this and everyone should look at it a little bit from our point of view, that it could be used if we wanted to ask for a fiscal note or I'm sorry, a business mandate note, that you guys could just overrule us and so it would be a recorded vote and not a voice vote. Was that your understanding?"

Mussman: "It... I do see where you're coming from. I... I don't know that I feel that that's a justifiable concern right now. Again, that's not the intention."

Sullivan: "Okay."

Mussman: "And I don't think that it's meant to be part of a political maneuvering."

Sullivan: "And I, believe me, I do agree with you. I do. I'm just wondering will it be a recorded vote if you're going to overrule a request from a Minority Party Member for a business mandate note?"

Mussman: "I do not feel it needs to be a recorded vote."

Mussman: "It would?"

Sullivan: "Well, that... kind of furthers into what I'm trying to talk about here actually."

Mussman: "Do we have... do we have a parliamentarian who can weigh in on this?"

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Speaker Lang: "Why don't we continue the debate and we'll try to get you an answer to this important question."

Mussman: "Okay."

Sullivan: "Thank you very much. That... that's my question, so we can move on from here."

Mussman: "So, we are doing it as a recorded vote, is what I'm being told."

Sullivan: "Great. Thank you."

Speaker Lang: "Have you completed your questions, Mr. Sullivan?"

Sullivan: "I'm sorry, yes. I just wanted to know if it was a recorded vote. She indicated it is and so it's on the record. Thank you."

Speaker Lang: "I believe that's correct and we're getting you an answer. Mr. Fortner."

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

Speaker Lang: "The Lady will yield."

Fortner: "Representative, I see the Bill has kind of bounced around up and down this Second Reading, Third Reading, Second Reading, Third Reading. Could you help enlighten the chamber on maybe some of the stuff that's happened here?"

Mussman: "We... we were working to perfect the wording of the Bill by adding an Amendment because we wanted to make sure that it did not in any way conflict with a Bill that you had proposed during the previous year. So, we... we did add the Amendment that addresses that situation to make sure there is no conflict."

Fortner: "Now, you said proposed. It's more than just a Bill, it's actually the law, right?"

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Mussman: "You're right. Absolutely."

Fortner: "And now, in... in... in complete openness I can't take full credit for that because I was not the original person to introduce that Bill that became law. Do you know who was the original proponent of... of that law before myself?"

Mussman: "No, I'm sorry I do not. I thought it was you, Sir."

Fortner: "Well, you know, history of the chamber is extremely important. And that was actually Representative Krause's original Bill. She had retired and she had been sitting two seats over from me and... and left me that as a legacy Bill to continue working on. I was very pleased to do that in her honor. And it's always good to see more pieces added to stuff that she initiated. One of the things that's... I think it's kind of unique about this note and maybe is the fact that it has a... a JCAR piece to it, right? There's a subsection... we're used to notes that we file, if there's a Bill on Second Reading we think there's a note that needs to be attached to get applicable information for the Body. How's this going to work? Let's say there a rule from... from a state agency and I'm concerned about the rule, can I apply a note or do I have to be a Member of JCAR to do that?"

Mussman: "No, my understanding is anyone can apply the note. You do not have to be a Member of JCAR."

Fortner: "But I would have to be aware of... that there's a rule... how do I know that there's a rule pending? All right. So... so an agency proposes a rule, I know what Bills are out here 'cause I'm here I can see that we've... we have Bills that committee reports, we get Second Readings, all that

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stuff is ready. How do I know whether or not there's a rule that I might be concerned has an impact with business?"

Mussman: "Would... would it not be stamped on the Bill by all... the LRB?"

Fortner: "This is... we're not talking about a Bill, this is talking about a rule. Right? You have a Section in there that has to do with agency rules. Those are not... they're not filed as Bills. Agencies create these, we have an administrative procedure through JCAR to review them. How... how would I know whether or not there's going to be a rule that would... that might cause me some trouble or might cause my businesses some trouble, more importantly?"

Mussman: "Would the rules have to be published?"

Fortner: "I would hope they get published somewhere that someone knows. I just wonder whether you... since you got a Section dealing with this, would know how those rules... since... if I want to file a note, I'm going to need to know..."

Mussman: "Correct."

Fortner: "...and maybe tell my colleagues here how I can go about getting that note so we can make sure that that rule is not going to have an adverse impact on business."

Mussman: "The rules have to be published for public input."

Fortner: "Okay. And... and... and where are they published? Are they published in our Calendar?"

Mussman: "They're published by the Secretary of State's Office."

Fortner: "Oh, the Secretary of State's Office. Okay. So... so, I just have to call the Secretary of State and he'll let me

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know if there's some rules that I'm worried about. Is that... is that the way that works then?"

Mussman: "He would let you know where they were published and available for review."

Fortner: "And... and then... and then I would be able, if I saw one that caused me some concern I could go ask for this note. Now, who would I take that note to? Would I take it to the Clerk? Right now, if I want to file a note I take it to our Clerk in the well. Who do I take that... do I take it to the Secretary of State? Do I take that to the Clerk? Where does that go?"

Mussman: "You could take it to the Secretary of State or to JCAR."

Fortner: "Oh, so... and where is JCAR? You... you're getting a lot of help here."

Mussman: "You know, I'm not familiar with that particular section of the rules. You know, as... as you know being a freshman there's an awful lot to learn. And with the JCAR that is not my area of expertise."

Fortner: "Okay."

Mussman: "So, yes, I admit."

Fortner: "I was just asking because you have... you clearly have a Section, it says Joint Committee on Administrative Rules is referenced in one of the Sections of your Bill. I just..."

Mussman: "Absolutely."

Fortner: "We want to make sure we're clear on all those parts."

Mussman: "Yes, thank you."

Fortner: "Anyway, I certainly want to thank you for being willing to take your Bill back and work to make sure that

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we don't... didn't have a conflict between our Act having to do with JCAR and how all that proceeds after myself and some of my predecessors have worked on that. And I think that's a great way to start, the fact that you're willing to do that. And I thank you very much."

Mussman: "Thank you. Very happy to work with you."

Speaker Lang: "Mr. Ramey. Apparently is wearing the same clothing that the Sponsor is."

Ramey: "Thank you, Mr. Speaker. Not only did I have some questions, but my name was used in debate twice. So, I don't think I have stood up with this jacket on to question a freshman's first Bill. So, I thought it would be appropriate now. Will the Lady yield?"

Speaker Lang: "I'm certain she'd be happy to yield for you, Sir."

Ramey: "Absolutely. Well, thank you, Mr. Speaker. Representative, if we had put this piece of legislation in beforehand that had been used over the years how much money would businesses have saved from the legislation that's been passed in this Body?"

Mussman: "A... a whole lot of money, Representative Ramey."

Ramey: "Would you think that our state would become more business friendly with this piece of legislation?"

Mussman: "I think that it would help."

Ramey: "It's a start?"

Mussman: "It is definitely."

Ramey: "What would they have to... we apply the note, DCEO says they would have to hire two people here apparently to

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review and get information on the application of the... of the Bill to business, is that correct?"

Mussman: "That's what they claim."

Ramey: "How do we get hired to that job?"

Mussman: "I... I assume you send in a resume."

Ramey: "Well, actually we get paid more doing that I think. So, I think you're helping the economy right there. We are not related, correct?"

Mussman: "We... we are not."

Ramey: "We just share a Senator?"

Mussman: "Yes."

Ramey: "Who is that Senator?"

Mussman: "John Milner."

Ramey: "Very good. And if I may elaborate a bit on the tradition of the... one quick question. Are you dressed for Christmas, too, 'cause you're wearing green?"

Mussman: "Well, you never know quite how to coordinate when it's your first Bill."

Ramey: "That's... well, looking good. We appreciate it. Obviously, I had a green jacket on for St. Patrick's Day, so I kind of like the trend. To the red jacket. Ladies and Gentlemen, for some of the new folks here today, originally I wore this jacket because of this very day that we are speaking of, opening day in baseball. I'm a huge Cardinal fan and of course, they start today at 3:00. On a winning tradition and tomorrow, of course, the Cubs will start on a 103 year tradition of not winning the World Series. So, the red goes for the Cardinals. Secondary, it came up that our staff and another appropriate day for today is that we wore

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this red jacket for cancer awareness. The Springfield Gentlemen's Association was formed to... to help that. We raised funds on this very floor of about \$4 thousand to support cancer awareness. And then lastly, of course, it has become the tradition of freshmen to wear that on their first Bill. And I believe it was the ever present Gentleman that used to drill the freshmen on the questioning, Bill Black, that initiated that process. So, with that brief history lesson, I appreciate the legislation, Representative. Good luck."

Speaker Lang: "Mr. Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lang: "Lady yields."

Durkin: "Representative, what's the turnaround time for the agency to produce this note, upon the request?"

Mussman: "The original turnaround time is five days unless they request an extension."

Durkin: "All right. Is there anything in this Bill which will require them to produce the report within a specified amount of time after they seek the extension or is it completely arbitrary in... on their, basically, their call?"

Mussman: "No, it does not specify. I believe that they would have the opportunity then to suggest about the timeline that they would like. It can't go after I believe it's June 30."

Durkin: "After what? June 15, I believe."

Mussman: "It's June 15?"

Durkin: "Which is approximately 15 days after we are scheduled to adjourn. So, if the problem is that you've got an agency

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which we are directing to produce this note, they have the ability to seek an extension. Your statute basically gives them an out to refuse to produce this if they state that they don't want to do this. We don't have the resources, you're not backing it up with money. So, you basically have given the... an opt out provision in this Bill, correct?"

Mussman: "I suppose that's one way of looking at it."

Durkin: "Yeah. I mean, that seems to be counterproductive. Now, this is a Bill which will have to go over to the Senate. One of the problems that I've had with these notes, and I've been here a few more years than you have, is that they seemingly are becoming less meaningful to the process. Now, does your Bill require that if there is going to be a fiscal impact on the note, whether it's seven figures, eight figures, will it require a higher threshold of vote from the Legislature to pass that Bill?"

Mussman: "No, that's... that's a... no it doesn't."

Durkin: "Well, don't you think that would be a wise way to proceed? 'Cause all we're doing is that we are just giving some type of a note with an... has advisory status and that's the problem we have with a lot of these Bills. Is that there's a piece of paper that people I think over the years have disregarded and these notes are... are basically toothless. And I'm afraid that's what we're... what we're doing with this. Now, if I have a Bill and there is a hostile note from someone who... who puts that business mandate note on my Bill and then, let's say, if DCEO decides that they want to do the analysis but I completely reject their findings, is there an internal review or

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appeal process which I could do to reverse their decision because basically they're making a statement. I disagree with it, but it's part of the record. Can I appeal that decision if it is profoundly and utterly against all good evidence and reliable evidence?"

Mussman: "Well, you.. the DCEO and I think you by request could request information from other competitive agencies to make sure that we're getting a well-rounded picture of the numbers that we want to look at. Part of the Bill does not have a formal... a formal process for you being able to go back and... and ask to have it changed. Again, as you had said, the... the information being provided is... is really information only. So, I don't know that it's... it's the kind of information that's going to make or break the passage of the Bill."

Durkin: "Well, if... if... if we're not allowed to... if these are... if... if it doesn't allow for a higher threshold of vote to take place to pass a Bill which has a negative impact on the business community and if DCEO does prepare a report and I absolutely flat-out reject it, I'm stuck with that and I'm afraid that that is... I don't think that's a proper way in which we should conduct business. I'm just offering that up to you. Is that I think you're well-intentioned, but basically this is going to fall in line with a lot of the other notes which are going to turn into basically meaning... meaningless documents. So, I would suggest that at some point that we truly look at these issues that we have under the Note Acts and put some teeth into them. 'Cause basically they're a piece of paper that over the years and...

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people reject and they're meaningless. So, I... I appreciate your... your... your work on this, but I hope you understand the concerns I have is that where are we going with this and in particular when we're giving DCEO, who objects to this Bill, the ability to basically not even perform one of these notes when we've given them that opt out clause. I would recommend you take that out, that Section which states it gives 'til June 15, 15 days after we adjourn in which they have to... I mean, you'll see a flurry of Bills or notes that will be filed on the 14 of June. And we'll be back in our districts. So, take that into consideration."

Mussman: "Thank you."

Speaker Lang: "Mr. Sullivan, in answer to your inquiry, the parliamentarian has indicated to me he does not rule on issues that are not directly before the Body. He does not issue advisory opinions, but I have a personal opinion. If you want to come up here, I'd be glad to give it to you. Representative Mussman to close on her first Bill."

Mussman: "I wanted to say thank you to everyone for allowing me to... to read my first Bill and for all the favorable comments that was given to me. Excellent work by my assistant, Tyler Hunt. There are a number of supporters throughout the business community that are very interested in the process of this Bill. I think it is a very good first step toward indicating to the businesses in Illinois that we are very serious about being conscientious about the rules that we make and how it affects them. And I would very much appreciate a 'yes' vote. Thank you."

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Speaker Lang: "Lady's moved for the passage of her very first Bill. 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, Morthland, Saviano, Sommer. Mr. Saviano. Please take the record. On this question, there are 111 voting 'yes', 2 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3236, Representative May. Representative May. Out of the record. House Bill 1748, Representative Lilly. Please read the Bill. Sorry. Representative Lilly, will you hold for one second. The Chair recognizes Representative Bost."

Bost: "Thank you, Mr. Speaker. We need the record to reflect that Representative Osmond will be excused the rest of the day. Thank you."

Speaker Lang: "Thank you, Representative. Now, Representative Lilly. Please read the Bill."

Clerk Mahoney: "House Bill 1748, a Bill for an Act concerning criminal law. Third Reading."

Speaker Lang: "Representative Lilly."

Lilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Today I'm presenting the passing of House Bill 1748, for the adoption of the Amendment of the existing guidelines to the Department of Corrections, Department of Juvenile Justice and the Cook County Jail. House Bill 1748 gives IDOC the option of implementing volunteer opt out HIV testing, an effective practice that has been shown to increase HIV testing rates. This will help more inmates to learn their HIV status, which in turn will protect our

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community when the inmates are released and returning home. It would also reduce the IDOC health care, acute care costs within the system. I thank Representative Howard and I join her today in expanding HIV testing, increasing prevention services and services to the inmates. I thank IDOC for their excellent work with volunteering, drug testing and their assistance to this Amendment. At this time, I am open to answer any questions."

Speaker Lang: "Lady's 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? Have all voted who wish? Bradley, Mautino. 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. The Chair recognizes Representative Moffitt."

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

Speaker Lang: "Please state your point, Sir."

Moffitt: "I'd like to go back and refer to Representative Mussman's Bill and a comment that was made to her. As a freshman and really to all the freshman, we lost a lot of institutional knowledge with the start of this Session, the likes of Bill Black and others who could refer back, but Representative Franks really pointed out something very important to Representative Mussman and... and I hope everybody took that very serious. We've seen too many situations where agencies and bureaucrats are wagging... the tail's wagging the dog. It's the Legislature's prerogative

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to set policy and if you don't stand up for that, the people of Illinois have lost. If you had a Bill... even if I disagreed with you, I would support your right to be in control of that Bill. And we've got to make sure that we don't keep going down this road where agencies and bureaucrats are trying to... to change the direction. It's our responsibility here. And I especially just, I hope the freshmen took that very serious what Representative Franks said. I know Representative Black would have talked about the institutional knowledge. So, it was... it's a very key point that was made. Just log that in your objectives to accomplish while you're here. Thank you."

Speaker Lang: "Next Bill on the Calendar would be House Bill 3384, Representative Morrison. Please read the Bill."

Clerk Mahoney: "House Bill 3384, a Bill for an Act concerning business. Third Reading."

Speaker Lang: "Representative Morrison."

Morrison: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3384 basically is going to be called the Plastic Bulk Merchandise Container Act. What this would do is help prevent the theft of bulk containers that are then taken to recycling centers and sold. I'd be happy to answer any questions on the Bill. I would move for an 'aye' passage."

Speaker Lang: "Sir, for the Chair's edification, is this your first Bill?"

Morrison: "Yes, Sir, it is."

Speaker Lang: "All right. Representative Mussman... Representative Mussman, could you bring him your jacket, please. The

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Gentleman's moved for the passage of his first Bill. The
Chair recognizes Representative Eddy."

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

Speaker Lang: "Gentleman yields."

Eddy: "First of all, is this on Short Debate?"

Speaker Lang: "We don't worry about that on first Bills, Sir."

Eddy: "I just wanted to request..."

Speaker Lang: "No matter how boring it gets, we'll let you say
what you need to say."

Eddy: "Well, you're not on the floor so things will be okay I
think. Chances are they won't be that boring. I thought you
were going to wear Representative... didn't you distinctly
direct him to wear a certain jacket or is this one okay?"

Speaker Lang: "There's nothing in the rules that requires him
to do what I tell him to do, Sir."

Eddy: "Okay. That's obvious. Representative, it... where'd the
Bill come from?"

Morrison: "Actually, this is an initiative of the Illinois
Beverage Association."

Eddy: "The Illinois Beverage Association?"

Morrison: "Yes."

Eddy: "And why would they be interest... first of all, what... what
is a bulk container? What... what are we trying to regulate
here? What... do you have a bulk container with you that you
can show the Body?"

Morrison: "I thought about bringing one in, but since I do not
own one I'm not going to steal one to bring one."

Eddy: "Okay. Then describe one."

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Morrison: "A... a bulk... a plastic bulk container would be a milk crate or a, you know, a crate of some sort."

Eddy: "So, it kind of those plastic containers that might hold about four gallons of milk and they have the serrated clear..."

Morrison: "Yes."

Eddy: "You see those stacked up outside of businesses sometime because they really don't have anywhere else to store them..."

Morrison: "That's right."

Eddy: "...after they put the milk in the container. So, why would the Licensed Beverage Association be worried about milk containers?"

Morrison: "Well, it's not just milk containers though."

Eddy: "Oh."

Morrison: "But they're worried about them because those containers are actually more expensive than one might think. And they are being stolen and they're being sold by thieves."

Eddy: "So... so these are being stolen."

Morrison: "Those... those containers are the property of the beverage or distributorships. They... they basically... they belong to entities other than the store."

Eddy: "So, what... what does your Bill do? What does your Bill do then? If... if I have in my possession a bulk container... Let's say, for example, I'm driving along the highway and I... I hit a fur-bearing mammal. And I stop to look at that mammal and I notice that near the fur-bearing mammal someone has discarded a milk container. And instead of the

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fur-bearing mammal, I opt to take the milk container because I don't have the proper permit for the fur-bearing mammal. Do I need a permit to pick up the milk container?"

Morrison: "I would rec... if you were in that situation, I would recommend that you... you use a different receptacle than a plastic container."

Eddy: "Well, but what I'm... what I'm trying to do in that case is to be a good citizen and pick up debris along the road. There's a milk container laying there; there's a fur-bearing mammal. I have no permit, but I notice that the milk container needs to be picked up and I throw it in the back of my pickup truck. Have I just violated the intent of your legislation?"

Morrison: "No, only if you would take that container to a recycling center and try to convert it for cash."

Eddy: "Well, so you're against recycling? What would you rather have me do with that? I've picked it up along the road..."

Morrison: "Well, most of..."

Eddy: "You ever see guys going out and picking up tin cans along the road?"

Morrison: "Sure, sure."

Eddy: "Well, what if these milk containers are along side the road? Are you saying that I can't take them to a recycler? So, you're against recycling."

Morrison: "Not... not at all. Many of... and by the way, these containers are not just milk containers, by the way. So, I just want to continually remind you of that. Many of these containers do have an ownership of the container listed on

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the side, so you would... you would see who that container actually belonged to."

Eddy: "So, I'd be better off leaving it alone because my real responsibility is to track down the owner of the container?"

Morrison: "That... you would be a good citizen if you were to do that. And Representative Eddy, I know that you are a good citizen, so."

Eddy: "Absolutely. That's not going to get you anywhere. But I... when I read your Bill, I think if I just picked up one... one milk container that I could actually take that to the recycling because doesn't your Bill require a certain number of milk containers before I'm in violation."

Morrison: "Yes, it would be five containers."

Eddy: "So, you completely... I mean, your answer was wrong. Your first answer was wrong. And now you're changing your story."

Morrison: "What... what this would address is thieves who are taking these containers, they're taking them to recycling centers with the intent of converting those to cash..."

Eddy: "Representative, where are you from?"

Morrison: "I'm from the proud City of Palatine."

Eddy: "Are there marauding bandits of milk container thugs out there stealing multiple milk containers and taking them to recycling centers around the Palatine area and you're trying to clean up this... this obvious scourge to the Palatine area?"

Morrison: "This... this is actually a business friendly Bill. It's also a consumer friendly Bill because those containers

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do cost money and when they are stolen, the costs have to be passed on to consumers in the form of higher costs for beverages."

Eddy: "Well, I think it's not a bad idea, Representative, I'm just wondering if this was something that was particularly a problem in your area or... or this is something you're hoping to... as a statewide initiative. This is a burning desire you had when you came to the General Assembly to clean up the milk container and other plastic container problem we've had in this state so... for so many years?"

Morrison: "I'm... I'm... I am for the reduction of crime in any sense so..."

Eddy: "So... so, this is crime Bill?"

Morrison: "It is... it is. It's similar to the copper purchase registration law. We're trying to prevent thieves from... from taking property and..."

Eddy: "Well, you know what, Representative, I look forward for the RICO legislation that you're going to bring forward in the coming years to solve this problem because obviously, it's a terrible, terrible scourge. You know, I... I wish you the best. I do appreciate the fact that you have the red jacket on. I would have liked and preferred that Representative Lang's initial request that you had on Representative Mussman's red jacket, but we're going to have to live with this. I would... I would strongly urge Members of the Body here to vote 'no' on this Bill. I mean, obviously, it's a hijacked Bill..."

Morrison: "Representative, should we check your trunk for some of these milk containers or are these containers..."

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Eddy: "You're welcome... you're welcome. You're welcome to check my trunk."

Morrison: "All right."

Eddy: "You are. Leave the fur-bearing mammals alone though that I have back there."

Speaker Lang: "Representative Franks."

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

Speaker Lang: "I'm certain he will be glad to yield."

Morrison: "Yes."

Franks: "And I'm not... I want to preface, I'm not trying to be funny. I'm going to asking some serious questions here."

Morrison: "Yes, Sir."

Franks: "I'd like to know who asked you to carry this Bill?"

Morrison: "Representative Chapin Rose."

Franks: "And who drafted this Bill?"

Morrison: "Perhaps we could ask Representative Rose."

Franks: "Well, I'm concern... I'm seriously, I'm concerned about the drafting of this Bill with the constitutional aspects of it. Have you read the Bill closely?"

Morrison: "I have, yes."

Franks: "Okay. As I'm reading the Bill, what you're saying is that the currency of the United States is not legal tender."

Morrison: "Representative, where do you see that language?"

Franks: "In the Bill you specifically prohibit people from using United States currency to pay their obligations."

Morrison: "Oh, Representative, what that means is we... we do not want the recyclers to pay in cash. We would like a paper trail. So, we'd like a... a check to be issued."

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Franks: "Is there any other business in the entire country that we prohibit from taking United States currency?"

Morrison: "The Beer Distributors, I'm told."

Franks: "I.. I'm not sure that this is legal under the Commerce Clause. I don't see how you can say that United States currency cannot be used to fulfill an obligation, number one. Number two, in your Bill you require proof of ownership of the containers. Do these containers come with titles?"

Morrison: "No, Sir, they do not."

Franks: "How can you tell who owns them then? Because if you can't you... you're saying that they should have a \$10 thousand fine though they can't pay in cash for that fine."

Morrison: "Actually, the Amendment was red... reduced the fine to \$500. Also, a bill of sale is required."

Franks: "Now, does the... doesn't the Amendment ch... move the civil penalty up to \$10 thousand?"

Morrison: "No, the... the Amendment drops it to \$500."

Franks: "Okay. Regardless of the penalty aspect, how can you determine ownership? Because you have to determine the ownership prior to the sale. Giving a bill of sale will not determine ownership."

Morrison: "Yeah. If you... if you... if an individual has the original bill of sale for the container, that would suffice."

Franks: "Who keeps those things? I mean, 'cause let's assume I pick up... you know, there's a scout troop and they're picking up the milk containers. They happen to be doing the cleaning up along the road way and they happen to find six

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of them because your limit is five, because they got blown away in a... in a big storm. And some kid picks these up, brings them to these guys because they're the ones who buy them. They don't have proof of ownership. Are you going to fine the boy scouts \$500?"

Morrison: "Well, I obviously admire the scouting organization. However, these... these crates do belong to others. And so, we don't want to encourage the turning in of these crates without... without showing ownership."

Franks: "I think it's way too onerous to show the ownership. You've told me that there's no title. How can one prove ownership? If I show up with six of these crates and let's say, I bought them at a garage sale... I bought them at a garage sale. And I didn't get a receipt because I paid in cash and the lady didn't give me a receipt. So, I bring them these six and I say, hey, I bought these containers. How do I prove that?"

Morrison: "Well, Representative Franks, what we want to do is... is prevent the theft of these containers. These... these... the theft of these containers is... is adding a burden on to Illinois businesses."

Franks: "Well, we already have laws against theft."

Morrison: "Say again?"

Franks: "We already have laws against theft. I don't see how this would help because it seems so onerous when you're saying that you can't use United States currency, first of all and there's no discernable way to determine ownership. I... I understand what you're trying to do and I like the idea, but this is not the way to do it."

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Morrison: "Okay. Well, many of these crates do have the name of the company, a phone number of the... the entity that owns those crates."

Franks: "Well, they might have... they might have owned them at one time. But let's assume the company went out of business because there was a heck of a lot more dairies in my district 10 years ago than there are right now. So, let's assume that these were sold to a dairy farm because they were picking these things up and then that dairy farm is no longer in business, so those are no longer the same owners. There's no chain of title on these things, are there? It's not like it's a car where you have to sign for it."

Morrison: "Again, the... the intent of the Bill is... is to prevent thieves from taking these. I'll give you a real case scenario. There are many retail outlets in Illinois that are... that don't have the retail space to store these. They don't have the storage space inside the building to store these containers. So, what they're doing is they're putting these containers out in the alley and thieves are coming along, taking them, taking them to recycling centers and converting them for cash. I... I'm told by the Illinois Beverage Association that they're getting around \$5 per container for these. And so, it... it does start to add up. These containers have to be replaced. The postal service is also going through problems like this. Where the cost of replacing these containers is then passed on to us as consumers. It's... it's a cost borne by the businesses and we're just trying to slow it down. We just want to see a paper trail, so if there are individuals that are doing

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this on a routine basis that law enforcement has the ability to track down..."

Franks: "So... so what you want to do is highly regulate this industry? I mean, I've heard you talk and you've come to see me. I know you're a conservative guy; you're a Tea Party guy. And you're talking about requiring more government... and you're saying you want more government, you want more regulation. We can't use United States currency. I'm serious. I don't see how you can put this together. I understand what you're trying to do, but there's... every ill does not have a legislative remedy. We don't need to continue to pile on laws. Maybe we should have a law that if you pass one, you should take two more off the books. Don't you think that people are..."

Morrison: "Hey, you know what..."

Franks: "...don't you think that people are a little..."

Speaker Lang: "Mr. Franks..."

Franks: "...overregulated in this state?"

Speaker Lang: "...Mr. Franks..."

Morrison: "please... please introduce that Bill, Representative. I'd be happy to Sponsor that."

Speaker Lang: "...Mr. Franks, could you bring your remarks to a close, Sir?"

Franks: "I'll go to the Bill. I... I think that we need... I think that the businesses in this state are already regulated enough. You talk about... we see letters that people are trying to take our businesses away from us. We've raised taxes on our businesses, we have problems with our workers' compensation, our unemployment levels are high. Our

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unemployment insurance, we might have to raise taxes on businesses to replenish. And what this Representative wants to do is to put higher regulations on business as well as not allow United State currency to be used. I'd encourage 'no' votes."

Speaker Lang: "Mr. Stephens."

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

Speaker Lang: "Gentleman will yield."

Stephens: "Representative, you're a triathlete, is that right?"

Morrison: "Yes."

Stephens: "What are some of the attributes of a person who partakes in a triathlon?"

Morrison: "One must be able to swim, bike and run in a single event."

Stephens: "In... in good order or can just anybody who can swim?"

Morrison: "Typically, it's... it's done as part of an organized race."

Stephens: "So, you swim in open waters?"

Morrison: "I have, yes."

Stephens: "And I don't want to divulge private information but haven't you encountered one of these containers in open water? Isn't that what this is really about, Representative?"

Morrison: "No, Sir, Representative, I never have."

Stephens: "Well, I... I..."

Morrison: "I don't believe these containers will float."

Stephens: "...I have different stories, Representative. And excuse me, I don't want to... I don't want to pull rank here, but I happen to have facts that you encountered a container

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in open water. You yourself tried to bring that back and pretty soon you found another. Weren't you sanctioned once for having floaties in a triathlon? And you tried to... and then you said, no, these are... these are milk containers and I was just cleaning up."

Morrison: "Representative, I did not know that was public knowledge."

Stephens: "Okay. Well, I... I hate... how do you think I would do in a triathlon? Careful, Representative, careful. You've got a career ahead of you. In spite of this bad Bill, I think you have a career ahead of you. How would I do?"

Morrison: "Why don't you come training with me and we'll see."

Stephens: "All right. Well, good job."

Speaker Lang: "Mr. Rose."

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

Speaker Lang: "Gentleman yields."

Rose: "First of all, I know he would do a lot better than me in a triathlon that's for sure. So... and I will tell you a couple of points that were raised and I just want to state that this is patterned after the copper wire law we did a few years ago where people were stealing copper wire and then taking it 'cause of the cash value to recycling centers. And we have done this with recycling centers, there's a pattern and there's a practice in place already at recycling centers along these lines. Now, you want to talk about saving money. Let's talk about saving money 'cause this is far more than milk crates, this is actually the pop containers that come when they deliver a crate of pop to a grocery store. Those are being stored out back,

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then they're being stolen and that costs... the cost that goes for everybody then rises. The school districts, consumers, everybody's costs then go up because these things are expensive when people steal them. All we're saying is, if you... and by the way, I appreciate the previous speakers comments about ownership and proof of ownership. So, let's talk about that. A bill of sale, first of all these are all being manufactured by Pepsi, Coca Cola, you know Milko. All right? So, they're being manufactured by somebody. So, if they want to sell you 100 crates, then give you a bill of sale. That's proof of ownership. If... and I liked your point and it was a good one, about the garage sales, but as you know as a lawyer there's an innocent purchaser defense. So, if it was a stolen good at a garage sale, you purchased it and you get a receipt for it, that's proof of ownership. That's proof of ownership; it's that simple, that simple. So, if you find one on the side of the road, there's an exemption of less than 4 or for 5 and under. If you have 100 and you got them from a CocaCola or a Pepsi, you'll have a bill of sale. You'll have something where they transfer ownership. That's all it is. This gives law enforcement the opportunity to go in and look at a paper trail to target people who are stealing these things which is costing industry big money. But ultimately, that comes back in the form of higher prices to consumers whether they're, you know, just regular average Joe's going to buy a Mountain Dew or a school district in the form of milk which is higher property taxes. So, the reality is, at the end of

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the day, this is patterned after something we've already done with the industry. It is aimed at a real problem, which is the theft of these containers, which are... they cost money to produce. They cost money to produce. So, I do not believe the ownership issue is a real issue. It's a legitimate issue because you can present a bill of sale. Or in the case of as I... as was mentioned, the yard sale. Innocent purchased offense that's... that's in the law. Any lawyer in the world would recognize that as an innocent purchaser, and you'd have a receipt. Good enough. You go on with your life, no big deal. But we might be able then... law enforcement happen to come in and found out, hey, Tom Morrison, we got this... you sold these things. Where'd you get them? Oh, I bought them at Jack Franks's garage sale. Law enforcement comes back and says, hey, Jack, where'd you get them? Oh, got a problem. So, that's what this is going to do. It's going to enable us to cut down on theft in ways that, at the end of the day, cost consumers, cost local school property taxpayers more money. I think the... the Sponsor's got a great Bill. It's patterned on something we've already done. And I would... I think... I think... on behalf of the Sponsor, I think we could look at other changes maybe in the... in the Senate. But it's a good idea that needs to happen so we can cut down on some of this waste. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Turner."

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

Speaker Lang: "Gentleman yields."

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Turner: "I just have one quick question. If I have a stockpile of crates and decide to turn in four a day... maybe four today, four the next day, four the day after that. Could I potentially get around the purpose of your Bill?"

Morrison: "You... you could potentially skirt the law, as I understand it."

Turner: "And the people who are stealing these crates, in my mind I'm thinking of a big crate like a large... maybe a bread crate or something like that or a few milk cartons that kids or something like that is stealing them? They probably couldn't carry more than five anyway, right?"

Morrison: "Suppose it... it depends. It depends on the size of the container. We haven't... we haven't defined here what kind of container. What we have defined is the fact that the container belongs to a bottler or a distributor or what have you."

Turner: "So, if I'm turning in those four every day, the paper trail by not being paid in cash and given a check, would that... would that trigger some alert that would have authorities come after me?"

Morrison: "I do not believe it would, no but it... it certainly would slow down the incidents of... of what we're trying to address."

Turner: "Thank you."

Speaker Lang: "Mr. Morrison to close on his first Bill."

Morrison: "Thank you, Mr. Speaker. I would ask for an 'aye' vote on House Bill 3384."

Speaker Lang: "Gentleman moves for the passage of his Bill. And on this question, those who are in favor will vote 'yes';

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those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Burns, Gabel, Jones, Rita. Mr. Jones. Please take the record. On this question there are 88 voting 'yes', 17 voting 'no' and 7 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mautino in the Chair."

Speaker Mautino: "Representative May, the Lady from Lake is seeking recognition?"

May: "Thank you, Speaker. I would like the Members of the General Assembly help me welcome the Highland Park High School baseball team. They're right behind me in their team jackets. They're down here to play some games; they're playing Chatham and Griffin. They say they're very tough, but go, Highland Park."

Speaker Mautino: "Further discussion? Excuse me. Congratulations, welcome to Springfield. Representative Tryon is seeking recognition."

Tryon: "Thank you, Mr. Speaker. For the last month and a half, Representative Poe, myself, Representative Durkin, Representative Hernandez, Soto, Mendoza and Davis have been meeting to determine if there's enough interest to form a Diabetes Caucus. Diabetes in Illinois is one of the problems that we face as an epidemic state, with almost 10 percent of our population that has diabetes. In Humboldt Park it has the highest incidence of diabetes of any place in the country, with 21 percent of the population that has diabetes. And today, we had a press conference to announce the formation of a Illinois Legislative Diabetes Caucus and

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we already have 20 corporate sponsors and 10 nonprofit sponsors. Later today you are going to get a form and in this form it's going to have a map of your district that shows the number of people with diabetes and a secondary map that shows the amount of money that's being spent on treatment within your district on drugs for diabetes and medications and diabetes education costs. I think that's an important thing for you to know. Our goal is to try to get 30 to 40 Members of the House and Senate to have an interest in this, develop a constituent outreach service for their district, pair them up with their hospital to do a Diabetes Awareness Day event. On this, you will also have a form to fill out that we will have some information that we need to get from you to participate in this. And we hope you'll look seriously at it. Our state is projected to see a rise in diabetes cases and in 2025 our citizens will spend nineteen and a half billion dollars on treatment of diabetes. Our African-American community will see one in two children that are born after the year 2000 will grow up and become a Type 2 diabetic. We can do something about this by shaping the future of our state to be in a position to have good public policy to address this epidemic. So, I hope you'll take a look at this and join with us in forming the Illinois Legislative Diabetes Caucus."

Speaker Mautino: "The Lady from Cook, Representative Feigenholtz is seeking recognition."

Feigenholtz: "Thank you, Mr. Speaker. I would like the record to reflect I intended to vote 'no' on House Bill 3384."

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Speaker Mautino: "Record will reflect your intentions. The Gentleman from Cook, Representative Will Davis."

Davis, W.: "Thank you, Mr. Speaker. Just to make a comment on Representative Tryon. I want to thank him for his efforts to work to put together and help establish this Diabetes Caucus. If you listen to the names that he mentioned that were a part of it, as you can see this is a bipartisan effort as well as a multicultural effort because we recognize that diabetes as a disease impacts you no matter who or what you are, race, ethnicity, it doesn't matter. We talk about prevalences and higher incidences of this disease in minority communities, but the reality is that it impacts everyone. And I really want to thank him for his efforts. He's working not only in the House, but we also have Senate Members that are a part of this caucus. And if you know people who are afflicted by it, your constituents, family members whatever the case may be I encourage you to be a part of this caucus. While we have several different groups in the General Assembly, but this is one that I know touches everybody. And I strongly encourage every Member, if it is indeed your desire to work with us, we're trying to do some good things toward outreach. We've talked about raising the issue of food desserts because we know the impact that it has on this type of disease. So, we encourage you to be a part of this newly established Diabetes Caucus. Thank you very much, Representative Tryon for your efforts."

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Speaker Mautino: "Under the Order of Second Reading, appears House Bill 1530. Representative Lang. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1530 has been read a second time, previously. Amendment #1 was adopted to the Bill. Committee Amendment #2 was tabled. Floor Amendment #3, offered by Representative Lang, has been approved for consideration."

Speaker Mautino: "The Gentleman from Cook, Representative Lang on Floor Amendment #3."

Lang: "Thank you, Mr. Speaker. The Amendment is purely technical. I move adoption of the Amendment."

Speaker Mautino: "Gentleman moves adoption of Floor Amendment #3 to House Bill 1530. All in favor say 'yes'; opposed say 'no'. The 'yesses' have it. And the Amendment's adopted. Mr. Clerk, further Amendments?"

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

Speaker Mautino: "Third Reading. Representative McAuliffe, House Bill 195. Out of the record. Representative Jakobsson, House Bill 1949. Read the Bill."

Clerk Mahoney: "House Bill 1949, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Mautino: "The Lady from Champaign."

Jakobsson: "Thank you, Mr. Speaker. House Bill 1949 replaces the Director of the Illinois Board of Higher Education with the... with the Circuit Court Clerk of Cook County on the Law Enforcement Training Standards Board. This came as a request of the Illinois Board of Higher Education and then I worked with the Law Enforcement Training Board. And I urge an 'aye' vote."

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Speaker Mautino: "The Lady moves passage of House Bill 1949. 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 Burns, Hatcher, Mell, do you wish to be recorded? Representative Mell. Mr. Clerk, take the record. 112 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 1949 is declared passed. Representative McCarthy, House Bill 3376. Read the Bill."

Clerk Mahoney: "House Bill 3376, a Bill for an Act concerning public employee benefits. Third Reading."

Speaker Mautino: "Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3376 was unanimously supported in committee. It's basically a cleanup. Last year when we did the police and fire pension Bills, we made a mistake in the drafting of the one for the Chicago Police Article. And this makes it clear that their COLA will also be 3 percent or less the... the lesser of 3 percent or half the CPI. There is no opposition. The Chicago Police are for this as well as all other pension groups. Appreciate your support."

Speaker Mautino: "Gentleman moves passage of House Bill 3376. 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 Burns, Pritchard, Beiser. Mr. Clerk, take the record. 112 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 3376 is declared passed. Representative Feigenholtz, House Bill 3207. Out of the record. Representative Farnham, House Bill 1726. Representative Farnham. Read the Bill."

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Clerk Mahoney: "House Bill 1726, a Bill for an Act concerning public employee benefits. Third Reading."

Speaker Mautino: "Representative Farnham."

Farnham: "Thank you, Mr. Speaker. I'm sorry, Mr. Speaker, we want this out of the record."

Speaker Mautino: "I'm glad that you trotted back to tell us that. Out of the record. Representative Dunkin, House Bill 1383. The Gentleman from Cook, Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker, Members of the House. House..."

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

Clerk Mahoney: "House Bill 1383, a Bill for an Act concerning agriculture. Third Reading."

Speaker Mautino: "Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker, Members of the House. House Bill 1383 simply is a Bill that supports a burgeoning industry here in the State of Illinois. And I am encouraging all of our agricultural... I'm encouraging agricultural diversity with hemp legislation, given the fact that this market has grown tremendously. And I would ask for an 'aye' vote. Thank you."

Speaker Mautino: "Gentleman moves passage of House Bill 1383. And on that question, the Gentleman from Winnebago, Representative Sacia."

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

Speaker Mautino: "He indicates that he will."

Sacia: "Representative, in the past there has been fear that industrial hemp in some way is a byproduct of marijuana. Would you... would address that? And I want you to know up front, Sir, I'm a strong supporter of your Bill."

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Dunkin: "Thank you, Mr. Speaker. Representative Sacia, you are correct. As a matter of fact, your predecessor was a strong proponent of this... this alternative agricultural market or the business of growing hemp. If you grow a marijuana crop next to a hemp crop, you actually will kill the marijuana crap... crop."

Sacia: "And we wouldn't want to do that."

Dunkin: "So, this is the... almost a complete opposite of... of growing marijuana. You lower the TH... the tetrahydro..."

Sacia: "Right."

Dunkin: "...Of the cannabiniol of the marijuana crop. Thank you."

Sacia: "Thank you, Representative. I'm... I'm not going to belabor the point. Ladies and Gentlemen, this is an excellent Bill. I applaud the Gentleman for bringing it forward. It is strongly supported by the Illinois Farm Bureau and agriculture organizations. And I think it's an opportunity for you to support agriculture, support something that's a very prominent opportunity for the great State of Illinois in the industry of agriculture. And I encourage your 'aye' vote. And thank you again for bringing it forward, Representative."

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

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

Speaker Mautino: "Indicates that he will."

Zalewski: "Representative, I heard you say a moment ago if you grow a marijuana plant next to a hemp plant, it'll kill it?"

Dunkin: "It'll lower the... the tetrahydrocannabinol."

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Zalewski: "How do you know that?"

Dunkin: "Well, all the research indicates that, Sir."

Zalewski: "Is that empirical research you've conducted yourself or is that from some journal article?"

Speaker Mautino: "Is this your first Bill?"

Dunkin: "Sort of. You know, I'm... I've read extensively on this subject matter and all empirical evidence and data support my hypothesis."

Zalewski: "Would growing of hemp constitute a predicate offense under a RICO statute?"

Dunkin: "Come again?"

Zalewski: "Would growing of hemp constitute a predicate activity under a RICO statute?"

Dunkin: "It should not, Sir."

Zalewski: "All right. Thank you, Mr. Speaker."

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

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

Speaker Mautino: "He indicates that he will."

Davis, W.: "Representative, is this your first Bill?"

Dunkin: "Yes."

Davis, W.: "All right. All right. In all seriousness, what exactly does this Bill do, again?"

Dunkin: "This Bill simply allows farmers to look for an alternative... grow an alternative crop of hemp. As we all know, hemp plays a major role in... Well, it's a new burgeoning market here in this country. We import over... well over \$2 billion worth of hemp products. Anywhere from... you can make gasoline, car products, clothing, lotions,

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hair products. It is a part of the new green movement all across the country. We import a tremendous amount from Canada, from Europe. And a lot of other states have picked up on this industry and it has been tremendously successful in growth... in industry growth here. And this is... this here will put Illinois ahead of the curve of most states."

Davis, W.: "Okay. Thank... thank you very much. I guess the reason why I asked that question is 'cause in some respects we... we equate, I guess, hemp to a... what would otherwise be referred to as a controlled substance. But is that not the same as... as what we consider to be a controlled substance or something different?"

Dunkin: "You're absolutely correct. You're absolutely correct. It's the complete opposite. It just has an extremely low tetrahydrocannabinol properties there."

Davis, W.: "Tetra what?"

Dunkin: "Tetrahydrocannabinoid."

Davis, W.: "Tetra who?"

Dunkin: "Tetrahydrocannabinoid."

Davis, W.: "Okay. Something like that, right? Okay. So, it has a low level of this and is not considered to be a controlled substance as we normally would refer to it as that, correct?"

Dunkin: "That is correct. Yes, Sir."

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

Dunkin: "Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Knox, Representative Moffitt."

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

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Speaker Mautino: "He indicates that he will."

Moffitt: "Representative, in committee I asked you a few questions and the potential revenue per acre. Do you have any of those estimates now? If a person... if this became law and they could grow industrial hemp, how would it compare economically with corn, soybeans or other traditional crops that we grow? And then how... how big a market do... would you expect in Illinois? But I'm really interested in the comparison of revenue."

Dunkin: "Oh, it would... at this part... at this portion, it's hard to really say given the fact that it is such a growing... a fast growing market in this country and all over the world. I would say this could compete with some of our grains and our... our soybean production and I mean, 'cause you can take hemp in all different areas of sort of common usage that we... we currently take advantage of. Again, hair... hair care products, lotions, car... your internal car parts, to even make rope. You could do a number of very progressive and natural product of goods and services. Well, goods, out here in this country."

Moffitt: "Then you don't have any actual comparisons that you know? You couldn't give me an estimate of what a person could actually clear profit per acre, for corn, for beans..."

Dunkin: "Not at this time."

Moffitt: "...for hemp?"

Dunkin: "Not at this time."

Moffitt: "And..."

Dunkin: "I... I know that... that we... we import here well over \$2 billion of hemp products all over this country. That's..."

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excuse me... \$27 billion in hemp products that we can measure thus far. And it is growing month after month. And it's... it's time that we really allow our farmers to... to run with this industry. The Illinois Farm Bureau is very supportive of this here. And you know, this is a part of our... the greening of Illinois movement."

Moffitt: "Well, I... I thank you for your comments. I think, you know, in terms of how many acres might be diverted to an alternative crop like this will depend on the economic factors. Is it... will it generate more profit or not? And that's... that's kind of what I was looking for and that's how we would determine how many acres. This won't call for an industrial hemp inspector or anything, will it now?"

Speaker Mautino: "Further discussion?"

Moffitt: "Thank you."

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

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

Speaker Mautino: "He indicates that he will."

Ramey: "Very good. Representative, I was noticing in the Bill here that it was stated that industry... hemp is a controlled substance, yes or no, by they Federal Government?"

Dunkin: "I'm not exactly sure of that. You know, hemp... hemp is allowed to be imported here in this country, Representative."

Ramey: "Well, that's... that's what's finding a little confusing, so I want a little clarification..."

Dunkin: "Oh, yes."

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Ramey: "...Because if we're... have other states passed legislation to allow hemp growing... to be grown?"

Dunkin: "Yes."

Ramey: "And how many other states?"

Dunkin: "Either 12 or a dozen."

Ramey: "Either a 12 or a dozen? You sure this isn't your first Bill?"

Dunkin: "Yes, I forget."

Ramey: "Oh, okay."

Dunkin: "It's one or the other, Representative."

Ramey: "So, if we implement this then we aren't in any violation of Federal Law?"

Dunkin: "Exactly."

Ramey: "Okay. That's good. I notice on here you're also preempting Home Rule?"

Dunkin: "Yes."

Ramey: "So, are you planning on growing hemp in Chicago?"

Dunkin: "Hey, if... it makes sense. I think (indiscernible) smart. I mean, there... there's some interesting facts here. Ben Franklin he actually owned a... a hemp paper mill. He made... his paper was made of hemp. There was also... you know the parachute that saved one of our good fellow Republicans... your fellow Republican George Bush. The parachute that he jumped out of... when he was in the World War II was made of hemp fiber."

Ramey: "Do we have those businesses in Illinois now?"

Dunkin: "Question?"

Ramey: "Do we have those businesses in Illinois now that will use hemp to make these products?"

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Dunkin: "You know, I'm not exactly sure. I... I would assume, yes, given the fact that it's such a huge market for it now. 'Cause people... again, keep in mind it's the same fabric... the same materials that you use you can make cotton, petroleum, paper, other products can be used for hemp. And again..."

Ramey: "Well, that's why I'm asking because currently we produce a lot of ethanol in Illinois and we're using corn which has driven up corn prices. So, can hemp be used for ethanol production?"

Dunkin: "Sure."

Ramey: "You don't sound sure. Because of the fibrous material, that's my assumption I'm making, which is good, I would like to see growth of business... agri business here in Illinois. And if... if this is a viable product, we're not in violation of Federal Law, I think it's a good idea. Can you address any of the concerns by the... the opponents to the Bill?"

Dunkin: "There are no opponents."

Ramey: "Oh, our... ours has the Illinois Family Institute, Educating Voices, Illinois Church Action on Alcohol & Addiction Problems as opponents."

Dunkin: "My... my analysis has no opponents."

Ramey: "So, nobody testified in committee against your Bill?"

Dunkin: "I don't recall."

Ramey: "No."

Dunkin: "No."

Ramey: "You don't recall. All right. Thank you."

Dunkin: "Thank you, Representative."

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Speaker Mautino: "Further discussion? The Gentleman from Jasper, Representative Reis."

Reis: "Inquiry of the Chair?"

Speaker Mautino: "Absolutely go right ahead."

Reis: "It was brought up that this will preempt Home Rule, if we could get a ruling from the parliamentarian on how many votes this will take for passage."

Speaker Mautino: "I will get a ruling for you on that and then get back to you. The Gentleman from Champaign, Representative Rose."

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

Speaker Mautino: "He indicates he will."

Rose: "Thank you. Representative Dunkin, in all seriousness and I know this is supported by the Farm Bureau and I know that some other states do this, but those other states that do that specifically provided in statute that the plant be a neutered, non-THC producing plant. Can you point me in your... in your legislation to where it specifically states that this will be a non-THC producing plant?"

Dunkin: "Well, first of all, again, under... understand the science of this. You know, industrial hemp contains less than 1 percent of the tetrahydrocannabinoid. You know, the psychoactive component of marijuana. And most of your botanists or your plant experts are... are very much familiar with this."

Rose: "Well, and I guess..."

Dunkin: "As been the case, so really it doesn't... it's like... it's akin to you drinking nonalcoholic beer and expecting

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to get drunk. It's... it's not going to happen. And so, and I'm not slighting or discounting what... your question."

Rose: "I... I... I guess that's... so, that's exactly where I was going with this because in other states that do this it is... it's a neutered product that you, as you just said I liked your analogy, to a nonalcoholic beverage. In your Bill, it... it says a THC content of three tenths of a percent or lower. And I guess, I would... before I can vote for this or be comfortable voting for this, I would like to know what a normal TH, a normal alcoholic beverage in your terms, okay? So, what would the normal THC content of a plant be if this .3 of a percent is going to be the nonalcoholic variety or non-THC to go in with your analogy? And I've... I... and I... Ken, I think you might find some folks that will be supportive of this if we can get some fact-based answers to questions before the vote because I have no frame of reference of what .3 of a percent means. I don't know if that's, you know, sky high or... or in fact neutered to the point of being, as you said, akin to a nonalcoholic beer? And I'd like to set some comfort level with that. The other thing that was brought up in discussions, and I know that other states do this, but when you're looking at a hemp... industrial hemp plant what does that look like compared to a real hemp plant? Or in other words, if law enforcement is driving along the side of the road and they look over, how are they gonna know which is which and which would be a lawful bill... a lawful variety, should this pass, versus an unlawful variety? And... and I... I'm... I guess I'm asking, this is a long way of asking, Representative Dunkin, if you

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could take this out of the record so we could get some factual answers to those questions because there are a lot of questions on this side of the aisle and I would expect on your side of the aisle too."

Dunkin: "Representative, excellent question. Hemp grown at its most strongest fiber is at 1 tetrahydrocannabinoid level. If you want marijuana, you want to work... the range is anywhere from 5 to 20 percent of the THC. Obviously, the higher the THC the stronger or more effective the psychoactive component of marijuana kicks in. We clearly don't want to go anywhere near the 20 percent of THC. And so..."

Rose: "So... so then... okay, so... I appreciate that answer. Then the follow-up question to that is, if I'm law enforcement driving along the road and I'm looking off to the side how do... how can I tell visually the difference between a... what would become a lawful neutered industrial hemp versus an unlawful, full potency hemp?"

Dunkin: "Well, Representative, this legislation simply allows a farmer to produce hemp and to allow them to have a license to produce hemp. I can't necessarily speak to a trained or an untrained eye of a law enforcement officer, but we simply want to shore up... create... help to create and push a new industry, a new alternative to cotton, alternative to timber and to take advantage of the natural product of the hemp concept, the hemp industry, which has been around for quite some time and..."

Rose: "Well, let me... let me suggest that... let me suggest..."

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Dunkin: "...we have not intentions of having this associated whatsoever with up to 20 percent of THC..."

Rose: "I understand, yeah. I understand that."

Dunkin: "...in the product."

Rose: "I'm just saying from a practical standpoint of law enforcement, if we're going to be in downstate Illinois driving along side of the road how am I going to know which one's real and which one's Memorex? And..."

Dunkin: "Representative, I..."

Rose: "...and I... let me give you a suggestion 'cause in your Bill you have them register with the State Police, but you know, you can amend this to require them to notify local law enforcement of the locations of those industrial hemp plots, should this pass, so that local law enforcement doesn't waste it's time or frankly a potential farmer's money by tearing down a crop, getting a seizure order from a court, seizing the crop, cutting it down only to find out that, oh, guess what, this was industrial hemp."

Dunkin: "Sure. Representative, I... with all due respect to you, you're someone who I work with, we're classmates. You know, most law enforcement officers we... we have to assume are a bit more intelligent than the opposite of nonintelligent. They are..."

Rose: "Well, no, but if I'm looking at something that looks..."

Dunkin: "...we're not... that's a bit over-the-top, quite frankly."

Rose: "No, it's not. In fact, it's... Representative, in all due respect, it's not over-the-top because right now I'm going to look at an industrial hemp plant that looks just like a regular hemp plant. And all I'm suggesting is you amend the

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Bill to require the farmer to notify local law enforcement, not just State Police. So, that way they... they know the difference."

Dunkin: "Representative... Representative, this... this simple... this Bill is pretty straightforward. It simply allows farmers to receive a license to grow industrial hemp. And before any law en... you know, our law enforcement in this state are pretty sharp, all right? Before they take any drastic action of burning a crop of any level, you know as well as I know that they will inquire with the owner or whoever's the... the person out there in that crop to find out exactly what is this. So, I mean... we don't want to be too... make this too simple. Police officers are pretty sharp. They will act intelligently and before they burn or destroy anything I would imagine that they would and you as well being an attorney, that they would have due process or a rationale or real reason of substance before they destroy or damage anyone's crop... anyone's property."

Rose: "Well, right, but I guess under the... under the plain view exception to the search warrants, you don't even need a search... you don't even need a seizure warrant. Because if you're driving down the street and it looks like a duck, it walks like a duck, it's a duck, they can seize it. In this case, they would have seized something that wasn't a duck but it looks just like it."

Dunkin: "Yes."

Rose: "So, you know, all I'm saying is I... I think that... I think that you're missing a critical element of this, not

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by design, but just... we should amend this to provide for local notice, not just State Police notice."

Dunkin: "Representative, this is... I don't want to make a mountain out of a mole here."

Rose: "Well, fair enough. I mean, I... you'll..."

Dunkin: "I trust our police judgment and their intelligence here in this state."

Rose: "...unfortunately, you'll probably lose a couple of votes, I mean. There's a few people who probably will vote for it on this side of the aisle."

Dunkin: "Come again?"

Rose: "I... I said, if there's a comfort level back home they'll probably be a few people that might vote for this Bill because it's... it's deneutered, non-THC hemp. You answered the first question. But if you're not going to notice the locals, I think you're going to run into problems and you're probably have some people vote against this Bill, but..."

Dunkin: "Yeah."

Rose: "...this is your call, Representative and obviously you want to proceed. So, thank you for your time."

Dunkin: "I appreciate that. And we can amend the Bill, Representative. Again, this Bill it's... it merely enhances an industry or creates... helps to create an industry that's here in this state that is a natural phenom all over this... the country, quite frankly. We're importing close to \$30 billion of product that we use every single day. Clothing, lotions, hair products, physical products with simple fibers. These... this is a good thing. This here takes... helps

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to take the State of Illinois into the 21st century. And farmers are very supportive of this legislation and I'm proud to be carrying it as a Sponsor."

Speaker Mautino: "There has been a question from the Gentleman from Jasper as to the... the number of votes required and does this preempt Home Rule? And on behalf of the Speaker, I'll get you that answer now."

Parliamentarian Ellis: "Representative Reis, on behalf of the Speaker in response to your inquiry, House Bill 1383 does preempt Home Rule, but it provides for corresponding state regulation. And therefore, it preempts Home Rule under Section 6(h) of Article VII of the Constitution and requires 60 votes for passage."

Speaker Mautino: "So, the vote requirement on this Bill will be 60 votes. Further discussion? The Gentleman from DuPage, Representative Fortner."

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

Speaker Mautino: "He indicates that he will."

Fortner: "There was some discussion earlier and some questions about the other states, I just did a quick lookup. I see there are nine states that have passed similar laws. Are you aware that none of these states is there actually any cultivation going on?"

Dunkin: "I want you to elaborate."

Fortner: "Well, currently, the... the industrial hemp plant that is best suited for fiber production is cannabis sativa. That's the same genetic plant that is... when it has a higher THC concentration is suitable for medicinal or other purposes because that's enough to effect the receptors in

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the brain and body that would generate the high associated with marijuana. Those plants are the same. This would be like saying I've got two different hybrids of corn. One of them has a higher yield than the other. And currently, under Federal Law that species of plant is a Controlled I Substance. So, there are as I say looking it up there are nine states that have laws on the books, but because of federal rules no one can grow it because it's not there. So, my first question would be... doesn't that render this law moot? We'd be like the other nine states with a law on the books that has no affect whatsoever because we... we could busy ourselves writing rules and promulgating rules and setting up a procedure, but no one could actually grow anything."

Dunkin: "Representative, currently we... we import almost close to \$30 billion in hemp product today. And what this does is it simply helps let our Federal Government know that this natural industry that's occurring here, that all states... well, many states are importing here in this country. Things changed. There are a lot of antiquated Federal Laws that exist that states have encouraged the Federal Government to move into the right category of the 21st century... of the century that we're in. And this is indicative of that. And certainly, you know, you... did that answer your question?"

Fortner: "Well... well, only partially because I would... I guess, I would suggest that a Resolution maybe asking that the Federal Government look at moving it from Schedule I to Schedule II so we could do more studies, make the kinds of

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distinctions between the plants. Because one of the problems I can see without those clear distinctions... as I say, genetically it's the same plant. If I planted the plants with say 15 percent THC content in the middle of a field with .2 percent industrial hemp type content, I think anyone other than a biological expert would have a hard.. would be hard-pressed to be able to see that the field was seeded with plants that were not intended for industrial hemp production but were intended for other purposes. So, I guess it would seem to me that rather than try to put a Bill and start asking agencies to create rules, which is what I understand this Bill would do, if the purpose is to encourage the Federal Government to do things like look at what Schedule it's regulated under, we ought to be doing that by looking at a Resolution. I don't think this Bill is timely for that reason. And I guess I would encourage not going this direction, but instead looking at a Resolution based to say, hey, we need to be moving the country to reevaluate that. Thank you."

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

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

Speaker Mautino: "He indicates that he will."

Davis, M.: "Representative, is your purpose here to assist the State of Illinois in finding income?"

Dunkin: "Can you state your..."

Davis, M.: "I mean, are you... industrial hemp. What will we do with it?"

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Dunkin: "Industrial hemp is... it is... as I explained before, Representative, this legislation simply allows planters, farmers to have an alternative crop such as hemp. They are able to grow corn, soy prod... soybeans and a multitude of other vegetables as we know it today that we consume. And this merely is an alternative to... to various crop production. It is... there is a growing and active market making..."

Davis, M.: "It's one of the products that grows in Illinois. Is that correct?"

Dunkin: "You know, it... there probably are farmers who grow hemp unbeknownst to us. I'm not exactly sure. But I would imagine so given that there's a... a strong financial incentive a part of this industry yes."

Davis, M.: "Okay, Thank you. To the Bill, Mr. Speaker."

Speaker Mautino: "To the Bill."

Davis, M.: "I do believe in this economic crisis that were all suffering from, including our farmers, our downstate farmers, if this product would give them an opportunity to sell an additional product across this country, I think it would behoove us to support the legislation. Our constant concern with people getting high is almost becoming laughable. And the reason it is, if you look on the Internet every day there's something new being offered... there's some new substance that's being offered that somebody has found out that makes you giddy for a half an hour or two hours. I think our concern should be... a great deal of it should be placed on it... what is it about our society that's making people want to use substances to get

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high? What is it you want to get away from? What are the conditions being created that make you not want to be in your right mind? So, for us to constantly deny an opportunity to a farmer, who may be suffering greatly, to sell another product I think we're missing the boat. You know, I think we're trying to control something that at this point is no longer controllable. It's no longer controllable the substances people will use to become high. I urge an 'aye' vote. Thank you."

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

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

Speaker Mautino: "He indicates he will."

Bellock: "Oh, thank you. I think that the question that Representative Fortner brought up is the bottom line of the question here is that... is industrial hemp still classified as a Schedule I Controlled Substance?"

Dunkin: "To my knowledge, it is."

Bellock: "Oh, I'm sorry, I was looking for where you are."

Dunkin: "Right here."

Bellock: "Fine. It is. And I think that that is why it has never been allowed to be grown in Illinois because it's the same underlying problem as with the medical marijuana. Is that it is a classified as a Schedule I Controlled Substance by the Federal Government and that is not legal. So, that's the same problem we have as we've talked about on the other issue. If we want to work with that issue as Representative Fortner said we have to work with the

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Federal Government on getting that substance changed from a Schedule I to a Schedule II. But I... at this time according to our analysis and I know we did this Bill several years ago, I wasn't sure if it was still considered that. But according to our analysis and what you just said, I think, is that it is still considered Schedule I Controlled Substance, correct?"

Dunkin: "Representative, I certainly appreciate your inquiry and your concern. First of all, states need... need to do this. The biggest reason is because practically every state in this country is already importing hemp products... hemp produced products from soap to hair care products to clothing to blankets to t-shirts to... to shoes to the interior of some of these cars and trucks that we drive, it's made by way of hemp. And does... there have been plenty of times where states have been three years, two years sometimes decades ahead of the Federal Government. And just because something is marked as one way or part of a scheduling system and not the other does not necessarily mean that we're far off. So, that's the... that's the big irony or the contradiction of the Federal Government not being ahead of themselves with this particular legislation. We have many more examples that... where this exists. The fact of the matter is, hemp is already in this country. It is produced and cultivated in places like... primarily through... all throughout Europe and Germany and Hungary and Russia and China and Canada where they are importing very actively hemp produced products. We also need to consider producing hemp petroleum as an alternative to the gasoline

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industry or excuse me, the oil that we're so dependent on with foreign countries. This is merely a further step in that direction. I am comfortable with producing a House Resolution to talk to the Federal Government, we do that quite often here, but that should not negate the fact that an industry is amongst us. It is active; it is very, very much a part of our respective country's economy. It is a part of the fabric of most human being's households, their lifestyles, whether we're aware of it or not. And to... to simply say the Federal Government has it under one particular Schedule compared to where we want to be is... is a... can be potentially shortsighted. And again, I mean that in no disrespect. What I would love to do with you or any other... any other of my colleagues is to come up with a House Resolution, as well, to accompany such legislation. But here, anytime you have Illinois farmers, our farmers, supportive of this measure, I think that speaks volumes in terms of where we need to be."

Bellock: "Well, I... I hate to be on the opposite side of the Illinois Farm Bureau and I understand your concerns as to this industry. My only concern... to the Bill is... that I find it difficult to be here in the House of Representatives and to vote on something that is superseding what the Federal Government says is an illegal substance. So, that is my problem with the Bill. I understand his efforts in this industry and I've seen the products all over. But that's my problem with it, that I don't think that the state can supersede the Federal Government on what they have scheduled as a Schedule I Controlled Substance, which is

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illegal in the United States at this time. And I would work with you, as I've told some of the other people, on the Resolution regarding the Schedule I. And I look forward to working with you in the future. Thank you."

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

Eddy: "Thank you. Would the Sponsor yield? Rep... Representative Dunkin, I..."

Speaker Mautino: "Yes."

Eddy: "...I stand in support of this, but I'm just wondering how... how this came to be that a farmer like yourself from the great farming country that... that you represent carried a... Is this a Farm Bureau initiative?"

Dunkin: "No, it's not."

Eddy: "It's not?"

Dunkin: "They're very supportive."

Eddy: "They're supportive, okay."

Dunkin: "As your... as your analysis indicates as well."

Eddy: "Are you part of the Farm Bureau Adopt-a-Legislator Program?"

Dunkin: "Yes."

Eddy: "You are. So, what... what county adopted you?"

Dunkin: "Jasper County."

Eddy: "Jasper County. You're an adopted..."

Dunkin: "Representative... Representative Reis's community."

Eddy: "Okay. Now, let... let me just kind of figure out here what we're dealing with because I think the federal issue is the one we need to pay attention to here. That will supersede any attempt for anyone to grow hemp at this time. I mean,

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this Bill passes it sets up the mechanism for the Department of Agriculture to license this but they won't be able to license this until the Federal Government lifts or at least allows for the... the growing of industrial hemp, right? You... you... you can't supersede Federal Law with your Bill."

Dunkin: "Rep... Representative, here's... can I give you and... we... this state has done many of... taken many of actions that the Federal Government has not been aligned with, am I correct? I mean you know that."

Eddy: "I know that unless and until the Federal Government allows for this to be grown, it's not going to be grown. But you're setting up a mechanism to allow for that to happen if and when those... those types of plants are developed that they would approve. That's what your doing here. You're setting up a mechanism for this to be done when Federal Law allows it?"

Dunkin: "No, that's... that's not necessarily true. What we're..."

Eddy: "Representative, you cannot supersede Federal Law with a state..."

Dunkin: "Representative... Representative, our... you, and like many other Members here, you've heard of the... the Declaration of Independence, correct?"

Eddy: "Yes, Sir. Yes."

Dunkin: "Do you know the Declaration of Independence was grown... was written on hemp paper, Representative? Thomas Jefferson, our President, had a hemp farm here in this country. George Washington, our first President, grew and cultivated hemp in this country. These were federal

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Presidents. As I stated before, our former President George Bush, the first one, what saved his life was a parachute made of hemp fibers."

Eddy: "Representative, I'm not... I'm not..."

Dunkin: "Hemp is a reality here, Rep..."

Eddy: "...arguing over whether or not..."

Dunkin: "I mean, you're... you're..."

Eddy: "...it has uses. What I'm saying is, the only way you're going to be able to actually implement this is if the DEA allows a permit for the growth. And right at this point, they don't because of concerns that others have about this. I think that you're doing the right thing by setting up the mechanism for this to happen when the Federal Government gets around to... to believing that this product can be used for that purpose. So, I... I actually think that this is a good idea, let's move this along and allow for the mechanism, the Department of Agriculture to be in a position to support our agricultural community when the federal rules will allow it. I would urge support of the Gentleman's Bill."

Dunkin: "Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Menard, Representative Brauer."

Brauer: "Previous question."

Speaker Mautino: "The Gentleman asks the previous question be put. All in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'yesses' have it. And the previous question is put. Representative Dunkin to close."

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Dunkin: "Thank you, Mr. Speaker and Members of the House. I am extremely proud to present this legislation, to have us really take advantage of this multibillion dollar industry that has taken over this country. We are, unfortunately, importing way too much hemp produced products. We are consuming a multibillion dollar industry. Historically, again, President George Bush... excuse me... President George Bush's life was saved with a parachute made of hemp product. President George Washington, President Thomas Jefferson, both grew hemp. Ben Franklin owned a paper mill that made hemp paper. Thomas Jefferson drafted the Declaration of Independence on hemp paper. More than 75 percent of the world's paper was made from hemp fiber. We need to look at hemp producing products for alternative fuel, for many other products here that all of us take advantage of. Some of us are probably wearing hemp produced socks, hemp produced t-shirts and suits. If you look in the interior of your car, hemp fibers are more than likely a part of your personal reality. Our Illinois Farm Bureau... Bureau is very supportive of this legislation. I want to help, like many of you, take this state into the 21st century. Irrespective of the Federal Government, this Bill should help encourage the Federal Government. I am willing to Sponsor a House Resolution to that end. I'm encouraging and asking all of you good people, my colleagues, to support this hemp legislation and let's move into the green movement. Thank you."

Speaker Mautino: "The Gentleman has moved passage of House Bill 1383. All in favor will vote 'yes'; opposed vote 'no'. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Durkin, Feigenholtz, May, Sullivan, Williams. Sullivan and Williams. Representative... Mr. Clerk, take the record. 28 voting 'yes', 83 voting 'no', 0 voting 'present', House Bill 1383 is declared defeated. The Gentleman from Champaign, Representative Rose is seeking recognition. The Gentleman from Jacksonville (sic-Jackson), Representative Bost."

Bost: "Thank you, Mr. Speaker. If the record could reflect that Representative Durkin will be excused for the rest of the..."

Speaker Mautino: "The record will reflect. The Gentleman from Cook, Representative Ford."

Ford: "Mr. Speaker, I'm sorry you guys did my colleague like that, but the question that I want to know is, he already has the trophy, what's the rule if you have the trophy and you get 100 again?"

Speaker Mautino: "The Chair had the discretion for a quick trigger and was merciful."

Ford: "All right. Ken Dunkin, I'm sorry your Bill failed. Keep up the good work."

Speaker Mautino: "Further discussion? No. Representative Brown, there's House Bill 2048. Do you wish to call the Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2048, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Mautino: "Representative Brown, is there a reason for the red jacket?"

Brown: "This would be my first Bill. Thank you, Mr. Speaker."

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Speaker Mautino: "Oh, just glad to help, good luck with that."

Brown: "Ladies and Gentlemen of the House, this is House Bill 2048. It amends the Cannabis Control Act, the Illinois Controlled Substances Act and the Methamphetamine Control and Community Protection Act to provide that the state's attorneys from their share of the monies in the sales proceeds of all other properties forfeited and seized under the Act may make grants to local substance abuse treatment facilities and halfway houses. I move do pass House Bill 2048."

Speaker Mautino: "The Gentleman moves passage of House Bill 2048. And on that question, the Gentleman from Jackson, Representative Bost."

Bost: "Will the Sponsor yield?"

Speaker Mautino: "He indicates that he will."

Bost: "There are a couple of questions that have come up over the last couple of days. One in particular in a conversation not dealing with this particular Bill, but I will ask you a question about the Bill. Are you the youngest Member on this floor?"

Brown: "I believe I am, I'm 25 years old."

Bost: "He's 25. And... and on the day of presenting your first Bill quite often what happens is staffers go... are around you to try to help you with that Bill. What staffer is in the seat beside you?"

Brown: "I don't see any around me, currently."

Bost: "Oh, there's somebody that I'm not familiar with in the seat beside you. I didn't know who that was."

Brown: "Joining me today is my father, Bill Brown."

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Bost: "You know, first off, we want to welcome your father to the floor but you know, some of us, you know, we... we are able to handle our Bills on our own, we don't have to bring our dad. So, you know, now if you want him to go ahead and deal with it, we could do that, but I..."

Brown: "That'd be tremendous. I don't have a spare red coat with me."

Bost: "I understand. Now, let's go to the Bill here. This amends the Cannabis Control Act. Does this have anything to do with hemp?"

Brown: "No, I don't believe it does. Only money confiscated by the State's Attorney during seizures of drug activities."

Bost: "Are you familiar that we in the State of Illi... now when this is... money is taken, the State's Attorney then has control of those funds or are they seized and then put into the community... or county confers? How's that... how's that working?"

Brown: "When the money or property is seized, it's divided between five institutions: sixty-five percent of that goes to the enforcement agency, twelve and a half percent goes to the State's Attorney, twelve and a half percent goes to the prosecutor and ten percent goes to the State Police."

Bost: "So, basically the... the law enforcement agencies divide this up?"

Brown: "That's correct."

Bost: "Well, is this only with money or it's property as well?"

Brown: "This would be money as well as property which is sold and then that money from the sale of that property which was confiscated."

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Bost: "Okay. For instance, if... it would... and we've been doing this for years. And that is, if a automobile is being used in a drug transfer, we can seize that automobile and then that arresting agency can either keep that automobile or auction that automobile off. Is that... is this the same type situation or...?"

Brown: "That's correct."

Bost: "So, what is the reason... if we can already do that, do this just then put in cash or... or... or what's different than what we already have on the books?"

Brown: "Currently, the State's Attorney's portion of the money and property confiscated has to go towards further enforcement measures. Under this Bill, they could provide grants to local substance abuse facilities as well as halfway houses."

Bost: "So, who actually brought this Bill to your attention that it needed to be carried?"

Brown: "This Bill was actually brought to me by a retired State's Attorney, Representative Dennis Reboletti."

Bost: "A retired State's Attorney, Dennis Reboletti. You're retired?"

Brown: "He's actually a prosecutor."

Bost: "A retired prosecutor? Do you... so, does this have anything to do with the death penalty?"

Brown: "What was that, I'm sorry?"

Bost: "I... I... I just was asking if this has anything to do with the death penalty. Usually when we add something, it's supposed to get..."

Brown: "No, it does not."

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Bost: "Just... just checking. In law enforcement and I... and I'm not... I know this is your first Bill and I'm not playing games here, I really want to make this statement. In law enforcement this has become a tremendous tool in the fight... in our fight on drugs. And... and we'll have to see how your Bill does, being your first Bill, but this is very important to make sure that our local law enforcement... and you say this money then can be given to another agency besides law enforcement, is that what you said?"

Brown: "No, it's under the State's Attorney's discretion whether he puts all of this money towards future enforcement measures or he also has the option of putting it towards local substance abuse facilities and halfway houses in his district."

Bost: "Okay. This doesn't change the policy of a vehicle that's seized though that the local police that did the arresting can..."

Brown: "No, it doesn't affect that policy."

Bost: "Okay. Thank you very much."

Brown: "Thank you."

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

Stephens: "Thank you, thank you, thank you. Welcome, Representative. Who's the Gentleman to your right?"

Brown: "That's my father."

Stephens: "Your dad? You don't stray far from dad, do you? Daddy, daddy, can I run for the Legislature, daddy?"

Brown: "Thank you, Leader Stephens."

Stephens: "We... what does your Bill do?"

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Brown: "This Bill would give the State's Attorney discretion to provide grants for local substance abuse programs as well as halfway houses."

Stephens: "Where's your mother today?"

Brown: "I believe my mother would support this Bill."

Stephens: "Well, for mom and for dad and for America, I support your Bill, too, Representative. Good luck in your career."

Brown: "Thank you, Leader."

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

Lang: "Thank you. Will the Sponsor yield? Did I get answer?"

Brown: "Absolutely."

Lang: "All right. We'll just do this without the Speaker, then how's that? I like the jacket, Sir. Do you agree with me we should have like a closet full of red jackets, like they have the green jackets at the Masters, would that be a good idea?"

Brown: "That could be helpful."

Lang: "You want to make that part of your Bill, move it back to Second Reading?"

Brown: "I don't think so, I think I'll hold off."

Lang: "All right. So, where did you get this Bill, Sir? You didn't write this Bill, did you?"

Brown: "No, this Bill was actually brought to me by a former prosecutor, Representative Dennis Reboletti."

Lang: "A former prosecutor, current State Representative. So, could he not handle this Bill without your help?"

Brown: "I think he needed a pro in this instance and I... I was willing to step forward."

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Lang: "I do the jokes here, but that was a good one. That was a good one, I liked that one. I like when you can give somebody else a hard time while we're talking. Right? It's like... it's like he's not in the room, isn't it? Actually it's usually like he's not in the room, but that's okay. So, I'm sorry. I'm sorry, Sir. So, why... why did you have this Bill as opposed to anybody else around here?"

Brown: "Well, a lot of agencies inside my district are facing setbacks, difficulties in funding. And those local drug abuse facilities and halfway houses will get a share of money from the State's Attorney, if they so desire."

Lang: "So, that's why you think it's an important Bill, but why you? Why do you have this Bill? You didn't draft it. You probably don't even know where LRB is, you were only here about eight minutes. So, why did... how did you get this Bill as opposed to anybody else on your side of the aisle or on this side of the aisle?"

Brown: "It's hugely important to my district. I represent Decatur, Illinois, which has a huge urban population and a lot of... a lot of drug abuse treatment facilities."

Lang: "And so, are you saying that Decatur has more drug problems than the other cities in the State of Illinois?"

Brown: "Not at all. I think our agencies are facing some serious funding cuts that need to be addressed. And this helps to address that without an increased burden on taxpayers."

Lang: "What State's Attorneys have you talked to to determine if they're actually interested in taking on this program?"

Brown: "I'm sorry, can you restate the question please?"

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Lang: "I suppose I can. I don't want to, but I will. What State's Attorneys have you talked to to determine whether they are interested in doing what the Bill would ask them to do?"

Brown: "Well, the DuPage County State's Attorney has signed on as a proponent."

Lang: "That's not what I asked you, Sir. What State's Attorneys have you talked to to determine whether they're interested in doing this program?"

Brown: "Well, I've only talked to... I haven't talked to any State's Attorneys in my district regarding this Bill."

Lang: "And so, how do you know that they..."

Brown: "This... this Bill..."

Lang: "...want to do this Bill?"

Brown: "...this Bill is simply discretionary and gives them the opportunity to invest in local drug treatment facilities, if they so desire."

Lang: "Well, how do you know the State's Attorneys Offices are set up to create grant programs and create whatever committees are necessary to determine who gets the grants? How do they set that up? The Bill is silent on that. How's that going to work?"

Brown: "I have a great relationship with my local State's Attorneys and I believe they're competent to provide these grants."

Lang: "So, does this Bill only affect your counties?"

Brown: "No, this would affect all State's Attorneys in the State of Illinois."

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Lang: "So, I'm going to ask the question again. How do we know the State's Attorneys can set themselves up to do this? The Bill is silent on how they go about creating the program, if they wish to."

Brown: "This is simply.. gives these State's Attorneys the opportunity to so invest in these grants, if they desire. It's completely left up to their direction."

Lang: "What's the largest county in this state, Sir?"

Brown: "Cook County."

Lang: "You ever been there?"

Brown: "I have, absolutely."

Lang: "Okay, just checking. Since you've been there.. have you been there since you've been an adult?"

Brown: "I have."

Lang: "Okay. So, have you checked with the Cook County State's Attorney as to whether they can even do this program?"

Brown: "I... I've not spoken with the Cook's... Cook County State's Attorney. The AIDS Foundation of Chicago does support this measure."

Lang: "Was that... was that responsive in some way to my question?"

Brown: "No."

Lang: "All right. So.. thank you. You're the first person to ever admit that on the floor of this House in 24 years. So, I appreciate that. So, is there any such grant program even in your county? Is there any program that the state's attorney in your county administers that's a grant program where they get to take fines and other forfeitures and pass it off to third parties at their discretion?"

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Brown: "Not at this point."

Lang: "So, this would be... you're groundbreaking?"

Brown: "This is groundbreaking."

Lang: "And you stole this Bill from Representative Reboletti because you wanted to do this?"

Brown: "Representative Reboletti was so kind to allow me to present this Bill to you."

Lang: "He allowed you or he kind of foisted it on you?"

Brown: "I believe this is a tremendous Bill that the State of Illinois needs."

Lang: "Not bad, Sir. Thank you."

Brown: "Thank you."

Speaker Mautino: "The Gentleman from DuPage, Representative Reboletti your name has been used in debate in very interesting fashion. So, please, go right ahead."

Reboletti: "It has. Speaker, I feel like this is my first Bill. So, I'm... I'm a little bit concerned. So, I don't know maybe Leader Lang will ask me some questions. But will the Sponsor yield?"

Speaker Mautino: "He says no."

Reboletti: "He said, no?"

Speaker Mautino: "He said, no."

Reboletti: "Does his dad think it's okay if he would yield?"

Speaker Mautino: "You can treat him as a hostile witness if you like. He said now he will."

Reboletti: "Actually, you know, Representative, I... I thought that Bill Mitchell was your dad. Is that so? He... your second dad?"

Brown: "I don't believe he is."

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Reboletti: "What's the difference between being retired and being former because I didn't get a retirement party when I left Will County. So, what's the difference?"

Brown: "We could work on arranging that party for you."

Reboletti: "I'm sure people... never mind. This would be groundbreaking, is that what you told Representative Lang?"

Brown: "I believe so."

Reboletti: "Why do you think it's groundbreaking?"

Brown: "I think this gives the State's Attorneys Office flexibility that they haven't had in the past and an opportunity to serve our underserved in our community."

Reboletti: "It's something that you're interested in, in helping out your communities with?"

Brown: "Absolutely."

Reboletti: "It's a problem that our... all of our districts are facing?"

Brown: "Absolutely."

Reboletti: "Do you know what the second largest county in the State of Illinois is?"

Brown: "I believe that's DuPage County, your home county."

Reboletti: "I wasn't know... was that your... your second dad that was answering that? I heard his... his mouth was moving and then I heard yours. I know Bill knows. He's been to... have you been to DuPage County?"

Brown: "I have."

Reboletti: "Have you been there recently?"

Brown: "Not that I recall."

Reboletti: "Representative Connelly told me it's the healthiest county in that state. So, we're very happy that you have

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been there. We invite you to there. But to the Bill. Ladies and Gentlemen, this would be something that would be considered groundbreaking. The State's Attorneys are allowed to give some grants out like in the DARE Program but it only allows that the proceeds be used for purposes for additional prosecution methods. And there have been problems with State's Attorneys wanting to help out their drug courts, but they have not been able to because the statute does not allow them to. Representative Brown's Bill would allow them to give grants to their providers. For instance, in my district there's a place called Serenity House. It's the only halfway house that serves over a million people in the area. And they have the same fiscal issues that many of your providers have as well. This would give the DuPage County State's Attorney the opportunity to give that program a grant, if they saw fit. This is a 'may' situation, not a 'shall'. I'm sure there may be other issues if we said we will make them do that, but this is something that will allow them to do that. And I have talked to state's attorneys from across the state that are looking forward to being able to participate in this program. I think the Gentleman has a good Bill. I'm not sure if it will survive. But I'm sure that your dad would be very proud of you 'cause you came through a very difficult election cycle as I know. I know that you've worked very hard to get here. I know that you're a good man and you make the State of Illinois proud. So, congratulations, Representative."

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

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

Speaker Mautino: "He indicates he will."

Dunkin: "Wonderful. Representative, how'd you vote on my last Bill on the hemp Bill? You know..."

Brown: "I opposed your hemp Bill."

Dunkin: "...and why would you have done that, Sir? This is a cousin of the hemp Bill, marijuana. So, you're trying to have the State's Attorneys Office benefit from seizure of marijuana, correct?"

Brown: "That's correct. And other substances."

Dunkin: "Other substances? Illegal substances?"

Brown: "Other controlled substances, that's correct."

Dunkin: "Other illegal controlled substances?"

Brown: "That's correct."

Dunkin: "Where is the DEA on this particular controlled substance?"

Brown: "I don't believe they had a slip in committee."

Dunkin: "Okay. Are you a member of the Illinois Farm Bureau?"

Brown: "I am."

Dunkin: "And you voted against the hemp Bill that they were fully vested in and supportive?"

Brown: "I don't believe that Bill pertains to House Bill 2048."

Dunkin: "Well, Representative, I see marijuana used in this Bill. And a number of your... your colleagues and my friends on your side of the aisle voted against the cousin or a distant cousin of the marijuana cousin. And now you're trying to profit from that or at least this legislation to

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say they would take the proceeds and benefit their respective State's Attorneys Office. Am I correct?"

Brown: "I believe this is a tremendous Bill that focuses on providing for drug treatment facilities across the State of Illinois in uncertain fiscal times in the State of Illinois."

Dunkin: "So, do you think this would increase or enhance a States Attorney's activity to really rid out and seek these big drug busts or controlled substance raids of sort of prosecution just so they could capture the finances of... or the proceeds as it relates to here..."

Brown: "This Bill says..."

Dunkin: "...and property?"

Brown: "This Bill simply allows State's Attorneys to provide grants for substance abuse facilities."

Dunkin: "So, what if there's no marijuana or controlled substance or... to seize or to bust? How would they function if there is no... no profit?"

Brown: "If that were the case, they wouldn't have grants to give out to abuse facilities."

Dunkin: "I see. They won't have... So, if they can't pro... benefit or profit from marijuana or controlled substances, there's no money for it, there's no grants to allocate, right?"

Brown: "The Governor is cutting these drug abuse facilities and I believe this is a venue and an opportunity for State's Attorneys to grant such funding."

Dunkin: "I see. So, if we were to have a hemp industry in this state, that... that way we could create a new tax base, hire more people, we can cultivate all kinds of farms to build

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and grow industry. We can develop fuel for our cars. Am I right? Yes?"

Brown: "I don't believe that's applicable to this case."

Dunkin: "I'm speaking of the hemp Bill as it relates to the distant cousin of the marijuana or the cannabis you have here. Under Controlled Substances Act, Cannabis Control Act there is... isn't there a tie in? Isn't hemp a part of the cannabis family."

Brown: "I believe this is a tremendous Bill which simply..."

Dunkin: "Representative, that's a yes or no question."

Brown: "...simply gives the state's attorney..."

Dunkin: "That's a yes..."

Brown: "...continued flexibility."

Dunkin: "Representative, so you want to rescind your vote on the 'no' on the hemp Bill, correct?"

Brown: "That's incorrect."

Dunkin: "And you're a member of the Illinois Farm Bureau?"

Brown: "That's correct."

Dunkin: "And you voted against the hemp Bill? And now you're... you're making reference to profit from, just like I wanted the hemp Bill to be a big profitable mechanism here in this state. So, you are supporting proceeds of an... a cannabis controlled substance to profit to feed into other not-for-profits organizations, is that correct?"

Brown: "My votes reflect the desires of my district."

Dunkin: "You don't think the people in your district would want to see a new industry, since we're already spending billions of dollars in this state alone on hemp, to see new

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proceeds, new profits come about? Your district... they want to be immune to that?"

Brown: "I don't believe that applies to this Bill."

Dunkin: "I'm just looking at the Cannabis Control Act and how these State's Attorneys Office would benefit from the proceeds of capturing the funds of cannabis for example or meth. And yet, all that farmland in your district, Representative... Representative, are you listening? Representative Brown?"

Brown: "This..."

Dunkin: "You have about four... how many staff does he have helping you out? Twelve or a dozen?"

Brown: "This Bill simply gives the State's Attorney the opportunity to provide grants for our substance abuse programs. And I believe that's a tremendous thing for the State of Illinois."

Dunkin: "Just like the hemp legislation, right?"

Brown: "Incorrect."

Dunkin: "So, Representative, I'm trying to understand you. You're... you're... you're... you're talking about States Attorneys benefiting with forfeiture of cannabis, for example, and giving it to various state's attorneys to distribute in grant forms to other agencies, correct?"

Brown: "This program is simply to help drug addicts receive the treatment that they deserve."

Dunkin: "And so, one of the best panaceas for drug addicts or depression is to get people a job in a new industry. So, the hemp legislation would have helped that cause of those individuals who feel worthless or their esteem is low. So,

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that means you would be willing and able and in favor of hemp legislation 'cause it'll create a new economy, right? New market? Yes?"

Brown: "I did not support your legislation."

Dunkin: "I'm just saying... but you are for proagricultural business or new agri business, right?"

Brown: "In some cases I am, not under the Bill that you proposed."

Dunkin: "What was wrong with the Bill that I presented? It was related sort of in the canabanoid family. You're supporting another level, but it's on the... on the other side."

Brown: "I don't believe your Bill pertains to House Bill 2048."

Dunkin: "I understand. But you are for a sort of a burgeoning market to occur in the State of Illinois, correct? You want to ask one of your what... five staffers?"

Brown: "No, I... I think this Bill simply gives an opportunity for us to treat those drug abusers in our society that so need the treatment especially under very difficult fiscal constraints for the State of Illinois."

Dunkin: "Well, Representative, if we're under fiscal constraints, wouldn't... don't you think a new industry would help bring new dollars in, give people a new sense of motivation 'cause they'll be working. They'll be manufacturing; they'll be cultivating in the hemp arena, right? So..."

Brown: "I think we've already addressed your Bill."

Dunkin: "What if the... what if the... is the Federal..."

Brown: "And it... it failed."

Dunkin: "...Government for this?"

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Speaker Mautino: "Last question."

Dunkin: "Thank you, Mr. Speaker."

Speaker Mautino: "Yes, the Lady from Cook, Representative Mell."

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

Speaker Mautino: "He indicates he will."

Mell: "Representative, how much... how much money are we talking about here, you think? In these grants?"

Brown: "You know this would vary based on the county. So, I don't have the financial statement in front of me."

Mell: "Is it... is it a significant amount of money or... give or take or? Is it gonna keep some of these places open?"

Brown: "I would definitely hope so, absolutely."

Mell: "Okay. Thank you, Representative. To the Bill. I am... I'm pleasantly surprised that this coming from that side of the aisle. There's a lot... a lot of us over here that are really passionate about... about this issue and recognize that alcoholism and drug addiction is a disease and needs to be treated that way. And regardless if you're a vet, a construction worker, a doctor or whatever that this affects everybody. And I... I really want to commend you and invite you over here to work with us. I don't know if this is something you're interested in or if this was a Bill that Representative Reboletti just gave to you. But this is really forward thinking when we're... we're having to make these painful cuts, to kind of think of other ways to fund things. So, thank you so much and I'm going to vote 'yes'. Thank you."

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

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

Speaker Mautino: "He indicates he will."

Reitz: "Is... is that like an a capella group or what do you have all those people behind you? And... do you have an answer for that or... are they singing or?"

Brown: "I hope they don't break out in song."

Reitz: "Okay, I guess I just ask a ruling from the Chair. Do we... when they wear a red jacket is not the accompanying people supposed to be in red also or am I misunderstood?"

Speaker Mautino: "I don't believe we have enough red jackets within the chamber, so we kind of waive that."

Reitz: "Okay. Well, I would ask that the Chair..."

Speaker Mautino: "We can selectively enforce it, if you wish?"

Reitz: "...to take that under advisement and try to at least get them in some shade of pink or something like Mr. Brown has on the monitor, that pink jacket he has on up there. No, that's... that's all the questions I had. Just trying to get a... get all this straight. But good luck on your Bill."

Brown: "Thank you, Representative."

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

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

Speaker Mautino: "As you are the last Speaker, would you like to take a shot at the Sponsor or? No? Okay. The Gentleman moves the previous question. All in favor say 'yes';

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opposed 'no'. Previous question is put. Representative Brown to close."

Brown: "Under uncertain fiscal times in the State of Illinois I think it's imperative that we give the States Attorneys flexibility to present grants for substance abuse treatment facilities and halfway houses. I ask for an 'aye' vote."

Speaker Mautino: "All in favor will vote 'yes'; opposed voting 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Rosenthal. Have all voted who wish? Mr. Clerk, take the record. 110 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 2048 is declared passed. And congratulations, Representative Brown. House Bill 3597 appears on Third Reading, Representative Burns. Out of the record. Representative May, House Bill 3236. Out of the record. Representative Acevedo, House Bill 2912. Out of the record. The Gentleman from Lake, Representative Sullivan is seeking recognition."

Sullivan: "Yes, Mr. Speaker. Inquiry of the Chair. I know that we are following along a rule of last names, but I just wanted to point out that there's only one more freshman, Representative Sosnowski. We might maybe change our rules for the quick next vote so we can just get all these freshmen done with. That's just a point of a personal privilege. I would just love to get these done. Thank you."

Speaker Mautino: "I will take that under advisement. I'm just hunting for... he has moved a Bill, he has amended a Bill and moved one to Third under our priority structure. So, I don't know I'll be able to accommodate that at this point,

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but I will get back to you on it. Representative Brauer, House Bill 1593 appears on Second Reading. Read the Bill."

Clerk Bolin: "House Bill 1593, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1..."

Speaker Mautino: "Representative Brauer on... sorry."

Clerk Bolin: "Floor Amendment #2, offered by Representative Brauer, has been approved for consideration."

Speaker Mautino: "Representative Brauer on Floor Amendment #2 to House Bill 1593."

Brauer: "Floor Amendment 2 makes this an agreed to Bill. I said I'd hold it on Second until I got an agreed to and this is it. It treats cameras and things like the same."

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

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

Speaker Mautino: "Third Reading. It's the intent of the Chair to move some Bills from Second Reading. And on that, on the Calendar, Will Davis, House Bill 1607. Out of the record. Representative Monique Davis, House Bill 1195. Out of the record. Representative Cunningham, House Bill 1461 is on Second. Out of the record. House Bill 2084, Representative Crespo. This Bill is on Second Reading. Out of the record. House Bill 1152, Representative John Bradley. Out of the record. House Bill 3090, Representative Arroyo. Out of the record. On... under the Order of Third Readings, Representative Sosnowski, House Bill 1628. Does the man

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have his jacket? In responding to an earlier request of the Chair, Representative Sosnowski, do you wish to call this Bill? 1628? Mr. Clerk, House Bill 1628. Representative Sosnowski, I believe the last of the freshmen Bills first Bills."

Sosnowski: "The very last."

Speaker Mautino: "Read the Bill."

Clerk Bolin: "House Bill 1628, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Boone."

Sosnowski: "Thank you, Mr. Speaker. This is a very nice jacket by the way."

Speaker Mautino: "It fits you well."

Sosnowski: "This Bill pertains to the Child Sex Offender Registry and legislation. This adds child counseling facilities to the... the prohibited areas in which the 500 feet a sex offender... registered sex offender can live. This takes care of an issue that came up in my district in which there was some confusion whether or not a child counseling facility is applicable under this. So, it clarifies the existing language. I'm available for any que..."

Speaker Mautino: "The Gentleman knows how to pick a first Bill. House Bill 1628. And on that, the Lady from Cook, Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. And I... this is an awkward kind of Bill for me to do... on your first Bill, but I... is there any... you know, we... we have so restricted the places where sex offenders can live that there is almost no place that they can reside in the State of Illinois. And I know

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no one wants, you know, that... that as a neighbor. Is there any way that we could consider grandfathering the people in so that they don't have to move and try to find yet another location where they can live because we've so restricted them that they're unable to find that location?"

Sosnowski: "Well, on a very serious note most... it is my understanding most state's attorneys, the way they've interpreted the law, they've already included these types of facilities. The reason that this came up in my district is this particular case where it's primarily a child counseling facility, but there is a small portion of the business that they do there that is adult and family related counseling."

Nekritz: "I can't hear you."

Sosnowski: "There's a small portion of this that is adult and family related counseling in the particular case that came up in mine and that's why there was a concern or you know, and it wasn't quite clear. So, this just clarifies what most state's attorneys are already interpreting."

Nekritz: "Okay. Well, I... I get that. No, there are a lot of states that are actually rolling back the residency restrictions on sex offender laws because what... what we've done is drive them either to be homeless or to get off the registry because they... they... they're so incapable of finding a place to live that they say, what the heck, I just won't even register then. I don't have to follow the law. So, we have almost this perverse incentive. The more of these we add the more we drive people to noncompliance with the sex offender registration, which I don't think is

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the public policy we ought to be pursuing. So, I just... so... so, being able to... so, if one of these facilities opens up... a new one... I understand what's going on in your district. But if a new one opens up, you know and... and someone's already... and there's someone on the registry that's already living there, can we, you know, I mean... I know it's too late now, but I just want to like plant that seed so that as we continue to restrict and restrict and restrict that we... that we think about maybe even just grandfathering in existing... those that are on the sex offender registry that are already living nearby. And so that they don't have to move cause it's impossible for them to move."

Sosnowski: "Yeah. It's my understanding that the way we drafted the legislation we did take that into account, so it is grandfathered in for people who own their house already prior to this. But again, I think that there's very few, if any, that would be affected by this. It's more for future interpretation for state's attorneys, so that it clarifies that child counseling facilities are included."

Nekritz: "Okay. Well, again, to the Body. I would just ask that we... as we continue to... to... as we run about 20 to 30 sex offender bills every year, that we try to recognize what in fact other states, Texas, Georgia, who are looking at this and saying, wait a minute we've gone overboard, we've made a mistake. We need to scale this back to make it reasonable so that those that are supposed to be on the registry will comply rather than driving them underground."

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

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

Speaker Mautino: "He indicates he will."

Eddy: "Hi, Representative. Right over here."

Sosnowski: "Oh, yeah."

Eddy: "How are you? Doing all right a little nervous?"

Sosnowski: "Not at all."

Eddy: "Not at all?"

Sosnowski: "Not at all."

Eddy: "Should be."

Sosnowski: "Uh oh."

Eddy: "You know why? Because as we speak, we put out an APB for
Representative Lang. That should make you nervous 'cause..."

Sosnowski: "I'm looking forward to it."

Eddy: "...he could come back... he could come back at any moment.
Do you have any siblings?"

Sosnowski: "Siblings?"

Eddy: "Are you... are you an only child? Do you have siblings?"

Sosnowski: "No, I'm not an only child. I have three siblings."

Eddy: "How... are you the youngest?"

Sosnowski: "Second oldest."

Eddy: "You're second oldest? Where... was no one from your family
able to join you today? Why are you here alone?"

Sosnowski: "They... they called in... in support."

Eddy: "They called in? Well, we had Representative Turner...
yesterday, we were able to get his father on the phone.
Today we had an actual parent here. You're here... you're by
yourself. Staffer with you? This staffer right here?"

Sosnowski: "I... I've never seen this man before."

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Eddy: "Well, it appears as if he doesn't want to get too close to you. So, I'm not sure what the problem is. So, again, your Bill and I think you made an important point about your Bill that the Body needs to understand. If an individual already owns the home, this does not require that they... they leave that residence if they're there before the effective date of the Bill?"

Sosnowski: "Correct."

Eddy: "So, the grandfathering issue was taken into consideration. Why... why is this important? What's the genesis of this? Was this something from the area you represent?"

Sosnowski: "It is. There's a pediatric mental health counseling facility. There was an issue that came up within the 500 foot as far as interpreting that ruling and whether or not it applied. There wasn't clarifying language that really explicitly discussed child counseling facilities."

Eddy: "But... but, you also alluded to the fact that the interpretation of the current law could include that?"

Sosnowski: "Yes. I... I believe it has and regularly been interpreted that way."

Eddy: "Okay. But you want to make it 100 percent absolute certain by clarifying that part of the statute that that's what this talks about and you're adding that language for clarification?"

Sosnowski: "Absolutely."

Eddy: "Well, Representative, it sounds like you're listening to the people that... that sent you here. What... what area of the state do you represent?"

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Sosnowski: "Eastern Winnebago, Boone County and Northern DeKalb County..."

Eddy: "Okay."

Sosnowski: "...three of the finest counties I know of."

Eddy: "This isn't a commercial. This doesn't... it's not... the purpose of this is not for you to really do a commercial for those counties. I just asked you where they were. I didn't... because I think I have and I think every Representative in here believes that they have at least three of the finest counties. And I don't think you want to get into that when you're trying to get people that are in this Body to support your Bill by challenging where the three finest counties are. Do you want to retract that statement?"

Sosnowski: "I do not. I think mine are the three finest counties."

Eddy: "Well, I think you're about to find out that there are 100... I don't know 110 people here today that may think their counties are the finest and they may just send you a message on this Bill."

Sosnowski: "I... I retract that, I don't want that trophy."

Eddy: "You're pretty easy. Representative, honestly, I... I think... I think you bring something that's important. We've worked on this part of the statute as Representative Nekritz did. Every year we look at this, we try to figure out how we can refine it, how we can define it better. And it really is all for making sure that... that children, especially children, where sometimes these individuals go to... to kind of look and to find people to... to... to abuse are

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protected in the best way they can. You've brought us an important piece of legislation. I hope you... you overcome the normal course of action when a freshman... and by the way, are we all happy that this is finally over? Could we give the final freshman a little recognition for waiting 'til the very end? This is the end..."

Speaker Mautino: "This is the end..."

Eddy: "Actually, that may be..."

Speaker Mautino: "Representative, that may be a little premature."

Eddy: "Somebody resigning today?"

Speaker Mautino: "No, no. But I... I have been reminded by staff that we may have one or two more going. So, we suggest..."

Eddy: "I retract that statement then."

Speaker Mautino: "...Representative Ramey get the coat laundered."

Eddy: "I retract that statement then and I wish you the best, Representative. Thank you."

Sosnowski: "Thank you, Sir."

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

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

Speaker Mautino: "He indicates that he will."

Davis, W.: "Representative, does this Bill define what a child counseling center is?"

Sosnowski: "Yes, it does."

Davis, W.: "Can you share that with me, please?"

Sosnowski: "Counseling that is given to primarily or entirely to children under that age of 18."

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Davis, W.: "No, no, no, no. Does it define what a child counseling center is?"

Sosnowski: "Just in regards to mental health... issues that deal with mental health, counseling in regards to those."

Davis, W.: "Okay. Now, if your objective of your Bill is to prohibit someone who may be a registered sex offender from being within, I believe, 500 feet of a facility as such, don't we already have those types of things in place that prohibit a sex offender from being within certain distances from children period?"

Sosnowski: "Yes. As I stated earlier though, there was... and I believe most interpretation by local state's attorneys do exactly what you just stated, widely has been accepted, but, in my particular case with this counseling facility, it also provides some adult services, very small amount. But that raised some question with our local state's attorney. This basically clarifies the legislation."

Davis, W.: "I mean, but if we already have mechanisms that prohibit a registered sex offender from being close to children, I guess I'm just trying to understand why we need to add this to the definition. If there are children present and there are rules that prohibit that type of proximity already, then why do we need to add this? Why is this necessary?"

Sosnowski: "The clarification that it's necessary just to clear up those situations that have facilities that do both."

Davis, W.: "Well, again, the... you said there's a necessary... necessary to clear it for clarity for facilities that do

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both. Any place that deals with children, doesn't it fall into that broader definition?"

Sosnowski: "In... in my opinion it should, but it's not explicit in the... in the law."

Davis, W.: "Okay. So, one of the other things that concerns, and I think Representative Nekritz kind of started down this path, is that there are very few places that someone coming out of our Corrections system who may be a registered sex offender can go. You know, we're trying to figure out are there group homes? There aren't any. Can they... I had a situation in my district where my assistant tried several times to find some place, talk to relatives and there was absolutely no where for this young man to go coming out of the system. He couldn't even go back home because rules already prohibit proximity to children. He couldn't do that. And so, what you are doing at least from what I can tell is creating a situation where individuals are going to wind up back in prison. But yet, we want to cut the Corrections budget or we want to add to it because we want to have more Correction officers. But you're just putting more people back into the system. More people are going to wind up back into the system. So, I mean if you continue to define and narrowly define that definition or those areas where someone can go, it's just going to wind up you're going to put more and more people back in the system. So, are you essentially contributing to the fact that we need... need more Correction officers, that that budget needs to be higher? When generally, you know, people from your side of the aisle are saying that we're spending

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too much money as it is, you seem to not be that concerned about it then."

Sosnowski: "Well, I... I don't feel concerned because the current legislation prohibits folks from... that are on the sex offender registry from living near day-care centers, childcare facilities, childcare institutions and several other places as far as schooling. But that childcare institution has widely been defined by... or accepted by most state's attorneys and my understanding that normally it includes child counseling facilities also. But again, it comes down to it's not completely clear there. So, this just... we're hoping that this is a minor modification, shouldn't affect really anybody that we know of going forward. But it does clarify for our local state's attorneys so that they know that these counseling centers which are you know, becoming, more independent institutions are included."

Davis, W.: "Well, how about... how about this then. Now, I generally don't ask people to pull their Bills from the record; it's your Bill, if you want to move it that's fine. But assuming that this Bill passes and goes over to the Senate, do you mind if we put a note on the Bill in the Senate? And if the note comes back that it does adversely impact the corrections population that you might not ask the Senate Sponsor to call the Bill?"

Sosnowski: "I'd be willing to look into that with you."

Davis, W.: "You'd be willing to check that out with me?"

Sosnowski: "Sure."

Davis, W.: "I appreciate that."

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Sosnowski: "Be happy to discuss that."

Davis, W.: "Now, unfortunately I... I'm probably still going to vote 'no' on the Bill because, again, the more and more you continue to define those things, you know it just gets more and more restrictive. And I think it does add to... to the prison population that we have here in the state where we should be trying to figure out ways to reduce that population. But certainly I appreciate your willingness to work with me assuming this Bill goes over to the Senate. Thank you very much."

Sosnowski: "Sure."

Speaker Lyons: "Representative Joe Lyons in the Chair. Chair recognizes the Lady from Lake, Representative Mayfield."

Mayfield: "Will the Speaker yield?"

Speaker Lyons: "Speaker yields."

Mayfield: "My question deals with this grandfathering. I know you stated that the individual would be allowed to remain in their home provided that there's a counseling center there, but... and I'm reading your Amendment here, it states that they cannot be in their home during the hours of operation. A lot of these centers open up at 8:00 in the morning, they run until 5 in the evening. They're open up on weekends. So, this basically states that that individual would have to get up extra early in the morning, get out of their home, not return until after 5 and leave their home on the weekend. So, then, you know, we're affecting their quality of life when this happens. Additionally, what happens if that person was sick? They would not be allowed

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to stay in their home even being sick without violating the law as presently written in this Bill."

Sosnowski: "I appreciate the question. My Bill does not make any adjustments to any of those things that you just stated. That's all current legislation."

Mayfield: "No, it's in your Amendment. It says that they cannot be in their home during hours of operation. You added that; it's in your Amendment. I'm... I'm reading your Amendment."

Sosnowski: "We haven't... we haven't added any language that has to do with any... any hours of operations. We've simply added child counseling facilities, those three words to the... to the Bill. And then, the Amendment that you might be referring to simply clarifies what a child counseling center is. And that states that it's a facility where mental health services are provided solely or primarily for children. It has... there's no reference in any of those changes that talk about hours of operation."

Mayfield: "Would you be willing to amend your Bill to allow that individual to be in their home during hours of operation? Because I... I think that's a bit... very, very restrictive and prohibitive to tell somebody that they need to leave their home during the business hours. Because some of these centers may be open well into the evening and then just not even be able to enjoy their home on the weekend. I... I think that's very, very restrictive as it is."

Sosnowski: "Well, I believe that the grandfather clause covers that already. Anybody who owns their residence prior to today's date, there's... this does not change them, they're

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still able to maintain residence in that home and there's no hours of restrictions."

Mayfield: "I'm not reading that. I'm disagreeing with your Bill. Thank you."

Sosnowski: "Well, I'd be definitely happy to look into this with you and..."

Speaker Lyons: "Chair recognizes the Lady from Cook, Representative Mary Flowers."

Flowers: "Thank you, Mr. Speaker. According to what I'm reading, you have added child counseling center as an entity in which a child sex offender cannot be within 500 feet, you added that center."

Sosnowski: "Child counseling centers, correct."

Flowers: "Okay. So, now... but if that sex offender was living there prior to that counseling center being built or placed there, they could stay. Am I correct?"

Sosnowski: "Yeah. That's my understanding."

Flowers: "Okay. Now, moving down to line 23, it says there's nothing prohibiting a child sex offender from residing within 500 feet of a counseling center if the property is owned by the sex offender. Now that's new language, am I correct?"

Sosnowski: "I'm sorry, could you repeat that language again that you're referring to?"

Flowers: "On line 25... nothing in this subsection (b-5) prohibits a child sex offender from residing within 500 feet of a child counseling center if the property is owned by the child sex offender and was purchased before the effective date. But, now my question to you is what... if I

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own it, I can live there, but if I don't I can't live within 500 feet?"

Sosnowski: "Well, my proposed change I guess is silent on that. If the... it only discusses properties that are owned, so I guess in the case of a renter that would be something would be at the discretion of the state's attorney."

Flowers: "Well, don't... I would suggest that you would amend the Bill only because a child sex offender is a child sex offender. He owns the property, he rents the property, either he can or he can't and because he's a property owner doesn't make him a better or safer child sex offender. Do you see my point? And so, if I could own the property and it's okay, I should be able to rent the property as well and it'd still be okay. So, I would respectfully request... because that... that would tell me that the only distinction that you're making is a sex offender who have and a sex offender who have not. And the have-not can't afford to purchase the property, so therefore, if he lives there the chances of him going back to prison is greater than the sex offender who could buy his way out of that situation and/or own the property."

Sosnowski: "Representative, I would certainly be happy to look at that. I guess my concern would be that kind of opens a Pandora's box so to say because then a wife or somebody else could buy the property, lease it and it creates a situation there."

Flowers: "And... and so that's the reason why I said, Sir, that a child sex offender is a child sex offender. Either he or she can or she can't, either he or she will or she won't."

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Let it not be predicated on the color or their skin, the contents of their character or how much money they have in their pocket. It's all about the children."

Sosnowski: "Sure."

Flowers: "Thank you."

Sosnowski: "I agree."

Speaker Lyons: "Chair recognizes the Lady from Cook, Representative Monique Davis."

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

Speaker Lyons: "Sponsor yields."

Davis, M.: "Representative, can you tell me why the Illinois Probation and the Court Services Association are opposed to your legislation?"

Sosnowski: "You know, this is the first that I've heard. There is no registered opponents, nobody spoke against the Bill in committee. And this is the first time somebody has registered as an opponent..."

Davis, M.: "Well, it's listed..."

Sosnowski: "...and they've not yet discussed that..."

Davis, M.: "...it's listed here..."

Sosnowski: "...opposition."

Davis, M.: "...a proponent is the Member Initiative and the opponents are the Illinois Probation and the Court Services Association. Representative, do you know the current locations where sex offenders cannot live within 100... 500 feet?"

Sosnowski: "Do I know the current locations? Yes."

Davis, M.: "What are they?"

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Sosnowski: "As I stated earlier, they were schools, child day-care centers, childcare facilities and there were several other places that were listed."

Davis, M.: "Playgrounds, day-care centers, facilities providing services exclusively for children? To the Bill, Mr. Speaker. I know this Legislator has the best intentions, but according to the research that is continually being done the constant restrictions on where sex offenders can reside is creating the condition where they don't register. They say to themselves, if I register with those locations that I'm supposed to register with I will no longer be able to live here, here, here, here, here, here, here and I don't know where I'm going to live. So therefore, maybe I just won't register. I think it is significantly important that we don't do anything to prohibit a child sex offender from registering. So, we know who they are. So, they can be monitored. So, the probation services can offer them the services they need. But for us to put a ring around wherever they are, we're going to have too many instances where they don't register. Research is showing, across our country, when they don't register they continue to be a danger to children. Therefore, I will be unable to support your legislation. I want sex offenders to register. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Sosnowski to close."

Sosnowski: "Thank you, Mr. Speaker. I just think this is a very important piece of clarifying legislation. It will allow for future state's attorneys to... to be clarified. I just ask for your support on this. Thank you."

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Speaker Lyons: "Gentleman asks for the support of House Bill 1628. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dunkin, Gabel, Harris, Smith. Mr. Clerk... Mr. Smith, you want to be recorded? Mr. Clerk, take the record. On this Bill, there are 88 Members voting 'yes', 21 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. And we're on Third Readings and go back and forth, Democrat, Republican. Although there's a few more Democratic Bills to do, so we'll stay on Third Reading. Representative Zalewski, you have Senate... House Bill 1220. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1220, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Cook, Representative Mike Zalewski."

Zalewski: "Thank you, Mr. Speaker. This Bill simply allows non-Home Rule entity the authority under the law to impose towing fees. A lot of non-Home Rule entities currently are operating under opinions issued by village attorneys. We thought it'd be better if they operated under state statute instead. I respectfully ask for an 'aye' vote."

Speaker Lyons: "Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

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Eddy: "Representative, this allows for the imposition of a fee?"

Zalewski: "Correct."

Eddy: "So, are there limits on what the fee amount can be?"

Zalewski: "I don't... I don't... one moment, Representative."

Eddy: "It... it's a fee on impounded vehicles, right?"

Zalewski: "Correct. I don't think we... I don't believe we capped the amount. I just think we allowed for the imposition of the fee."

Eddy: "So, this is for any municipality in the state?"

Zalewski: "Non... non-Home Rule. Currently, Home Rule entities are allowed to do this."

Eddy: "Okay."

Zalewski: "However, non-Home Rule entities are... frankly, there's some ambiguity."

Eddy: "So, you're... you're extending this authority to non-Home Rule areas and they will be the ones that impose the fee?"

Zalewski: "Correct."

Eddy: "You haven't set a cap on the fee in this though?"

Zalewski: "That... that's... I don't believe so, Representative."

Eddy: "Okay. Representative, I... I... I think it's just important that the Body understands that this... this does not impose the fee, but it certainly does allow for the imposition of a fee."

Zalewski: "Correct."

Eddy: "Thank you."

Zalewski: "Thank you, Representative."

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Speaker Lyons: "Representative Eddy, excuse me, are you still searching for something or are you finished? Okay, Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

Franks: "Representative, it's my understanding as I'm reading the analysis that you are seeking to give the municipalities the ability, if they so choose, to impose fees for certain vehicles that have been impounded, is that correct?"

Zalewski: "Correct, Representative."

Franks: "And there are two additional areas in which they would impose these fees. One when the vehicle has been used in the commission of a felony retail theft and also during the commission of an offense in violation of the Criminal Code, correct?"

Zalewski: "Correct."

Franks: "Now, why would you single out these two to put additional fees on? Is there some additional cost to the municipality or is this just a revenue generator?"

Zalewski: "Rep... Representative, the original Bill I believe had a significant amount of offenses. The Amendment allowed for the retail theft and that's simply because some of the municipalities... oftentimes, police are called to retail thefts to detain the suspect. And frankly, that's manpower, that's time, that's gas, that these non-Home Rules are frankly, in certain, they... they can't afford to..."

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Franks: "That's what I'm... that's what I'm trying to find out what the rationale is because some of them you haven't. And I just don't want to have these as fee generators..."

Zalewski: "Right."

Franks: "...but if there's a logical reason that these two categories cost the municipality more, please explain."

Zalewski: "I know with respect to those two specific crimes, that's... that's what you're asking, Representative?"

Franks: "Yeah and that's all there is."

Zalewski: "Okay. So, my understanding with respect to retail theft, what was the other offense you were concerned with?"

Franks: "The... as I'm reading the analysis and perhaps this is incomplete, but they indicated one was felony theft or retail theft and the second one was use of a vehicle during the commission..."

Zalewski: "Okay."

Franks: "...of any offense in violation of the Criminal Code. That seems a little broad."

Zalewski: "So, in both... well, in both of those instances I would... I would argue..."

Speaker Lyons: "...Franks, your two minutes are up. We'll give you another minute to finish your question."

Franks: "Yeah, we're still waiting for the answer."

Zalewski: "I'll... I'll address the Gentleman's question, Mr. Speaker. In both of those instances I would refer you back to the fact that those are instances where the responding officer for... for whatever reason is... is being asked to commit time to the detention of the suspect. And therefore, there is no recourse for the... for the municipality to

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recoup those fees other... recoup that time and the resources other than the imposition of the fees. As to the broadness of the language, I... I just believe that those two offenses have to be included in the... in the Bill in order to... to assist the municipality."

Franks: "But would you be willing, maybe in the Senate..."

Zalewski: "Sure."

Franks: "...should this get the requisite, to talk maybe tightening up the language because this..."

Zalewski: "Absolutely."

Franks: "Thank you, I appreciate that."

Speaker Lyons: "Chair recognizes the Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you so much, Mr. Speaker. Will the Representative yield?"

Speaker Lyons: "The Representative yields."

Davis, M.: "Representative, could you give us a brief scenario on what your Bill will do?"

Zalewski: "Certainly. I think the most common and the reason, frankly, for the Bill are DUIs, Representative and vehicle offenses. It... it takes a significant amount of... of work at the time of the DUI once... once the arrest has been made. You have to wait for the... for the tow truck because the driver's being arrested. You have to take them back to the police station. You have to then issue the breathalyzer test, you have to fill out the paperwork, the statutory summary suspension papers. I mean, there's a significant amount of... of effort involved. And frankly, non-Home Rules don't have the ability to... to recompensate themselves based

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on that and they end up losing revenue because of these arrests that they're compelled to make."

Davis, M.: "So, we're increasing the fees for a person to be able to retrieve their vehicle, is that correct?"

Zalewski: "We're not... I'm sorry, what was your question, Representative?"

Davis, M.: "We're increasing the fees for an automobile operator to be able to retrieve his automobile?"

Zalewski: "Not accurate, Representative. We are giving non-Home Rule entities the authority under state statute, which a lot of them are already doing this under less than ideal circumstances, but we're giving it to them in state statute the authority to impose fees."

Davis, M.: "It says, operation or use of a motor vehicle in the commission of or in the attempt to commit an offense in violation of Sections 24-1, 24-1.5 and so on of the Criminal Code. Is a speeding ticket, are you violating the Criminal Code?"

Zalewski: "Yes, depending on the speeding tick..."

Speaker Lyons: "I'm sorry. We'll give you another minute, Representative, to finish your question."

Davis, M.: "Thanks. If a person violates the speeding laws and his vehicle is taken from him, you're telling me he's going to have to pay additional fees. Is that right?"

Zalewski: "I... I don't... let me rephrase. A typical speeding ticket instance is where the offender is cited and sent on their way. If it's aggravated speeding or the officer subsequently discovers some other issue for which the person has to be arrested then the... then an arrest takes

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place and then the car may have to be impounded. So, we're not talking about your ordinary speeding ticket, we're talking about exceptional circumstances where the speeding ticket leads to an arrest."

Davis, M.: "Or... or perhaps where the person had additional tickets; therefore, we're going to arrest you 'cause you got a speeding ticket now and you're driving on a ticket. So, you're going to jail. This is another one of those Bills where we are going to say to the consumer or to the people who visit mostly our city, we're going to add another fee on you. It's going to be over \$500 or more to get your car and go home. Now, I know you've made a little effort to tell us about a person who's committing a major crime. The guy who's committing a major crime, he's not going to have his own car. You're not going to apprehend him and you're not going to take his car in and tow it. You're talking about everyday citizens who make a mistake, who may have a DUI but at that point he's not drunk. And you're going to take his car and charge him an arm and a leg to get it out and it's wrong. Vote 'no'."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Mary Flowers."

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

Speaker Lyons: "Gentleman yields."

Flowers: "Representative, you know these are very hard times for lots of people. You know people who used to have cars and homes and, you know, but stuff has happened. They lost their jobs, they lost their homes and they lost their livelihood. And now the family once had two cars, they only

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have one. And maybe the... the husband or the wife who lost their job is drinking, which is wrong and you know, they should... shouldn't be out there drinking and driving, I agree. But what about the other family members, Sir? What about the other family member that needs the vehicle to go work, take their child to the hospital, take their kids to the school. Can't we take into consideration of the other family members for this?"

Zalewski: "Representative, just to be crystal clear, currently non-Home Rule entities and Home Rule entities, because they already have the power to do so, are already doing these impoundments and these tows and administering these fees. The... the... the question before the Body is, are we going to regulate it appropriately through state statute or allow it up to village attorneys to make, frankly, sometimes inconsistent decisions? This is not anything new that we're doing. We're simply codifying what's going on already."

Flowers: "And so, what exactly are you codifying?"

Zalewski: "We're allowing non-Home Rule entities that don't have this power under Home Rule to impose fees for the purposes of tows after arrest."

Flowers: "So, my question to you, again, as opposed to having the car towed..."

Speaker Lyons: "Representative, we'll give you one more minute to finish your question."

Flowers: "Can a telephone call be made to a family member? Or if there's another member in the vehicle, if there's someone else in the vehicle, does the car necessarily have to be towed? Can the car be driven away? The car did not

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commit the crime, it was the person in the car. And so, if the car is only being towed to a towing place for the benefit of someone else to get the... the monies for it because the car has been impounded and a fine must be paid. I'm asking, can you please take into consideration the family who might need the vehicle, cannot afford the tow? Can we just change it to say that a call has been made? Can that be a part of what you're codifying?"

Zalewski: "I... I... Representative, I... I think what you're suggesting is a different issue. And I... I... I respectfully disagree with... with what you're saying because we're not... if you want to change the way police officers handle arrests and subsequent impoundment of vehicles, you're dealing with a whole other area of law. This is a municipal issue dealing with Home Rule and non-Home Rule powers."

Flowers: "We're... we're not talking about an arrest, we're talking about the impound vehicle and what happens to the vehicle, that is the point. The vehicle, not the arrest. Thank you, Sir."

Speaker Lyons: "Representative Zalewski to close."

Zalewski: "Let... just... again, in closing. This Bill is... is a very limited Bill that simply clarifies that non-Home Rules are allowed to impose administrative towing fees. There's nothing else... there's no more tows or less tows or more arrests or less arrests that are going to be added because of this Bill. We're just simply giving some guidance and some clarification to non-Home Rule entities. I'd respectfully ask for an 'aye' vote."

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Speaker Lyons: "The Gentleman moves for the passage of House Bill 1220. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Currie, Harris, Leitch, Saviano, Smith. Mr. Clerk, take the record. On this Bill, there are 66 Members voting 'yes', 41 Members voting 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hernandez, for what purpose do you seek recognition, Ma'am?"

Hernandez: "Yes, Mr. Speaker, I inadvertently hit my button wrong for House Bill 1628. I wish it to reflect on the record as 'no' for 1628."

Speaker Lyons: "The Journal will reflect your request. Representative Andre Thapedi, you have House Bill 171. Read the Bill, Mr. Clerk, Out of the record. Out of the record. Representative Al Riley, you have House Bill 1324. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1324, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Representative Riley."

Riley: "Thank you, Mr. Speaker, Members of the House. House Bill 1324 essentially allows the Metropolitan Water Reclamation District to be able to float bonds for the purposes of financing administrative buildings. It... it seems pretty intuitive that they could do that, but it is not listed as one of the articulated purposes. And so, this Bill allows them to finance administrative buildings through bonds."

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Speaker Lyons: "Heard the Gentleman's explanation. Are there any questions? Seeing none, the question is, 'Should House Bill 1324 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Monique Davis, John Bradley. Mr. Clerk, take the record. On this Bill, there are 69 Members voting 'yes', 40 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Deb Mell, you have House Bill 1253. Out of the record. Representative Darlene Senger, you have House Bill 1056. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1056, a Bill for an Act concerning local government. Third Reading of this House Bill."

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

Senger: "Thank you, Mr. Speaker and Members of the House. House Bill 1056 is a Bill that, for municipalities of under a half million, anyone who's conducting a public hearing, zoning board, appeals or any other commission to adopt rules on how those procedures are played. Those rules include rights to cross examine, rights to attend witnesses and testimony for evidence. This is... this is an initiative to clarify some of the municipalities principles and substantial procedure due process when reviewing for an application. And I... I would ask for its support."

Speaker Lyons: "You've heard the Lady's explanation. Are there any questions? The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

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

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Speaker Lyons: "Sponsor yields."

Franks: "Representative, I'm looking at the analysis here and it indicates there's a number of opponents. Can you tell me why the Municipal League and the West Central Municipal Conference are opposed?"

Senger: "With the... with the Amendment as adopted in committee they are now in support."

Franks: "What did... what did the Amendment do? Did that make it a 'may' instead of..."

Senger: "It made it a 'may' and then took out the specifics."

Franks: "Good, I was worried about that, too, when I was reading the Bill originally. I appreciate that Amendment. Thank you."

Speaker Lyons: "No one seeking further discussion, the question is, 'Should House Bill 1056 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Riley, Zalewski, do you want to be recorded? Mr. Clerk, take the record. On this Bill, there's 107 Members voting 'yes', 3 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative McAsey, you have on the Order of Third Reading, House Bill 2976. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2976, a Bill for an Act concerning health. Third Reading of this House Bill."

Speaker Lyons: "The Lady from Will, Representative Emily McAsey."

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McAsey: "Thank you, Mr. Speaker, Members of the House. House Bill 2976 is an initiative that was brought to me by the ARC of Illinois. It amends throughout our state statute changes any references to mental retardation to developmental disabilities. And I'd like to really quickly share with you the words of Paula Venier who came and spoke in committee, which really explains the reasoning for this very, very necessary step. She testified the Bill is a necessary step to help stop the use of hurtful terminology, will help us to move closer to full inclusion and respect for all persons with disabilities, not just persons with intellectual disabilities. So, I encourage you to join me in removing the term 'mental retardation' from our statutes, replacing that with the term 'intellectual disabilities', a less hurtful term. And urge your 'aye' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any questions? Seeing none, the question is, 'Should House Bill 2976 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Williams, Verschoore. Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Verschoore, for what purpose do you seek recognition, Sir? Out of the... Representative Mell, you have House Bill 1253. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 1253, a Bill for an Act concerning sex offenders. Third Reading of this House Bill."

Speaker Lyons: "The Lady from Cook, Representative Deb Mell."

Mell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. HB 1253 is a redraft of the amendatory vetoed version of SB 3084 from last Session. This Bill was placed on the Calendar during Veto, but was... we didn't get to it. And basically what it said was... the Veto now says that instead of our State Police having to go out and... and find the sexual predators who didn't have to register before 1999, they... because the State Police objected to that, now it says that if a sexual predator reoffends on any type of offense, they then get placed on the Sexual Offender Registry. And also for out of state... out of state registries are now have to be registered in Illinois."

Speaker Lyons: "You heard the Lady's explanation. Are there any discussion? The Chair recognizes the Lady from Cook, Representative Mary Flowers."

Flowers: "I'm sorry, Representative, I didn't understand you. What is your explanation of this Bill, please?"

Speaker Lyons: "Lady yields."

Mell: "Okay. So, this Bill was passed out of here last year and... and as... when it passed it out it said that anyone who did not have to go on the sexual offender registry would have to go and now be put on it for... like within 3 to 5 days. And that's how we passed it out of here. It... well then went to the Governor, the Governor amendatory vetoed it in saying instead of that, now it's just if an offender... if they reoffend now they go on the registry."

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Flowers: "Okay. Let... let me just be clear. If a sex offender did not have to register prior to the implementation of the Sex Offender Registry Act..."

Mell: "Correct."

Flowers: "...and this Bill would require that they now... those who did not have to register, this Bill would require that prior to 1999 those... the sex offenders have to register?"

Mell: "Well, right. That's... that's what we passed out of here last year. Then the Governor amendatory vetoed it saying that only if they reoffend are they now put on the registry."

Flowers: "But if they are a sex offender upon the... the law... when the law took place and if they become a sex offender, they are a sex offender. What they was prior to the law and if they didn't have to register under the sex offender list that was not applicable to them."

Mell: "Correct."

Flowers: "But now, if they become a sex offender since the Sex Offender Register is the law... so, why do we need your Bill?"

Mell: "Well, if..."

Speaker Lyons: "Representative, we'll give you another minute. Go ahead."

Mell: "...if you offended prior to 1999 you were not required to go on the Sexual Offender Registry."

Flowers: "Right. Because the law didn't apply to you."

Mell: "Exactly."

Flowers: "But after 1999 if you offend you have to register. So my question to you, again, why is your law necessary?"

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Because the law is what it is. If you become a sex offender..."

Mell: "Oh, I... I understand. I understand, Representative."

Flowers: "Pardon me?"

Mell: "Because... any kind of offense will put them back on the Sexual Offender Registry."

Flowers: "But they've never been. So my question to you is, why... why do we need this law?"

Mell: "I'm sorry, Representative. Can you... one more time?"

Flowers: "Why do we need this law because prior to 1999 that sex offender was not required to become a registered sex offender. After 1999 that person offended again and now he's a sex offender and the law applies to him and he must become a registered sex offender. Why do we need this law? Because it appears to me that you're trying to go back and get some people who were... who was not on the list, that has not offended? That's... you're not trying to..."

Mell: "Well, that... that was the intent of... of last year's Bill. But now with the Veto on it, it's only if they reoffend even... it doesn't matter if it's... if it's not even..."

Flowers: "But if they reoffend, the law... the present law would be applicable to them."

Mell: "Yeah, but even if they reoffend and it's not a sexual... it's not a sex... yeah."

Flowers: "But if... if they don't... if they don't commit a sex offense, they should not become..."

Speaker Lyons: "Time has expired, Representative. Chair recognizes the Gentleman from Bureau, Representative Frank Mautino."

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Mautino: "Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Mautino: "Yes, I had a questions along the same line I think that Representative Flowers was following. With.. with this, the change over... 'cause last year's Bill became very controversial. The press came and said, you can't do these things retroactively and questioned the constitutionality of the Bill. It was then vetoed and then Senator Martinez, I think, had it in the Senate side. She didn't call for any override, said she wanted to rework the Bill. Is that the history of the one we're looking at?"

Mell: "No. She.. she accepted the Veto, sent it over here. It was during like the last 2 days of Veto, we never got to it."

Mautino: "Okay. So, she.. she accepted those changes?"

Mell: "Yep."

Mautino: "And in this, what would reoffending.. you said that any charges, so a traffic ticket?"

Mell: "Any.."

Mautino: "Or is it a felony?"

Mell: "Yeah, misdemeanor or a felony."

Mautino: "So, any misdemeanor or a felony would then retroactively go back and take someone who is not required under the law to register or someone who under the law had to registered for 10 years and then maybe dropped off the list, then it would register them for life?"

Mell: "Yeah, that's correct."

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Mautino: "Okay. And so... so, it would be misdemeanor or felony? Anything above a traffic incident? Or would some traffic incidents be involved in this... be eligible?"

Mell: "I guess, I mean, drunk driving or yeah. Any misdemeanor..."

Mautino: "So, it would also include maybe some traffic violations or?"

Mell: "Right. Right. And no... no petty traffic offense, just if it was up to the... to raise it to the level of a misdemeanor."

Mautino: "Okay. As I'm not an attorney, I don't know what a misdemeanor example would be."

Mell: "I'm with you, Representative."

Speaker Lyons: "Representative, your time has expired. We'll give you another minute."

Mautino: "Thank you. She answered my question."

Speaker Lyons: "Representative Golar."

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

Speaker Lyons: "Sponsor yields."

Golar: "Representative, I actually supported this Bill last year. However, this year after careful consideration and reading upon the rules of this, I have found that I have some questions that I would like to... to ask. Representative, this law by definition applies to people who committed offenses more than 25 years ago and also who have not committed any new sex offense... offenses since. However, as currently written this law makes the registry retroactive to everyone. It actually gives, and I want to say this to this Body, an estimated 20 thousand to 30

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thousand new people the duty to register as a sex offender. The State Police, Representative, will only notify these individuals of their duty to register if they commit a new misdemeanor or a felony of any kind. Therefore, thousands of people legally required to register as a sex offender will not know it unless they commit a new crime. To me, Representative, this Bill is just over-the-top. Once notified, this Bill only gives people three days to register, which is a short amount of time given the fact that there is an extreme shortage of housing in Illinois that meets residence requirements and given also, Representative, that many of these individuals will be exiting prisons and won't be able to look for legal housing. At this time, Ladies and Gentlemen, this Bill I would request a..."

Speaker Lyons: "Representative, your time expired. We'll give you a minute to finish your thoughts. Go ahead. Representative Golar, finish your thoughts. We give you another minute."

Golar: "Yes. I'm done. I'm done."

Speaker Lyons: "Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, what your Bill essentially does is it imposes the same requirements for registry on individuals that committed offenses that under the current registry Act would have required registration had the registration portion been in effect at the time they committed the offense?"

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Mell: "That's correct."

Eddy: "Basically."

Mell: "Basically."

Eddy: "Okay. The question that seems to be kind of percolating here is whether or not that's additional punishment to someone who has already sentenced for an offense. And I believe that this... that question has been adjudicated to the Supreme Court and the Supreme Court said it is not. So, this isn't additional punishment. This is an ex post facto. And the Governor's Amendment basically stated that they're not going to go round up these individuals, they're not going to look for these folks, but if they offend and they are in court for an offense then they will become subject because of that past offense, to the current registration requirements?"

Mell: "That's correct. And actually the Bill we passed last year was more like what you stated earlier about the finding the individuals."

Eddy: "So, the Governor's Amendatory Veto to this basically stated the only time this was... this was going to be imposed, this new requirement, was if they had another offense. That's the only change he made to it."

Mell: "Yeah. With... and I would argue, that... that's a big change, but, yes."

Eddy: "Well, but... but I mean, if you were for the original Bill and the original concept, this... this actually provides additional protection for those individuals so that this isn't... there's not this arbitrary seeking out. They actually have to commit another offense."

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Mell: "Yeah, that's correct."

Eddy: "Okay. Representative, I think given the... the court case that stated that this is not ex post facto, that you're not actually going back and imposing additional sentencing on those individuals, that this protects the public by identifying people that are out there and making it known to those offenders that they have to follow the same registry requirements. And all those institutions that receive those registrations now know that they have an individual that... that is of the same type of offense that... that we currently want on the list."

Mell: "I agree."

Eddy: "I think this deserves an 'aye' vote. I... I think that you've worked very hard on this and that we need to make sure, above all else, that the safety of the citizenry is our primary concern."

Mell: "Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Greg Harris."

Harris, G.: "Mr. Speaker, I yield my time to Representative Mary Flowers."

Speaker Lyons: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and thank you, Representative Harris. Representative, I really don't know where we as a state... I don't know where we're headed. When you take into consideration all the problems that we're having in regards to people losing their homes, people losing their jobs, their livelihood. We're not doing a very good job according to a report that was recently put out, Illinois is not

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doing a very good job as far as educating its children. Our health care, there was a report put out yesterday from the State of Wisconsin that our downstate is... counties are the worst 10 in the nation. So, with all that being said, when I take into consideration that I started here in 1985. In 1985, Representative, when I started, we had 11 penal institutions. We had 11 and we also had 11 institutions of higher education in 1985. Nowadays, Representative, we still have those 11 higher institutions, but we have 28 penal institutions. So, when you look at our budget, when you take into consideration the reason why we cannot fund our pension is because of this type of legislation. We are no better and no safer because of an ex offender who did not... an ex sex offender who did not commit another sex offender crime, did not put his name on a list. I don't feel any safer because of that, Representative. My child education is not any better. The tax revenues is not going to working people as a matter of fact, what we're doing is causing a drain on our tax system for this state. We should be looking for ways to make tax contributors as opposed to tax burdens. And this is another way to put another burden on the state. Do you know what the fiscal..."

Speaker Lyons: "Representative, I'll give you one more minute to close, Representative."

Flowers: "Do you know what the fiscal cost will be to the state for these men who do not put... who did not commit another sex offense but committed an offense and who failed to put their name on a registry? Do you know how much this would cost the state? Do you know how much this would take from

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our kids education? Do you know how much this would take from our pension funds? Do you know, Representative?"

Mell: "Well, you know, I... Representative, I couldn't agree with you more that I wish we had more institutions of higher learning and schools than we do penitentiaries, but I do believe that this Bill is not going to... I mean, it's adding a list... a name to a website. And I... we don't have a fiscal note on it, but I... I don't see any..."

Flowers: "Those names are bodies, Representative, and they will be a tax burden to us, the fewer taxpayers that's left here in the State of Illinois. I would urge a 'no' vote. And thank you very much..."

Mell: "Thank you."

Flowers: "...Representative."

Speaker Lyons: "Representative Mell to close."

Mell: "I think... I think we've talked about this quite a bit. This... this came from a... a constituent who was a victim and she found out that this... her perpetrator was living right around the corner from her. But since, you know, he committed this offense against her and it was... it was horrific, before 1999 that, you know, he wasn't on any kind of a list. And surely, she'd want to know where this man was living. So, this passed out of here last year. I would just really urge an 'aye' vote. And thank you for the great debate on this. Thank you."

Speaker Lyons: "You've heard the extensive debate on this Bill, House Bill 1253. All those in favor of its passage signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? Leitch, May, Jerry Mitchell. Mr. Clerk, take the record. On this Bill, there are 85 Members voting 'yes', 25 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ann Williams, you have on Third Reading House Bill 2902. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2902, a Bill for an Act concerning electric vehicles. Third Reading of this House Bill."

Speaker Lyons: "Recognize the Lady from Cook, Representative Ann Williams."

Williams: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill would create the elec.. Illinois Electric Vehicle Advisory Council. The council is designed to investigate and recommend strategies that the Governor and the General Assembly may implement to promote the use of electric vehicles. It's a very simple Bill, there's no cost associated with it. And I'd like to ask for your 'aye' vote."

Speaker Lyons: "The Chair recognizes the Gentleman from Champaign, Representative Rose."

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

Speaker Lyons: "You're welcome, Representative. You ask the Lady to lead... to leave... for leave?"

Rose: "To yield?"

Speaker Lyons: "She'll yield."

Rose: "Okay. I didn't ask her to leave. Good afternoon, Representative. How are you?"

Williams: "Good, thanks."

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Rose: "Was this the same Bill that... what... what does this Bill do? What's the genesis of this Bill?"

Williams: "There's a couple of Bills that we ran through the Environmental Health Committee that you may be thinking of. This is the simpler of the two. This Bill simply creates within the Department of Commerce and Economic Opportun... DCEO, the Illinois Electric Vehicle Advisory Council. And this is the first mention really in the Illinois Compiled Statutes about electric vehicles, but as we all know it's a growing industry. We just wanted to have a council in place to explore the various issues associated with the use of electric vehicles and this is a starting point."

Rose: "So, this is not the one that puts the special subsidy out there?"

Williams: "The Fund Bill, that's a different one, yes."

Rose: "Okay. Thank you."

Williams: "Sure."

Rose: "Thank you, Mr. Speaker."

Speaker Lyons: "No one seeking further discussion. The question is, 'Should House Bill 2902 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Kelly Burke, Leader Currie. Representative Golar, like to be recorded? Mr. Clerk, take the record. On this Bill, there's 108 Members voting 'yes', 2 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Tim Schmitz, you have House Bill 3329. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 3329, a Bill for an Act concerning liquor. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Kane, Leader Tim Schmitz."

Schmitz: "Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 3329 is dealing with product sampling in liquor establishments. It is... it would increase the sampling sizes from 1 ounce to 1.5 ounces of wine and from 2 ounces to 4 ounces of beer. We also put a provision in the Amendment that tightened up what currently goes on in grocery stores. I guess there are samples that are handed out at stores and we put in there about the card checking, what they would have to do, keep records of who took the samples, et cetera. I'd be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Are there any questions. Seeing none, the question is, 'Should House Bill 3329 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bost. Representative Brady. Representative Riley. Mr. Clerk, take the record. On this Bill, there are 79 Members voting 'yes', 30 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hernandez, for what purpose do you seek recognition, Ma'am?"

Hernandez: "Point of personal privilege."

Speaker Lyons: "Please proceed."

Hernandez: "Today is the birthday of an American hero. I'd like to share all of... if you may, let me share this wonderful

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story of Cesar Chavez, a true American hero. Cesar was a civil rights, Latino, farmworker, and labor leader; a religious and spiritual figure; a community servant and social entrepreneur; a crusader for nonviolent social change; and an environmentalist and consumer advocate. A second-generation American, Cesar was born on March 31, 1927, near his family's farm in Yuma, Arizona. At age 10, his family became migrant farmworkers after losing their farm in the Great Depression. Throughout his youth and into his adulthood, Cesar migrated across the southwest laboring in the fields and vineyards, where he was exposed to the hardships and injustices of farmworker life. After achieving only an eighth-grade education, Cesar left school to work in the fields full-time to support his family. He attended more than 30 elementary and middle schools. Although his formal education ended then, he possessed an insatiable intellectual curiosity, and was self-taught in many fields and well read throughout his life. Cesar joined the U.S. Navy in 1946, and served in the Western Pacific in the aftermath of World War II. He returned from service to marry Helen Fabela, whom he had met working in the vineyards of central California. The Chavez family settled in the east San Jose barrio of Sal Si Puedes (get out if you can), and would eventually have 8 children and 31 grandchildren. Cesar's life as a community organizer began in 1952 when he joined the Community Service Organization, a prominent Latino civil rights group. While with the CSO, Cesar coordinated voter registration drives and conducted campaigns against racial and economic discrimination

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primarily in urban areas. In the 1950s and early 1960s, Cesar served as CSO's national director. For more than three decades Cesar led the first successful farmworkers union in American history, achieving dignity, respect, fair wages, medical coverage, pension benefits, and humane living conditions, as well as countless other rights and protections for hundreds of thousands of farmworkers. Against previously insurmountable odds, he led successful strikes and boycotts that resulted in the first industry-wide labor contracts in the history of American agriculture. His union's efforts brought about the passage of the groundbreaking 1975 California Agricultural Labor Relations Act to protect farmworkers. Today, it remains the only law in the nation that protects farmworkers' right to unionize. The significance and impact of Cesar's life transcends any one cause or struggle. He was a unique and humble leader, in addition to being a great humanitarian and communicator who influenced and inspired millions of Americans to seek social justice and civil rights for the poor and disenfranchised in our society. Cesar forged a diverse and extraordinary national coalition of students, middle-class consumers, trade unionists, religious groups, and minorities. A strong believer in the principles of nonviolence practiced by Gandhi and Dr. Martin Luther King, Jr., Cesar effectively employed peaceful tactics such as fasts, boycotts, strikes, and pilgrimages. In 1968 he fasted for 25 days to affirm his personal commitment and that of the farm labor movement to nonviolence. He fasted again for 25 days in 1972. And in 1988, at the age of 61,

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he endured a 36-day 'Fast for Life' to highlight the harmful impact of pesticides on farmworkers and their children. Cesar passed away in his sleep on April 23, 1993, in San Luis, Arizona, only miles from his birthplace of 66 years earlier. More than 50 thousand people attended his funeral services in the small town of Delano, California, the same community in which he had planted his seed for social justice only decades before. Cesar's life cannot be measured in material terms. He never earned more than \$6 thousand a year. He never owned a house. When Cesar passed, he had no savings to leave his family. His motto in life- 'si se puede' (it can be done)-embodies the uncommon, invaluable legacy he left for the world's benefit. Since his death, dozens of communities across the nation have renamed schools, parks, streets, libraries, and other public facilities, awards and scholarships in his honor, as well as enacting holidays on his birthday, March 31. In 1994 he was posthumously awarded the Presidential Medal of Freedom, the highest civilian honor in America. Cesar Chavez, a common man with an uncommon vision for humankind, for equality, justice and dignity for all Americans. I am proud to honor this pioneer on his birthday. Thank you."

Speaker Lyons: "Thank you, Representative Hernandez. Representative McAsey, on a point of personal privilege. You have some guests in the Capitol today."

McAsey: "Thank you, Mr. Speaker, Members of the House. If I may direct your attention to the gallery where Representative John Bradley is accompanying a group of high school students from Marion, Illinois, here to see their

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government at work. If we can welcome the students from Marion High School to Springfield."

Speaker Lyons: "Welcome to Springfield. Enjoy your day, we're proud to have you down here. Back to the Order of Business, Representative Karen May, you have House Bill 248. Out of the record. Representative Lisa Dugan, you have House Bill 147. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 147, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lyons: "Representative Dugan."

Dugan: "Thank you, Speaker, Members of the House. House Bill 147 allows an employer to require a bus driver to submit to a drug and alcohol testing if the employer reasonably suspects a driver is intoxicated immediately before, during or after work. This particular... most school bus drivers hold a CDL that allows the drivers to operate school buses. And they're currently... CDL license holders are currently required by Federal Law to submit to a drug or alcohol test if the employer has a reasonable cause to believe that they're intoxicated or on drugs. But there are other CD... non-CDL drivers of school buses that do not have CDL licenses so therefore, they're not required or to abide by the Federal Law. So, the Secretary of State is a proponent of this Bill. It... it will allow for testing and also if there is testing, it will give the Secretary of State the... in statute, the opportunity to revoke the license of that school bus driver. So, I'll certainly answer any questions. But I would like an 'aye' vote."

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Speaker Lyons: "You've heard the Lady's explanation. Chair recognizes the Gentleman from Cumberland, Representative... Crawford, Representative Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, this... this additional test is if there is a indication of reasonable suspicion that the... the person has been driving erratically? Who... who makes the recommendation? Is it..."

Dugan: "The... the school superintendent..."

Eddy: "Okay."

Dugan: "...I mean... and this is before, during or after they're driving. So, if they come into work and they look like there's some kind of issue, they can ask them to take a test."

Eddy: "Okay. So, who pays for the test?"

Dugan: "That would be paid for by, I believe and this was something that was discussed in House Amendment #2 with the Secretary of State. It requires the employers of the school bus driver permit holders to pay."

Eddy: "I think that's a part of this concerns me. I understand that, you know, they would be the ones requesting it based on reasonable suspicion."

Dugan: "Correct."

Eddy: "But the only thing I would ask you is if this moves through, if the individual is found to have been under the influence why shouldn't they be the ones to pay for the test? Why should the school district? Could... could we look at the possibility of amending this so that they would

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incur the costs? I mean, districts... how... there's already a program that dis... most districts belong to the some type of drug testing program."

Dugan: "Okay. And certainly, I... I can certainly talk to the Secretary of State and we can... if we can do that in the Senate, I'll certainly be willing to ask that. I just know that at..."

Eddy: "Okay."

Dugan: "...when it came up..."

Eddy: "Well, if there's an additional cost because of someone's own behavior..."

Dugan: "Correct."

Eddy: "...to assume that the school district should incur the costs because the individual was impaired, doesn't make... I mean, that individual should be responsible if the test doesn't show any results at all and the district requests..."

Speaker Lyons: "Representative, I'll give you another minute, go ahead."

Eddy: "...certainly that individual should not have to pay for it. But in cases where the results are positive, I would think that the individual should be responsible for the costs."

Dugan: "Well and we can certainly talk about that..."

Eddy: "Okay."

Dugan: "...Representative, when we get it to the Senate."

Eddy: "All right. Thank you."

Dugan: "Thank you."

Speaker Lyons: "The Gentleman from Cook, Representative Mike Zalewski."

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

Speaker Lyons: "Sponsor yields."

Zalewski: "Representative, does this... does this replace or supplement law enforcement, as that's proceeding, if they suspect that the driver was driving under the influence of alcohol?"

Dugan: "I'm sorry, Representative, I didn't..."

Zalewski: "So... so, you're basically adding... you're basically adding an... a statutory summary suspension here, correct?"

Dugan: "Correct."

Zalewski: "So, typically under a normal DUI there's a statutory summary suspension, correct?"

Dugan: "Okay."

Zalewski: "So, what... what's the difference between this and a typical DUI?"

Dugan: "Well, the... Representative, the... the reason that this was brought to me was a superintendant from one of my school districts found that they did not have the authority to ask for a school bus driver within their school district to test for drugs or alcohol even though they may notice that they may look like maybe something is wrong before they're driving kids in the school bus. They found they didn't have that authority. This Bill gives them that authority but what it also does is the Secretary of State then also by statute didn't have the authority, from what I understand, to revoke their license if the test is found to be positive. So, what this Bill is trying to address is school bus drivers give the Secretary of State the authority that he does not have now in statute to revoke

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the license and also for school... school personnel, superintendents to request that this test be taken."

Zalewski: "So, this doesn't have any... as far as you know, this doesn't have any affect on an arrest of a... of a driver?"

Dugan: "No."

Zalewski: "This doesn't prevent them from being arrested, rather replace that situation?"

Dugan: "No. Right. This doesn't have anything to do with that, Representative. That's not the intent and I don't think it does."

Zalewski: "Thank... thank you, Representative."

Dugan: "Uh huh."

Speaker Lyons: "Representative Dugan to close."

Dugan: "Yes, again, this is just looking at the safety for school children and just making sure that those that drive the school buses that do take the children are... have the responsibility of making sure... and our schools also have the responsibility to make sure our children are safe. The Secretary of State, this is something that he would also like to see in backs along with school superintendents in many different areas of the state. So, I'd like to ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 147 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed."

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Representative Frank Mautino, you have House Bill 3405.
Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3405, a Bill for an Act concerning
insurance. Third Reading of this House Bill."

Speaker Lyons: "Leader Frank Mautino."

Mautino: "Thank you, Speaker. And this is an initiative of the
CHIP Board, the state's Comprehensive Health Insurance
Plan. Representative David Leitch and I are the Legislative
Members that are on that board. And this is... addresses a
problem which occurs when you can't simultaneously be on
CHIP and the Medicare. So, once you're eligible for
Medicare then that takes over as primary. We have a
situation now where there's a lapse in coverage of about a
year. This Bill is designed to bridge that gap and allow us
to pay our providers who may have fallen in the time that
we have been determined to have been Medicare eligible. And
I'll answer any questions. Ask for an 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation. Is
there any discussion? Chair recognizes the Gentleman from
Peoria, Representative David Leitch."

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

Speaker Lyons: "Gentleman yields."

Leitch: "How much is this going to cost the insurance companies
who are doing business in Illinois? Blue Shield, for
example, and Humana, Aetna. Is this the Bill where they are
called upon to contribute..."

Mautino: "Oh, the CHIP assessment? No."

Leitch: "...another 32 million or is this a different Bill?"

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Mautino: "No, that's... that's a different Bill. That's... you're talking about a Bill that does the assessment to pay for the CHIP pool? Yeah, that's a different Bill. This one just... right now, there's a gap in the coverage. If someone signs up for CHIP, when they're doing their background check they go back 24 months and in some cases 48 months. If a person is eligible for Medicare then we recoup from Medicare a certain amount of those... those medical bills because Medicare would have been responsible. Between the date they sign up..."

Leitch: "I understand now, thank you."

Mautino: "Okay."

Leitch: "I just wanted to clarify which Bill this was."

Mautino: "Okay."

Leitch: "Thank you."

Mautino: "Thanks."

Speaker Lyons: "No one seeking further recognition, the question is, 'Should House Bill 3405 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Chapa LaVia, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there's 109(sic-110) Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lilly you have House Bill 3039. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3039, a Bill for an Act concerning insurance. Third Reading of this House Bill."

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Speaker Lyons: "The Lady from Cook, Representative Camille Lilly."

Lilly: "Thank you, Mr. Speaker and Members of the House. I present the passing of House Bill 3039. House Bill 3039 amends the State Employee Group Insurance Act, the County Code, the Illinois Code, the School Code, HMO Act, the Volunteer Health Service Plan Act and the Public Aid Code. House Bill 3039 requires all individual and group health insurance plans to cover diagnostic testing for cardiovascular disease if the diagnostic test is ordered by a physician. This reinforces current practices. There's no opposition to this Bill. It promotes healthy hearts for women and it joins the Heart Association in raising women's health in America... in Illinois. At this time I am open to answer any questions."

Speaker Lyons: "The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Would the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Eddy: "Representative Lilly, I... I thought I heard you say there was no opposition to the Bill, is that..."

Lilly: "Yes."

Eddy: "Well, our analysis indicates there's some opposition."

Lilly: "Okay."

Eddy: "One of the... one of the groups is the Illinois Chamber of Commerce. Have you heard from the Illinois Chamber?"

Lilly: "No, Sir."

Eddy: "So, you're unaware of their opposition. Okay. Well, Blue Cross Blue Shield, the Illinois Chamber, Retail Merchants

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are all opposed. And I think it... it probably has to do with something with the cost or the concern about the cost. You're adding a mandate, albeit for what you believe to be a pretty good reason, but are you concerned at all about driving the costs of health insurance up with additional mandates?"

Lilly: "No, Sir. This will be a practice, a current practice, and this just reinforces the need or the opportunity for women and all individuals once getting the diagnostic test ordered by the doctor to promote health. It's already part of physicians' health practices."

Eddy: "Well, if it's already part of something, why do you need the legislation?"

Lilly: "We want to raise the... a consciousness and awareness of women's health and the importance of women and taking care of their health. We need to..."

Eddy: "Well, Representative, if you want to raise that awareness, Resolutions are... are done commonly to raise awareness. This appears in the Bill text to add a requirement for diagnostic testing for cardiovascular disease, which in turn would require additional costs and I think that's where the opposition is coming from on this Bill. Very briefly, Ladies and Gentlemen of the House, please kind of pay attention to your analysis on this. I think that perhaps there... there hasn't been good communication with the Representative 'cause there is substantial opposition."

Speaker Lyons: "No one seeking further recognition, Representative Lilly to close."

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Lilly: "I thank you for your attention in listening to the Bill and... and discussion. I encourage an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 3039 pass?' All those in favor signify voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Beiser, Dugan, Dunkin, Franks. Mr. Clerk...Beiser, Harris. Mr. Clerk, take the record. Representative Lilly."

Lilly: "Postponed Consideration."

Speaker Lyons: "Mr. Clerk, put this Bill on the Order of Postponed Consideration at request of the Sponsor. Representative Chapin Rose, you have House Bill 3386. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3386, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lyons: "Representative Rose."

Rose: "Thank you, Mr. Speaker. I'm sorry, I'm having a little computer difficulty here. But this Bill is at the request of the American Red Cross. In the most recent storm that we had this summer... or the... summer... the winter snowstorm we had a few months ago, there was an intermediate declaration level that prevented some of their services from being utilized because the... the Governor did not have the ability to issue sort of this intermediate step declaration. So, this is their request to basically allow us to utilize them in maybe an intermediate level during a natural disaster. It was unanimous in committee and I would hope that everybody would join me and join with the Red Cross to make

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sure our communities are safe when we are faced with the next natural disaster."

Speaker Lyons: "You've heard the Gentleman's explanation. Are there any questions? Seeing none, the question is, 'Should House Bill 3386 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Colvin, Eddy, Representative Lilly, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jakobsson, on the Order of Third Readings you have House Bill 3047. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3047, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lyons: "The Lady from Champaign, Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3047 is a complete streets Bill and there's an Amendment on it that has passed and it changes the meaning of the complete streets by adding life cycle cost analysis of pavement options to the meaning of complete streets. And with that simple addition, I ask... urge an 'aye' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 3047 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Representative Cole, Representative Eddy, Representative Poe, Representative Sosnowski, like to be recorded? Mr. Clerk... Sandy Cole. Mr. Clerk, take the record. On this Bill, there's 81 Members voting 'yes', 28 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Connie Howard, you have House Bill 297. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 297, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "The Lady from Cook, Representative Connie Howard."

Howard: "Yes, thank you very much, Mr. Speaker. House Bill 297 amends the Task Force on Inventorying Employment Restrictions Act. The task force is already in existence. It merely extends the date by which the task force must report to the General Assembly its findings."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 297 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Skip Saviano, Representative Sullivan. Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Tom Holbrook, on Third Order you have House Bill 3425. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 3425, a Bill for an Act concerning local government. Third Reading of this House Bill."

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

Holbrook: "Thank you. House Bill 3435 (sic-House Bill 3425) amends the Mid-America Medical District Act to include the abutting city, adds members from that area and allows bonding. It does not... does not include any eminent domain like the other medical districts do, passed out of committee unanimously. I know of no opposition and none is filed."

Speaker Lyons: "You've heard the Gentleman's explanation. Are there any questions? Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Just... just very quickly. There... there are no general obligation bonds for Illinois involved, is that correct?"

Holbrook: "Correct."

Eddy: "Okay."

Holbrook: "This is all revenue stuff directly from the district."

Eddy: "Thank you."

Speaker Lyons: "No one seeking further recognition, the question is, 'Should House Bill 3425 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Rose, Sullivan. Mr. Clerk, take the record. On this Bill, there's 75 Members voting 'yes', 35 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby

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declared passed. Representative Randy Ramey, you have House Bill 3360. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3360, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from DuPage, Representative Ramey."

Ramey: "Thank you, Mr. Speaker. And I'm glad to see that you recognize where I'm at now."

Speaker Lyons: "I'm getting used to it. Of course, with that jacket it's always hard to miss you, Representative."

Ramey: "Absolutely. Thank you very much."

Speaker Lyons: "Is this your first Bill, Representative?"

Ramey: "No, Sir it is not, though for today."

Speaker Lyons: "First Bill today."

Ramey: "What we have here is House Bill 3360 was put in to clarify some language to help convicts... convicts find jobs and stop the revolving door of recidivism in our... in our correctional system. I'll take... I'll answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation of his Bill. Are there any questions? Seeing none, the question is, 'Should House Bill 3360 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 109 Members voting 'yes', 1 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lisa Hernandez, you have House Bill 2019. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 2019, a Bill for an Act concerning aging. Third Reading of this House Bill."

Speaker Lyons: "The Lady from Cook, Representative Hernandez."

Hernandez: "Thank you, Mr. Speaker. House Bill 2019, this Bill will repeal the Community Senior Service and Resource Act due to repeated audit findings for several years and the lack of funds to administer the Act. The audit also found the program duplicative with other department functions. The repeal would have no affect on existing programs and functions. I ask for an 'aye' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 2019 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ford, on the Order of Third Reading you have House Bill 94. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 94, a Bill for an Act concerning census information. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Cook, Representative LaShawn Ford."

Ford: "Thank you, Mr. Speaker and Members of the House. I like the pattern of the Bills going now. I'd like to introduce House Bill 94 allowing incarcerated prisoners to be counted at their residential address for redistricting purposes. What this Bill does, it really codifies a well settled law

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in Illinois from 1887. Illinois law says that a person confined in prison under the judgment and sentence of a court does not thereby change his or her residency. I move for passage of House Bill 94."

Speaker Lyons: "You've heard the Gentleman's explanation. The Chair recognizes the Gentleman from Jackson, Representative Mike Bost."

Bost: "Mr. Speaker, we'd like to take this Bill off of Short Debate if we could, please. Was it on Short Debate?"

Speaker Lyons: "Repeat that, Mr. Bost, please. We'll put it..."

Bost: "Yeah. I'm... we're... we're asking for the Bill to be taken off..."

Speaker Lyons: "...we'll put it on..."

Bost: "...Short Debate."

Speaker Lyons: "...We'll put it on longer debate. And we'll put it on Standard Debate."

Bost: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Bost: "Representative, would you... if the reason for this Bill, is it for your census purposes in your district? Is that... that why you believe that it's... that it's important for your sake?"

Ford: "Yes."

Bost: "Okay. And what... what... what would be your answer for those people who might be in those facilities for life?"

Ford: "For life?"

Bost: "Yes. I mean, they have obviously established permanent residency at some of these. And if that's the case, you know, I mean, what would be your answer to that?"

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Ford: "It's not... it's no different than a person going overseas and staying there for..."

Bost: "No, no. If a person goes overseas, they don't..."

Ford: "They still maintain residence..."

Bost: "...normally go over for life. And... and... and... then I have another question."

Ford: "I'm going to... answer that one."

Bost: "I thought you did?"

Ford: "I can only do one at a time."

Bost: "Okay. Go ahead. I'm sorry."

Ford: "If a person goes overseas and stays there, let's say, 40 years. They still maintain a residence at their last known address and they still have the right to register and vote from their last known address even if they're overseas for 40 years."

Bost: "Okay. Let... let me explain that. Good I'm glad you brought that up."

Ford: "All right."

Bost: "When a person is overseas, do that... does that person use facilities in the location that cost, I mean... Let me... let me explain that. Okay. And I just... for instance, in the case of Menard Correctional Facility, the... the total population is probably 2,000 or thereabouts or maybe even a little more than that and the strain that is on the sewer system and the water system and all of these. When we have census numbers, census numbers quite often allows our communities to have access to certain grants that are available. Okay. The Menard population is... is 3,607 at this time. So, based on that the weight and pressure on these

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communities based on those facilities that are... those public utilities that are being used, it is right that they should be credited in these census numbers for that so that they can keep up with those extra burdens and costs."

Ford: "I respect your argument and I expect you to vote 'no' for this Bill because you have to represent your district, but I have to tell you the truth about the Bill. Federal dollars come as a block grant to the state. Therefore, you're not going to lose any money."

Bost: "Okay. Mr. Speaker, to the Bill. Let me... let me explain some things that are... are definitely a problem with this Bill and some concerns that others have. One is what I just explained, which is the problem and the pressures on those communities where the inmates are being held. Another issue that is out there is there is no true way to track what their home residency was. As we look at this, we've got to realize that you may have been convicted of a crime in a... one county, now does then... does where you were arrested go back to it or an address or a previous address and how can that previous address be shown and how do we know that that was where you were actually living at the time? The... the... and... and even according to the Department of Corrections in... in committee it was said that when asked what their home residence were some of the inmates said, the moon. Now, how do you track that? There are many issues that deal with this. And the important things is, is that, you know, we're not talking about a case where we're going there for just a little while. Quite often they're there for life and we have to figure out how do these local communities have

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to be able to support these... these issues. I think this is a bad Bill. I know that there's many others that want to speak on it. I've got several letters from my district, not only from my district but from surrounding districts, and actually some from even... even in districts that do not have correctional facilities with the concerns of... of what we're talking about here and changing. If you want to figure out something as far as trying to figure out how to keep your population up in your own district it's one thing, but when they... when for many, many, many years somebody may have been originally from your district but they've obviously moved. Regardless of whether it was the state that moved them or not, they've moved. And they are now located in that and that is their permanent residence. I stand in strong opposition of the Bill."

Speaker Lyons: "Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, I... I think I understand your dilemma. You... you believe that these individuals should be counted in population where their original residence was before their incarceration? How... how would you... how would you respond to the fact that people who are counted for census purposes are always counted where they physically reside at the time the census is taken?"

Ford: "For example? For example? I don't under... I don't understand your question really."

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Eddy: "Well, I mean, a census... you understand why a census is taken? It's taken to determine a population as a snapshot in time, a place. People move all the time. Individuals move from one part of the state to the other part of the state and we take this snapshot. So, when we take this snapshot at this moment in time it's where the individual is and that's why... how we count. Why would we carve this exception out?"

Ford: "Okay. I understand. Because the law states that a person in prison maintains the last residence and prison is not a residence for people in Illinois. It's a place where they're going to stay until they finish their sentence."

Eddy: "Well, what about... what about military personnel?"

Ford: "That's an option that a person has if it's not a draft. So, military personnel decide that they want to go to the service and they have the right and the freedom to go and shop in the community in which they live and spend money and support that community, but prisoners they have no option to go and support that community. What they do is, they call me and they call other Representatives in this Body to ask for help when they're incarcerated. They don't call the prison representative that's representing the district to say that they need to be moved because they really believe that they live in the district. They also maintain their voter's registration at that location, so that when they come out they can vote again. They've never changed their voter's registration. They maintain it at the last known address."

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Eddy: "But... but the issue is, I mean, we're... this is... and I understand. We're... you're trying to extend the same consideration for people who have been incarcerated to individuals who are serving in the military. There's... there's a significant difference between those individuals."

Ford: "No."

Eddy: "Those individuals who have been incarcerated have been... have been placed in an institution because they.. they have committed a crime. So, where they are their residence is in that facility. And as Representative Bost mentioned, if the individual has a... has a sentence that's going to require that they're away from their residence for the entire time of the census, it just doesn't make... it doesn't make any sense that you would ever consider them to be residing back at their residence prior to their incarceration because the fact of the matter is, they will not be. So, and again, I understand what you're trying to do, why you believe this to be fair. I just... I just think that it doesn't follow logic and very, very briefly to the Bill. Ladies and Gentlemen of the House, the... the institutions where these individuals are actually residing, not by choice but not by choice because they were incarcerated and also not by choice for those, you know, necessarily the communities that are providing those services. So, those individuals are counted there because that's the way the system works and that's how we do a census. Make exceptions and you begin to mess with these numbers and the individual communities that are actually providing the services are

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not getting credit for the count. It will affect the type of services that can be provided because they're not... it's not reflective of that snapshot. Just like everything else we do when we count a census... a census, it's reflective of that snapshot."

Speaker Lyons: "Give you another minute, Representative."

Eddy: "Thank you. I understand where you're coming from. I would urge the Body to vote 'no'. I think you've done a good job of representing the districts that you're concerned about and... and your issue, but this is... this is really oppositional to anything we do with the census. And I would urge a 'no' vote."

Speaker Lyons: "Chair recognizes the Gentleman from DuPage, Representative Mike Fortner."

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

Speaker Lyons: "Sponsor yields."

Fortner: "Representative Ford, are you fam... the previous speaker brought up the question of the military. We're talking about how military populations are dealt with. Are you aware of how the Federal Government in the census for purposes of redistricting and a reapportionment handle the military population because in some ways, like prisoners, once you are enlisted though that may be a choice where you're posted to you have no particular choice. Are you aware of how the Federal Government handles them for redistricting purposes at the congressional level?"

Ford: "Well, at their... at their... at their residence where they're... wherever they choose. I mean, the Federal

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Government cannot tell you where you should be counted. You're counted where you claim your residence."

Fortner: "Well, that's only partially true. For the purposes of your state's dollars, what you are saying is correct, but as you pointed out earlier to the previous speaker, this Bill is not about the dollar distribution, it's about redistricting. And when it comes to redistricting, the Federal Government takes a very different approach to its overseas military personnel. What they do, in fact, they put out two sets of numbers. In December when it comes to figuring out what's the total count for the purposes of either determining your number of Congressmen or determining your federal dollars, you are assigned back to the state that you declared your residence, but when it comes to redistricting, the... the recent redistricting data that came out you will find that it is a different state total for Illinois than the state total that came out in late December and that is because all overseas military personnel in Illinois have been removed. They actually don't count them anywhere; they count them neither at their base nor at their home. They recognize that because of the ability of people to move, families can get up and move within the state. This house they lived at may have turned into a parking lot in the... during the time they were serving in the military. If we were to truly be consistent with what the Federal Government does with the census for its overseas population in the military, which again those personnel have no control over what base they're going to be assigned to, which state or even which country they're

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going to be assigned to for those purposes they are not counted as being in any census block, any redistricting block.."

Ford: "You... you..."

Fortner: "...they are not counted anywhere. They are removed from the redistricting population. Now, that could be a different Bill but that is not the Bill you have here. And I wanted to make sure the Body understood that there is an important distinction between saying, well, maybe they shouldn't be at the prison 'cause they didn't have control over that location. And the separate thing which is in your Bill which says we're going to try and place them back into a specific census block which, by the way, those blocks can be altered every 10 years. The geographies that the census puts out changes every 10 years, they put out new files. And so the location that you think that a person may have been at, what block that falls in, that could well be quite different in the next census because of the way they draw their geographies. I would certainly strongly encourage that this is not the right way to approach this issue. And if we're going to be consistent, we should really look at how the Federal Government deals with the military personnel. Thank you."

Ford: "Well, I... I want to thank the previous speaker. He raised that we have more work to do in this Body because we have to correct the problem that he's thinking of. And I believe that the Federal Government... the Supreme Court has ruled that states have the authority to make their own determination about what population base to use for states'

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legislative districts and that's why this Bill is being offered today. And I respect the previous speaker for offering suggestions for the next Bill."

Speaker Lyons: "Chair recognizes the Gentleman from Cook, Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker. I would like to rise in support and commend the Sponsor for this legislation. It is timely; it is about doing the right thing. Here's what I believe may have been pointed out. The average prisoner spends about two and a half years locked up. The U.S. Census count accounts for those individuals who are locked up for 10 years. And the towns where those individuals are locked up, let's say... where is Big Muddy? Southern Illinois or where Menard Correctional Facility is, I don't know all those small towns, but they actually... we, State Government, we actually allocate human service dollars, transportation, infrastructure dollars, Medicaid dollars, as well as, the Federal Government offers and provides community development block grant dollars, human service dollars, dollars that impact that particular city, that particular county. But two and a half years is not enough time for anyone to live in. There's another political reality to this. In the State of Illinois, which is what this Bill is dealing with, there is a disproportionate number of black and Hispanic prisoners in these predominately white towns where they are counted by the U.S. Census. Some... some... some prisons have 3,500, some have 25, some have 6,000-plus prisoners and it raises their funding level or funding formula of what they'll receive from the state and from the

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Federal Government. My thing is, if you're going to receive public dollars based off of the census... based off of that population, why don't you have or let those public dollars at the state and federal level follow the prisoners? Let's give those dollars back to where those prisoners return. They... you know, where they'll return? Those black prisoners tend to return in the black neighborhoods. The Hispanic prisoners tend to return back to the Hispanic neighborhoods. The white prisoners tend to return, on average, back to the white neighborhoods. Let's allow those public dollars to return back to those cities where they absorb the majority of the prisoners. It only makes sense. But a lot of these towns tend to not have any follow-up service or after imprisonment services to help reduce recidivism or get those prisoners, those former prisoners, those ex-cons back on their feet. Instead they return to some of these areas where the human services are strangled and struggling for services to help those returning or those former inmates readjust themselves back into their respective community. So, again, I commend the Sponsor for this legislation. It makes sense. The money... this is about money as well. Why should those... those prison towns count the prisoners and receive state and federal dollars because of those prisoners? Well, where when those prisoners leave, their prisoners don't stay. The towns don't necessarily welcome them to stay. Is there housing for those prisoners when they get out in those towns? Is there social services in those towns for those prisoners? What kind of system or a protocol of readjustment reside in some of these small

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prison towns whose economy solely depends on prison population that don't live in that respective time... community. So, let's be real, folks. This is about money. This is about cash. And shame on us for drawing maps based off of a prison population who you know doggone well will have nothing to do with some of us if they were allowed to vote. And by the way, prisoners in this state are not allowed to vote while they are incarcerated and so, we need to send the money back to where those prisoners reside. They're coming back into my neighborhood and some of neighborhoods where they are not being counted. I would encourage an 'aye' vote. Thank you."

Speaker Lyons: "Ladies and Gentlemen, I put this on extended debate which means there'll be five people speaking in support, five people speaking against. We've had three people speak against the issue, we've had two people speak for. I'll take two more opposed and two more plus Representative Ford to close. Representative Stephens."

Stephens: "I don't think we need to belabor..."

Speaker Lyons: "Five minutes."

Stephens: "...this very long. But if you're so concerned about having these people vote in your district, then tell them to obey the law."

Speaker Lyons: "Representative Will Davis."

Davis, W.: "Did the... did the previous Representative just refer to them as 'these people'? Those people? Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

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Davis, W.: "Representative, I heard one of the previous speakers give the impression that individuals that are incarcerated are residents and that they have what appears to be the freedom to come and go and that they receive services in the towns where these prisons are located. What services does someone receive from the community when they're in a prison?"

Ford: "From the community, none."

Davis, W.: "What's that?"

Ford: "From the prison community, that's it but none of the community outside."

Davis, W.: "Nothing in the community, right?"

Ford: "Correct."

Davis, W.: "So... so, they get the benefit of counting the people but the people that are there don't get the benefit of the services that they, I guess, other people in that community receive, correct?"

Ford: "Well, let me just tell you, Representative. Some of these counties are not even counting the prisoners, so they're not even being counted in the census because they don't want to mess up their statistics in their communities like adding different... Well... So..."

Davis, W.: "Okay. All right. So, what I understand of what you're attempting to do is that someone that's incarcerated, when they're released from prison they're released back to the home address or the address that they last had before they were incarcerated, correct?"

Ford: "That's correct. Ninety percent of the time people return to the same address that they left before going to jail."

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Davis, W.: "Okay. So, this is an effort to recognize where they came from and to suggest that they are still members of that community, correct?"

Ford: "Correct."

Davis, W.: "So, if they're members of that community then why shouldn't that community benefit from whatever the enhanced resources that come based on counting them in that community from the census, correct?"

Ford: "And... and you know what, just because the prisoners return to the community it does not guarantee any new revenues. So, no one is going to gain new revenues, no one is going to lose revenues, but what we do do and the intent of this Bill is to simply make sure that the numbers are accurate in the areas where they're returning."

Davis, W.: "Where the areas they are returning."

Ford: "Right."

Davis, W.: "Well, to the Bill Ladies and Gentlemen. I certainly stand in support of the Gentleman's measure. And would just caution Members here, I understand that sometimes these issues are emotional, but I guess sometimes we have to learn to keep our emotions in check. Now mind you, these are recorded proceedings and what we say there is a record of it. So, just be mindful of how you refer to people in this. I don't see why you're pointing over here, Representative, you used it. Would you like me to go get the transcript and bring it down to you so you can read it yourself about how you refer to people? They're still human beings. Some people make mistakes. Some people make mistakes and they have to go through this process and

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that's fine. That's fine. But we're talking about the communities in which they come from, the fact that they're going to be released back to those communities. And so, why can't those communities benefit from those counts. And subsequently be... and subsequently benefit from the resources that come as a result. So, again, obviously you're going to vote the way you feel. Representative Dunkin mentioned that this is about money and it is about money at the end of the day. It really is. But why shouldn't the communities where the individuals are going to return to benefit from the resources that could come as a result, so when they return to the communities, there will be something there for them so they won't back to prison after the fact. So again, I support the Gentleman's measure and encourage everyone to support it as well. Thank you."

Speaker Lyons: "Representative Jim Watson."

Watson: "Thank you, Mr. Speaker. To the Bill. First of all, I appreciate what the Sponsor is doing. We all come down here to represent our constituents and we will solve this and debate this in a process that sets us apart from the rest of the world. And when it's done, we move on. We can challenge it next year, you can challenge it, whatever, that's just the process the way it is. The purpose of a census is a snapshot in time, a snapshot in time. Those in the military are counted where they're at; those that are in nursing homes are counted where they're at; those that are in colleges are counted where they're at. The same with people in the prison population. It's a snapshot in time.

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When individuals should they return back to their home no matter where they come from that is where they'll be counted in the next census. I understand the emotions, but just remember what the purpose of a census is. It's a... a count and a snapshot in time. Thank you."

Speaker Lyons: "We've had five people speak in opposition. The last speaker in favor will be Representative Nekritz and then Representative LaShawn Ford to close. Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. To the Bill. I would like to clarify that I don't... this is really... this piece of legislation to my understanding is really not about the money. It is about the census and how we use it for redistricting purposes. Counties have the opportunity to take... to change their census numbers to take out the... the prisoners. This is an opportunity for us to have... make sure that these people are counted in our census. So, for example, in the 2000 census, Brown County had a reported... the census reported that there were 1,265 African Americans when, in fact, outside the prison population there were only 5. So, we would... I would anticipate we would want these people to be counted somewhere in the State of Illinois and having them counted in their home... where... where they re... where they came from seems to me like a reasonable thing to do. So, again, this doesn't affect the flow of dollars as a result of the census, it is about redistricting. And it's about how we use the census numbers for redistricting and making sure that every resident of the State of Illinois is counted. Thank you."

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Speaker Lyons: "Representative Ford to close."

Ford: "Thank you very... thank you very much, Mr. Speaker and Members of the House. The legislative intent of House Bill 94 only applies to the legislative redistricting and it does not apply to dollars. The federal and state legislative funds are distributed by a very complex formula and it does not deal with the prison count. I just ask that we follow the law, the law that we took the oath to follow, which states that... and it's a well established law in Illinois from 1887 that says... it states that Illinois law says that a person confined in prison under the judgment and a sentence of a court does not thereby change their residency. So, if we're going to follow the Constitution here because we all raised our right hand to follow the Constitution, then we're going to vote 'yes'. Thank you."

Speaker Lyons: "Question is, 'Should House Bill 94 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Arroyo, DeLuca, Lang. Mr. Clerk, take the record. Representative Ford."

Ford: "Need a little more work. Postponed Consideration, please."

Speaker Lyons: "That's your call... it's your call, Representative."

Ford: "Please. Postponed Consideration."

Speaker Lyons: "Postponed Consideration, Mr. Clerk. Representative Monique Davis, for what purpose do you seek recognition, Ma'am?"

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Davis, M.: "Thank you... thank you very much, Mr. Speaker. I rise for a point of personal privilege. And"

Speaker Lyons: "Please proceed."

Davis, M.: "...my point is the census is used to determine where federal dollars will go and the assumption by the Federal Government is that those dollars will be used based upon that population that created those numbers. And in this situation it is not happening. They're not benefiting from the health fair dollars or the education dollars that are being sent that way. Thank you."

Speaker Lyons: "On the Order of Third Readings, Representative Bob Pritchard you have House Bill 1710. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1710, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "Representative Pritchard."

Pritchard: "Thank you, Mr. Speaker. Ladies and Gentlemen, we've all seen and read the public agenda for education and career success in Illinois and know that there are two disparities in this state: those that have students who are doing well and those that need some additional assistance. What we have in this Bill is a tool to help give students who come from low-income backgrounds and minorities some hope that they can go to college, that they can gain the training they need and can do better in their life. This Bill is set up to give the Illinois Student Assistance Commission the authority to... to develop a program that expands what they're currently doing and to use federal dollars to do it. So, it is cost neutral for the State of

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Illinois. What this program does is to utilizes the College Illinois Corps to work with eighth graders to develop a contract that they'll take challenging courses in high school. That they'll do well, that they'll graduate and that they can go on to college with some assistance. And that assistance is help in coun... counseling in filling out financial aid applications and other questions that students may have. This program has proven successful in working with high school students. What we want to do is bring it down to eighth grade to bring in more students who might do well and succeed in life. I ask for your support."

Speaker Lyons: "You've heard the Gentleman's explanation of the Bill, are there any questions? Seeing none, the question is, 'Should House Bill 1710 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Acevedo, Colvin, Gabel, Hernandez, Riley, Soto, Williams, would you like to recorded? Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Ron Stephens."

Stephens: "Mr. Speaker, I would request that the Clerk provide for me a copy of the debate, a verbatim copy of the debate..."

Speaker Lyons: "Sir, your request..."

Stephens: "...from the debate on Representative Ford's Bill."

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Speaker Lyons: "Your request will be honored, Representative. Representative Keith Farnham you have House Bill 1282... 1262. House Bill 1262. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1262, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Cook, Representative Keith Farnham."

Farnham: "Thank you, Mr. Speaker, Members of the House. House Bill 1262 requires DCEO to contact businesses located in the state that have left the state in the last 10 years and request each completed survey developed by DCEO that includes information regarding why the businesses left, if applicable, and the location to which the business located and any incentives that are needed to keep and attract the business. DCEO shall compile the results of each survey by each July 1 and shall present a report to the General Assembly. The report must identify the most common responses categorized by industry and region regarding why the business left the state. The survey shall encompass all businesses except retail, retail food, health and professional services."

Speaker Lyons: "You've heard the Gentleman's explanation. The Chair recognizes the Gentleman from Jasper, Representative David Reis."

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

Speaker Lyons: "Sponsor yields."

Reis: "Representative, DCEO will be conducting these surveys?"

Farnham: "Yes."

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Reis: "We passed a Bill I think earlier today requiring DCEO to hire possibly more people. Is DCEO still in opposition to your Bill and if so, how... how is this going affect their agency?"

Farnham: "I don't have them listed as in opposition to the Bill."

Reis: "Has anyone... have you contacted DCEO to see how they would implement this legisla... legislation if it were, in fact, to become law?"

Farnham: "And... and the thing is it's like, we... we tell DCEO to do this. They don't tell us."

Reis: "I understand that, Representative. So, your Bill also says that they have to conduct a survey of every business that has left the state during the past 10 years?"

Farnham: "I think that's really good information for us to have. I mean, we're already... we're talking about Workmen's Comp type thing, issues like that that affect businesses. We really need to have the feedback from the actual people who are affected to know why they're leaving our state."

Reis: "Won't argue with you a bit on that, Representative. Is... is your legislation spell out any report that has... is there a sunset on this? Do they have to have this done within the next year and then it's going to sunset? Is this just going to go on and on and on?"

Farnham: "It's a yearly Bill."

Reis: "So, it'll only last one..."

Farnham: "I mean, it's a yearly report."

Reis: "But will the... will they still be able to req... will they still be required to do this after 3 or 4 or 5 years?"

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Farnham: "Yes."

Reis: "Okay. So, they're going to issue a report. Do you and help... do you plan on helping us or introducing legislation to address the reasons why businesses leave our state?"

Speaker Lyons: "Mr. Reis, we'll give you another minute to complete your questioning."

Farnham: "It would be my intention if there are glaring things that are consistently forcing businesses to leave that we would change that."

Reis: "All right. Thank you. To the Bill, just to close. Representative, I appreciate what you're doing here and I agree with it, but we've all given us... businesses have given us ideas why they're leaving. They've given us ideas as to why Illinois is non-competitive, but we've chosen not to act on those Bills for year after year after year. In fact, we passed Bills from this chamber and on the Senate side that's passed into law that actually further hampers businesses abilities to remain competitive here in Illinois. So, I just hope that someday, somehow, we finally start doing legislation that makes Illinois pro business. There's a reason why we're ranked 46th, 47th, 48th, whatever. There's a reason why we've lost so many people. There's a reason why our revenues are down. Let's finally act on something and if it comes from this report, great. But let's finally start having the will to make the changes that are necessary. Thank you."

Speaker Lyons: "Chair recognizes the Gentleman from Knox, Representative Don Moffitt."

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

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Speaker Lyons: "Sponsor yields."

Moffitt: "Representative, I certainly agree with what you're trying to do here. You did say it's an annual report?"

Farnham: "Yes."

Moffitt: "Made available to the General Assembly?"

Farnham: "Correct."

Moffitt: "Is there any estimate of... of the cost?"

Farnham: "There's no cost attached to it, no funding attached to it. It's... it's an internal report that's done within the department that's already... the employees that are there."

Moffitt: "Okay. And again, I think it's the right effort, but we need to be sure we really look at that report or those reports when they come back to try to get some information. I believe I also heard you say that the Legislature's the one that should be setting policy and not a department or agency? Didn't you say that at the start?"

Farnham: "Yes."

Moffitt: "Yes, well I appreciate that and I certainly agree with you on that too. The policy by the state is set by the Legislature."

Farnham: "Right. And... and you know, I totally agree that we should be doing things that make our state more friendly. And you know, I mean, that's why sometimes we don't have turnover in the Legislature because we need to change the direction that we're going in. And... and I certainly have been a big proponent of working across the aisle, Republican, Democrat, to work together to create a better business atmosphere."

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Moffitt: "I commend you for that. I share... we share your objectives. In fact, I think it'd look good if you had a Republican Sponsor up there too. So, thank you for bringing this forward. I hope it produces some very useful information and that together we follow up on it. Thank you."

Speaker Lyons: "Representative Chapin Rose."

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

Speaker Lyons: "Sponsor yields."

Rose: "Thank you. Representative Farnham, we really have to have a survey to know the answers to these questions?"

Farnham: "I believe that we need to listen to the businesses that are actually doing this. You know, we need to know from them what is going on. And I think..."

Rose: "How many Chambers of Commerce do..."

Farnham: "...this will help."

Rose: "...you go to locally?"

Farnham: "Pardon me?"

Rose: "How many Chambers of Commerce do you go to locally in your district?"

Farnham: "I'm very active with my Chamber of Commerce."

Rose: "tell you when you ask them what's wrong with business in Illinois? What do they tell you?"

Farnham: "Being a former business person myself and having had a business for 30-some years I understand a lot of their problems."

Rose: "So, what... what are the problems? What do they tell you?"

Farnham: "It is harder and harder to make a profit."

Rose: "Okay. Why?"

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Farnham: "For any number of reasons, mostly of which are regulations, costs and costs that are pushed down our throat as businesses..."

Rose: "The taxes."

Farnham: "...and we're told, just pass them on to the consumer..."

Rose: "Taxes."

Farnham: "...and we can. Absolutely. And I voted..."

Rose: "Taxes."

Farnham: "...against the tax increase."

Rose: "I understand that, Representative Farnham, but let me ask you. I don't need a survey. Every business I've been to in my district has said, regulatory climate, excessive regulatory climate, taxes and workers' comp. I don't need to spend the taxpayers' money taking a survey. Every Chamber I've ever been to and I've been to every one of them in my district, all the rotary clubs. We don't need a survey. I mean, have we lost all sight of common sense?"

Farnham: "Representative, I can tell you this that businesses say the state and the Legislature don't listen to us. This is a way that we listen to them."

Rose: "I have no doubt. No doubt. Representative, but I don't need a survey to tell me what's wrong with Illinois. We hear about it every day of the week. How many times have you been called in the last two months by businesses in your district? I don't need a survey to tell me."

Speaker Lyons: "Representative Rose, I'll give you another minute."

Rose: "Taxes, excessive regulation, workers' comp. There you have it. Thank you."

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Speaker Lyons: "Jim Watson."

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

Speaker Lyons: "Sponsor yields."

Watson: "Representative... Representative?"

Farnham: "Yes."

Watson: "Is... is... is it your intent that when this commission comes back with this report to implement their recommendations into legislation?"

Farnham: "Yeah. I didn't mention that before, but yes. I believe that we should be listening to these things and if we need to take action, we should."

Watson: "So, if they come back and say, primary cause... primary causation for workers' compensation needs to be included, I under... I understand you to say you would vote for that?"

Farnham: "I would like to see us continue to work on reform of workmen's compensation."

Watson: "But if this commission comes back and says, hey, if you really want to fix workers' compensation you have to include primary causation. Will you support that Bill?"

Farnham: "Again, I would have to look at it and... and I mean, if that's the... the majority of businesses are saying that, then I think that we need to certainly look at that very seriously."

Watson: "Okay. Thank you."

Speaker Lyons: "Representative Sandy Cole."

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

Speaker Lyons: "Sponsor yields."

Cole: "Representative Farnham, I... I... I probably will vote for this 'cause heaven's sakes, why wouldn't we want to find

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out why businesses are leaving, but we do know. And... and here... and here's the problem. Don't we want to know before they leave? Don't we want to know? I mean, every company does exit strategies or exit interviews when they let an employee go. Don't we want to know before they're gone? And I... I have to just, you know, and I know you agree with that. So, I'm... I'm... I'm not picking on your Bill. But Mr. Speaker, to the Bill. We have a Governor that stands up before everybody in Illinois and says, those guys can leave but boy we're going to go after them and make them pay taxes anyway. Why is a business who moved to Tennessee 10 years ago going to say, gee, I'm going to answer this survey because I'm really looking forward to the Illinois Department of Professional Regulation or the Department of Revenue coming after me."

Speaker Lyons: "Our final speaker will be Representative... questioner will be Representative Lang and then Representative Farnham to close."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of the Gentleman's Bill. I had a very similar Bill that I believe passed this Chamber unanimously that came from the Job Creation Task Force. This Bill's slightly different, it goes back 10 years. My Bill suggested that as businesses leave the state we do this. Of course, we should monitor them while they're here, but if they're going to leave we should find out why they're leaving so we can try to deal with some of the mistakes we've made. One of the Gentleman said, well, we know what the problem is. Excess costs, blah, blah, blah. Okay. I get that. But there may be

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other things that are not so apparent. Other things that we don't know. Maybe it's local regulation rather than state regulation. We should just simply ask the questions. Of course, we should ask the questions before they go, but if we haven't had a chance to do that, once they leave we ought to find out what we can do to keep them in Illinois. What we can do in the future so that businesses that are currently in the state don't want to leave. This was a strong... there was strong evidence about this issue at the Job Creation Task Force. And so, this Bill is an improvement actually on the Bill I had that we all voted for. So, I would recommend 'aye' votes."

Speaker Lyons: "Representative Farnham to close."

Farnham: "It's... it's pretty much been said and I... I believe that we need to be listening to these businesses, not only... I agree 100 percent we need to be listening to the businesses that are here before they leave. But hopefully this will give us some information and I agree with Representative Lang on that issue about local ordinances and things like that. So, I would urge an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 1262 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Golar. Mr. Clerk, take the record. On this Bill, there's 86 Members voting 'yes', 22 voting 'no' (sic-2 voting 'present'). This Bill, having received the Constitutional Majority, is hereby declared passed."

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Representative Currie, you have House Bill 1518. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1518, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lyons: "Lady from Cook, Leader Barbara Flynn Currie."

Currie: "Thank you, Speaker and Members of the House. The state currently has a program in which limited income seniors can borrow money to de... to pay their property taxes and the money is returned to the state with interest when the property is sold. Today there are people who are accessing that program with very substantial sums. There was one example of somebody who... whose material goods were held in a trust and the state was paying \$58 thousand for property taxes for that individual and losing money on the proposition. This measure does two things. It increases the income eligibility from \$50 thousand today to \$55 thousand tomorrow and it limits the amount of money that can be deferred, that can be borrowed to defer the payment of property taxes to \$5 thousand. It's an initiative of the Department of Revenue. I'd be happy to answer your questions and I'd appreciate your support."

Speaker Lyons: "You've heard the Lady's explanation, are there any questions? Seeing none, the question is, 'Should House Bill 1518 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Golar. Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional

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Majority, is hereby declared passed. Representative Raymond Poe, you have House Bill 3332. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3332, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lyons: "Gentleman from Sangamon County, Raymond Poe."

Poe: "Yeah, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that's agreed to by IMRF and downstate pension fund, would open up a window that a police officer could buy into IMRF for 10 years. This was done in the past. This would open it up for 60 days. And both retirement systems are on board and it will not cost either one of them any money. The employee would have to pay any expense as far as the interest or any transfers or any of those things. So, I'd ask for a favorable vote."

Speaker Lyons: "You've heard the Gentleman's explanation, is there any questions? Seeing none, the question is, 'Should House Bill 3332 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Coladipietro, Representative Jones, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dunkin, you have House Bill 1298. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1298, a Bill for an Act concerning finance. Third Reading of this House Bill."

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Speaker Lyons: "Gentleman from Cook, Representative Ken Dunkin."

Dunkin: "Thank you, Mr. Speaker, Members of the House. House Bill 1298 simply... it creates the State Police Electronic Citation Form. This is our cleanup language. We simply want to make sure that the Electronic Citation Fund is... eliminates the mention of the State Police Electronic Fund Citation and instead directs the fee money toward the LEADS Program. And I would ask for an 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation, any discussion? Seeing none, the question is, 'Should House Bill 1298 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Skip Saviano, Sosnowski, Jerry Mitchell. Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 34 of the Calendar, on the Order of Concurrences, is House Bill 1030. Representative Mautino on House Bill 1030 on the Order of Concurrence."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1030 is the agreement for the interest payment on the unemployment insurance trust fund. We have a situation where we are going to owe our first payment, which will be \$80 million, due September 1 and so, under the federal guidelines with the triggers that are currently in place we needed to make some changes to allow for the first... the first payment, which is an interest payment."

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This has been done under the agreed Bill process. Representative Ed Sullivan and I have been involved in the negotiations with labor and the business community and this is the agreed work that comes from those negotiations. Under this process all the UI Bills which have been pending in both chambers will stop moving and then in the fall Session we will address the larger portion which is the shortfall in that trust fund, this is the interest payment. It contains a few provisions. First of all, the.. the fund building rate has been divided out and that's the .5 percent that businesses pay in order to structure what's known as our fund building rate. We've divided that into two different provisions. One is a .3, the other is the .2 and that will generate about \$80 million. That's the amount of money that is necessary to make this payment. Now, if we don't do this a couple of things happen. Beginning in April about 41 thousand people use.. lose their unemployment insurance benefits and about 2 thousand per month after that. Businesses that fund these programs will lose about a billion dollars in credits. So, it is critical that it passes and that it passes today. The negotiations have gone forward very well. In the course of doing that the Bill contains what are known as speed bumps. These have always been placed into the unemployment insurance trust fund and the reason we do this is so that we want a settlement on the larger problem come December and what happens then is if the groups don't agree to a settlement then labor would take a reduction in benefits, businesses would take an increase in their taxes, which would be much, much less

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than if the trust fund itself were not to get solved at that point. I want to commend Senator Jones, Senator Link, the people from the Department of Employment Securities, Representative Ed Sullivan, whose done an excellent job. We bring you an agreed Bill. And I look forward to working with him in the Veto Session when we will address the other unemployment issues, but today is a critical date. And I thank all of the parties for their dedication to getting this done. We will have it done in a timely factor. It will provide \$80 million and we can go forward without increases in taxes to the business or reductions in... or reductions in the benefits for workers. I'd ask if Mr. Sullivan would like to make a comment."

Speaker Lyons: "Chair recognizes Representative Ed Sullivan."

Sullivan: "Thank you, Mr. Speaker. Representative Mautino explained this Bill very well. I... I just want to follow up with one stress. This has to be passed today. Bad things happen if it does not. And... and I want to talk about two of those. First, it is critical to have these... some of these taxes diverted into this fund because we have to start paying this... we have to pay this \$80 million by September 30. The taxes are paid frontloaded at each quarter and so tomorrow starts the next quarter; therefore, we have to have this done today. If we do not pay off the interest on September 30, we will start to lose federal tax credits that could total up to a billion dollars. And so, today is a very critical day to pass this. Failure to do that would be a massive tax increase on businesses. Also, if we do not pass this today on benefits for workers or for people that

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have been laid off. We will have these triggers and these triggers are time sensitive. If we do not have this passed today, these triggers will... will... will in essence, do away with the final 20 weeks of benefits starting next week because the triggers are probably going to reset, in essence, to put away this program. So, we have to do that today. We don't want 40 thousand people to lose benefits. This is an agreed Bill. So, labor has come to the table and businesses have come to the table and have all agreed that this is the proper way to handle the immediate problems that we need to... to handle. The overall problem will be addressed over the summer and fall. And we will come back with a new proposal that... how and to fix that. But I... I certainly thank Representative Mautino for allowing me to speak on this and we certainly need to pass this Bill and have the Governor sign it today. Thank you."

Speaker Lyons: "Representative Jim Watson."

Watson: "Thank you, Mr. Speaker. To the Bill. This is one of those points, folks, where we're all here. This should be a unanimous vote to try to fix this and move on. It's the fourth quarter, it's time for all of us to unite to try to start fixing our issues and our problems here. Thank you."

Speaker Lyons: "I think that's the perfect close unless Representative Mautino chooses to say something. Representative Mautino to close?"

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I simply ask for an 'aye' vote and we'll send this on to the Governor. And I appreciate all those who have worked to make this... make this a reality."

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Speaker Lyons: "The question is, 'Should the House concur in Senate Amendment #1 to House Bill 1030?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Kay, Representative Sommer. Mr. Clerk, take the record. On this Bill, there are 109 Members voting 'yea', 1 voting 'no', 0 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 1030. This Bill, having received the Constitutional Majority, is hereby declared passed. Congratulations, everyone. Mr. Clerk, on page 24 of the Calendar, under House Bills-Third Reading, Speaker Madigan has House Bill 117. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 117, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Lyons: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 17(sic-117) is the first of three Bills which will implement part of our budget plan for FY12. These Bills and two Bills tomorrow will provide for the appropriation for our debt service payment, the appropriation for the pension payment to the five state pension systems and the appropriation to support the group insurance program. The plan here is that those three items are must do items and they must be done at the level that's contained in these Bills. After this, the Appropriations Committees will be asked to work with the remainder of the money that has been allotted to those committees, continue

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with the appropriations process and provide for the authority to spend money in various categories. On House Bill 117, with the Amendment, the Bill provides the required debt service payments on the general and special obligation bonds for fiscal year 12. Mr. Speaker, I believe that Mr. Cross wishes to join in the debate."

Speaker Lyons: "Leader Cross."

Cross: "Thank you, Mr. Speaker. I'll... I'll say something briefly, I know there are a couple more and I... was one I was going to, wanting to focus on, on TRS. But to the overall project here, I wholeheartedly support this. And when you think about where we were and where we're perhaps, I hope, going we've made some good strides. You'll recall a Bill that passed during the lame duck Session that contained an increase in taxes, also had a spending level as high as \$36.8 billion. The Governor introduced a budget that planned on spending \$35 billion and that included a little borrowing. The fact that we are now saying we have available revenue of \$33.2 billion and that we're not going to spend more than that and that we're going to take care of these obligations, I think is a great step forward in moving in the right direction. A lot of you in this chamber have advocated a more open process in making sure we limit our spending to only the available revenue we have. I join with Speaker Madigan as a cosponsor in not only this Bill but some others as we move forward. This will not be easy. It will be a challenge to address these... I think to get to these numbers, but the fact that we're all able to work together in the way that we should, in a way that we think

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and have been saying should happen for some time now, I think is a very positive move. So, the fact that we can limit spending to the 33.2 and if we find the will and the ability to even go lower with cuts, we can certainly have that discussion as well. So, Mr. Speaker, thank you for this. And I... I think a 'yes' vote is an appropriate vote on House Bill 117."

Speaker Lyons: "Having heard from both our Leaders, the question is, 'Should House Bill 117 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 24 of the Calendar, Mr. Clerk, the Speaker has House Bill 132. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 132, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Lyons: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, as I said previously, House Bill 132 with the Amendment would provide for the appropriation for the fiscal year 12 liability payment for the State Employees Group Insurance Program. None of these amounts will be available to pay down past bills. And again, I would ask Mr. Cross to join us in the debate."

Speaker Lyons: "Leader Cross."

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Cross: "Thank you, Mr. Speaker. And to the Speaker, I likewise join in supporting this. We have, I think, some work to do on the issue of group insurance as we move forward in this General Assembly and need to, I think and believe we will, address the reforms that need to be met. I know that COFGA's taken some steps. Representative Bellock on our side has an interest in and is working as well on it. So, like I did on the previous Bill and for the same reasons I think this is a good move forward. And I like the fact that we're acknowledging these payments need to be made. And I would support 132."

Speaker Lyons: "You've heard our Leaders support of this. There's a question, Representative Stephens."

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

Speaker Lyons: "Speaker yields."

Stephens: "Speaker Madigan, would you agree with me that if we'd have been practicing similar habits for the last 20 years we would not been in the mess we're in today?"

Madigan: "I think my answer in the committee was, yes, wasn't it? Your question in the committee was 10 years and I think I added 10 years on to it to make it 20. So, the answer is yes again today."

Stephens: "Well, for all you nonlawyers in the room that... I believe that was a yes. If we had been operating under terms similar to this, we would not be in the mess we're in today. And I would question the state's Leadership for the last 20 years because we need to be accountable and we need to hold those Leaders who made these decisions, who got us into the mess we're in today accountable. Thank you."

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Speaker Lyons: "No one seeking further questioning, the question is, 'Should House Bill 132 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 33 of the Calendar, under House Bills-Third Reading, Speaker Madigan has House Bill 3639. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3639, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Lyons: "Speaker Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, the Bill with the Amendment provides for the required contributions to the Downstate Teacher's Retirement System as certified by the system in the fall of 2010 which will allow the system to achieve 90 percent funding in the year 2045. In addition, the Amendment funds the statutorily required contribution to the Public School Teachers' Pension and Retirement Fund of Chicago. This is a result of the increase in the retirement multiplier, the 2.2 percent which occurred in 1998. And again, I would ask Mr. Cross to join us in the debate."

Speaker Lyons: "Leader Cross."

Cross: "Thank you, Mr. Speaker. I... this one is I think very significant, HB3639, I wholeheartedly support this. One of the things that we have not done is make pension payments in this state and it has caused a significant, significant

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problem in our unfunded liability to the tune of, all of them, up to \$80 billion, some would argue higher. TRS is a significant portion of that \$80 billion. We have neglected to make those payments. We've had to borrow to make those payments and we are paying for that in huge ways. It is imperative that we stabilize our pension systems. We need to do I think more than that, but a critical component, an absolutely critical component is making sure we make our pension payments on a regular basis today and in the future, if we are going to stabilize our pension systems. So, for that reason and again, the overall points I made earlier, I support this and I appreciate the opportunity working with the Speaker on this Bill. Thank you."

Speaker Lyons: "Speaker Madigan and Leader Cross move for the passage of House Bill 3639. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of House Bill 3499?"

Clerk Bolin: "House Bill 3499 is on the Order of House Bills-Third Reading."

Speaker Lyons: "Move that Bill to the Order of Second Reading on the request of the Sponsor. And what's the status for House Bill 186?"

Clerk Bolin: "House Bill 186 is on the Order of House Bills-Third Reading."

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Speaker Lyons: "Move that Bill to the Order of Second Reading on the request of the Sponsor. Ladies and Gentlemen, on Supplemental Calendar #2 we have House Joint Resolution #11. Chair recognizes Representative Sid Mathias on House Joint Resolution 11."

Mathias: "Thank you, Mr. Speaker. House Joint Resolution 11 creates a Boards and Commissions Advisory Panel. As you know we have numerous boards and commissions in our state that we have authorized and created and yet, I don't think anybody in here can tell us all... all of those boards, commissions, what the commissioners do, what they get paid, what their other benefits are. And this would set up a panel to determine that, make an analysis of all of our statutorily created panels, authorities, boards, commissions, committees, councils and task forces and determine where we can have some cost savings. And I ask for your 'aye' vote. This Bill did pass... I'm sorry. This Bill..."

Speaker Lyons: "The adoption of the Resolution."

Mathias: "Yes."

Speaker Lyons: "You've heard the Gentleman's discussion on House Joint Resolution #11. Are there any questions? Seeing none, all those in favor of the adoption of House Joint Resolution 11 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hammond, Representative Jones, like to be recorded? Mr. Clerk, take the record. On this Resolution, 110 Members voted 'yes', 0 voted 'no'. And House Joint

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Resolution 11 is hereby adopted. Representative Lilly, for what purpose do you seek recognition, Ma'am?"

Lilly: "Thank you, Mr. Speaker. I'd like to change my vote, House Bill 1628 to 'present'."

Speaker Lyons: "The Journal will reflect your request. Mr. Clerk, on Supplemental Calendar Representative Brady has House Resolution 39. Representative Dan Brady. Dan, House Resolution 39. Representative Brady on House Resolution 39."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 39 creates the Psychotropic Suicide Prevention Task Force. The intent of the legislation is to, with various health professionals and other individuals, create a task force that would look into the situation of any correlation between medications and the... what seems to be increasing suicide rate throughout the State of Illinois. In addition, would hopefully shed light on maybe increasing coroners, medical examiners in their toxicology screening and seeing if there's some unified approach that might be helpful in this unfortunate phenomenon. I'd be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation on House Resolution 39. Are there any questions? Seeing none, the question is, 'Should House Resolution 39 be adopted?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bellock. Representative Brauer. Mr. Clerk... Mr. Clerk, take the record. On this Resolution, there's 104

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Members voting 'yes', 5 Members voting 'no'. And the House adopts House Resolution 39. Representative Nekritz on the Supplemental Calendar you have House Resolution 111. Representative Nekritz on House Resolution 111."

Nekritz: "Thank you, Mr. Speaker. House Resolution 111 designates March 2011 as Social Workers Month in the State of Illinois. I urge your support."

Speaker Lyons: "Just in time, the 31st of the... March. All those in favor of the adoption of the Resolution signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 111 is adopted. Representative Mayfield, for what purpose do you seek recognition, Ma'am? You do not and withdrawn? Okay. Representative Mayfield."

Mayfield: "I'd like to change my vote on House Bill 1628 to 'present'."

Speaker Lyons: "The Journal will reflect your wishes. Representative Rich Brauer, you have Resolution 143. Representative Brauer on House Resolution 143."

Brauer: "Yeah. This is just a recommendation of the contributions that Lafayette made during the Revolutionary War. And I'd appreciate an 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation. All those in favor of the adoption of House Resolution 143 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 143 is adopted. Continuing on the Supplemental Calendar on Resolutions, Patti Bellock, you have House

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Resolution 211. Representative Patti Bellock on House Resolution 211."

Bellock: "Thank you very much, Mr. Speaker. This Resolution is to proclaim that April 7 will be the first Annual Alzheimer's Association Advocacy Day in the State of Illinois."

Speaker Lyons: "You've heard the Lady's explanation. She moves for the adoption of House Resolution 211. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 211 is adopted. Representative Dan Brady, you have another Resolution, 217. Dan, House Resolution 217. The Gentleman from McLean, Representative Dan Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 217 simply proclaims the week of April 10-16 as National Crime Victims' Rights Week and seeks to acknowledge the victims and the victims families of crime."

Speaker Lyons: "You've heard the Gentleman's explanation. For the adoption of House Resolution 217, all those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 217 is adopted. Mr. Clerk, the Adjournment Resolution."

Clerk Bolin: "Senate Joint Resolution 32, offered by Representative Currie.

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses

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adjourn on Thursday, March 31, 2011, the Senate stands adjourned until Wednesday, April 06, 2011 at 12:00 noon, or until the call of the President; and the House of Representatives stands adjourned until Friday, April 01, 2011 at 10:00 a.m., and when it adjourns on that day, it stands adjourned until Tuesday, April 05, 2011, at 12:00 noon, or until the call of the Speaker."

Speaker Lyons: "Leader Barbara Flynn Currie moves for the adoption of the Adjournment Resolution. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Adjournment Resolution is adopted. Mr. Clerk, the House committee schedule for this evening. The House Committee schedule on a yellow piece of paper, Members, for this evening."

Clerk Bolin: "The following committees will meet at 5 p.m. or immediately following Session: Higher Education in Room 115, Human Services in Room D-1, Public Utilities in Room 114 and Transportation: Vehicles & Safety in Room 413. The following committees will meet at 5:30 or one-half hour following Session: Insurance will meet in Room 118 and Judiciary II-Criminal Law will meet in Room 122B. One committee has been canceled. The Consumer Protection Committee scheduled for 5:30 or one-half hour following Session has been canceled."

Speaker Lyons: "So, everybody has the yellow sheet with the committees scheduled after Session is over. Mr. Clerk, Agreed Resolutions."

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Clerk Bolin: "Agreed Resolutions. House Resolution 226, offered by Representative Kay. House Resolution 228, offered by Representative Bill Mitchell. House Resolution 231, offered by Representative Holbrook. House Resolution 232, offered by Representative Tracy. House Resolution 233, offered by Representative Sacia. And House Resolution 235, offered by Representative Stephens."

Speaker Lyons: "Representative Currie moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. And now, with no further business to come before the House of Representatives, the House will stand adjourned allowing perfunctory time for the Clerk to the hour of 10 a.m. tomorrow, Friday, April Fools Day. We'll all be here at 10:00. All those in favor of the adoption of the Resolution signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned 'til the hour of 10 a.m. Have a wonderful evening, one and all."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Jakobsson, Chairperson from the Committee on Higher Education reports the following committee action taken March 31, 2011: recommends be adopted is Floor Amendment #1 to House Bill 2051. Representative Greg Harris, Chairperson from the Committee on Human Services reports the following committee action taken on March 31, 2011: recommends be adopted is Floor Amendment #2 to House Bill 1658. Representative Holbrook,

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Chairperson from the Committee on Public Utilities reports the following committee action taken on March 31, 2011: recommends be adopted is Floor Amendment #1 to House Bill 3038. Representative D'Amico, Chairperson from the Committee on Transportation: Vehicle, & Safety reports the following committee action taken on March 31, 2011: recommends be adopted is Floor Amendment #1 to House Bill 3403. Representative Monique Davis, Chairperson from the Committee on Insurance reports the following committee action taken on March 31, 2011: recommends be adopted is Floor Amendment #2 to House Bill 3443. Representative Howard, Chairperson from the committee on Judiciary II Criminal Law reports the following committee action taken on March 31, 2011: recommends be adopted is Floor Amendment #1 to House Bill 78, Floor Amendment #2 to House Bill 263, Floor Amendment #3 to House Bill 2054, Floor Amendment #1 to House Bill 2581, Floor Amendment #2 to House Bill 3238, Floor Amendment #1 to House Bill 3503 and Floor Amendment #2 to House Bill 3522. Introduction and Reading of Senate Bills-First Reading. Senate Bill 19, offered by Representative Mathias, a Bill for an Act concerning revenue. Senate Bill 151, offered by Representative Sacia, a Bill for an Act concerning criminal law. Senate Bill 395, offered by Representative May, a Bill for an Act concerning revenue. Senate Bill 1221, offered by Representative Reis, a Bill for an Act concerning transportation. Senate Bill 1241, offered by Representative Cavaletto, a Bill for an Act concerning regulation. Senate Bill 1245, offered by Representative

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May, a Bill for an Act concerning transportation. Senate Bill 1248, offered by Representative Jakobsson, a Bill for an Act concerning health facilities. Senate Bill 1291, offered by Representative Hatcher, a Bill for an Act concerning transportation. Senate Bill 1293, offered by Representative Osterman, a Bill for an Act concerning liquor. Senate Bill 1321, offered by Representative Mathias, a Bill for an Act concerning safety. Senate Bill 1335, offered by Representative Franks, a Bill for an Act concerning revenue. Senate Bill 1336, offered by Representative Riley, a Bill for an Act concerning State government. Senate Bill 1350, offered by Representative Saviano, a Bill for an Act concerning regulation. Senate Bill 1355, offered by Representative Nekritz, a Bill for an Act concerning civil law. Senate Bill 1364, offered by Representative Jerry Mitchell, a Bill for an Act concerning local government. Senate Bill 1379, offered by Representative Schmitz, a Bill for an Act concerning safety. Senate Bill 1386, offered by Representative Rita, a Bill for an Act concerning revenue. Senate Bill 1584, offered by Representative Riley, a Bill for an Act concerning health. Senate Bill 1617, offered by Representative Zalewski, a Bill for an Act concerning safety. Senate Bill 1633, offered by Representative Bradley, a Bill for an Act concerning State Government. Senate Bill 1643, offered by Representative Pihos, a Bill for an Act concerning education. Senate Bill 1648, offered by Representative Mathias, a Bill for an Act concerning disabled persons. Senate Bill 1668, offered by

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Representative Pritchard, a Bill for an Act concerning liquor. Senate Bill 1669, offered by Representative Williams, a Bill for an Act concerning transportation. Senate Bill 1670, offered by Representative Sosnowski, a Bill for an Act concerning local government. Senate Bill 1700, offered by Representative Ramey, a Bill for an Act concerning local government. Senate Bill 1708, offered by Representative Biss, a Bill for an Act concerning criminal law. Senate Bill 1709, offered by Representative Mathias, a Bill for an Act concerning criminal law. Senate Bill 1724, offered by Representative Brauer, a Bill for an Act concerning transportation. Senate Bill 1806, offered by Representative Howard, a Bill for an Act concerning regulation. Senate Bill 1807, offered by Representative Howard, a Bill for an Act concerning corrections. And Senate Bill 1828, offered by Representative Sacia, a Bill for an Act concerning orders of protection. Senate Joint Resolution Constitutional Amendment 13, offered by Representative Winters.

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article V of the Illinois Constitution by changing Sections 1, 3, 7, and 18 and by repealing Section 17 as follows:

ARTICLE V

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THE EXECUTIVE

SECTION 1. OFFICERS

The Executive Branch shall include a Governor, Lieutenant Governor, Attorney General, Secretary of State, and Comptroller of the Treasury elected by the electors of the State. They shall keep the public records and maintain a residence at the seat of government during their terms of office.

SECTION 3. ELIGIBILITY

To be eligible to hold the office of Governor, Lieutenant Governor, Attorney General, Secretary of State, or Comptroller of the Treasury, a person must be a United States citizen, at least 25 years old, and a resident of this State for the three years preceding his or her election.

SECTION 7. VACANCIES IN OTHER ELECTIVE OFFICES

If the Attorney General, Secretary of State, or Comptroller of the Treasury fails to qualify or if the office becomes vacant, the Governor shall fill the office by appointment. The appointee shall hold office until the elected officer qualifies or until a successor is elected and qualified as may be provided by law and shall not be subject to removal by the Governor. If the Lieutenant Governor fails to qualify or if the office becomes vacant, it shall remain vacant until the end of the term.

SECTION 17. COMPTROLLER - DUTIES (REPEALED)

SECTION 18. COMPTROLLER OF THE TREASURY- DUTIES

The Comptroller of the Treasury, in accordance with law, shall (i) maintain the State's central fiscal accounts, and

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order payments into and out of the funds held by him or her, (ii) be responsible for the safekeeping and investment of monies and securities deposited with him or her, and for their disbursement upon his or her order, and (iii) have the duties and powers that may be prescribed by law.

SCHEDULE

A Comptroller of the Treasury, but not a Comptroller or Treasurer, shall be elected in 2014 and thereafter. This Constitutional Amendment otherwise takes effect upon the conclusion of the terms of the Comptroller and the Treasurer elected in 2010. There being no further business, the House Perfunctory Session will stand adjourned."