

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

51st Legislative Day

5/6/2011

Speaker Lang: "The House will be in order, Members will be in their chairs. We shall be led in prayer today by Reverend Jeremy Cagle who is with the Southern View Chapel in Springfield, Illinois. Pastor Cagle is a guest of Representative Poe. Members and guests are asked to refrain from starting their laptops, please turn off all cell phones and pagers, and rise for the invocation and Pledge of Allegiance. Reverend Cagle."

Reverend Cagle: "Thank you. Please bear with me. Heavenly Father, we praise You for this beautiful day You provided for us, the sunshine and warm weather and the spring time are all part of the wonderful creation. We acknowledge that You're the creator and sustainer of this earth. You formed this world and brought it into being out of nothing and every beautiful part of it has been put together by Your hand and You continue to provide for it today and we praise You for that. Father, we also thank You for the role You've allowed us to play on this earth. The Bible says that You're the potter and we are the clay. You are the King and we are Your subjects. You're the one who builds up and tears down kingdoms and You give to each one of us the positions that we have in the government. So, in light of that Lord, I pray for these Representatives today, and each one of them has a great responsibility on his shoulders. We have elected them and voted for them to speak for us and voice our concerns to the higher powers in the State of Illinois and with that awesome task comes an awesome weight. With that tremendous job comes tremendous pressure, so I pray that You would help these men and women

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to know that we're behind them and we appreciate what they're doing and we appreciate the sacrifices they make on our behalf. Not only do I pray for these Representatives that they would know that they are appreciated, I also pray that You would help to know that there's a Savior for sinners, and Jesus Christ has come to this earth to live as a God among men and to be crucified and raised from the dead to pay for the sins of those who would believe in Him, and I pray that these men and women in the House of Representatives would believe in Him today. I pray that You would make them aware of their sin and make them aware of all that Christ has done to forgive that sin. Help them know that they need forgiveness just as desperately as any man, woman or child, and their high office does not give them a higher standing before You. They need You as much as any carpenter or as any housewife or as any school teacher or bus driver or businessmen, and I pray that they would see that and believe accordingly. Give them wisdom in their Session today and may this time be profitable for them. I pray it in Jesus' name, Amen."

Speaker Lang: "We'll be led in the pledge today by Representative Roth."

Roth - et al: "I pledge of 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."

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Currie: "Thank you, Speaker. Please let the record reflect the excused absences of Representatives Jones and Mendoza."

Speaker Lang: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. The Rep... to be excused, Representative Coladipietro for the Republican side of the aisle today."

Speaker Lang: "Not until you can pronounce his name, Sir."

Bost: "Okay, let me try... you like me try it again, I'll..."

Speaker Lang: "Please record yourselves Members. Mr. Leitch, Mr. Mitchell. Please take the record, Mr. Clerk. 113 Members being present, the quorum is here and the House is ready to do its business. Mr. Clerk."

Clerk Bolin: Committee Reports. Representative Riley, Chairperson from the Committee on Appropriations General Services, reports the following committee action, taken on May 6, 2011: do pass as amended Short Debate for House Bill 123 and House Bill 124. Representative Jakobsson, Chairperson from the Committee on Appropriations Higher Education, reports the following committee action, taken on May 6, 2011: do pass as amended Short Debate for House Bill 3700. Representative Arroyo, Chairperson from the Committee on Appropriations Public Safety, reports the following committee action, taken on May 6, 2011: do pass as amended Short Debate for House Bill 2165. Introduction of Resolutions: House Resolution 2... 326, offered by Representative Flowers. House Resolution 328, offered by Representative Morthland. House Resolution 330, offered by Representative Cavaletto. House Resolution 331, offered by

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Representative Will Davis. And House Resolution 332,
offered by Representative Mautino."

Speaker Lang: "Mr. Tryon."

Tryon: "Thank you, Mr. Speaker. I... I rise for a point of
personal privilege."

Speaker Lang: "State your point, Sir."

Tryon: "On Tuesday when we come back into Session on the 10th,
the Illinois Diabetes Policy Coalition which is made up of
stakeholders from the Chicago metropolitan area, including
the American Diabetes Association, the Juvenile Diabetes
Research Foundation, the Kidney Foundation, are hosting
their lobby day here in Springfield, and at 11:30,
Lieutenant Governor Sheila Simon is having a luncheon for
all Members if they would like to go down between 11:30 and
2:30 and meet with the stakeholders of the Illinois
Diabetes Coalition And I would urge everybody to try to
attend before they come up in Session on the floor and grab
something to eat. Thank you."

Speaker Lang: "Thank you, Mr. Tryon. Members we're... Mr. Clerk,
Adjournment Resolution."

Clerk Bolin: "House Joint Resolution 33, offered by
Representative Currie.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS,
THE SENATE CONCURRING HEREIN, that when the two Houses
adjourn on Friday, May 06, 2011, the House of
Representatives stands adjourned until Tuesday, May 10,
2011 at 12:00 o'clock noon, or until the call of the
Speaker; and the Senate stands adjourned until Monday, May

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09, 2011, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, May 10, 2011, or until the call of the President."

Speaker Lang: "Representative Currie moves for the adoption of the Adjournment Resolution, all in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Adjournment Resolution is adopted. Now Members, page 4 of the Calendar, we're going to start with Senate Bills- Third Reading, and the first Bill in that order is Senate Bill 41, Representative May. Please read the Bill."

Clerk Bolin: "Senate Bill 41, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Representative May."

May: "Yes, thank you, Speaker, Ladies and Gentlemen of the House. Senate Bill 41 merely clarifies what is some townships in our area have said ambiguous language about the township's authority with cleaning up and transporting leaves and brush from along the town... side of township roads. It is totally permissive, it is done by ordinance at township meetings, and would ask for an 'aye' vote."

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

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

Speaker Lang: "Lady yields."

Eddy: "Representative, we talked about this yesterday and I want some clarification for the Body to understand what your intent is. Your intent is to kind of codify what is a practice but the Farm Bureau, for example, has concerns

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with this because they're... they're concerned that this would promote the use of these funds and these are road and bridge funds and... and they're... they're worried about the fact that this would amplify that use."

May: "Yes, and I believe that there are perhaps different practices in different parts of the state. In suburban areas, many townships if they have a chipping machine find out that this is something they do, they have a date once a year as many towns do, and that may not be workable in more rural areas. And I do understand the Farm Bureau's concern. They expressed it to me that it's just a philosophical difference that they don't want to establish this. But if I could reiterate, it is totally permissive and so that I would think that there would be differences in different parts of the state allowing local governments to reflect what the practice is in that area of the state."

Eddy: "So this is happening now..."

May: "Yes."

Eddy: "They're using those funds..."

May: "Yes."

Eddy: "...this isn't necessary legislation in order for the funds to be used for that purpose?"

May: "Many areas are doing it now, but they asked to clarify this practice."

Eddy: "Okay. So, if they can already do this and they can use those funds for that purpose, why is it necessary to pass this Bill in any form rather than to promote the use of road and bridge fund money for this purpose?"

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May: "The... because of some discussions that have taken place at local townships. They said it was ambiguous and they would rather make sure that they're doing everything by the letter of the law. The township officials are neutral on this. They have no concerns with it."

Eddy: "I appreciate that. Representative, I just wanted to point out the fact the Farm Bureau's strongly opposed at this point because of their concerns."

May: "Well, they said it was philosophical not strongly."

Eddy: "Okay, Thank you."

May: "But I... I appreciate that."

Speaker Lang: "Representative Hammond, for two minutes."

Hammond: "Thank you, Mr. Speaker. Representative, I really would... would like a little bit further clar... clarification from you. Who exactly is it when you say 'they'?"

May: "Several townships in our area."

Hammond: "And at the present time, are they paying for this out of their road fund?"

May: "They're... they have a choice, and it doesn't say that you must or that you must use it, they have a choice of a road funds or general township funds. But the township supervisor as I understand it, really has control over road funds, so it would be more likely to do that, but they have a choice of any funds."

Hammond: "And... and that would be correct, Representative, I am a township supervisor and I over the years have written many checks for just this purpose. My question is, why we really need this legislation? The township officials have a legislative staff and they have a legal staff, and if the

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township officials or the supervisors have a question of this nature, they are at their disposal to answer it rather than us to have do it legislatively."

May: "It's... it's purely to clarify any ambiguity in the law that some of the townships were discussing. This, and that they wish to have it clarified, so we're responding to several local townships. My Senator drafted the Bill for them."

Hammond: "And with all due respect, I repeat that township officials have that ability to answer that question. Thank you."

Speaker Lang: "Representative May to close."

May: "Thank you very much. I would just point out the township officials are neutral on this. It is totally permissive. It is done with sunshine by ordinance, absolutely only clarifying what is current law, and in our area of the state current practice. I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Record yourselves Members, it's Friday. Have all voted who wish? Arroyo, Burke, D'Amico, Lyons. Mr. Clerk, please take the record. On this question, there are 56 voting 'yes' and 57 voting 'no'. And Representative May?"

May: "May I ask for Postpone Consideration?"

Speaker Lang: "The Bill will be placed on the Order of Postpone Consideration. Next Bill on the Calendar is Senate Bill 1344, Mr. Nybo. Please read the Bill."

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Clerk Bolin: "Senate Bill 1344, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Nybo."

Nybo: "Thank you, Mr. Speaker. This Bill is identical to a... Bills that have passed unanimously from this chamber on four separate occasions. And it now comes to us as a Senate version sponsored by Senator Murphy. So this Bill actually has the opportunity to become reality today. And what this Bill does, it amends the State Officials and Employee Ethics Act to prohibit a constitutional officer or a Legislator from putting their name or image to a billboard or an electronic message board that displays a public service announcement regarding a state administered program. So, I think it's important that we already prohibit Legislators and constitutional officers from putting their names on certain materials regarding public service announcements, such as TV, radio, newspapers, magazines, but we don't do so for billboards, and perhaps the best illustration or some would say even the worst illustration of what this Bill would now prohibit, would be what former Governor Blagojevich did with putting his name upon the completion of a bunch of signs with the completion of open road tolling. So, if this Bill becomes law today, we will never allow that to happen again, it will now be prohibited. I think this is a very good government Bill. I'd ask for your support and I'm open to any questions."

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

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Will Davis. This Bill is on the Order of Short Debate. You have two minutes, Sir."

Davis, W.: "Thank you, Mr. Speaker. Sponsor yield for a very brief question?"

Speaker Lang: "Gentleman yields."

Davis, W.: "So this is a... this is a political Bill, correct?"

Nybo: "This is a legislative Bill, Representative. I don't understand what you mean by the term 'political Bill'."

Davis, W.: "Political, well it's about Blagojevich putting his name on open road tolling signs. And so you want to prohibit things like that from happening. So, when I see billboards on a south side of Chicago with images of African American Legislators encouraging women to seek out breast exams because incidences of breast cancer are higher in African American communities or women of color die from breast cancer at a higher rate, so when I see images of African American women Legislators, that's a bad thing?"

Nybo: "Legislator, my understanding is that this... this Bill would not prohibit that type of Bill boarding."

Davis, W.: "Well you said public service announcements."

Nybo: "That is not a public service announcement..."

Davis, W.: "It's not?"

Nybo: "...in connection with a publicly... publicly administered state program. No. You can put your name, and I've had this conversation..."

Davis, W.: "Hold on... hold on so... so money in the Department of Public Health that helps to pay for breast exams, that's not a state administered program?"

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Nybo: "Representative, it has to be part of a state program. My understanding is... what you..."

Davis, W.: "I just said, money coming out of the Department of Public Health that's put in that from the Ticket From the Cure which was a lottery ticket that was passed by this Legislature, so those dollars in that program..."

Nybo: "Representative, it might..."

Davis, W.: "...that doesn't... so that's exempt? So again, this is a political Bill. And that's fine if it is. I'm just asking a question. But just be mindful of the political nature of what you're doing and the impact that some of these things do have on certain communities."

Nybo: "I'll... I'll take that as a question, Representative. It's not a political Bill. This is an ethics Bill. This is a good government Bill. And, my understanding is that what you've just described, is still allowed under this Bill."

Davis, W.: "How?"

Nybo: "What this..."

Davis, W.: "We just... it's a state program."

Nybo: "What this would prohibit is a guy like Governor Blagojevich putting his name announcing the completion and the expansion of open road tolling throughout our state."

Davis, W.: "How... how is this any different, Sir? You just talked about a state program, state funds, and a public service announcement."

Nybo: "That did... "

Davis, W.: "I just gave you all three tenets of that as it relates to a program."

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Nybo: "It's in... none of it's in connection with your official duties."

Speaker Lang: "Mr. Davis, we'll extend you an additional minute."

Davis, W.: "How's that any different, Representative?"

Nybo: "Representative, if... if you have a billboard that... that says, get... get breast exams, you know, take care of yourself, there's oppor... you know, this is a risk and... and I'm encouraging you to take care of yourself. You can do that, Representative. What you can't do is say, this is a state administered program and... and as a public service announcement, I'm encouraging you as... as Representative whoever, or Governor, whoever..."

Davis, W.: "What you just said..."

Nybo: "...to take advantage of this state program."

Davis, W.: "But... but a billboard talking about open road tolling doesn't say that this is a state administered program, it just says open road towing and it's got that man's name at the end... at the bottom of it. It's not acknowledging that it's a state administered program and neither are these billboards. They're simply saying this is a state funded program, money from a lottery ticket goes into a fund to help pay for breast exams for women of color. It has pictures of African American women Legislators on it, how is that any different from what you just described?"

Nybo: "Representative, I believe I've answered your questions best as I can. I think you make a good point, I think you raised a good question, I'm happy to continue the

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conversation afterwards, but as far as I'm concerned, there's no pending question on the table, correct?"

Speaker Lang: "Sir Davis, your time has expired. Maybe you can get someone to give you some of their time. There... there are four people wishing to speak. The Chair will remove this from the Order of Short Debate but ask Members to be restrained, restrained. Representative Cole."

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

Speaker Lang: "Gentleman yields."

Cole: "Representative Nybo, I carried this Bill last year so I have a few questions for clarification. Could you tell us what currently the Ethics Act... currently, the Ethics Act does not allow broadcasts or air on radio, on television mentioning executive branch constituent officer or Member of the General Assembly to use their name, is that correct?"

Nybo: "In connection with a public service announcement for a state administered program. That is correct."

Cole: "That's the current law. Your Bill is narrowly drafted to amend that current Ethics Act to also add to the current Ethics Act, the display on a billboard or electronic message board. So, this Bill only talks about adding those two elements to the current Ethics Act, correct?"

Nybo: "You're absolutely right, Representative. It's expanding the categories of... of items where... where you cannot put your name, use your image in connection with promoting a... or putting out a public service announcement in connection with a public... the... state administered program. It's

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expanding the categories of options and items to which the prohibition currently applies."

Cole: "Okay, so the question that the prior Representative asked you regarding lottery tickets, that's not part of your Bill although it's a separate issue that may need to be addressed. Would you... would that be a fair assumption?"

Nybo: "That... that would be my understanding, Representative."

Cole: "Okay, and could you describe what a electronic message board... what... what difference that has to over... had tolling or a billboard?"

Nybo: "Representative, now I don't understand your question. Could you repeat that or re... rephrase it?"

Cole: "Electronic message boards is really something unique that happened after we did the Ethics Act, and we were finding that there were those... those portable electronic boards that were put up by IDOT for example that would advertise something and it became apparent that since they were sort of temporary but yet would be up for a week or two, that that should also qualify no differently then a... then a commercial bill... billboard."

Nybo: "You're absolutely correct, Representative."

Cole: "Right. Thank you very much for your comments. I fully support your Bill. This Bill has passed the House four times. It's always died in the Senate. It's very interesting that it's now passed the Senate, it's on to us and I hope it becomes legislation."

Speaker Lang: "Representative Eddy, for two minutes."

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

Speaker Lang: "The Gentleman yields."

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Eddy: "Representative, just for further clarification purposes, the previous speaker spoke with some passion about programs that are important to his constituency, one of them happened to be a health issue, and there's nothing in this legislation that would prohibit the advertisement of programs that are available for that specific program that he's very passionate about and understandably so. I think we're all... we're all passionate about certain state programs. That could still be advertised?"

Nybo: "That is my understanding, Representative."

Eddy: "Okay."

Nybo: "It's in connection with his official duties as a Legislator."

Eddy: "So... so in my district for example, the Department of Human Services has a program that I'm passionate about that I want to advertise, that could still be advertised... it simply couldn't say Representative Roger Eddy supports or so and so, an individual can't be associated on that billboard with that program. It's the promotion of the program that we're trying to highlight and... and not give anyone any... any ability to promote their own name using that billboard and... and the funding of it through state funds."

Nybo: "You... You're absolutely right, Representative. The program can be publicized, but when you start connecting a Legislator's name or image to the administration of that program as a public service announcement, that would be prohibited, it's currently prohibited, so... so if you were trying to do that in a newspaper or on TV or on radio, you

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couldn't do it just in the same way that I hope we won't be able to do it on a billboard or a electronic billboard now."

Eddy: "The billboards... electronic billboards that are paid for at state expense that advertise state programs, not a problem because we're promoting health, we're promoting those types of things, but when it becomes a problem is when you associate an individual Legislator or public official's name with that program to promote the image of the politician rather than the program or along with the program, that's what you're trying to get at here?"

Nybo: "I would say you put it very well, Representative."

Eddy: "Okay, thank you. I... this is a good Bill, I think it brings a problem to light that we've seen. This isn't about individuals, this is about the process and making sure that we're not promoting ourselves through the use of state money, that we are promoting those programs that are important to all of us. I vote 'yes'. This is good public policy."

Speaker Lang: "The Chair recognizes Greg Harris, for two minutes, Sir."

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

Speaker Lang: "Gentleman yields."

Harris, G: "Representative, is there a definition of 'electronic message board'?"

Nybo: "There's not. There's not, no. My understanding is there's not a definition in the Ethics Act of electronic billboard."

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Harris, G: "My... my only question and concern would be, is there any way that a posting on the Internet could be considered an electronic message board where you might mention your name, your image and also talk about a state program under a posting?"

Nybo: "Representative, I think that would be quite a stretch to argue that interpretation, but the electronic billboard is not adv... defined in the statute, TV is not defined in the statute, radio is not defined in the statute, newspaper is not defined in the statute, and magazine is not defined in the statute."

Harris, G: "But those are all clearly not electronic message boards, Representative. So I guess my question is, is it your intent that any posting that any one of us may make on an Internet site with our name or image would not be included in your legislation?"

Nybo: "That is not my intent. My intent is not to include the Internet through this change of law."

Harris, G: "Thank you."

Speaker Lang: "Mr. Durkin."

Durkin: "Representative Nybo, can I use personal funds or campaign funds to run a PSA which promotes myself and also a state program?"

Nybo: "By personal funds, Representative, are you saying your own personal money?"

Durkin: "That's what generally personal funds mean, yes."

Nybo: "That's okay. Representative, I believe there's no prohibition on that."

Durkin: "Campaign funds?"

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Nybo: "I believe there's no prohibition on that, Representative."

Durkin: "Thank you."

Speaker Lang: "Representative Dugan, two minutes."

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

Speaker Lang: "Gentleman yields."

Dugan: "Representative, and I think we talked about this in committee and I know some questions have come up and I'm... I think there's some clarification issues happening right now, and so I would just like if you could if I could request that you pull it from the record until we can... just so that we know... I mean... I think we're... many are believing that this is an expansion of what we passed in the past. I have no problem with what we did before but I think some are... are thinking and I'm having some doubts right now too that, we're not... so, again, it's not that I don't support what it is you're trying to do. We just want to make sure it doesn't affect us outreaching to our constituents which is what we're suppose to do to make them aware of services that the state can provide."

Nybo: "Rep... Representative, we did work to try to address your concerns and I'm not going to pull this for... for further work on that, I'm going to push this for a vote today, but here's the commitment that I will make. I understand there's some potential uncertainty with that definition or that understanding, and I will work with you. And if there's some further work that needs to be done on this issue to clarify that, I will make that one of my top priorities the first opportunity that we have to file a new

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Bill, so I'd hope to join with you in that effort to offer any further clarity that needs to be offered."

Dugan: "And... and I certainly respect that, Representative. I just... I mean, we have some time here, we have the next two weeks. I don't think anybody's not wanting your Bill to pass, I think we just want to clarify so that many of us can vote for what it is you're trying to do and not... so that's all I'm asking."

Nybo: "I understand, Representative, with all due respect, I'm... I'm not going to hold this."

Speaker Lang: "Mr. Nybo to close."

Nybo: "Ladies and Gentlemen, this Bill has passed..."

Speaker Lang: "Excuse me, Mr. Nybo. Mr. Nybo, excuse me. Mr. Thapedi, your light was not on, but I will recognize you, Sir."

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

Speaker Lang: "Gentleman yields."

Thapedi: "Representative, I'd like for you to... well first question is, what is the penalty for this particular provision?"

Nybo: "Representative, it would be a Ethics Act investigation in the same way ethics investigations are... or Ethics Act investigations are currently conducted."

Thapedi: "How do they work? And what is the ultimate penalty?"

Nybo: "Representative, it would be an investigation. It could precede to a determination that a violation occurred. There could be sanctions, there could be monetary penalties. What those monetary penalties are, I... I couldn't tell you. I have not familiarized myself that extensively with the

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Ethics Act to figure out how much I'd have to pay if I actually violated it."

Thapedi: "Well, I wasn't assuming it was any particular type of penalty, that's why I was asking you to clarify that. You're saying at a minimum, there would be a monetary penalty and... and you did say that there would potentially some other penalties as well, correct?"

Nybo: "I know... I... Representative, it's a discretion or a determination by the Inspector General or the... the ethics office as to what an appropriate penalty is."

Thapedi: "Okay. Well, I'm just laying the groundwork and a little background for the follow up questions that I have now. I'd like for you to assume a couple of facts for me, okay? Can you do that for me?"

Nybo: "Within reason, Representative."

Thapedi: "Sure. There exists a breast cancer awareness program, can you assume that for me?"

Nybo: "Yes, Representative."

Thapedi: "Okay. And this breast cancer awareness program is in the City of Chicago, can you assume that for me?"

Nybo: "The breast cancer program is in the City of Chicago?"

Thapedi: "Yes."

Nybo: "Okay, well, who... who runs the breast cancer program?"

Thapedi: "Can you assume that first that this breast cancer awareness program is in Chicago? I want to walk you through it so that we're clear as far as legislative intent."

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Nybo: "I appreciate that, Representative, and then so you're going to have to work with me on some of these assumptions."

Thapedi: "Sure."

Nybo: "We're... we're assuming that is a state administered breast cancer program."

Thapedi: "Well, I was coming to that. I wanted to first satisfy the first prong and then the second prong and go ahead and do that. So also assume then that this is a breast cancer awareness program in the City of Chicago that has or may receive state funds. Can you assume that for me, please?"

Nybo: "Sure. Yes, Representative."

Thapedi: "All right. Now, to promote the awareness of breast cancer in our community and I'm talking about the inner city of Chicago community, they will utilize pictures of leading Ladies in the General Assembly. That would be illegal under your Bill, correct? You want to pull it out of the record while you talk to council?"

Nybo: "No, Representative. That... that would be illegal..."

Thapedi: "That would be illegal?"

Nybo: "...if this Bill's passed."

Thapedi: "Okay. You have dis... you have described a real life situation that happens quite frequently in the inner City of Chicago to make inner city Chicagoans aware of the importance of important things like breast cancer awareness, AIDS/HIV, those types of things. So what you want to do by your Bill today is make that type of action

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or that type of outreach if you will, illegal. Is that correct?"

Nybo: "That's not accurate, Representative."

Thapedi: "All right, well then..."

Nybo: "I applaud those types of efforts, I applaud those types of billboards..."

Thapedi: "But it's going to be illegal."

Nybo: "Representative, I can finish my statement? Representative, we should have those billboards. We... we should do that, but what we shouldn't do..."

Thapedi: "But we can't."

Nybo: "...and what this Bill will prohibit is putting a Legislator's name or image in connection with that effort. And for my personal opinion, I don't see why we need to attach our names and images to programs that are very worthy and helpful to... to the citizens of the State of Illinois. Let's promote the programs but let's not promote the politicians."

Thapedi: "You mean kind of like Gator Aid?"

Speaker Lang: "Mr. Thapedi, Mr. Thapedi, your time is expired but we'll give you an additional minute to finish up, Sir."

Thapedi: "Thank you, Mr. Speaker, and I'll wrap up now, cause I think that I've made my point very clear. To the Bill. Mr. Speaker, this Bill is very problematic and I certainly understand what the motivation is because of many of the problems that we've had here in the State of Illinois, however, after asking some very specific questions describing a real life scenario in which there was no ill-will intended, it was strictly to make African American

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women aware of breast cancer screening and it's important under this Bill, it would make the actions of Legislators who are sitting in this Body right now that are highly respected in the inner City of Chicago as having committed a violation of the law. It's problematic and I ask everyone to vote 'no'."

Speaker Lang: "There are still two people wishing to speak on this Bill, it's on the Order of Short Debate. The Chair recognizes Representative Hays for two minutes."

Hays: "Thank you, Mr. Speaker. To the Bill. I personally had the opportunity to be on the receiving end as a hospital administrator of the kind of funds that Representative Nybo is speaking about here this morning. Had the opportunity to ask people of influence in my community to step forward to appear on billboards, to appear in print to do just the things that we're talking about, encourage healthy behaviors related to breast disease, wonderful campaign related to heart disease in women. I found at no time did I have any difficulty encouraging those of influence in the private sector across the birth populations to step forward and do the right thing to encourage healthy behaviors. This notion that somehow we need an elected official with their face or their quote on a billboard for something that is in fact, in the best interest of everyone, is silly. I've been there. I've lived it. I've asked people... frankly, in the City of Chicago let's be honest, the folks who have a much higher profile are folks who are on the Chicago City Council. Ask them. There's not a... at least a perceived quid pro quo going on when you have the

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advertisement. This is good legislation. This is not an issue on the other side. I... I appreciate a 'yes' vote. Thank you."

Speaker Lang: "Mr. Reboletti for two minutes."

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

Speaker Lang: "Gentleman yields."

Reboletti: "Representative, many times in my district I team up with the Village of Addison who happens to have a electronic billboard on Lake Street promoting the different activities that we sponsor together or maybe have at one of their facilities. Would this legislation that's just telling people in the community that where we have an event. Would this be banned under your legislation?"

Nybo: "Representative, you're talking about one of your outreach programs? The answer... my understanding again, is no, that would not be prohibited."

Reboletti: "So if the Village of Addison put that I was hosting a function at their village hall on a certain date that would be still permissive under your legislation?"

Nybo: "Yes... yes, because it's in connection with your official duties as a State Legislator, Representative."

Reboletti: "Thank you."

Speaker Lang: "Mr. Dunkin for two minutes."

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

Speaker Lang: "Gentleman yields."

Dunkin: "Representative, what brought... what brought this legislation on, I missed that part?"

Nybo: "I did not hear that question."

Dunkin: "I can't hear you."

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Nybo: "I didn't... didn't hear your question. I'm sorry, Representative."

Dunkin: "I said, what brought this legislation on?"

Nybo: "The Senate passed this legislation a couple of weeks ago, Representative. This was already passed unanimously through the Senate. And it's already passed unanimously through this chamber on four prior occasions. Identical language."

Dunkin: "I don't recall seeing this, Representative. Well, to the Bill. Ladies and Gentlemen, we're dealing with some situations here that... well... the fact that you have a number of constituents who simply try to make the connection with what it is that this Body actually does. What it is that we actually bring to our community, how it is that the State Legislators or State Government impacts their respective community. Since they're paying for our activity down here, I don't see anything wrong or sideways with allowing the public to know what it is that is being accomplished down here. And we've done some great things. A number of our colleagues have sponsored legislation that deals with autism, research dollars that deal with diabetes, that bring capital development within our respective districts, that do a number of things that involves schools, crime, et cetera. And very rarely there's an opportunity to let the public become aware of what it is that we try to accomplish or have accomplished down here. That is not a bad thing. I don't see anything ethically wrong with that. When we send out news letters, Representative Nybo, we list all of the accomplishments or

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activity that has occurred down here. Am I correct? So, this is really no different. So, we need to outlaw or ban news letters. We need to stop talking about what it is that we do down here in Springfield. It's really... this here boils down to, you know, being over political with trying to appease maybe some newspaper or media outlet based off what it is that we actually do. It is critical for us to articulate to our constituents and the general public some of the accomplishments or steps that have been taken down here in this Body. I would urge all of my colleagues who know better, who are not new down here and who really know the importance and the value of what it is, that how it is, that we need to inform our constituents some of the things we do here. I would urge everyone to vote 'no'. Thank you."

Speaker Lang: "Mr. Nybo to close."

Nybo: "Thank you, Mr. Speaker. Let me repeat something that I said earlier. Let's promote the program not the politicians. This Bill has passed unanimously through this chamber. This Bill has passed unanimously through the Senate. This is a good Bill, this is a good direction, this is where our state needs to be moving. I'd... I'd encourage an 'aye' vote, and I'd appreciate your support."

Speaker Lang: "The Gentleman's moved for the passage of the Bill. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Arroyo, D'Amico. Please take the record. On this question, there are 91 voting 'yes', 19 voting 'no' and 3 voting 'present'. And

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this Bill, having received the Constitutional Majority, is hereby declared passed. Members, the Chair is going to abide by the strict rules of Short Debate on these Short Debate Bills. That means there will be one speaker for two minutes on each Bill. The next Bill is Senate Bill 1669, Representative Williams. Please read the Bill."

Clerk Bolin: "Senate Bill 1669, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lang: "Representative Williams."

Williams: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill was the Bill I pulled out of the record yesterday after some questions about seatbelt requirements in taxis that transport children. This Bill doesn't change or impact seatbelt restrictions in any way, but just for the record, under current law, all children under the age of 19 are required to wear seatbelts in any vehicle. So whether or not Representative Beaubien's Bill impacts that, that can be addressed in the Senate. And again, it isn't related to the Bill that I am moving today. This Bill again just institutes some basic safety requirements on taxis that are utilized by school districts to transport children. I'd be happy to answer any further questions and ask for an 'aye' vote."

Speaker Lang: "The Lady moves for the passage of the Bill. The one speaker in opposition will be Mr. Eddy for two minutes."

Eddy: "Thank you, Speaker, I'm not sure if I'm in opposition, I want to clarify something. Will the Sponsor yield?"

Speaker Lang: "The Lady yields."

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Eddy: "Representative, yesterday we talked about contracts and the occasional use if necessary rather than a contract, so if a school district uses a taxi on an occasional basis, not consistent, but in a situation where there's no other transportation, that is not the intent of this legislation? This is for contracts that exist?"

Williams: "The language of the Bill refers solely to contracts. I would hope that a school district wouldn't... not enter into a contract to avoid the legislation. We didn't contemplate that, and so we address only contracts in the Bill."

Eddy: "Okay. And I agree with you, I think if you're going to do this the same measures and protections we have for drivers for regular school transportation, but from time to time if a school district has to transport a kid in a difficult sit... doesn't have a driver, doesn't have a bus, has a late stay somewhere or has one situation and they use a taxi, that doesn't constitute necessarily a contract for one use or an occasional use?"

Williams: "Again, I think that scenario's outside the scope of this Bill."

Eddy: "Okay. Well, I appreciate that very much, and I think you're right, I thing the word contract assumes more than occasional use, and I appreciate that and I think it's a kind of thing that, you know, we're... we're going to have to look at it in the future perhaps if we want to tighten that up. But the way I read it now, the contract has to be there. Thank you."

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Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves Members, it's Friday. Representative Currie and Ford. Please take the record. On this question, there are 110 voting 'yes', 1 voting 'no', and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2107. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 2107, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Speaker Lang: "Representative Will Davis."

Davis, W.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2107 sets forth as we begin our appropriations process... this sets forth the appropriations for the Illinois Labor Relations Board. The ultimate result of the work of our working group in our committee resulted at... in this particular appropriation it's approximately an eight percent reduction from FY11. And I'll be more than happy to answer any questions."

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

Eddy: "Thank you, Speaker. Ladies and Gentlemen of the House. I stand in support of the appropriations Bill. We've worked together in a bipartisan fashion on at least one now appropriations Bill that we agree needs to move forward. Obviously, this may represent an area that isn't going to be as contentious perhaps as to the concerns of individuals on the House floor, but it is an important one and it does..."

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it does represent a pretty substantial cut to those people who are affected by it, it isn't taken lightly. We understand that it cuts a personnel line item for the Education Labor Relations Board. Obviously, we wish we didn't have to do that to any area of State Government, but Representative, I think you would agree with me that this area needs to take a commensurate cut along with other areas that we're looking at on a bipartisan fashion."

Davis, W.: "Absolutely Representative. I want to thank you for your work on this effort. And again, we did work in a bipartisan effort on this particular appropriation. Wil... while we recognize that there are more to come, we certainly hope to continue the idea of working together to try to get through this budgetary process."

Eddy: "Thank you. I'd urge an 'aye' vote."

Davis, W.: "Thank you."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Gabel. Please take the record. On this question, 112 voting 'yes', 1 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 929, Representative Burke. Please read the Bill."

Clerk Bolin: "House Bill 929, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Mr. Burke."

Burke, D.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As we passed House Amendment #2 yesterday on this

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matter, I think people are pretty much familiar with what this does. It's a very basic simple issue that says, for the ICE Organization that has invited our counties to participate with the Secure Communities Act that these counties will in fact have an opportunity to opt out of the program if it is not working to their satisfaction. There are some other technical reporting requirements in it, but basically it is an optional opportunity for any county sheriff who has decided to participate with ICE in secure communities to opt out and not participate any longer. It's a very simple request and I'd be happy to answer any questions."

Speaker Lang: "Mr. Burke has moved for the passage of the Bill. This Bill is on the Order of Short Debate. One speaker in opposition, Mr. Ramey is recognized for two minutes."

Ramey: "Thank you, Mr. Speaker. You said I'm in opposition?"

Speaker Lang: "Well, if it turns out you're for the Bill we'll recognize someone else, Sir."

Ramey: "Very good. Well, my name is on the Bill. Inquiry of the Chair."

Speaker Lang: "State your inquiry, Sir."

Ramey: "What is the status of House Bill 306? And if we could, can we take this off of Short Debate?"

Speaker Lang: "Well, we'll take it off Short Debate at your request."

Ramey: "Thank you."

Speaker Lang: "And we can... let's move on with this Bill, Sir. We're on this Bill not on House Bill 306."

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Ramey: "Well, the... just checking on status Mr. Speaker. The whole idea is that I want to thank the Sponsor of this Bill for working hand in hand and basically how we would do things down here, bipartisanly, to get something done for our communities that as we know we fight hard for down here in Springfield. And with Mr. Burke's help and Latino Caucus, we have been able to work together, get agreeable language on House Bill 929 and House Bill 306. So that's why I was checking the status for the record to see where that Bill is."

Speaker Lang: "We're on this Bill, Sir..."

Ramey: "Okay."

Speaker Lang: "... so you can look that up on your computer."

Ramey: "Thank you, Mr. Speaker. I appreciate the... your help."

Speaker Lang: "Thank you."

Ramey: "Will the... will the Sponsor yield?"

Speaker Lang: "Gentleman yields on the Bill that apparently you're for."

Ramey: "Apparently I am. Representative, is this Bill optional?"

Burke, D.: "Yes, thank you again for reminding the Members, Representative. This Bill is optional for any county who is dained to participate with ICE. They have every chance to either continue their relationship or to opt out."

Ramey: "Correct. And because of the concerns with the... how the program was laid out in Illinois, that's why some of the sheriffs want to opt out of the program."

Burke, D.: "For the Body's information, there are currently 26 counties who have opted in, at this stage two of the

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counties have decided they no longer wanted to participate, that's Sheriff Perez and Sheriff Curran."

Ramey: "Correct."

Burke, D: "...from Lake... Lake and Kane."

Ramey: "And Sheriff Perez of Kane County is part of the district that I represent and I have chatted with him on this issue and we're looking to help him out, obviously with your Bill which I'm going to be voting for. To the Bill. Ladies and Gentlemen, again, let me reiterate how well it was to work together with Representative Burke and Latino Caucus to get this Bill moving forward, and of course, on House Bill 306 and I look forward to that debate also, so thank you."

Speaker Lang: "Representative Greg Harris for two minutes."

Harris, G: "Thank you, Mr. Speaker. Will the Sponsor yield? Yeah, to the Bill."

Speaker Lang: "Gentleman yields."

Harris, G: "This has been brought up as an initiative of the Latino Caucus, but I just wanted to say this is not a Latino issue. In my district we have substantial numbers of the Sudanese and the Bosnian/Croatian community who have fled the genocide in Darfur and Scherbinka. Tens of thousands of people who escaped with their families and children often with only the clothes they can carry on their back, many of whom are still having problems finding their legal identification and their papers. To criminalize these people who fled to save their families and save their lives from, you know, death in an ethnic cleansing is a huge burden that is being lifted from their

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mind and I thank the Sponsor for bringing this forward on behalf of all the refugees from genocide."

Speaker Lang: "Mr. Eddy for two minutes."

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

Speaker Lang: "Gentleman yields."

Eddy: "Representative, I... I just have a question relating to action... recent action by the Governor. Representative, my question has to do with recent action by the Governor related to this issue. How... how did his action affect what you're trying to do with this legislation?"

Burke, D: "I actually, Representative, don't see it as competing with the effect of this legislation if the Governor decided to withdraw his memorandum of agreement, that's certainly within his right to do, but I would insist that our program, our recommendation here would more continue the opportunity for ICE to offer this program to our counties."

Eddy: "So... so this... this would... in addition to what the Governor has established in an executive order, it would codify that executive order and that's the purpose or is this... is this in correlation with what the Governor's done?"

Burke, D: "As I said, I don't believe that the Governor's action would be in competition with our initiative that we have worked for several weeks to craft, to put together, to establish agreement with your colleagues on the other side. I think we have worked very diligently and have come to a... an agreement with all parties that appears to be very good

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and it services the needs of these county sheriffs who have indicated interest."

Eddy: "And I understand that other Bill is forthcoming and we're going to hopefully see it very quickly. I just wanted to make sure that everyone understood how this particular... or why this was necessary in light of the Governor's action that he's taken already. This is necessary because that's an executive order and this would then make this statutory beyond the executive order?"

Burke, D: "Well, I for one, I'm probably more comfortable with a statute as opposed to a executive order, and given the fact that we have committed the time that we have to this initiative for this Governor to issue an order at the end of the day, it's not disconcerting to me, as I said, it's not competing."

Eddy: "Okay, well, I appreciate that."

Burke, D: "Well... I believe... I believe..."

Eddy: "And... and that... that's kind of what I was looking for, to make sure we understood why this was necessary in light of the fact that the Governor's already taken some action related to this issue. And I think, again, to clarify... necessary cause this codifies it no matter who might be Governor in the future, this codifies an agreement that we're going to see in a later Bill?"

Burke, D: "That is correct."

Eddy: "Okay, thank you."

Speaker Lang: "Representative Mulligan for two minutes."

Mulligan: "Thank you, Mr. Speaker. Could the Parliamentarian please tell us how many votes this would take? After the

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Governor made this a state law and then he's changing what... and what would happen with local municipalities if this is already the state law and would the Representative's Bill preempt that and how would it affect generally the law for each municipality right now? So, would it need 71 instead of the 60 to pass or could you just define to me what this does to it since the Governor..."

Speaker Lang: "We will investigate and advise before we take the vote, Representative."

Mulligan: "Right."

Speaker Lang: "Did you have any questions or any comments on the Bill?"

Mulligan: "No, I tend to support the Representative and his Bill, but I think the Governor preempting this makes it for a different vote."

Speaker Lang: "Representative Hernandez."

Hernandez: "Thank you, Speaker. Will the Repre... would the Sponsor yield?"

Speaker Lang: "Sponsor yields?"

Hernandez: "Representative, does this Bill keep families together?"

Burke, D: "I beg your pardon, I'm sorry."

Hernandez: "Representative, would this... this Bill keep families together?"

Burke, D: "Representative, as you have done a very active participant in the crafting of this Bill and for all of the meetings and negotiations that have gone on, our very important bottom line with respect to this legislation, is that it would indeed keep families together. When we

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understand that in some of these counties who have opted in to participate that housewives are being separated from their children over very simple traffic violations that was certainly not what our county sheriffs were advised by ICE that this would do. So, unintended consequences of this program that ICE has promoted, certainly has been to see families separated, and again, we certainly have to be aware of these consequences and this Bill will give those counties the opportunity to say we are no longer going to participate in the program that would have that unfortunate effect."

Hernandez: "Well Representative, I really sincerely want to thank you for all your hard work on this Bill because when it comes down to it, I think that you have actually set the example putting the message, the tone, that we have to look for ways, positive ways, to keep in this instance, families together. So I want to thank you for all your work and I will proudly continue to work with you on legislation as this. Thank you."

Burke, D.: "Thank you."

Speaker Lang: "We await a ruling from the Parliamentarian on Representative Mulligan's question. We'll be at ease until the Parliamentarian gets to the podium. Mr. Ellis."

Ellis: "Representative Ramey... Representative Mulligan, I apologize. On behalf of the Speaker in response to your inquiry, in its current form before the Body this Bill does not preempt home rule. There is no mention of preemption of home rule in the language. The Illinois Supreme Court has made it clear that no preemption of home rule can be

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implied, it must explicitly stated in the text. And therefore, because there's no home rule preemption it's a 60 vote requirement."

Speaker Lang: "Thank you, Mr. Ellis. Mr. Burke to close."

Burke, D: "Thank you again, Mr. Speaker, and particularly to my colleague... colleagues Representative Ramey and Reboletti, I can't thank you enough for your considerate attention to this piece of very important legislation to not only my community but I believe the entire State of Illinois. We have made an offer that's very reasonable in giving counties the opportunity to no longer participate in a program, as I said earlier, that does not serve what they were hoping to gain by their participation in the programs, so for all of those who have been a very integral part of the crafting of this Bill, my sincere thanks and I would certainly encourage my colleagues to support this. It's a very fair legitimate proposal and thank you so much for your consideration."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves Members. Mr. Pritchard. Please take the record. On this question, there are 66 voting 'yes', 43 voting 'no', 4 voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Ford."

Ford: "Thank you, Mr. Speaker and Members of the House. I would like to recognize Sue Shrek and she's in the audience today with her daughter Emily Shrek as a page from St. Giles

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School in Oak Park. Representative Lilly and I both service that school, so I wanted the Body to recognize Emily Shrek and her mother Sue. Thank you."

Speaker Lang: "Thank you, Mr. Ford. The next Bill on the Calendar is Senate Bill 1708, Mr. Biss. Please read the Bill. Mr. Clerk, out of the record. Senate Bill 1742, Mr. Eddy. Please read the Bill."

Clerk Bolin: "Senate Bill 1742, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Eddy."

Eddy: "Thank you, Mr. Speaker. Senate Bill 1742 simply allows... or requires actually, the Chicago Public School District to provided the State Board of Education the same information that other school districts in the state do related to the Early Childhood Block Grant Program. This would allow the state to collect the data necessary to check the percentage of the block grant that is being distributed to CPS schools to make sure that it's consistent since the '95 implementation. And I would answer questions and appreciate an 'aye' vote."

Speaker Lang: "The Gentleman moves for the passage of the Bill, there being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, 113 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1744, Mr. Reitz. Please read the Bill."

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Clerk Bolin: "Senate Bill 1744, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Reitz."

Reitz: "Thank... thank you, Mr. Speaker. Senate Bill 1744 basically says that no school days will not be less than five hours. I think the intent of this Bill is to have the first and last day of school be at least five hours. Be happy to answer any questions."

Speaker Lang: "The Gentleman moves for the passage of the Bill, the Bill's on the Order of Short Debate. The Chair recognizes Representative Flowers for two minutes."

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

Speaker Lang: "Gentleman yields."

Flowers: "Representative, how many hours will the school day be and is this a state standard for across the state?"

Reitz: "Yes, I believe it will be a state standard across the state now. Basically, I think it's less than five hours, it's a couple of hours actually on the first through the last day. This just says that each day of school will be at least five hours to be counted as a full school day."

Flowers: "All schools should have five hours on the opening and the closing day of the school term is what the..."

Reitz: "Correct."

Flowers: "So you mean to tell me only on the opening and the closing day, should it be five hours?"

Reitz: "I think that's what... currently they don't have to be five hours under current law. This expands that to say they will be at least five hours."

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Flowers: "On the opening and the closing day of the school term?"

Reitz: "Correct."

Flowers: "So what about..."

Reitz: "Most of the other ones are already addressed."

Flowers: "Pardon me?"

Reitz: "I believe the other ones are already addressed. This is... they're already at least five hours, this just makes the opening and closing day the same as the rest of the school year."

Flowers: "Oh, okay. So this is only applicable to the opening and closing. Okay."

Reitz: "Yeah, this just makes sure that everyone... to be constituted a full school day, that everyone will go at least five hours during the school year."

Flowers: "And what is the penalty for that school and that's number one, and my second question as far as the attendance is concerned, is there a cutoff date for the amount of money, because some schools after they take the attendance and reap the benefit of the funds because of the number of students that attended school, is there a cutoff time for that or is it all year around? Do the school..."

Reitz: "We... we don't address that in this Bill. This Bill basically just makes the first and the last day similar to the rest of the days of the year. So it's the same formula and the same attendance formula they'd use any other day."

Flowers: "Thank you, Representative."

Speaker Lang: "Representative Mulligan."

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

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Speaker Lang: "Gentleman yields."

Mulligan: "Representative, if you do this and it's included in the school year, are you actually lessening the days the children will receive education in Illinois which are already pretty small now?"

Reitz: "No. This just says that... that when... the first and the last day they will go at least five hours. It doesn't address anything else really."

Mulligan: "So it has to be five hours but you and I both know the first day doesn't really get rolling where the kids are learning anything. The last day, maybe, although it's usually devoted to other things, but what I'm concerned about is if you're actually changing the number of days where children will be educated in any substantive way with your Bill?"

Reitz: "We're not."

Mulligan: "Thank you."

Speaker Lang: "Those in favor of the Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representatives Currie and Saviano. Please take the record. On this question, 113 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1754, Representative McAsey. Please read the Bill."

Clerk Bolin: "Senate Bill 1754, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Representative McAsey."

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McAsey: "Thank you, Mr. Speaker, Members of the House. House Bill 1754 is... well, simply adds to an extensive list of aggravating factors to turn simple assault into aggravated assault employees of juvenile detention centers. And I would urge the support of Members of the Body so that we can fill in this hole in the statute and offer protection to individuals who work in our juvenile detention centers, are on the front lines and many of them have been repeated victims."

Speaker Lang: "The Lady moves for the passage of the Bill. There being no debate, those in favor of the Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Record yourselves Members. Have all voted who wish? Mr. Colvin, Ford, Morthland, Thapedi. Mr. Colvin. Please take the record. On this question, 110 voting 'yes', 2 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1804, Mr. Mautino. Please read the Bill. Excuse me, Senate Bill 1804, Mr. Clerk."

Clerk Bolin: "Senate Bill 1804, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Mautino. Out of the record. Senate Bill 1805, Mr. Mathias. Please read the Bill."

Clerk Bolin: "Senate Bill 1805, a Bill for an Act concerning public health. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Mathias."

Mathias: "Thank you, Mr. Speaker. Senate Bill 1805 requires the Department of Public Health which is actually... initiated this Bill, to publish a yearly report regarding

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MERSA and other multi-drug resisted organisms which is based on the Centers for Disease Control and the Prevention of National Health Care Safety Networks Systems, and this will add to the existing program and clarify what needs to be reported. And I ask for your 'aye' vote."

Speaker Lang: "Mr. Mathias has moved for the passage of the Bill. There being no debate, those in favor of the Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Beaubien, Burke, Golar, Harris, Jefferson. Record yourselves Members. Mr. Beaubien, Golar, Jefferson. Mr. Clerk, please take the record. On this question, there are 112 voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1828, Mr. Sacia. Please read the Bill."

Clerk Bolin: "Senate Bill 1828, a Bill for an Act concerning orders of protection. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an initiative of DOC. It simply codifies current practice wherein certain members of the Department of Corrections can serve a short form for orders of protection. Currently, only sheriffs and other law enforcement officials can do that. I await..."

Speaker Lang: "Were you completed with your remarks, Sir?"

Sacia: "Yes, Sir."

Speaker Lang: "The Gentleman moves for the passage of the Bill. There being no one wishing to debate, those in favor vote

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'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Beaubien, Hernandez, Smith. Mr. Smith. 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 Mr. Bost."

Bost: "Thank you, Mr. Speaker. If the record could reflect that Representative Beaubien is excused the rest of the day."

Speaker Lang: "Thank you, Sir. Next Bill on the Calendar is Senate Bill 1833, Representative McAsey . Please read the Bill."

Clerk Bolin: "Senate Bill 1833, a Bill for an Act concerning health. Third Reading of this Senate Bill."

Speaker Lang: "Representative McAsey."

McAsey: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1833 is very similar to House Bill 2976 which passed this chamber unanimously just a couple of weeks ago. It is bringing what has been known as Rosa's Law into the State of Illinois. This... this Bill which started in the Senate is somewhat different than that House Bill in that not only does it work to get rid of hurtful terminology by replacing the word 'retarded' with 'intellectual disability', but it also deletes references to crippled or crippling and changes those accordingly to 'physical disability' or the appropriate term. I urge the support of the Members of this Body to make our state more inclusive and remove hurtful terminology from our state statutes."

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Speaker Lang: "Lady moves for the passage of the Bill, on this question, the Chair recognizes Representative Yarbrough for two minutes."

Yarbrough: "Thank you, Mr. Speaker. To the Bill. I want to thank the Lady for bringing forth this legislation. I have a constituent in my area who talks about people first language and I'd like to see this Bill expanded to include other language, so I'm going to work with you to talk to you about that other people first language. But thank you for bringing forth this Bill."

Speaker Lang: "Those in favor of the Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1877, Mr. Mathias. Please read the Bill."

Clerk Bolin: "Senate Bill 1877, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Mathias."

Mathias: "For those of you who are wondering it's my last Bill today. Quiet everybody. This is Senate Bill 1877 and what it does is it amends the Illinois Power of Attorney Act that clarifies that when you execute a power of attorney for health care, that it only becomes effective upon the occurrence of an event which triggers the incapacity of the principal so that the person... the agent who has the power can't use it to get hospital records while the principal is

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still... has all his faculties, so I ask for your 'aye' vote."

Speaker Lang: "The Gentleman moves for the passage of the Bill, there being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Colvin, Mr. Sullivan. Mr. Colvin. Please take the record. On this question, 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Eddy."

Eddy: "Inquiry of the Chair."

Speaker Lang: "State your inquiry, Sir."

Eddy: "Does Representative McAsey have any more Bills today? She's approaching the Tryon triangle which is that triangle of death of a Bill if she has a fourth Bill. I think that treatment would be necessary."

Speaker Lang: "I would simply suggest you take a look at page 5 of the Calendar, Sir."

Eddy: "Thank you."

Speaker Lang: "The next Bill on the Calendar is Senate Bill 1894, Representative Mayfield. Please read the Bill."

Clerk Bolin: "Senate Bill 1894, a Bill for an Act concerning health facilities. Third Reading of this Senate Bill."

Speaker Lang: "Representative Mayfield."

Mayfield: "This Bill just provides technical cleanup language for a Public Act that was passed 96-339 that deals with mental health and disabilities in the community. I ask for a pass."

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Speaker Lang: "The Lady moves for the passage of the Bill, there being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Acevado, Bradley, Hernandez, Mautino, McAsey. Please take the record. On this question, 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1913, Mr. Beiser. Please read the Bill."

Clerk Bolin: "Senate Bill 1913, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1913 unifies the speed limit for vehicles at 65 miles per hour on four lane divided highways and state toll highway authorities at 65. It does not, and I emphasize does not pertain to Cook County and the collar counties of DuPage, Kane, Lake, McHenry and Will. I'd be happy to answer any questions."

Speaker Lang: "Mr. Beiser has moved for the passage of the Bill, there being no debate except Representative Nekritz, just in time for two minutes."

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

Speaker Lang: "Gentleman yields."

Nekritz: "Representative, I... it's my understanding that since the last... since we increased the speed limits on the interstates that there are... have been... been an increase in the number of fatalities. Are you familiar with that?"

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Beiser: "That was cited but there was also at the same time there's been no association of the causation of those."

Nekritz: "Are you saying that the state police then have not... have not said that there's... that they can't say or does that not... that there's a direct..."

Beiser: "It was not..."

Nekritz: "...correlation?"

Beiser: "In committee it was mentioned but it was also when asked about the causation they did not... there was no causation for that cited as far as road conditions, anything like that."

Nekritz: "Because in the... as I understand it from the... from the American Automobile Association that in 2009 the last year for which there... we have statistics, over a third of Illinois road fatalities were due to speeding, and this will just increase that... that ability... it'll create higher speeds and I would imagine as a result also result in more fatalities."

Beiser: "Again, you cite the increase and there was no causation out, it could have been for other issues like road conditions, weather conditions..."

Nekritz: "But..."

Beiser: "...distracted driver."

Nekritz: "...the statistics that they cite..."

Beiser: "However, let me just say this... let me just say this, speeding is an enforcement issue and I would suggest that on any road regardless of the speed limit if there's a speeding situation, I think the enforcement issue should be utilized."

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Nekritz: "All right. Well, I... I do believe that by increasing the speed, especially on these types of roadways where they're not... they're not limited access roadways, will result in... in additional causalities on our roadways. And I urge a 'no' vote. Thank you."

Speaker Lang: "Mr. Brady for two minutes."

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

Speaker Lang: "Gentleman yields."

Brady: "Representative, I just want to clarify in the previous speaker's remarks. You're indicating that the increase that has occurred in serious or fatal accidents in the state last year has no correlation to speed? To the increase in speed?"

Beiser: "My point was, Dan, is that when it was cited, you can't dispute a fact that there was an increase, but when asked about that the person that testified that did not say that the 20 percent of that increase was due to speed or any other, they did not have the causation, so I can't speak to that fact of what the reason was. I would suggest that speed maybe was a factor in some, but I would also suggest that road conditions, weather conditions, things like that also, but without having that data, we can't speak to that with any good certainty."

Brady: "Okay, well... I... to the Bill, Mr. Speaker. In my years of service of coroner, I... I never had a fatal accident involving a truck and a car where the speed of the truck wasn't in question, and that the car came out in worse shape after being struck by a truck or in a situation like

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that, so, I'm very concerned that here we go raising on all the four-lane roads now to 65 and I just can't do anything but reflect upon my experience that speed kills, and I'll be voting 'no'. Thank you."

Speaker Lang: "Majority Leader Currie."

Currie: "Thank you, Speaker and Members of the House. I rise in opposition to the Bill along with the American Automobile Association. In 2009 when trucks and cars were driving at different speeds in Illinois there were record low 70 fatalities where large trucks were involved. When the speed limit was raised so that 65 covered both, we had fatalities involving large trucks at a much higher percent almost 46 percent higher. Just think about it, you know, when trucks are going at faster rates of speed, they take longer to brake and the increase from 55 to 65 increases a large trucks' impact by nearly 40 percent. If you want safe roads for your constituents, my advice is to vote 'no' on Senate Bill 1913."

Speaker Lang: "Mr. Verschoore."

Verschoore: "Yes, thank you, Mr. Speaker. One of the former speakers said that they were on all four-lane roads. This Bill I don't believe does that. I believe it just exempts the Chicago area and things like that, is that correct?"

Beiser: "Yes."

Verschoore: "Thank you. I stand up in support of this Bill. I... there's been other studies that's done that have... that have proven that when they rised... raises the speed limit that it doesn't cause that many more accidents, all traffic

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going at the same speed is safer. I would ask for an 'aye' vote. Thank you."

Speaker Lang: "Mr. Holbrook."

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

Speaker Lang: "Gentleman yields."

Holbrook: "Representative Beiser, did this Bill pass out unanimously out of the Senate?"

Beiser: "Yes it did."

Holbrook: "In the metro east where Interstate 255 is our outer belt, when you go from the interstate to state Illinois 255, is there any change in the highways at all?"

Beiser: "The physical no but the speed limit yes, you have to... it creates an unsafe condition just for the opposite of what was cited previously."

Holbrook: "In fact, you don't even know you're leaving the interstate to the four-lane divided highway if you didn't happen to see the small state identification sign do you?"

Beiser: "Exactly. And there has been serious accidents for that very reason on this... on this stretch of road Representative Holbrook just alluded to that's in my district, and it's again, because of the difference in speed limits."

Holbrook: "Thank you. I support this Bill. I encourage an 'aye' vote."

Speaker Lang: "Mr. Beiser to close."

Beiser: "Thank you. I appreciate all the comments. Again, the statistics cannot be 100 percent attributed to speed. It's just a fact. The other thing is as Representative Holbrook just alluded to, the fact that there are different speed

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limits on highways like Illinois 255 creates an unsafe condition where there has been serious accidents because of the disparity of the speed limits. For that reason, for the unification of the speed limit, I would ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Hernandez, Howard, May, Thapedi. Representative May. Please take the record. On this question, there are 82 voting 'yes', 29 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1924, Representative Dugan. Please read the Bill."

Clerk Bolin: "Senate Bill 1924, a Bill for an Act concerning the Secretary of State. Third Reading of this Senate Bill."

Speaker Lang: "Representative Dugan."

Dugan: "Thank you, Speaker, Members of the House. Senate Bill 1924 is an initiative of Secretary of State, Jessie White. It makes changes to the Illinois Identification Card Act and the Illinois Vehicle Code Act, and it applies to various provisions under the Secretary of State's authority. I'll certainly be welcome to answer any questions, but I would just like an 'aye' vote. The Senate did pass this unanimously."

Speaker Lang: "The 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

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all voted who wish? Golar, Hernandez, Jackson. Representatives Golar and Jackson. Please take the record. On this question, 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1929, Representative Tryon. Please read the Bill."

Clerk Bolin: "Senate Bill 1929, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Tryon."

Tryon: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill amends our Recycling Act to allow an individual in a landfill that is recycling clean construction debris that is comingled and where they process this debris and crush it up and use it for a road bed within the landfill and daily cover, to allow that to count for their percentage of recycling met, and also exempt them from any fees or additional tipping fees when they go to use that and place that back in the landfill. There's no opposition to this Bill, and I would urge an 'aye' vote."

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

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

Speaker Lang: "Gentleman yields."

Cole: "Representative, with this construction and demolition recycled product, would this also include drywall?"

Tryon: "Well... what this is, it would... that stuff comes in comingled, then they separate it in the landfill then they

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take off the concrete and the other stuff and they process that. Then they... they would probably landfill the other stuff and then use that as a road bed material or a daily cover."

Cole: "All right. I..."

Tryon: "As opposed to dumping it in the landfill and covering it up."

Cole: "I understand that. We're having a... would it be possible that we could add an Amendment to this Bill? Could... would you mind pulling it out of the record just a moment and then I could talk to you about it? It's an unusual request I know, but it's a rather significant issue in my district."

Tryon: "We'll pull it out of the record."

Cole: "Thank you."

Speaker Lang: "Gentleman takes the Bill out of the record. The next Bill is Senate Bill 1950, Representative Soto. Please read the Bill."

Clerk Bolin: "Senate Bill 1950, a Bill for an Act concerning children. Third Reading of this Senate Bill."

Speaker Lang: "Representative Soto."

Soto: "Thank you, Speaker and Members of the House. Senate Bill 1950 amends the Abuse and Neglected Child Reporting Act. It enhances the criminal penalties for persons who knowingly transmit a false report of child abuse or neglect to the Department of Children and Family Services. And this Bill would go into effect immediately. This Bill also passed unan... unanimously out of the committee, and I hope to have your support too, and I thank you for it."

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Speaker Lang: "The Lady moves for the passage of the Bill. There being no debate, those in... excuse me, Representative Mulligan for two minutes."

Mulligan: "Representative, would this only be a false report or could it... would it apply to a report that after the report was investigated was found not to be true?"

Soto: "What was stated in committee was that it's for... once someone is found to be falsely reporting an abuse when it's not happening."

Mulligan: "All right, but you still could file one where was a certain suspect and then have it investigated and maybe not fulfill without their being accused of filing a false report?"

Soto: "I think that that could be done, but I can also look into that and get back to you on that as soon as we're done."

Mulligan: "All right. Thank you."

Soto: "Thank you."

Speaker Lang: "Representative Kosel."

Kosel: "Thank you. Will the Speaker yield? What is..."

Speaker Lang: "Sponsor yields."

Kosel: "What is the... what is the penalty for a Class 4 felony which is the punishment in this Bill?"

Soto: "Okay. This would make a... making a crime of false reporting a Class 4 felony. It may have indirect affect in discouraging any reporting at the due... to the fear of great penalty."

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Kosel: "No, what is a Class 4 felony... a Class... pardon me, my voice is going, a Class 4 felony has a penalty attached to it, and I'm trying to find out what that penalty is."

Soto: "And I'm not finding it here, but if you can give me a minute I can look it up."

Kosel: "Thank you."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'... wait... excuse me. Representative Eddy has... no. Those in favor of the Bill should vote 'yes'; opposed 'no'. The voting is open. Oh, I'm... excuse me. Excuse me. Mr. Clerk... let's start over. I thought you were finished, Representative."

Kosel: "I was waiting for an answer from the Sponsor."

Speaker Lang: "I... I lost my train of thought up here. I apologize. Representative Soto."

Soto: "Okay. I'll read it here. Any person who normally and willfully violates any provision of the Section other than a second or subsequent violation or transmitting a false report is described for the proceeding paragraph is guilty of a Class A misdemeanor for a first violation of a Class 4 felony; for a second or subsequent violation..."

Kosel: "So... I don't deal in the courts so I don't know what that is. I mean, is... is a Class 4 felony ten years in jail or two days or... I don't know. That... that's my question. What... I'm sure... we got a 100 lawyers on the floor here who could answer that."

Soto: "Okay... well, Representative, can I just get back to you in a few minutes? I'll walk over there with one of the lawyers."

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Kosel: "Thank you."

Soto: "And we'll define it for you. Thank you."

Speaker Lang: "Mr. Eddy."

Eddy: "Thank you, Speaker. I assume we're dumping the rotating roll call at some point?"

Speaker Lang: "Yeah, in fact, the roll call is just open but if you have a question you may ask it."

Eddy: "Well, it's changing constantly. It's confusing."

Speaker Lang: "Yes it is. You have a question, Sir?"

Eddy: "Well, I have a clarification. I think the question was the Class 4 felony what... what that is and I think it's a one to three year jail sentence and up to a \$25,000 fine, and I think that was the Representative's question. So I was trying to move the process along by providing timely information."

Speaker Lang: "Representative Soto, why don't you close or answer someone's question."

Soto: "Okay. Okay. I'm sorry, I was trying to get one of the staffers down here to answer Representative Kosel's. Representative Eddy, can you repeat that please?"

Speaker Lang: "Mr. Eddy."

Eddy: "Thank you, Speaker. Our analysis indicates that a Class 4 felony is punishable by one to three years in jail and or a fine of up to 25,000, so you would be increasing the penalty for false reporting child abuse to that level from its current level."

Soto: "That is correct, Representative."

Eddy: "Okay."

Soto: "Thank you."

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Speaker Lang: "Now Representative Soto to close."

Soto: "And I thank you..."

Speaker Lang: "Those in favor..."

Soto: "... for the help."

Speaker Lang: "Those in favor of the Bill will continue voting 'aye'; those opposed 'no'. The vo... the roll call is still open. Have all voted who wish? Have all voted who wish? Record yourselves Members. Have all voted who wish? Arroyo, Burke, Golar, Hernandez, Howard. Hernandez and Howard. Please take the record. On this question, 109 voting 'yes', 3 voting 'no'. And this Bill, having received the Constitutional Majority is hereby declared passed. Returning to Senate Bill 1929, Mr. Tryon, who has already explained the Bill."

Tryon: "I've already explained it. I've talked to Representative Cole. I think her issue isn't germane to what this Bill actually does, and I would urge an 'aye' vote."

Speaker Lang: "Those in favor of the Bill should vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves. Leitch, Mell, Nekritz. Please take the record. On this question, 109 voting 'yes', 3 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2027, Representative Mussman. Please read the Bill."

Clerk Bolin: "Senate Bill 2027, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Representative Mussman."

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Mussman: "Thank you, Mr. Speaker, Member of the committees. Senate Bill 2027 simply reinstates the long understood rule in Illinois that the offense of forgery includes making or altering a document in such a way that it contains a false statement of material fact, and also reiterates that the list of ways in which a document can be forged included in the forgery statute, is a list of examples and not an exclusive or an exhausted list. I'm happy to answer any questions and would appreciate an 'aye' vote."

Speaker Lang: "The Lady moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, 110 voting 'yes', 2 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2023, Representative Pihos. Excuse me, it's 2083."

Clerk Bolin: "Senate Bill 2083, a Bill for an Act concerning business. Third Reading of this Senate Bill."

Speaker Lang: "Representative Pihos."

Pihos: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2083 amends the Limited Liability Company Act to reduce the expedited service fee from \$50 to zero for filing online. What happens right now is when you file your report you pay a certain fee, but because the expedited fee of \$50 is considered a turnaround fee within 24 hours for just simply being efficient, the state charges you \$50 for filing online. And so this is a fee of efficiency to relieve our LLCs who are filing in a timely

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manner, filing online as they are promoted to from having to pay any fee for doing so. I'd be happy to answer any questions."

Speaker Lang: "Lady moves for the passage of the Bill. The Chair recognizes Mr. Zalewski for two minutes."

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

Speaker Lang: "Lady yields."

Zalewski: "Representative, our analysis shows that the Secretary of State is obviously opposed. Can you tell us exactly why they're opposed to the Bill?"

Pihos: "Well, they're opposed because right now they're collecting about a million dollars in terms of this fee. The problem is, they're also encouraging people to file online and charging them the \$50 because when you file online whether you want it to be or not, it's automatically returned around in 24 hours because it's online. So they're opposed to that. The committee suggested to them that when we need to work on the fee structure as a whole, they said that they intended to do so in the future, but this actually becomes a penalty for what they're asking you to do."

Zalewski: "My... my understanding of the reason these things need to be expedited and the reason they charge the fee is, in certain instances companies need to file quickly to close a deal or to satisfy some sort of statutory or regulatory requirement and they can only do that if they file online and therefore, the Secretary of State charges a fee knowing

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that there's a time pressure. Is it... do you know that? Do you know whether that came into consideration?"

Pihos: "It did come into consideration because the point being is, they charge you \$50 when you file online at any time no matter if you need to file then or not."

Zalewski: "Okay. Thank you, Representative."

Speaker Lang: "The Lady's moved for the passage of the Bill. 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? Biss, Cole, Dunkin, Mulligan. Mr... Dunkin. Please take the record. On this question, there are 101 voting 'yes', 10 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2143, Representative Hammond. Please read the Bill."

Clerk Bolin: "Senate Bill 2143, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Hammond: "Representative Hammond."

Hammond: "Thank you, Mr. Speaker. Senate Bill 2143 amends the School Construction Law, and it provides that a reorganized school district or a cooperative high school may use a school construction grant application that was submitted by a school district that formed the reorganized school district or cooperative high school, if that application has not been entitled for a project by the State Board of Education and if the specified conditions are met within the current or prior four years, it changes what is currently two years. Thank you."

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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? Representative Kelly Burke, Representative Colvin. 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. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 327, offered by Representative Unes. House Resolution 329, offered by Representative Osterman. and House Resolution 333, offered by Representative Franks."

Speaker Lang: "Representative Currie moves the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted. The Chair recognizes Representative Hernandez."

Hernandez: "Point of personal privilege."

Speaker Lang: "State your point."

Hernandez: "Just want to make an announcement that the Illinois Diabetes Policy Coalition luncheon, we just got notice that it's going to have to be switched from the Lieutenant Governor's Office to the Secretary of State's Office on Tuesday, May 10. It's still going to be hosted by the Lieutenant Governor and I just want to say that all foods are local... are locally grown and are produced foods. So, hope all can make it. Thank you."

Speaker Lang: "Mr. Smith."

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Smith: "Mr. Speaker, I'd like to be recorded on Senate Bill 2083 as a 'no'."

Speaker Lang: "The record will reflect your intentions, Sir. On the... on page 2 of the Calendar, on the Order of House Readings... House Bills-Second Reading, appears House Bill 1362, Mr. Moffitt. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1362, a Bill for an Act concerning local government. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Moffitt has been approved for consideration."

Speaker Lang: "Mr. Moffitt."

Moffitt: "Move to adopt the Amendment that's been approved."

Speaker Lang: "Could you explain the Amendment, Sir?"

Moffitt: "Yes. It... this is one for the fire protection districts and will allow them to be paid interest, collect interest if they have not been reimbursed in a contract for fire protection and give them some ability to recoup costs."

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

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

Speaker Lang: "Third Reading. And now, allowing perfunctory time for the Clerk, Representative Currie moves that the House stand adjourned till Tuesday, May 10, at 12 noon. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair the 'ayes' have it and the Resolution... the Motion

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passes and the House is adjourned. Happy Mothers Day to all."

Clerk Bolin: "House Perfunctory Session will come to order. Introduction and First Reading of Senate Bills. Senate Bill 122, offered by Representative Ford, a Bill for an Act concerning education. First Reading of this Senate Bill. Second Reading of House Joint Resolution Constitutional Amendment #5, offered by Speaker Madigan.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article XIII of the Illinois Constitution by adding Section 5.1 as follows:

ARTICLE XIII

GENERAL PROVISIONS

SECTION 5.1. PENSION BENEFIT INCREASES

(a) A bill shall not become a law without the concurrence of three-fifths of the members elected to each house of the General Assembly if that bill increases a benefit under any pension or retirement system of the State, any unit of local government or school district, or any agency or instrumentality thereof. However, if the Governor vetoes a bill so passed by returning it with his objections to the house in which it originated, then that bill shall not become law unless, upon its return, it is passed by a record vote of two-thirds of the members elected to each

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house of the General Assembly. Likewise, if the Governor returns a bill so passed with specific recommendations for change to the house in which it originated, then those recommendations may be accepted only by a record vote of two-thirds of the members elected to each house of the General Assembly. The provisions of this subsection (a) apply notwithstanding Article IV.

(b) An ordinance, resolution, or other action of the governing body of any unit of local government or school district shall not be valid without the concurrence of three-fifths of the members of that governing body if that ordinance, resolution, or other action increases a benefit under any pension or retirement system for officials or employees of that unit of local government or school district, or any agency or instrumentality thereof.

(c) For the purposes of this Section, a bill, ordinance, resolution, or other action increases a benefit if it increases the amount of an existing benefit, adds a new benefit, or expands the class of persons eligible for a benefit, regardless of whether it includes an increase in contributions or a reduction in any other benefit.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This has been the Seconding Reading as amended of House Joint Resolution Constitutional Amendment #5. There being no further business, the House Perfunctory Session stands adjourned."