

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

114th Legislative Day

3/21/2012

Speaker Lyons: "Good afternoon, Illinois. Your House of Representatives will come to order. We shall be led in prayer today by Reverend Doctor Randall... Rande Smith, who is with the Community Church of Rolling Meadows in Rolling Meadows, Illinois. Dr. Smith is the guest of Representative Mussman. Members and guests are asked to please refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. Dr. Smith."

Dr. Smith: "Eternal God, on this day 73 years ago, Kate Smith recorded God Bless America. That song has been sung at sporting events, at entertainment venues and in religious worship services ever since. It has been sung by people of all ages, races, and creeds. I suspect it has been sung by most everyone in this room this afternoon and that song is our prayer today. We are asking for Your blessing in a general way on our national and local governments and very specifically on Illinois and this General Assembly. And just as we remember today that good thing that Kate Smith did 73 years ago, we pray that some good thing might come out of our work together today that will be remembered and appreciated by future citizens of this great state. I pray that You would guide these Legislators so that they might bring honor to You, to those of us who live in Illinois, and to themselves and allow me to conclude our prayer with a charge that we end our time of worship with friends, go into Your Session today in peace, have courage, hold on to what is good, return to no one evil for evil, strengthen the faint-hearted, support the weak, help the suffering,

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honor everyone, and love and serve your God in whose name we pray, Amen."

Speaker Lyons: "Representative Patti Bellock, would you please lead us in the Pledge of Allegiance."

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

Speaker Lyons: "Roll call for Attendance. Leader Barbara Flynn Currie, status of the Democrats."

Currie: "Thank you, Speaker. Please let the record reflect the excused absences of Representatives Biss, Dugan, Ford, Franks, Jones, Mayfield, and Thapedi."

Speaker Lyons: "Leader Bost, the GOP."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives Kosel, McAuliffe are excused today."

Speaker Lyons: "Mr. Clerk, take the record. There's 105 Members responding to the Roll Call, we have a quorum present, prepared to do the work of the people of the State of Illinois. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on March 12, 2012: recommends be adopted, referred to the floor is House Bill.. Floor Amendment #1 to House Bill 4548, Floor Amendment #2 to House Bill 5001, Floor Amendment #2 to House Bill 5114 and Floor Amendment #1 to House Bill 5337; approved for consideration, referred to Second Reading is House Bill 603. Introduction of Resolutions to the Rules Committee.

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House Resolution 859, offered by Representative DeLuca.
House Resolution 860, offered by Representative Pihos.
House Resolution 861, offered by Representative Greg Harris.
House Resolution 872, offered by Representative Dugan.
House Joint Resolution 75, offered by Representative Monique Davis.
And House Joint Resolution (sic-Senate) 46, offered by Will Davis."

Speaker Lyons: "Representative Deb Mell, for what purpose do you seek recognition?"

Mell: "Good afternoon, Mr. Speaker. Point of personal privilege."

Speaker Lyons: "Please proceed, Deb."

Mell: "Okay. So, this past fall, Econ Illinois held a stock market game, a statewide competition and they invited local schools to participate. I'm very proud to announce that my local high school, Theodore Roosevelt High School, took first place in the state. They are... they're up in the gallery. And we have educators Mr. Spahovic and Mr. Alegre and we have students Timothy Dahlstrom, Elijah Gebre, and Kimberly Mayo. I'm very proud of them and if we could just give them a quick round of applause. You guys, stand up."

Speaker Lyons: "Congratulations, Roosevelt High School. Welcome to your Capitol. We're very proud of you. Representative Mike Unes, for what purpose do you seek recognition, Mike?"

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

Speaker Lyons: "Please proceed."

Unes: "Thank you, Mr. Speaker. With us today are two very special groups visiting their Capitol that I'd like to

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introduce and recognize. First off, to my right, if they would please stand and be recognized, is Tony Trad and Tony has a group of District 86 students that are enjoying their spring break and... and using that to come their Capitol. So, with us is Tony Trad, Tony Trad Jr., Sophie (sick-Sophia) Trad, Gabbie Trad, Rileigh Fortune, and Brenin Lamprecht. If you would please stand and be recognized. Also, Mr. Speaker, to my left... to my left in the gallery, we have the professor and the director of the Dietetic Internship Program at Bradley University, Amanda Newell. And Amanda is here with a group of dietetic interns and grad students from Bradley and if they would also stand and be recognized. With us... with Amanda Newell today is Mike Donini, Katrina Sommer, Kelli Roling, Sarah Smith, Jennifer Imhoff, Lauren Sommer, Angela Meyer, Kaci Westrich, and Fran Moody. Welcome Bradley interns and grad students from the dietetic program."

Speaker Lyons: "Welcome to your Capitol, enjoy the day, proud to have you. Representative Mike Bost."

Bost: "Thank you, Mr. Speaker. For a point of personal privilege, please."

Speaker Lyons: "Please proceed, Leader."

Bost: "Mr. Speaker, if I could get the Body's attention. There was something that took place this last week that I believe should be brought to the attention of the Body. Mr. Speaker, two things occurred in my district this last week. At a time when we're talking about closures that the Governor's brought up, one thing that occurred was Senator Dave Luechtefeld, who is a longstanding Member of the

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Senate, went to check out the facility in Murphysboro and was refused access through the Juvenile Justice director. That has always been... as long as I've been in this Body, if at any time there's a facility in your district and you want to tour that facility and/or go in as a standing Legislator, that is never denied to you. Mr. Speaker, I need to say on the record right now, we are elected officials, we have always had the power to do that, no questions from the directors. Now, if they send their wardens and/or their superintendents to walk with us and be with us, that's appropriate, but do not deny us that right. Secondly, as we're talking about one of those facilities being closed is in Representative Phelps's district is Tamms. In Representative Costello's district there was a known gang member that requested a hit on another person in the correctional facility and that communication was intercepted. He was brought before the internal investigation and this is what he told the officer who was doing the investigation. You've already got rid of the death penalty in the State of Illinois, you're closing Tamms. What are you going to do put me in time out? Ladies and Gentlemen, when we move forward with this budget and we look at what we're going to be doing, we need to make sure that we keep control of our prisons and keep the gangs under control so that people are not hurt who are working in the State of Illinois. And the sad thing about the way that the gang system works, they can have those hits out on the streets. So, to protect the citizens of the State of Illinois, it was important to bring that up, Mr. Speaker. I

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believe and having it said here on the House Floor so the citizens of the State of Illinois understand what that facility does. Thank you."

Speaker Lyons: "Representative Patti Bellock, for what purpose do you seek recognition?"

Bellock: "Point of personal privilege."

Speaker Lyons: "Please proceed, Patti."

Bellock: "Thank you. I just, Mr. Chairman, wanted to make a followup comment on that as cochair of COGFA and we have spent a lot of time going around the state to all the different facilities. And I appreciate those comments that he made that I think that all Legislators, especially Legislators from a district because we have had concerns from those Legislators when we conducted the public hearings at those places, such as Murphysboro and Tinley Park and Jacksonville, that sometimes the Legislators could not be present due to their schedule actually at the Capitol. So, I would reinforce the issue that all Legislators, especially Legislators from those areas should be able to go to those facilities to tour them. Thank you."

Speaker Lyons: "All right. Ladies and Gentlemen, as we well know we received memos prior to our break and we're going to be going through your list of priorities; we have it from the Republicans, we have it from the Democrats. So, we'll be skipping around, most of these are Third Readings, some are Second going to move to Third, and I'll be going through this alphabetically. So, pay attention, stay on the floor, stay in your seats, so if we see you there, we can call on you. Representative Acevedo, on the Order of Second

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Reading, you have House Bill 4510. Representative Acevedo, 4510. Do you wish to move that to Third Reading? Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 4510, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Barickman, on the Order of Third Reading, you have House Bill 5314. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 5314, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Champaign, Representative Barickman."

Barickman: "Yeah. Thank you, Mr. Speaker, Members of the House. House Bill 5314 is an Amendment to the Security Deposit Return Act. This Amendment allows for notifications to be sent by electronic mail. It's a technical Amendment. Glad to answer any questions. I'd ask for your 'aye'... your support in it."

Speaker Lyons: "You've heard the Gentleman's explanation on House Bill 5314. Is there any discussion? Seeing none, the question is, 'Should House Bill 5314 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Ramey, to be recorded? Mr. Clerk, take the record. On this Bill, there's 105 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional

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Majority, is hereby declared passed. Representative Dan Beiser, on the Order of Third Reading, you have House Bill 4452. Out of the record. Representative Toni Berrios, on the Order of Third Reading, on page 20 of the Calendar, you have House Bill 4096. Out of the record. Representative Patti Bellock, on page 21 on the Calendar, you have House Bill 4990. Representative Bellock. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 4990, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "Bellock, out of the record? Out of the record. Representative John Bradley, you have, on the Order of Second Reading, House Bill 4568. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 4568, a Bill for an Act concerning finance. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A balanced budget and correctional note has been requested but not filed on this Bill."

Speaker Lyons: "Representative Costello."

Costello: "Yes, Mr. Speaker. I would like to withdraw my notes from this Bill."

Speaker Lyons: "Gentleman makes a Motion to withdraw his Amendments. So, all those in favor of the Amendments... withdrawing the Amendments signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendments are withdrawn. Anything further, Mr. Clerk?"

Clerk Hollman: "No further Motions."

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Speaker Lyons: "Third Reading. Representative Kelly Burke, on page 23 of the Calendar, you have House Bill 5211. Read the Bill, Mr. Clerk. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 5211, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Lyons: "Representative Kelly Burke."

Burke, K.: "Thank you, Mr. Speaker. House Bill 5211 amends the Consumer Fraud and Deceptive Practices Act, specifically banning a telecommunications carrier from placing third party charges on a landline telephone bill except in specific instances that are defined in the Bill. The Bill will stop the practice of cramming which is the placement of fraudulent charges that were neither authorized nor utilized by the landline customer. Those fraudulent charges have added up to billions of dollars and they have plagued customers from all sectors: residential, business, and government users. It's an initiative of the Attorney General's Office. And the Attorney General's Office worked very hard with the industry to come up with the exceptions and has the support of the industry. I ask for an 'aye' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, all those in favor of the passage of House Bill 5211 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Morrison and Riley, like to be recorded? Representative Riley, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there's 105 Members

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voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Chapa LaVia, on the Order of Third Readings, on page 19 of the Calendar, Linda, you have House Bill 3826. Representative Chapa LaVia. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 3826, a Bill for an Act concerning service dogs. Third Reading of this House Bill.

Speaker Lyons: Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. Happy day after election. This Bill was a... is a Bill that I ran last year and it... in the Senate they changed it because they felt that some kids shouldn't be allowed to have service animals. And what we found out it was going against ADA regulations at the federal level, so we need to put it back where it was. So, I ask for an 'aye' vote, but what it is, is a gut and replacement. Changes the language regarding the types of disabilities for which a service animal may be utilized and restores language requiring schools to permit service animals at school functions. The very interesting thing about this is that now a days people are even... kids are even using dogs when it has to do with diabetes. If the kid's getting ready to go into shock, the dog can actually sense that and that... and then there's, you know, they give signals to administer insulin to the child. This helps with autism. This helps... the whole spectrum of Asperger's and things like that. So, I ask for 'yes' votes. Thank you."

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wish? Representative Gaffney, Reboletti, like to be recorded? Mr. Clerk, take the record. On this Bill, there's 104 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Costello, on page 20 of the Calendar, on House Bills-Third Reading, you have House Bill 4129. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 4129, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from St. Clair, Representative Costello."

Costello: "Thank you, Mr. Speaker, Members of the General Assembly. House Bill 4129, this legislation would allow someone to register and enforce a child support administrative order in Circuit Court. Currently, administrative court orders cannot be enforced or amended by Circuit Court judges. Those orders can only be enforced or amended by administrative courts. The proposed legislation would make it easier for someone who is already in Circuit Court on another matter. For example, if they were in Circuit Court to deal with the issue of visitation for a minor child, he or she could also deal with child support issues rather than having to go to two different court systems. I thank you and I ask for an 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? The Chair recognizes Representative Jim Durkin."

Durkin: "Will the Sponsor yield?"

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Speaker Lyons: "Sponsor yields."

Durkin: "Representative, I think it... make this perfectly clear.

You're saying that this order is going to be... are we making it a self-authenticated document which you can just summarily use in a court proceeding?"

Costello: "No, it would not be, Representative."

Durkin: "Could you just explain to me again what you are accomplishing with this."

Costello: "Actually... I mean the design of this is to cut down on the... the problems in the court system as far as having to go to administrative court and to Circuit Court for a child support issue. This is something that I worked with... with the Department of Health and Family Services at their advice."

Durkin: "Well, I notice that you have a counsel over to your left. Maybe this I'll ask you that will be sent to your attention. Again, is this order something which again we are using for evidentiary purposes in a courtroom?"

Costello: "Right. Yes. All you're giving is the court the ability to alter a final order, and I'm sorry from a legal standpoint, maybe I didn't answer it correctly the first time."

Durkin: "To alter the document as opposed to what is currently... what is the process right now?"

Costello: "Yes. It... the entire child support process? I'm not sure I understand your question exactly."

Durkin: "Well, I guess I'm... I'm not quite still following you. You said you're allowing the court to alter the document.

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And why do we have to pass a law if we're allowing a court to go back into revise an already existing order?"

Costello: "Yes. It allows the judge to alter it if there's a change in circumstances."

Durkin: "Can't he already do that? I think a court can do that based on a petitioner's motion."

Costello: "Not if it's issued by the department."

Durkin: "All right. Just say... Okay. All right, very good. Thanks."

Speaker Lyons: "Seeing no further discussion, all those in favor of the passage of House Bill 4129 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brown, Bill Mitchell, Carol Sente. Mr. Clerk, take the record. On this Bill, there's 105 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Fred Crespo, on page 19 of the Calendar, under House Bills-Third Readings, you have House Bill 3810. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 3810, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "Representative Crespo."

Crespo: "Thank you, Speaker, Members of the House. House Bill 3810 amends the School Code to abolish the legislative tuition waiver, commonly known as General Assembly scholarships program, after June 1 of 2012. A couple of things... a couple of points I need to make. Number 1) these are not scholarships. There's no money behind it. They are

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really unfunded mandates. We tell our colleges and universities in the state to accept these students and not to charge them tuition. Number 2) the colleges do make money. I mean, they have to recover their costs and as a result, what they do is they raise tuition rates to make sure that other students subsidize the cost of these tuition waivers. We've had many other cases that we've read in the paper of some abuses to the program as well. I'll be happy to answer any questions."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Monique Davis."

Davis, M.: "Will the... excuse me, will the Sponsor yield?"

Speaker Lyons: "The Sponsor yields."

Davis, M.: "Representative, does your legislation totally eliminate the scholarships?"

Crespo: "Yes, it does."

Davis, M.: "And your reasoning is?"

Crespo: "Again, as... the program is flawed at so many different levels, Representative. Number 1) most importantly, we are... it's an unfunded mandate. It's on the colleges not to charge these students tuition and they're losing collectibles because of that. As a result, what they're doing is having other students subsidize the cost of those tuition waivers not the scholarships."

Davis, M.: "Now, Representative, you know, I taught school, and whether I had 20 kids or 30 kids my salary was the same. So, to put an extra child in a college class is not adding one additional dollar to that tuition of that university. So, where are you coming up with this?"

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Crespo: "Representative, I... I respectfully disagree with you. There's only so many seats. When colleges admit students, freshman class, there's a limited amount of seats that they have."

Davis, M.: "Well, that..."

Crespo: "That's why... that's why they had... that's why they cut and not everyone gets in. So, to say..."

Davis, M.: "So, they're not claiming... they're not claiming that they're overcrowded. That is not the university's claim. Let me ask this question. Are the un... did the university personnel, did they lose their children's scholarship, in your Bill?"

Crespo: "I..."

Davis, M.: "The university people get half tuition for their children. Did you cut that out too?"

Crespo: "I did not cut that out. It wasn't a part of this Bill. I believe there's a Representative who is carrying that Bill. And where as..."

Davis, M.: "To the Bill. To the Bill, Mr. Speaker. Monique D. Davis, State Representative of the 27th District, I believe we had corruption in the Governor's Office, but we did not eliminate that office. We've had disparities in the early childhood education pay, you know, saving for college fund for your children. We have not eliminated that office. Now, what I see here is an attempt to remove from the working-class people of the State of Illinois any opportunity to get anything back for their tax dollar. Now, the people who get these scholarships they have a right to move, parents get divorced, children go with this one or the other one

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after getting the scholarship. So, I believe the Bill that says the state board will notarize the address or the addresses have to be notarized, I believe, that's a good way to go but to take one more thing... one more thing from the average American or Illinoisan who is working..."

Speaker Lyons: "Monique, your time expired. We'll give you another minute."

Davis, M: "Thank you, Mr. Speaker. I believe that working everyday Americans and those who live in Illinois who pay taxes, who don't get big fat contracts from the State of Illinois, deserve something. This is a very small something. If you had three kids in college and the State of Illinois can give one of them a scholarship, let's do it. I think the problem is there are too many people who are not rich going to the University of Illinois. There were too many people of color getting those scholarships. I think that's what the problem might be. I urge a 'no' vote on this Bill and you ought to speak to it. Keep giving your residents something for their tax money. Vote 'no'."

Speaker Lyons: "Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative Crespo, before I ask you some questions, I want to recognize the fact that this issue has been around for a few years. It's been bandied about for a long time. On our side of the aisle, Representative Pihos has worked very, very hard on this issue as well. In fact, I think she has House Bill 3901 that was introduced. It's probably got 50 Sponsors on the Bill. And I... I want to

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address the fact that this... this issue has a history, and throughout the history that I've been in the General Assembly, there have been times when there have been scholarships awarded not by the process that a lot of Representatives use. A lot of Representatives use a process that's a blind process where committees meet, they consider applicants, they come out and they find some individuals and it's done right; it's done well. But during that entire time that this has been discussed over the years, there have also been numerous times that these scholarships have gone to individuals that according to the rules of the scholarship weren't supposed to get those. Isn't that true?"

Crespo: "Correct."

Eddy: "So, while the... while the program has been under scrutiny for all those years, even while it was being watched, we saw abuses. Isn't that correct?"

Crespo: "Correct, Representative."

Eddy: "So, this isn't new. This isn't something we haven't examined before. This is something that continues to happen to the point where individuals like Representative Pihos with... with a good intention, yourself, others have said it's time for a lot of reasons to make sure that this program ends. The previous speaker alluded to the fact that there are individuals who are of low income and may not be able to go to school, and there are numerous scholarships awarded in this state that are for those in need. Is this a need-based scholarship, Representative?"

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Crespo: "No, it's not, Representative. If I may add, for anyone to suggest, the most scholarships... I'm sorry, tuition waivers you can give in any year are eight. And for anyone to suggest that they only have eight students in their districts that have this need, they're wrong. We know we have a hundreds more to that."

Eddy: "So, to characterize this as a need-based program, I think stretches what the real purpose of this could be, and for years, I'm sure there are Legislators who use it correctly and they did need-based. They did it correctly. The point is and the fact that you've pointed out very well and... and Representative Pihos has on several occasions, is this is a program that according to the State Board of Education has a cost to it and this year it's in the 10... over \$10 million it will cost universities."

Crespo: "Thirteen point five million dollars this year."

Eddy: "Thirteen point five million. I think I just read an article the other day that Illinois is no longer able to provide some scholarships on need..."

Speaker Lyons: "Roger, I'll give you another minute."

Eddy: "Thank you. I just read where Illinois is no longer able to provide some need-based scholarships to students. So, this is really an opportunity to prioritize what types of scholarships we're going to give out. Ladies and Gentlemen of the House, I... I've been a supporter of this scholarship in the past. I've been hesitate to talk about ending this because it is a scholarship and scholarship money to educate kids is important. I don't disagree with that concept. I think though, because of the fiscal issues that

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we face and because of the continual problems that occur with this scholarship, it is time. And Representative Crespo and Representative Pihos, I want to thank you as well for your work on this, and I would urge the Body to stop this now. The time has come to end this scholarship."

Crespo: "Thank you."

Speaker Lyons: "Representative Bost. Representative Bost."

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

Speaker Lyons: "Sponsor yields."

Bost: "Representative, I... I and this is not a new issue. It's been around as long as I've been in the General Assembly, every couple of years it comes up. It... here's my question. As we talked about the things that have occurred and there are abuses... abuses that have occurred with this scholarship over the years. Would you be interested in carrying a Bill that would put guidelines in place so that we would not actually take away the opportunity to provide for many of these students, instead of, and not directed towards you but quite often this is carried for political means only, okay. It's real good to have on a brochure and say look I want to get rid of this but because it's an abuse. Well if you want to stop the abuse, let's allow the opportunity for these students to actually receive these scholarships but do it in a way where we actually have some rules over the General Assembly Members that actually hand them out and do something illegal... or to do something that's unethical."

Crespo: "Well, Representative, if you recall when I started speaking today, there's a fundamental flaw with this program. Notwithstanding all of the abuses that we've heard

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about, this is an unfunded mandate. We're basically just telling... "

Bost: "Well..."

Crespo: "...the colleges and universities..."

Bost: "Okay."

Crespo: "...we know these kids or students are occupying those seats, but you cannot charge them for tuition; hence, you have to charge everybody..."

Bost: "However..."

Crespo: "...else to subsidize the program. That's even before we get into the abuses and everything else. I mean, it's... it's special... "

Bost: "Oh, good, because if I can... If I can, Representative, I do have an answer for that. You say that this is an unfunded mandate. And I will argue, and I represent Southern Illinois University, that I would say that many of these students not given this opportunity would not attend these classes. I would also say that many of these seats are available anyway. So, now we're waiving the tuition, but these students still... still must pay tuition... or must pay book fees, student fees. They must pay housing and they must be active at the university. So, I would say that actually the universities, by having these students there, are actually making money that they wouldn't be making because either they would be going someplace else. Or now... now, you can shake your head on that, but I know for a fact that many of these students would not be able to go that I have given them to over these last 18 years. And let me tell you that these students are... are some of the best

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students that... they're now active in our state, paying taxes, working great jobs, staying in the State of Illinois. So, I..."

Speaker Lyons: "Mike, give you another minute."

Bost: "Thank you, Mr. Speaker. I don't think it's an unfunded mandate, but... but thank you for your time."

Speaker Lyons: "Representative Al Riley."

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

Speaker Lyons: "Sponsor yields."

Riley: "Representative, the total amount of the General Assembly tuition waivers is thirteen and a half million dollars?"

Crespo: "Correct."

Riley: "Do you know the total amount of waivers granted every year to public institutions? Do you know what that number is?"

Crespo: "I'm sorry. Total waivers?"

Riley: "Total waivers."

Crespo: "From all different types of waivers? I know there's some other waivers that have to do with the total amount."

Riley: "All different types... all waivers, all waivers going to public universities in total?"

Crespo: "I don't know the total."

Riley: "I know, it's \$414 million. Thirteen and a half million dollars, there's two types of waivers, mandatory and discretionary. For the purposes of me asking you questions, mandatory waivers can be thought of as statutory waivers. Discretionary waivers are waivers that are left up to universities. About 1300 people go to school on the basis

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of our thirteen and a half million dollars in the legislative scholarships. Fifty thousand people every year, a report from the IBHE that I'm holding in my hand, 50 thousand people for a total of \$414 million go to school on waivers. Some of the other mandatory waivers that are set by statute are ROTC, of course, the General Assembly, teachers special ed, senior citizens, veterans grants. That's about \$66 million. The rest which is about \$348 million actually are waivers that the public institutions give out. So, the issue that somehow this \$13 million that come from people that many people respect which is us, they sent us down here, \$13 million the schools themselves give out \$348 million worth of waivers every year, including graduate assistants and people of that nature. Now, what... what would you say to that especially when we talk about cost. I think that... I think that that fact just obliterates the whole issue of cost to the institutions."

Crespo: "Well, I disagree, Representative. If what you're..."

Riley: "What you can't disagree... you can't disagree with these figures, Representative."

Crespo: "I'm... I'm... not refuting the numbers. I have the report, I see where you're talking about and they're accurate. If what your suggesting is that we should get rid of all the waivers... "

Riley: "I did not say that."

Crespo: "...I disagree with you."

Riley: "Well... "

Crespo: "There's no way you get rid of veterans waivers."

Riley: "It... it... you know what... "

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Crespo: "There are some that are well-deserved and some that have... "

Riley: "Representative... Representative Crespo..."

Crespo: "...a process in place to deal with it."

Riley: "Representative..."

Crespo: "Not to leave it up to us."

Riley: "Representative Crespo... you know, I mean, we know each other, but don't put words in my mouth. We just got finished with the campaign yesterday. I did not say that. I'm saying the \$13 million of legislative scholarships pales in comparison to the \$348 million..."

Speaker Lyons: "Representative Riley, one more minute."

Riley: "Thank you."

Speaker Lyons: "Representative..."

Riley: "To the Bill. Let me read something from this very... you know, we ask the Executive Branch to do these special reports for us all the time. This is a report that comes out every year and I would suggest everybody reads it. I'm just going to read you a conclusion from the IBHE, 'public university tuition and fee waivers enhance access to higher education for a large number of students from various backgrounds and diverse qualifications and talent. Mandatory waivers provide access to students and support statewide initiatives where discretionary waivers allow institutions with varying missions to attract and retain a diverse student body'. That's something I'm reading from a report. All that I'm saying is, you know, let's look at reality instead of making these broad public policy

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decisions on the basis of anecdote and things that just make no sense, whatsoever. Thank you."

Speaker Lyons: "Representative Sacia, three minutes."

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

Speaker Lyons: "Sponsor yields."

Sacia: "Ladies and Gentlemen, nearly everyone that has spoken has made reference to the fact that this Bill has been around forever. That being said, it's been defeated every year and it needs to be defeated again. If there was ever a program that was meritorious and Representative Bost could not have said it better, this is not a significant cost to the universities if you take the entire issue in context. For 10 years I have given out these scholarships, the 10 years that I have been here. Every year I have between 80 and 90 applicants, every year 8 of my school superintendents sit down and choose the best of the best from that group of young people. I have yet, sending 8 kids every year, I have yet to not receive one profuse thank you for something so meritorious giving them an opportunity to go on to school. What a shame that some of our colleagues have abused this system. This is one of the finest opportunities for young people out there. It gives kids without an otherwise opportunity to go who don't have the financial wherewithal and Representative Davis said that so well. Ladies and Gentlemen, don't kill this program. It is so necessary to needy young people. Thank you."

Speaker Lyons: "Representative Flowers."

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

Speaker Lyons: "Gentleman yields."

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Flowers: "Representative, what burden is this costing the State of Illinois."

Crespo: "It's not costing the State of Illinois nothing per se. We're talking about the colleges and state universities."

Flowers: "State universities is a part of the State of Illinois."

Crespo: "Sure."

Flowers: "Okay. So, we're talking about \$31 million?"

Crespo: "Thirteen point five million dollars at the last report."

Flowers: "Thirteen point five? Okay."

Crespo: "Correct."

Flowers: "Okay. But chances are if these students were to graduate they will make a return on the dollars as far as being able to work and pay taxes because we are in dire need here in the State of Illinois. And when you take into consideration... when you take into consideration that over the past few years, we've had over 926 years of people who were falsely incarcerated and they cost the state \$214 million. Those were the wrongfully convicted and we'll never get our money back on that. There's no returns on those dollars and I don't hear anyone trying to get rid of the prison system. And so, furthermore, it doesn't take into consideration that the wrongfully incarcerated doesn't have nothing to do with the cost of the ones that actually committed the crime that we're going to have to incarcerate. So, don't you think that it is better that we try to educate... after all, the money that you are talking about belongs to the taxpayers. So, surely, if we could

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wrongfully incarcerate people, it should be okay that we should educate them considering it would be cheaper, considering it is their tax dollars, considering that they will be putting moneys back into the coffer of the State of Illinois so we will no longer have to borrow or either sell the assets of the state. Would you not agree?"

Crespo: "Representative, all I can say is I hear you."

Flowers: "Would you not agree?"

Crespo: "I... I'm not sure how we jumped from a tuition waiver to incarceration. Some of your premises I don't agree with. Just to say that... "

Flowers: "Well... "

Crespo: "...yes, because you go to college you're going to graduate, that's not the case. We have two state colleges that have four-year graduation rates of 4 percent. So, to make the assumption that because you go to college you're going to graduate and move on with the rest of what you said, I... I hear you."

Flowers: "Well, as far as I'm concerned, Representative, as far as those two colleges that you're talking about, the rates are down as far as college education and as far as people enrolling in college. And I'm really proud of what the Federal Government is doing.. especially Senator Durbin, he's talking about having the... "

Speaker Lyons: "Mary, your time expired, one more minute."

Flowers: "Senator Durbin is talking about having the private student loans. I know it's totally different, but he's talked about having that... so they could file bankruptcy. So, that would be like a grant to them. So, this is the

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same principle. We should allow these students and their parents to use their dollars because they're being taxed twice. It is a benefit to the State of Illinois. And I would urge all of my colleagues to please vote 'no' and allow the taxpayers to send their children to college. After all, they're being taxed twice. Thank you."

Speaker Lyons: "Representative Moffitt."

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

Speaker Lyons: "Sponsor yields."

Moffitt: "Representative, it's already been brought out this issue's been brought up many times and I certainly have tried to be objective and look at both sides. I've always used an independent committee. They made the selection, based it on merit, I didn't even see the names 'til after they had made the selection. Did you give any thought to set... putting some guidelines there, so that... we've had some bad actors, there's no doubt about it, but why don't we put in safeguards so we won't have the bad actors? Did you put... give any thought to that?"

Crespo: "No, Representative. I explained to Representative Bost before you, it's is a fundamentally flawed program. There's no money behind it. I'm not even... you know, we'll talk... if you want to talk about the abuses and what's been reported by the BGA, the Tribune, we can do that, but there's no money here. Now \$13.5 million I guess is a relative number, \$13.5 million is \$13.5 million, that the universities have to charge the other students so they can subsidize this tuition waiver."

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Moffitt: "Okay. Just, I guess, some observations and it... it... when the debate's all finished, you know, I'll take a look at it, but this is the only program that I know of that guarantees that there'll be 8 scholarships, 8 financial assistance to every district in the state. I don't know of any other that would guarantee that. So, unless something like that's in place, that benefit's no longer there. I've talked to any number of families, students, parents, that said that getting this legislative scholarship was the deciding factor of why they went to that state school instead of somewhere else. So, instead of hurting the state university it actually brought them additional business. And if they're not totally filled, then it was one more seat that where they have a student coming. I've had some tell me that it's the only reason they went there one year and then they stayed an additional three or four years bringing revenue. It's already been brought out all the other scholarships, financial assistance that's available. And I'll tell you, it's just... just an observation. It's pretty hard to think of some of these universities as being poor or financially struggling when they can pay coaches \$7 million to not finish their contract. That would have paid for half of the cost that's been represented here. I think we need to talk about problems like that too. Thank you."

Speaker Lyons: "Representative Jakobsson, three minutes."

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

Speaker Lyons: "Sponsor yields."

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Jakobsson: "Representative, I want to thank you for bringing this Bill to us. I know that people said that it's been here before and yes, it has been here before, I sponsored it once, other people have sponsored it and I think that's because a lot of us really believe that it's time to eliminate these scholarships. And I had heard people talk about abuses and maybe that's a reason. To me, the abuse that really is involved with these legislative scholarships is the abuse to the universities. The abuse to the universities who get nothing in return, except some more students and more... but no monetary return for those. It's abuse to the taxpayers because we're sending them a bill. Because look at our fiscal situation that we've had for the last several years, our universities are suffering, our constituents are suffering. I want to thank you for bringing this Bill and can you tell us again, do I have this right? Well, you tell me. What is the amount that we have had unfunded scholarships in the last year?"

Crespo: "As of the last report, Representative, it was \$13.5 million a year for the last... for this current year."

Jakobsson: "Thank you. Thirteen point five billion dollars just sending students... sending them a bill with never an intention of paying it. So, thank you, again. I would urge an 'aye' vote..."

Crespo: "Thank you."

Jakobsson: "...on this Bill."

Speaker Lyons: "Representative David Harris."

Harris, D: "Thank you, Mr. Speaker and Ladies and Gentlemen. To the Bill. The Sponsor and I spoke at some length prior to

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his introduction of this Bill. I had a lot of questions; he was kind enough to answer all those questions for me. This was back in the summer when this issue was getting an awful lot of attention. He introduced it during... during the break prior to the Session beginning here this year. And some of you know that I go back a little ways and... and I received a call from a young woman... well, she's not so young anymore... from Bloomington, Illinois, who said, you know, when you were there previously you gave me a scholarship. I am now an attorney. She works in the education field and she's at Bloomington, Illinois. She said, what you did helped me get my education. The Ladies from Cook, the Gentleman from Cook, the Gentleman from Winnebago, argued articulately as to why we should keep these scholarships and they really do help individuals around this state. The problem is this. The program itself has brought the Body into disrepute. Rightly or wrongly, the overwhelming majority of the Members of this House and of the Senate, the overwhelming majority of us, award the scholarships correctly. We do not abuse the program, but the program itself has brought this Body into disrepute, and I think that in and of itself is worthy of consideration as to why we should support this Bill. And let's not ignore the money issue. I mean thirteen and a half million dollars to the University of Illinois doesn't break the bank. The state owes them, what, about \$400 million already, but thirteen and a half million dollars is not a drop in the bucket. It is real money. And as much as we would like to help the students in our districts, and there is a genuine need, at the same time

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there is a financial impact to all of the universities in this state to which these scholarships are awarded. So, for that reason, I stand in support of the Bill and hope that you will vote 'yes'."

Speaker Lyons: "Representative Arroyo."

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

Speaker Lyons: "Sponsor yields."

Arroyo: "Freddie, I have a Bill similar to this that takes the scholarships away from all the professors and all the deans in all the universities. How would you vote on that Bill, Fred?"

Crespo: "Well, I haven't seen your Bill, Representative. I see that there are some common things. Number 1) they are tuition waivers. I'm not sure what process they used to give those out, I believe it's for their employees. I'm not sure there's been any unethical behavior on how they give those scholar... or those tuition waivers. To this point, I haven't read the analysis. I'm looking at this vote right now. As soon as you bring up the Bill, I'll be more than happy to take a good look at that."

Arroyo: "Fred, because this Bill is going to... you know, a lot of my colleagues talk to me in committee and asked me to amend the Bill to tax the universities. They said they wanted to do various kind of things and put a cap on the amount of money you could spend. You could be getting paid to be able to accept this scholarship. So, there's a lot of things wrong with that. I don't want to tax it and I don't want to put a cap on it. If we are going to get rid of them, why don't we just get rid of all of them? It cost us

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\$387 million that the higher education said that it cost for all scholarships through the whole State of Illinois. That would be private colleges, that's city colleges, the State of Illinois, the tuition waivers. So, if we're going to get rid of all of them, why don't we... if you want to get rid of the General Assembly's, why don't we just get rid of all of them, Fred?"

Crespo: "Representative, again, we've heard the debate today that there's \$414 million in tuition waivers in the state. Each one, we need to look at each and every one of them and look at them on their merits. I don't know... For example, I don't think I want to go on record saying that we're going to get rid of tuition waivers for veterans. Absolutely not, I cannot agree with that. So, I think we need to look at each and every one individually and if it relieves some of the pressure points for the colleges and universities, I think we should take a look at that."

Arroyo: "So, you calling this Bill because it's a financial burden on the state? Is it the money or you just want to eliminate the scholarship?"

Crespo: "Representative, one thing I've learned in five years I've been here, you run something that you can pass. If I had added other things to this Bill, I'm not sure if I'd been able to pass this Bill. And it's not only the \$13.5 million which is a relative number I guess, but we've heard over and over again like Representative Eddy had mentioned earlier, even though we know that this program's been criticized it seems like every three or four weeks we read something else in the paper about someone else doing

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something that they're not supposed to do with a tuition waiver. At some point it has to stop. We just can't continue doing that."

Arroyo: "Well, Fred, here, I know that there's been a lot of stuff in the media about people misusing the scholarships. They're not using them correctly, but you know, there's also in the Secretary of State, when you drive a car and somebody gets a ticket or a citation, they don't come to the General Assembly and take everybody's license here in the General Assembly. You know, there should be guidelines on how you use the scholarships. I believe that if somebody's misused..."

Speaker Lyons: "Representative Arroyo, one more minute, please."

Arroyo: "I believe that if somebody misuses something, Fred, they should take it away, don't let them take it... don't let them use it anymore, but don't punish 118 Members in this General Assembly because they've used it. I've used it in my district and I've used it correctly. I... I think, I would hope that I used it correctly. So, I don't want you to take my 8 scholarships away because somebody else misused it. I think we need more guidelines and probably put some new rules and keep the scholarship, because in my community it works and I want to continue to use it, Fred. And I'm not... I'm not talking against the Bill because... I'm just pissed that this is what's going to happen. Everybody is saying, well, no, you know, I don't want... I don't think that we should punish everybody because of one person. You know,

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those other people have mistreated the system, but don't take it away from the people that are using it, Fred."

Crespo: "Well, two points, Representative. Number 1) the driver's license you pay for that, and secondly, you used a term there that I didn't understand very well. It must've been a Spanish word. I don't know."

Arroyo: "You want me to say it in Spanish? Fred, should I say it in Spanish, Fred?"

Crespo: "No, that's okay."

Speaker Lyons: "Representative."

Arroyo: "Thank you."

Speaker Lyons: "We have four final speakers: Winters, Mulligan, Acevedo, and Monique Davis 'cause her name was used in debate and then we're cutting off the debate. Representative Winters, three minutes."

Winters: "Thank you, Mr. Speaker. I rise in support of this Bill. I ask the question of this Body. Are we specialists in deciding which students are the best to go to college and which should have these scholarships? I say that that is not the expertise that we are here for. We are here to write legislation and to set a budget for this state and the priorities of this state, but selecting 8 people from our district to get a one-year scholarship is not within our role. No other State Legislature has this role. Let's concentrate on getting a budget that is balanced and writing legislation that moves this state forward in creating jobs. This is a sideline and it's been so often abused that the entire General Assembly is held in disregard because of a few rotten apples in this Body.

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Well, one way to solve that issue of image is to get rid of the opportunity for corruption, the opportunity for abuse. The way to do that is to support this Bill and I urge your vote for this."

Speaker Lyons: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. For years I gave these out and I no longer do, mainly because of the newspapers making such a big deal out of it, but I had a great committee and I had great kids that got the scholarships. A few years ago I attended a fifth-grade class in my district. The kids were multilingual, darling kids and as I walked out of the class the teacher said to me, do you know I had one of your scholarships. I didn't because I never participated in that, but what I would like to know which has always bothered me a lot is if the Gentleman would amend his Bill to eliminate men's sports scholarships. I would definitely like to see the football and basketball scholarships reduced down to anything for the men and I would like to see the salaries of those coaches at those universities put into a respective amount of money compared to what other university people are getting paid. The girls' scholarships for sports are much less and are much less active but the men's scholarships are ridiculous, and yet we stand here and argue over whether we're going to give academic scholarships to young people that may use them to get ahead in their life. I think it's ludicrous. I will support the man's Bill because I definitely think that it's time for it to go, but I do think that we should look all in general. And I also have a Bill that would reduce the academic

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scholarships for the people that work there. I was told that these were given mostly to people that had a low income and they mentioned the janitors and some of those janitors make more than what we make in the General Assembly. I think it's really interesting and I think it ought to be taken, not only that, the University of Illinois did not charge out-of-state students an increased amount like the University of Wisconsin and other people did. So, there's a whole lot of problems there that have nothing to do with whether we're giving General Assembly scholarships. Perhaps they ought to charge out-of-state students an increased amount like other universities do because we're one of the best values in the country as far as out-of-state students attending our scholarship. And then the last, but not least, is the fact that we changed what the tuition would be so that you pay one tuition for four years which automatically raised the scholarship and made those first students come in with an amount that rolls over so that they can anticipate how much it's going to be at the end of the fourth year and so it automatically builds in an increase every single year in the scholarship and in the tuition for the University of Illinois. So, I think there's a lot of things that need to be looked at more than just this Gentleman's Bill."

Speaker Lyons: "Representative... Representative Acevedo."

Acevedo: "Mr. Speaker, I want to yield my time to Representative Riley."

Speaker Lyons: "Representative Riley, three minutes."

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Riley: "Thank you, Mr. Speaker. First of all, I'm very proud of the Body that... that I serve in. We all went through a process the last few months to get back down here. I'm very proud to serve when there's issues, there's things to root out. I think we can do that. You know, when I went to college, there was something called the AIAW, I think, and it was an athletic association that women played under. There was no NCAA for women and the administration of that was horrible, frankly. Now, you know, it's a big revenue generator and part of the reason why is because something here under the \$348 million worth of waivers that the institutions give out is something called gender equity and intercollegiate athletics, 663 people \$4 million, out-of-state students, foreign students, faculty administrators \$11 million, civil service \$4.4 million in waivers, athletic scholarships where people, you know, get tuition for school but make multi hundred millions of dollars to the institution. You only pay \$10 million for that. Research assistants, teaching assistants, almost 20 thousand waivers for \$225 million every year. Retired university employees, children of deceased employees, student employ... that all come under waivers, Ladies and Gentlemen. So, again, you know, this is a Body that legislates on the basis of fact, not on the basis of anecdote or some independent organization that claims to be good government and we have to make these decisions based on common sense. Finally, let me just say this. We are eminently qualified to give out scho... how in the world can we use that argument, which is really a shibboleth and we

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all sit on Appropriations Committees for higher education and elementary education. So, how can we sit on those committees and then turn around and say that we're not qualified to give out a scholarship. I mean, that's getting a little ridiculous. If you're against the scholarships, fine, but please have a reason a little less flimsy than some of the reasons that, you know, have come out today and that have come out during this entire debate. Thank you."

Speaker Lyons: "Representative Monique Davis, your name was used in debate. Three minutes, Monique."

Davis, M: "Thank you, Mr. Speaker. To the Bill. You know, in the State of Illinois, the University of Illinois recently gave... they bought out the contracts of three athletic individuals to the tune of \$7.5 million. The University of Illinois didn't want to keep certain employees whose terms would have been up within two years but they chose to give them \$7.5-plus million. In the State of Illinois we need educated people. If a fireman who earns a good salary puts three children in college, he deserves or they deserve a scholarship. If a police officer who's on disability, who's been injured, his child deserves a scholarship. Educated people at an added... make an added value in the State of Illinois because industry wants... will want to come here and people will want to work here and work with those educated people. In my heart I could never pass any Bill that would eliminate opportunity for education. We have two Governors serving time for corruption. We have not eliminated the Governor's Office. We could eliminate it and say there's too much corruption, we're just going to have a Lieutenant

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Governor, but we haven't done that. It is very strange to me that we would pick what supports our children, what supports the children, we would take away from them because a few people have misused their opportunity. I urge a big fat 'no' vote."

Speaker Lyons: "Representative Crespo to close."

Crespo: "Well, you know, it's funny, all of the Bills before mine, we were done in 30 seconds. I'm not sure what happened with this one. You know, a couple of points I'd like to make. We talk about wanting to help students in our districts. The most you can help with this program are 8 and for anyone to suggest that that's all you have in your district is absurd. We have a lot more than that. This program does not take care of that problem. There are MAP grants out there. There's a process to determine needs. It's called FAFSA, through the Federal Government and that's what universities and colleges use. Now, you know, it... I was born in this state, I'm proud of this state, it really burns me when I hear these reporters say we have perhaps the most corrupt city in the country and one of the most corrupt states. People look at this and it's beginning to look more and more like a program that is very easy to... to maneuver to help those that you like. I've been talking about the unfunded mandate, I've been talking about others subsidizing their program, some of you have talked about some of the abuses and some have even attempted, attempted, to defend some of those in saying, hey, that was an honest mistake. But Ladies and Gentlemen, let me be clear. According to BGA, Better Government Association, according

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to some of the reports out there a 2009 AP report of the General Assembly scholarships tuition waivers, found that between 2004 and 2009 at least 41 scholarships went to relatives of someone who gave money to a lawmaker. And by the way, as I talked to the reporters, they told me, Fred, that was like pulling teeth. It's so hard to get this information. There's only one requirement by the way and that is that the student should live in your district. Well, according to some of the press that we've read recently, we're seeing that more and more state Reps have given these tuition waivers to folks that live outside the district. We need to stop this. People are watching us very closely. Let me be very clear. We have worked the Senate, this House passed this Bill at least once since I've been here, and I trust and I hope that we do it again. We cannot let the Senate just not call the Bill. I've worked with Senator Frerichs, he's going to run the Bill in the Senate. We have the votes to pass it in the Senate. I'll ask those folks in the press box to please put that pressure on the Senate and let it happen. You're going to vote 'yes' or 'no' but let me tell you, in my mind my opinion, a 'no' vote means that you're enabling unethical behavior. A 'no' vote means that you're contributing to tuition hikes. So, it's up to you. Thank you for your time and thank you for those that supported the Bill."

Speaker Lyons: "Question is, 'Should House Bill 3810 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Chapa LaVia,

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Feigenholtz, Nekritz, Bob Rita. Mr. Clerk, take the record. On this Bill, there's 79 Members voting 'yes', 25 Members voting 'no', 2 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status on House Bill 5922, on page 18 of the Calendar?"

Clerk Hollman: "House Bill 5922, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. Representative Connelly, on page 10 of the Calendar, on the Order of Second Reading, you have House bill 4926. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 4926, a Bill for an Act concerning Corrections. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Mr. Speaker, what's the status on House Bill 5513?"

Clerk Hollman: "House Bill 5513, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lyons: "On request of the Sponsor, Representative Cole asked to have that put on the Order of Second Reading. Mr. Clerk, what's the status on House Bill 4601, Representative Currie's Bill, on page 8 of the Calendar?"

Clerk Hollman: "House Bill 4601, a Bill for an Act concerning government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No further Amendments have been approved for consideration. No Motions are filed."

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Speaker Lyons: "Mr. Clerk, put that Bill on the Order of Third Reading. Representative D'Amico, on the Order of Third Readings, you have, on page 22 of the Calendar, House Bill 5056. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 5056, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lyons: "Representative John D'Amico."

D'Amico: "Thank you, Mr. Speaker. House Bill 5056 is an initiative of Secretary Jesse White. We've all read about the abuses of people going around and parking with these illegal handicap placards in their car. And what this Bill does is it raises the fines and gives the Secretary of State the ability to go after these people. So, I encourage an 'aye' vote."

Speaker Lyons: "Heard the Gentleman's explanation. Is there any discussion? Representative Roger Eddy."

Eddy: "Would the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, basically this enhances the penalty?"

D'Amico: "Yes, it does."

Eddy: "Can you be specific, for example, for a person that's using a disability device... are you talking about a handicap sticker or..."

D'Amico: "I'm talking about a handicap placard or handicap plates. And somebody that's using it falsely, it's going to be a Class A misdemeanor with a mandatory \$2500 fine."

Eddy: "And... and a revocation?"

D'Amico: "Yes."

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Eddy: "Okay. And... and if they're transporting someone, the enhancement is a \$500 fine... up to a \$500 fine?"

D'Amico: "What do you mean transporting someone?"

Eddy: "Well, if... if they're using... in other words, they're... let's say they're using the decal of another person but that person is not being transported with them. They're not transporting that person but they have that person's decal and they use it."

D'Amico: "Well, yes, that's using it under false pretense."

Eddy: "That's an unauthorized use."

D'Amico: "Yes."

Eddy: "Okay. And then the fine for that would be 500. What's the fine now for that?"

D'Amico: "\$750 and that's going to be increased to a thousand."

Eddy: "Okay. And if it happens a second time?"

D'Amico: "No, I'm sorry, I misspoke. The... the first time right now is 500. It's going to go from... to 750 and then to 1000."

Eddy: "Okay. Does it ever become a revocation under your Bill?"

D'Amico: "If you're using a deceased placard, somebody that is deceased..."

Eddy: "Okay."

D'Amico: "...then it becomes a revocation and a... "

Eddy: "But only if you're knowingly... "

D'Amico: "...\$2500 fine."

Eddy: "...using a placard of a deceased individual."

D'Amico: "Yes."

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Eddy: "If you're using the placard of someone who is not deceased, but they are not in the vehicle, if there are multiple offenses is there ever a revocation?"

D'Amico: "I do not... I do not believe so."

Eddy: "Okay. It's fines and they're increased fines."

D'Amico: "And they keep... they keep going up."

Eddy: "Okay. Okay, Representative, appreciate the explanation. Thank you."

Speaker Lyons: "Representative Mike Bost."

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

Speaker Lyons: "Sponsor yields."

Bost: "What does... what does current law do as far as if somebody gets... uses?"

D'Amico: "It's a \$500 ticket."

Bost: "It's a \$500 ticket. So, you're just increasing steadily up after the second and third violation?"

D'Amico: "Yes. I mean, it's... once again, it's one of these issues where its like we really have to get serious about it. I mean, we want to stop it. There's been a number of reports and abuses going on throughout the state and we feel that this is one of the ways to do it."

Bost: "Okay. And I understand that but I'm kind of wondering, how... do we have a report that tells us, you know, how many times after somebody who's got a \$500 fine they're willing to keep and going out and taking another hit for a \$500 fine?"

D'Amico: "I do not have that information, no."

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Bost: "'Cause I'm just... you know, I... I don't know how other people are, but I'm kind of thinking that if you get nailed with a \$500 fine you probably wouldn't do it again."

D'Amico: "Well, you know, I mean, I think the same exact way, but I also wouldn't go out with somebody's handicap placard and park my car either."

Bost: "Sure, sure. And here's the other question I've got and... and this doesn't really deal with this Bill, but I just need to find this out. What kind of leeway... Okay. So, suppose you have a person who has just passed away in your family, you're distraught, you go out, you quickly stop, you get nailed for this. A case like that?"

D'Amico: "Yes, technically, you would."

Bost: "You'd get nailed for that as well."

D'Amico: "I'm sure you can argue it in court and try and plead your case, but I... I mean, I would assume and I mean, I put myself in that situation. I don't think I'd be putting a handicap placard up in my car and parking it."

Bost: "Right, right. I understand, but I... I'm wondering if the deceased person has just passed away and you've gone out and that was the sideline I was looking at as well. All right, thank you."

D'Amico: "Thank you."

Speaker Lyons: "Representative D'Amico to close."

D'Amico: "I encourage an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 5056 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Barickman, Monique Davis, Will Davis, Rosemary Mulligan, like to be recorded? Mr. Clerk, take the record. On this Bill, there's 89 Members voting 'yes', 16 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Monique Davis, on the Order of Second Readings, on page 11 of the Calendar, you have House Bill 5182. Out of the record. Representative Will Davis, on the Order of Second Readings, on page 7 of the Calendar, you have House Bill 4466. Will Davis on the floor? Out of the record. Representative DeLuca, on page 16 of the Calendar, Representative, you have House Bill 5646. Out of the record. Leader Cross, on the Order of Second Readings, you have 5549. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 5549, a Bill for an Act concerning revenue. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Evans on a point of personal privilege. Representative Evans, point of personal privilege."

Evans: "Thank you, Mr. Speaker. House Bill 4966 amends the abused and..."

Speaker Lyons: "Representative, I was under the assumption you wanted a point of personal privilege. We're not on your Bill yet."

Evans: "No. Thank you."

Speaker Lyons: "Point of personal privilege or no? No, okay. Thank you, Representative. Representative Eddy we're

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working towards you, Representative Evans. We'll get to you shortly here. We have a guy by the name of Roger Eddy ahead of you. Mr. Eddy, you have House Bill 24... House Bill 5649 on the Order of Third Reading. Out of the record. Representative Chapin Rose, for what purpose do you seek recognition, Senator?"

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

Speaker Lyons: "Please proceed."

Rose: "Mr. Speaker, could we have a technician adjust the rabbit ears on the television set. You're not exactly coming in very clearly up there, perhaps adjust the v-hold."

Speaker Lyons: "You don't look as good as you usually do on there, Representative Rose."

Rose: "I know. I don't know..."

Speaker Lyons: "We noticed it."

Rose: "...what's going on there, Mr. Speaker."

Speaker Lyons: "Neither does anybody else, maybe we're a little behind on our payment for that side of the chamber..."

Rose: "Thank you, Mr. Speaker."

Speaker Lyons: "...but we're working on it. We're well aware of it. Thanks for bringing that to our attention, Representative Rose. Representative du Buclet, you have House Bill 5587. Representative du Buclet. The Lady in the chamber? Out of the record. Mr. Clerk, what's the status on House Bill 5592, on page 15 of the Calendar?"

Clerk Hollman: "House Bill 5592, a Bill for an Act concerning siblings. Second Reading of this House Bill. No Committee

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Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Mary Flowers, on page 2 of the Calendar, on House Bills-Second Reading, you have House Bill 1473. Out of the record. Representative Golar, on page 9 of the Calendar, on House Bills-Second Reading, you have House Bill 4682. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 4682, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Hernandez, on the Order Third Readings, on page 19 of the Calendar, you have House Bill 3915. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 3915, a Bill for an Act concerning human rights. Third Reading of this House Bill."

Speaker Lyons: "Representative Lisa Hernandez."

Hernandez: "Thank you, Speaker. House Bill 3915 amends the Illinois Human Rights Act to replace the word 'handicap' with 'disability', when referencing a physical or mental handicap. It makes correlating changes in Sections mentioning human rights issues in the Home Inspector License Act and the Real Estate Appraisers Licensing Act of 2002. All the Bill is really doing is changing current verbiage towards people with disabilities in a positive way. I ask for your 'aye' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, the question is, 'Should House

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Bill 3915 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Acevedo, du Buclet, Krezwick, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there's 106 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Connie Howard, on the Order of Third Readings, you have, on page 19 of the Calendar, House Bill 3914. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 3914, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "Representative Connie Howard."

Howard: "Yes. Thank you very much, Mr. Speaker. House Bill 3914 adds the forced transfer of funds at an electronic fund transfer terminal. Of course, that's an ATM machine as a robbery offense to the Criminal Code and makes it a Class I Felony. I'll take questions at this time. Urge a 'yes' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, all those in favor of the passage of House Bill 3914 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Acevedo, Hernandez, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there's 106 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed."

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Representative Jackson, on page 9 of the Calendar, on House Bills-Second Reading, Ed, you have House Bill 4695. Out of the record. Representative Evans, on page 21 of the Calendar, under House Bills-Third Readings, you have House Bill 4966. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 4966, a Bill for an Act concerning children. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from St. Clair, Representative Evans."

Evans: "Thank you, Mr. Speaker. House Bill 4966 amends the Abused and Neglected Child Reporting Act. It simply provides that a copy of any document, file, records, books, and papers created or used in connection with the Department of Children and Family Services investigation of a child's death or serious life threatening injury shall be included in the department's investigation report. The Act, as it presently now reads, identifies that this is to be done. This Bill simply clarifies and identifies what is to be included in the report based upon incidents in my area in which very little information was given. I encourage a 'yes' vote on the Bill."

Speaker Lyons: "You've heard the Gentleman's explanation on House Bill 4966. Is there any discussion? Seeing none, all those in favor of its passage... all those in favor of its passage signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Gordon, Representative Hernandez, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there's

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106 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mike Fortner, on page 23 of the Calendar, you have House Bill 5203. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 5203, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Lyons: "Representative Mike Fortner."

Fortner: "Thank you, Speaker. House Bill 5203 simply creates a lottery to coincide with the end of the filing period. We have successfully used a lottery for people who have all arrived at 8 a.m. at the first day of filing to make sure that there isn't a kind of jostling for position that really isn't necessary for the conduct of our elections and our nomination process. This recognizes that some of those same types of antics can go on for people trying to get to be the last on the ballot. So, it provides that anyone who had filed during the last hour of the last day of filing would simply enter a lottery and be placed based on that lottery. Happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation on House Bill 5203. Is there any discussion? Seeing none, all those in favor of its passage signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Hatcher, like to be recorded? Take the record. On this Bill, there's 106 Members voting 'yes', 0 voting 'no'. This Bill, having

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received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status on House Bill 1473?"

Clerk Hollman: "House Bill 1473, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Robyn Gabel, on the Order of Third Readings, on page 22 of the Calendar, you have House Bill 5013. Out of the record. Representative Jakobsson, on page 13 of the Calendar, on the Order of Second Reading, you have House Bill 5332. Out of the record. Representative Krezwick, on page 12 of the Calendar, you have House Bill 5212. Representative Mathias, would like to tell Representative Krezwick... Would you like to move House Bill 53... 5212 to Third Reading? 5212, it's on Second Reading. You want to move it to Third? Out of the record. Representative Chuck Jefferson, Leader Jefferson, on page 13 of the Calendar, on the Order of Second Reading, you have House Bill 5337, Chuck. Out of the record. Representative David Harris, before you leave the chamber, on the Order of Second Reading, David, you have House Bill 3844. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 3844, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Kay Hatcher, on the Order of Third Reading, on page 22 of the Calendar, you have House Bill 5115. Read the Bill, Mr. Clerk."

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Clerk Hollman: "House Bill 5115, a Bill for an Act concerning wildlife. Third Reading of this House Bill."

Speaker Lyons: "Representative Hatcher."

Hatcher: "Thank you, Speaker. This Bill does a very simple thing; it amends the Wildlife Code. The IDNR allows waivers for farmers if there are damages being made to their various facilities. This adds the definition of 'pastures' to those things which can receive a waiver."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, all those in favor of the passage of House Bill 5115 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Jim Durkin. Mr. Clerk, take the record. On this Bill, there's 106 Member voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dwight Kay, on page 5 of the Calendar, under Second Reading of House Bills, you have House Bill 3985. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 3985, a Bill for an Act concerning finance. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Don Moffitt, on the Order of Second Reading, Sir, you have, on page 9 of the Calendar, House Bill 4757. Out of the record. Representative Tom Morrison, on page 9 of the Calendar, Representative, you have House Bill 4850. Representative Morrison. House Bill 4850 on Second Reading. Would you like to move it to Third? Read the Bill, Mr. Clerk. Take that

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Bill out of the record. Representative Osmond, on page 24 of the Calendar, Leader, you have House Bill 5485. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 5485, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Lyons: "Leader JoAnn Osmond."

Osmond: "Thank you, Mr. Speaker. House Bill 5485 requires that any new managed care association providing managed care to Medicaid clients must be NCQA accredited within three years after beginning to provide services. The NCQA stands for National Committee on Quality Assurance. We feel that this is a great consumer protection for this type of industry. And I would ask for a 'yes' vote."

Speaker Lyons: "You've heard the Lady's explanation on House Bill 5485. Is there any discussion? Seeing none, all those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 106 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Frank Mautino, on page 21 of the Calendar, under House Bills-Third Reading, you have House Bill 4962. Leader Mautino, Frank, 4962? Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 4962, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Leader Frank Mautino."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. 4962 is an initiative of the clerks and recorders,

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and it is a cleanup for their statute. It moves a fee from the bottom of the Section up to the top. It does not change or increase it, and that's basically what it does. So, it's a cleanup Bill requested by the clerks and says that in matters of redistricting, the districts would have to be substantially equal in size. Be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any questions? Seeing none, the question is, 'Should House Bill 4962 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mike Fortner, David Leitch, Dennis Reboletti, like to be recorded? Mr. Clerk, take the record. On this Bill, there's 106 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Karen May, on page 21 of the Calendar, under House Bills-Third Readings, you have House Bill 4606. Out of the record. Mr. Clerk, what's the status on House Bill... on page 7 of the Calendar, 4466?"

Clerk Bolin: "House Bill 4466, a Bill for an Act concerning gaming. Second Reading of this House Bill. Amendment #2 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Sandy Pihos, on page 27 of the Calendar, on your priorities sheet, you have House Bill 3474. Out of the record. Representative Raymond Poe, on page 9 of the Calendar, under House Bills-Second

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Readings, you have House Bill 4748. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4748, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Emily McAsey, on page 9 of the Calendar, under House Bills-Second Reading, you have House Bill 4665. Out of the record. Representative Deb Mell, on page 7 of the Calendar, under House Bills-Second Readings, you have House Bill 4498. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4498, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Pritchard, according to your priority list, on page 26 of the Calendar, you have House Bill 5221. Out of the record. Representative David Reis, on the Order of Third Readings, on page 20 of the Calendar, you have House Bill 4445. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4445, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Representative David Reis."

Reis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is an initiative of Southeastern Illinois Economic Development Authority. Right now the Governor has the authority to appoint all the board members. This Bill

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would allow county board chairmen to appoint members as well so that we can more easily have quorums when bonding requests come in. This is an initiative of the Authority and is okayed by the Governor's Office as well. I ask for your support."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 4445 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bost, Monique Davis, like to be recorded? Mr. Clerk, take the record. On this Bill, there's 106 members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Elaine Nekritz, on the Order of Third Readings, on page 19 of the Calendar, you have House Bill 3944. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3944, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. House Bill 3944 has to do with the eavesdropping laws in Illinois. And I think we would all agree that laws have to be fair and to the greatest extent possible reflect the values and experiences of the citizen... citizens they seek to govern. And I don't think that our current eavesdropping Bill... law is doing that. It is not reflecting the common practices and experiences of our citizens and House Bill 3944 is a very narrow exception designed to deal with a very specific

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concern. It will allow citizens to make an audio recording of police officers who are performing their public duty on public property. Right now such action is a Class I Felony which has a 15-year penalty. And citizens are, unfortunately, being charged under this current law for doing nothing more than what we all do every day which is to take out our cell phone, open up the camera and start recording. There have been some very high profile prosecutions that have caught the attention of the public, and in fact, two courts in Illinois have found in that circumstance that the law is unconstitutional. But I think while those... there are other prosecutions pending, it is time for this House to act and correct that very narrow problem. It's also of great concern given the fact that the NATO summit is coming to Chicago in May. There will be thousands of journalists and attendees who are... could be at great risk of prosecution as well. But let me just... a few details on the Bill. The Bill models the definition of public place off of the Illinois Child Curfew Act. It allows recordings in places that are outside a point of restricted access. So, for example, a police station lobby would be considered public, an interrogation room would not. Courtrooms may be considered public places, but they are unique from other pla... other public spaces in that the judiciary has exclusive authority to regulate actions within its courtrooms. Judges would still be able to determine whether recording is permitted or not in their courtroom. Finally, every attempt to change the Illinois eavesdropping law brings on the discussion of whether

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Illinois should adopt a one-party consent standard. Illinois is by no means alone in requiring all parties to a conversation to consent to recording. Ten other states currently utilize all-party consent on which our current law is based. There are other Bills pending before the General Assembly to adopt that standard, but this Bill is not about that question, this Bill is about the very specific prosecutions that are occurring and trying to make sure that citizens who are engaging in fairly innocent activity and who are, in fact, exercising their First Amendment rights are not subject to prosecution."

Speaker Lyons: "You've heard the Lady's explanation. The Chair recognizes the Gentleman from Cook, Representative Mike Zalewski."

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

Speaker Lyons: "Sponsor yields."

Zalewski: "Representative, we had really, really good discussion about this Bill in committee. It was substantive, it was thoughtful and I appreciate everything you're trying to do, one quick question. There are some concerns brought up about the definition of 'public place' and consistency throughout the statute. And I don't know if I recall correctly if we had said we would address that or if we were just going to stick with what was originally in the Bill?"

Nekritz: "I think, Representative, what the discussion was that... that we would look at it and see if it could be addressed. And I think that we're pretty comfortable that given the fact that this is based on already existing law

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in the Child Curfew Act that and it may not be... it may not be perfect because actually some of the prosecutions that have occurred under this eavesdrop... under the current eavesdropping law would not be protected under the law that we would be adopting here, but we're pretty comfortable that it is... it's about as good as we can get."

Zalewski: "Okay, thank you, Representative."

Nekritz: "Thank you."

Zalewski: To the Bill. And I commend the Sponsor, she's given some thoughtful answers to the questions that were presented in committee. From a law enforcement perspective, I'm sure you'll hear about it from some other speakers, but there's just some general and specific concerns that allowing this type of practice without a thoughtful rewrite of the entire eavesdropping statute, especially in light of the... of the concerns that are coming with the NATO conferences in the summer, that this might not be the best approach at this specific time. So, while I respect the Sponsor, I think she has the best of intentions, I urge a 'no' vote at this time."

Speaker Lyons: "Representative Reboletti."

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, would this allow the police to record people on the street at these... "

Nekritz: "No."

Reboletti: "Why not?"

Nekritz: "Because, Representative... one of the arguments we heard was that... in regard to that is that we need to create

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a level playing field, and there is no level playing field right now. The police have an opportunity to just take away my liberty. They have powers that ordinary citizens don't have. Police are not being prosecuted under this current law and so this is an attempt to actually create a level playing field for citizens."

Reboletti: "But you're allowing a citizen more of a capacity to listen, to watch, record, when we don't allow police officers to the same right. If people are in public and they're gathering, why... why should they be in violation? Why should they have to go get a court order to record these people if these people can record them?"

Nekritz: "Because Representative, again, it's not a level playing field. The police can use that recording to take away my liberty. I can't do that with them. So, it's not a level playing field to start with and this is... this is simply trying to take away... this is simply trying to protect the First Amendment rights of those citizens who are recording something when the police have no expectation of privacy when they're on public property."

Reboletti: "But what expectation of privacy does somebody have if they're at Grant Park or if they're at the Cook County building? What expectation of privacy do they have in public?"

Nekritz: "Representative, because... I... the... the private citizen has an expectation of privacy. I don't think that public servant, certainly I don't have... when I'm performing my public duties as a Representative, I don't have an

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expectation that my... the statements I make are going to be private."

Reboletti: "Well, I think if you look at Katz V. United States and you look at what people's expectation of privacy is in a phone booth versus their expectation of privacy in a public place are two different things. And I know that you appreciate that, but unfortunately, Ladies and Gentlemen, we don't allow police officers to record during many situations when there may or may not be criminal activity. So, we don't trust law enforcement with one-party consent, I don't understand why we can't give them one-party consent. I've run Bills here year in and year out to allow people the opportunity to get one-party consent in cases for guns, cases for drugs, cases for gangs, and we can never get a hearing on those, but now, because two Cook County judges have determined that this is unconstitutional, now we're trying to take care of this legislatively. The fact of the matter is, is that it... what's... we should allow both parties to be able to record one another because they're both in public. I've also heard that gang members typically will taunt officers while they're trying to break up mobs, while they're trying to disperse people that have gathered in a unlawful fashion..."

Speaker Lyons: "Representative Reboletti, your time has expired. I'll give you another minute to finish your thoughts, Dennis."

Reboletti: "That... they're trying to disperse these individuals, they're being recorded, they're being taunted and maybe the opportunity to record and video and record them may then

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justify what their presence was for, what they were doing.
So, I would, at this time, urge a 'no' vote."

Speaker Lyons: "Representative Dwight Kay."

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

Speaker Lyons: "Sponsor yields."

Kay: "Representative, I just want to get a clear understanding here of what you're trying to do with this Bill. We did have healthy and robust debate in committee and I thought at that point in time you clarified a number of things for all of us on Jud I. Define for me... as I see this, you're asking for the ability to record or video in an open space area. Is that correct?"

Nekritz: "That's correct. It would have to be a public place."

Kay: "Okay. And you feel like that's a First Amendment right that any individual should have. Is that correct?"

Nekritz: "And not only do I feel that way, Representative, but there have been courts in Illinois and Massachusetts and not just Cook County courts that have held that."

Kay: "In fact, there is one case that I'm familiar with, it's the Glick case versus the municipality of Boston which rules very much in favor of what your Bill is trying to do here. Is that correct?"

Nekritz: "That's correct."

Kay: "And isn't there..."

Nekritz: "...and I think you spoke very eloquently to that in committee."

Kay: "Thank you. Isn't there a more recent Bill which is essentially goes a little bit further in saying that there

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is a First Amendment right for doing what your Bill would have us do today, if we pass this, beyond the Glick law?"

Nekritz: "Yes, Representative, in the case... it's the case involving Drew... Chris Drew in Cook County that was most recently decided that actually held the case on the law unconstitutional. It... that would, I think, be a little broader than what we're trying to do in this Bill, but... but it would... but this Bill would speak specifically to the situation in the Chris Drew case."

Kay: "Yeah. Thank you, Representative. To the Bill, Mr. Speaker. I think we... we need to be very careful. I understand that this is something that is a little bit controversial in the sense that maybe we're giving citizens too many rights; however, I would... I would just tell everyone in the Body today that it's important to understand that citizens rights oftentimes have protected us from certain government activities that have not been appropriate. So, I think, in that respect, I think that's something that we need to consider today. We also need to heed what it said in the Glick case and I know we all haven't read it, but it basically said everyone has a First Amendment right that should not be covered by a Fourth Amendment takeaway. So, I'm going to ask an 'aye' vote for this particular Bill. It's the right thing to do because it basically protects the citizen's right, and if we need a second-party consent or two-party consent, we can deal with that another day. This does not take anything away from the eavesdropping laws that we have in the state, federally or

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the Patriot Act for that matter. So, I recommend an 'aye' vote. Thank you, Representative."

Speaker Lyons: "Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Durkin: "Representative, you've mentioned that you said there were some high profile trials in which people were prosecuted for violating the eavesdropping... this... this recording or this Section under the state's statutes. How many in particular are you referencing? How many cases have been gone... have gone to trial based on this violation?"

Nekritz: "You know, Representative, I don't know an exact number who've gone to trial. There have been two cases, one from Crawford County and one from Cook County, where there have been prosecution and the trial court judge in those held the law to be unconstitutional."

Durkin: "Okay. Is there a law on the books which penalizes an individual for manipulating an audio recording of another individual?"

Nekritz: "Not being a prosecutor, I believe the answer is yes."

Durkin: "I don't know. I was a prosecutor. I'm not aware of it."

Nekritz: "Okay."

Durkin: "My concern with this... I believe the Class I Felony right now is excessive. I don't think that was appropriate; however, you mentioned the NATO summit coming to Chicago. We will have a great deal of people who will be peaceful demonstrators, but there will be people who are not peaceful. People who will have ill will towards law

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enforcement and I'm worried about them manipulating recordings to use that against police for 1983 actions, excessive force actions or something which is going to be used against law enforcement. So, I... I don't know if this is an overreaction to an overreaction which was the prosecution. I don't think those should have happened in the first place, and I think that... but I don't know if this is the perfect response to it. Since I do not know if there is any type of sanction against an individual who is going to deliberately manipulate an audio recording to use that against law enforcement at some point later. So, I'm going listen to some more debate, but I do have reservations at this moment."

Nekritz: "Okay."

Speaker Lyons: "Representative Jim Sacia."

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

Speaker Lyons: "Sponsor yields."

Sacia: "Representative, several of the previous speakers have requested of you to make comments regarding manipulation of recordings and I... I think you would agree with me whenever law enforcement records a conversation, it is never done happenstance. There is criteria established. There is protocol to go through and there is a system in place to ensure that no manipulation at all can take place. Would you agree with that, Representative?"

Nekritz: "Representative, I would agree with that with regard to the fact that that tape is to be used as evidence."

Sacia: "Thank you. That being said and... and I think Representative Durbin said it... Durkin said it so well, when

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he said potentially... I did correct myself... going... going forward and we do have these randomly made and there are folks out there that dislike maybe even we could go so far as to say hate the police and might do any number of manipulations in a effort, an attempt, if you will, to make them look foolish, make the recording not actually how it happened. Would that be... would that be something we could agree to?"

Nekritz: "Well, Representative, I think that risk exists today actually, because there's nothing illegal about video taping a police officer today and so that risk... that risk is there whether or not this Bill would pass."

Sacia: "Well, I recognize the fact that you and I will not be on the same page of music with this and I respect that, but I would urge the Body to give very thoughtful consideration before they just automatically press a green button. This is legislation that makes a drastic change and potentially can create a danger issue for law enforcement. And I really think that it's a matter that needs a lot more study and I do think that it's ill-advised to move this Bill forward at this time."

Nekritz: "And Representative, if I could just respond. I think that that, you know, the difference... again... the difference between law enforcement's ability to use those... those tapes and a citizen's ability to use those tapes, is that law enforcement must use those... is planning on using those tapes in a court of law to take away someone's liberty, to have a significant impact. This would be something that could appear, I mean, it might be embarrassing on YouTube,

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but it wouldn't... but it doesn't have the same weight that the citizens that the citizen is, you know, that a court of law would have and if the citizen were going to use that in a court of law, they would still have to go through the same evidentiary proving up."

Sacia: "Well, you say it would be embarrassing if it's on YouTube. It would be if it's manipulated and that's the only way and I think that's a tremendous fear here is manipulation of actual conversation."

Speaker Lyons: "Representative Sacia, I'm sorry. Concluded your remarks. Representative Jim Watson."

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

Speaker Lyons: "Sponsor yields."

Watson: "Representative, you... you made mention that on three times, I think, during the debate that the police are out to take away your liberty."

Nekritz: "No, I didn't say they're out to do that. I said they have the power to do that."

Watson: "But don't we have checks and balances in place to handle that?"

Nekritz: "Well, Representative, I would say that given the nature of the prosecutions that have occurred under this eavesdropping law, that there need to be more checks and balances in that regard."

Watson: "Okay. I guess I would just caution... It seemed to me the tone and the premise that this was set on was... was that you have this force that is... that is aimed primarily with that objective. So, I'm glad you clarified that..."

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Nekritz: "No, no. And Representative, the reason I say that is because a lot of the argument has centered around whether we... whether or not we need to create a level playing field..."

Watson: "Correct."

Nekritz: "...and I just believe that... that, you know, that the powers that the police have, rightfully so, granted to them under the law are... are not a level playing field with the ordinary citizen to start with. That's my only point."

Watson: "The only thing I would say to the Bill is that... is that we... that is not an easy job to have in law enforcement and I think if you look at everything that happens on the Internet, on Facebook and YouTube, we do not want to create an atmosphere where people enter into this gotcha mode and try to take films of law enforcement and try to catch them and put these things on different video segments, which is, I have a fear, this may encourage or may even lead to. Thank you."

Speaker Lyons: "Representative Tryon."

Tryon: "Thank you, Mr. Speaker. I rise to ask the Representative a few questions. She yield?"

Speaker Lyons: "She awaits your questions."

Tryon: "Thank you. Representative Nekritz, in our state police oftentimes had... many police departments have the ability to install in their squad cars video and audio taping equipment. So, when they pull you over, they can actually see... you can actually get a recording of the traffic stop. Is that correct?"

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Nekritz: "That... I believe is one of the current exemptions to the eavesdropping law."

Tryon: "Right. So, I... if they come up to me and they... and they do tell you that you're being videotaped, if they have the opportunity to tell you that and sometimes they don't have the opportunity to tell you that, I don't have the ability to say shut it off I don't want to be taped or recorded. Correct?"

Nekritz: "I don't believe so."

Tryon: "That's correct. So, I almost cannot believe that we're having this discussion in a country where we're about individual rights and individual freedoms and... and right now what... what we're saying is I don't have the right, if I see something that's being done, to be able to tape it and I think that's wrong. If it's a public event and I have a cell phone and I'm taking a video and it makes a audio recording, I certainly think I have the right to use that. I'm going to support your Bill. I think... I don't think it goes too far and I think it... I think it makes it transparent. I think it gives the individual citizen the right to monitor any kind of police activity that they want in a public place. So, I'm going to... I'm going to support it."

Speaker Lyons: "Our two final speakers are going to be Representative Eddy and Representative Carli. Representative Roger Eddy."

Eddy: "Thank you very much. A couple of questions. Would the Sponsor yield?"

Speaker Lyons: "She awaits your questions, Sir."

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Eddy: "Representative, you mentioned a case in Crawford County, that's my home county, so I do recall when this occurred and I... I recall the issue being both having to do with the law enforcement and the use of an audio recording device in a courtroom by an individual. Does your Bill... first of all, the video portion you've already talked about. That... someone can already videotape."

Nekritz: "There's nothing..."

Eddy: "Okay, okay."

Nekritz: "...that makes it illegal to videotape right now."

Eddy: "Okay. So, the audio portion, does your Bill cover both the officer and court officials related to the audio?"

Nekritz: "No. The legislation simply speaks to the ability of a citizen to record a police officer in a public place and... and I think that I would argue that a courtroom is not a public place and the judiciary still has the ability to control what goes on in the courtroom."

Eddy: "Okay. If I remember correctly, in this case, this individual's in front of a judge. There was not a recorder at the time, a recorder, and he wanted it recorded, so he turned on a tape recorder so that he would have record of what was being said, largely because he didn't think there was any record being made, but your Bill doesn't go there."

Nekritz: "That... I disa... you know... what... there will be courts that will interpret this legislation. I do not believe it does, Representative Eddy."

Eddy: "Okay. One other question I have. In the case in Crawford County, the individual had the audio recording device concealed and when the officers came to the location, my

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understanding is at least, that he turned that audio recording device on without their knowledge. Now, how does your Bill address that issue?"

Nekritz: "It... it would simply allow, again, and whether... whether it's... whether the audio recording device is hidden or out in the open, it would allow a citizen to record a public officer performing public duties on public property. So, it wouldn't distinguish between whether the device was hidden or out in the open."

Eddy: "Okay. So, a person under your Bill... a police officer could be recorded without their knowledge?"

Nekritz: "Correct."

Eddy: "Okay. And... and I guess in most cases where someone is being audio recorded it has been my understanding that the individual knows they're being recorded. And when an officer is recording an individual on a traffic stop, I guess, at least in... if you're in that situation, you have some knowledge that you're likely being recorded because of the fact that there's a camera with an audio and video recorder as part of the stop?"

Nekritz: "Well, if ignorance of law is no defense, then there is no... there is no prohibition against a police officer recording."

Speaker Lyons: "Representative Eddy, I'll give you another minute."

Eddy: "Thank you, Mr. Speaker. I'll finish. I guess one of the things that you said that I think has some merit, especially, has to do with the level playing field. And I guess I'm not sure that the field is level to begin with,

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if an officer is doing their duty there. They're thinking about a lot of different things; they're in danger. They leave home every day and they're not sure what they're going to face. So, I don't think the field is all that level to begin with, but in this case, the individual has a pretty good idea of when they're being audio and video recorded, but in the case of the officer, if it's concealed it doesn't seem like a level playing field. I think Representative Reboletti brought out several other issues related to this and I think something needs to be done and I think oftentimes addressing this type of a complicated issue in this Body takes some time. I think the effort is there. I think that maybe it needs to... a little more work to be done, but I'm going to listen to the rest of the debate. I just have some concerns about the playing field and how level it is really. Thank you."

Speaker Lyons: "Our final speaker will be Representative Carli."

Carli: "Thank you, Mr. Speaker. To the Bill. As you know, I am an active member of the Chicago Police Department. I'm a Sergeant in the Chicago Police Department and I would strongly urge a 'no' vote on this. These officers go out there on a daily basis. It's not a level playing field when we go out there. We don't know what we're going to encounter, what we're going to see, what we're going to do, if we're even going to come home. I think that having these citizens distracting these officers, even more than they can possibly be distracted in these situations that they're in, would be such a harm to these officers. They need to go

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out there and be able to do their job and not worry about anything else. These recordings could be manipulated. They could be put viral at any point in time making law enforcement look even worse than sometimes we possibly look. We go out there every day and all the good that we do gets overlooked by one possible shot on YouTube. I strongly urge an 'aye' vote... or 'no'... I'm sorry, a 'no' vote. Strongly urge a 'no' vote. I think it needs much more work when we need to consider the public versus private place on this. Also, again, law enforcement is already in harm's way every day and we need to protect our law enforcement officers that protect us. 'No' on this one."

Speaker Lyons: "Representative Nekritz to close."

Nekritz: "Thank you, Mr. Speaker. I appreciate the debate on this. There... I think... I just want to clarify a couple of final points. That the courts have held and I think that... that we would... could all agree that a public official performing public duties on public property really has no expectation of privacy and that citizens who would engage in this kind of behavior are, in fact, exercising their protected First Amendment rights. And for those police officers that are doing what they're supposed to be doing, we're not... we're not ask... we're not allowing citizens to interfere with the performance of that duty. We are simply giving them the right to do, again, what is sort of commonplace today which is to take out your cell phone and when you see something happening and record that. This would also not allow someone to... if I'm... if a police officer is engaged in a... in a whispering or very close

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conversation with someone, this would not allow them to record. It's only when it's audible to the human ear. So, boom mikes would not be allowed. I want to make sure that we... you know... know that someone with a hearing aid, you know, this doesn't impact their ability to record but that officer has to be speaking at a level that's audible to someone else that's standing nearby. You can't... this would not allow someone to run up and record a conversation that's happening where they can't actually hear it and they'd have to interfere with the conversation to hear it. So, I think this does provide the protections. And these prosecutions are happening in a way that puts... that is threatening to citizens and is threatening, you know, and they're being used as a sword not as a shield. And so, I think that this is an appropriate response to the prosecutions that are happening. And I would urge your 'yes' vote."

Speaker Lyons: "You've heard the Lady's explanation. All those in favor of the passage of House Bill 3944 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Gaffney, Golar, Gordon, Jefferson, like to be recorded? Mr. Clerk... Representative Gordon. Take the record. On this Bill, there are 45 Members voting 'yes', 59 Members voting 'no', 1 Member voting 'present'. And the Bill fails. Representative Mussman, on the Order of Second Readings, on page 5 of the Calendar, you have House Bill 3986. Do you want to move that to Third? Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 3986, a Bill for an Act concerning ageing. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Connie Howard, I believe you have a point of personal privilege. Representative Howard."

Howard: "Yes. Thank you very much, Mr. Speaker. Part of my district in Chicago includes the Roseland community and today we have with us a group from the Neighborhood Recovery Initiative. They're part of the CAPS program. Please help me to welcome them to Springfield."

Speaker Lyons: "Welcome to your Capitol, Roseland. Proud to have you down here, enjoy your day. Representative Sullivan, for what purpose do you seek recognition?"

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

Speaker Lyons: "Please proceed, Ed."

Sullivan: "As many of you may know from last week, tonight is going to be the 10th annual Sullivan Caucus celebration. We also don't charge to come in but we pass the hat. This year all donations will be given to the Harrisburg disaster relief fund that... obviously, with the tornados that took place this year, but from 5 to 9 at the Dublin Pub we will be enjoying everything that is Irish. At 8:30, I do believe that Representative Burke might get on the piano for a little bit. Thank you."

Speaker Lyons: "Thanks for that reminder, Representative Sullivan, regarding the caucus. Looking forward to this

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evening. Representative Phelps, for what purpose do you seek recognition?"

Phelps: "Purpose of an announcement Mr. Speaker."

Speaker Lyons: "Please proceed, Brandon."

Phelps: "First off, on behalf of the people of Harrisburg, Representative Sullivan and the rest of the Sullivan Caucus, thank you so much for your generosity and thinking of the victims back in Harrisburg. We really appreciate that, but also for an announcement. As chairman of the Illinois Sportsman's Caucus, I want to invite all the Members and everybody that is listening to the annual Illinois Sportsman's Caucus auction which is March 28, at the State House Inn, 6:00, auction's at 7. Also to all the Members of the Sportsman's Caucus, we're asking you to bring a donated item for the auction and you can bring it to my office or bring it that night, but all the proceeds are going to fund and help the Conservation Foundation. Thank you."

Speaker Lyons: "Representative Phelps, while I have your undivided attention, on the Order of Second Readings, on page 8 of the Calendar, you have House Bill 4573. Would you like to move that Bill to Third Reading, Representative Phelps? Brandon, you've got a Bill on Second, want to move it to Third? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4573, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Al Riley, on the Oder of Third Readings, on page 20 of the Calendar, you

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have House Bill 4562. Representative Riley, Al, 4562. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4562, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Representative Riley."

Riley: "Thank you, Mr. Speaker, Members of the House. 4562 is an initiative of the Illinois Association of Park Districts. It essentially allows a park district board to appoint an assistant secretary and an assistant treasurer in cases where the regular treasurer or secretary are otherwise ill or incapacitated and cannot carry the duties of those particular offices. Doing so is sort of similar to authority that the forest preserves have under the Downstate Forest Preserve Act and the Cook County Forest Preserve Act. And it's a good Bill and I request 'aye' votes."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, all those in favor of the passage of House Bill 4562 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted on this? Deb Mell. Mr. Clerk, take the record. On this Bill, there's 106 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Chapin Rose. Representative Rose, you have, on the Order of Third Readings, on page 25 of the Calendar, House Bill 5913. Out of the record. Representative Senger, on page 8 of the Calendar, under House Bills-Second Readings you have House bill 4642. Out

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of the record. Mr. Clerk, what's... on page 9 of the Calendar, Representative Rita has House Bill 4674. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 4674, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Sente, you have Senate... on House... on page 22 of the Calendar, you have House Bill 5021, 5021. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5021, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lyons: "Representative Sente."

Sente: "House Bill 5121 is fixing an issue and returning language the way it was. It was inadvertently changed. This allows the police departments to use DUI funds for anything related to the prevention and safety of... or prevention and... and stopping DUIs. These funds can be used by the police departments for all the items listed. The Secretary of State is in agreement with this Bill. And I ask for an 'aye' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, all those in favor of the passage of House Bill 5021 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Kelly Burke, Bob Rita. Mr. Clerk, take the record. On this Bill, there's 106 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is

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hereby declared passed. Leader Tim Schmitz, on page 14 of the Calendar, under House Bills-Second Readings, Tim, you have House Bill 5548. Representative Schmitz, up here, Tim, Second Reading, House Bill 5548. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5548, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Sid Mathias, on page 11 of the Calendar, under House Bills-Second Reading, you have House Bill 5180. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5180, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Mathias, has been approved for consideration."

Speaker Lyons: "Representative Mathias on Floor Amendment #2."

Mathias: "Thank you, Mr. Speaker. Floor Amendment 2 is an agreement with IDOT on the Bill. I ask for your 'aye' vote and we can debate it when it goes to Third Reading."

Speaker Lyons: "All those in favor of the Gentleman's Amendment signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted. Anything further Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Sommer, on page 22 of the Calendar, under House Bills-Third Reading, you have House Bill 5062. Out of the record. Representative Art Tuner, on the Order of Third Readings, on page 23 of the

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Calendar, you have House Bill 5289, Art. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5289, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lyons: "Representative Turner."

Turner: "Thank you, Mr. Speaker. House Bill 5289 does three things. It's an initiative of the Attorney General's Office. It creates a new crime of sales tax evasion, alters existing penalties for the offenses of failure to file a sales and use tax return and fraudulent filing of a sales and use tax return, and three) it extends the statute of limitations for sales and tax crimes from three to five years. Sales tax evasion would be when a person knowingly attempts in any manner to evade or defeat the tax imposed on him or any other person or payment thereof and he commits an affirmative act in the furtherance of the evasion. It will be a Class IV Felony for amounts less than 300, a Class III Felony for amounts between 300 to 9,999, Class II for amounts above 10 thousand, and a non-probational Class I Felony for amounts over \$100 thousand. It extends the statute of limitations for sales tax related crimes from three to five years. I'd appreciate an 'aye' vote from the Assembly. Thank you."

Speaker Lyons: "Representative Eddy."

Eddy: "Thank you, Speaker. I have a parliamentary inquiry."

Speaker Lyons: "State your inquiry, Sir."

Eddy: "Is that the parliamentary.. "

Speaker Lyons: "It's our acting parliamentarian, yes, Sir."

Eddy: "Oh, then I don't. He scares me. I..."

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Speaker Lyons: "A question? Thank you, Representative."

Eddy: "Yes. I... if... I... I just didn't recog..."

Speaker Lyons: "Do you have a question of the lead Sponsor on the Bill?"

Eddy: "Yes, I do, if I could. Could..."

Speaker Lyons: "Representative Turner awaits for your questions."

Eddy: "Thank you."

Speaker Lyons: "And the... the parliamentarian is here in case you need to ask him."

Eddy: "Well, I just didn't recognize him. I was kind of, I thought I'd test him but I will later, some other time. I just have a quick question about this Bill as it relates to Internet sales tax."

Turner: "What's the question, Representative Eddy?"

Eddy: "How does failure to file a sales tax or use tax return related to Internet sales? Is that... does this Bill cover that?"

Turner: "I'm not sure if it addresses Internet sales."

Eddy: "Well, this is a... I mean, it's a serious offense. I'm mean, you're making something a pretty serious offense. It's tax evasion when they knowingly attempt in any matter to evade or defeat the tax imposed on any person, the payment of any item. So, my question is, if I'm on the Internet or someone's on the Internet and they purchase something and for whatever reason they're not paying sales tax, what happens under this Bill to those individuals? Is this an enhanced penalty for that?"

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Turner: "It's a staggered penalty. If it's covered by the sales tax, then it would be a violation, but if not, no."

Eddy: "Okay. So, I guess... okay, if I'm on the Internet I make a purchase, I'm not charged sales tax. Am I guilty of tax evasion under your Bill?"

Turner: "If it's a knowingly... a knowing evasion of the sales tax, then, yes, you're in violation."

Eddy: "So, what would happen to me if I'm on the Internet and I make that purchase, I just quickly drop something in the shopping cart. I have a total at the end of the time I'm on the Internet. I mean, I don't want to commit a crime. I just wonder what this enhancement is and whether or not we ought to take a look at this to make sure that we're not creating a penalty. It looks like it's a Class IV Felony you're creating here. If it's under three hundred bucks, it's a Class IV Felony. If it's over 300 to a thousand, it's a Class III. And then if it's over a thousand dollar purchase, it's a Class II Felony it look likes. Is that..."

Turner: "So, the Bill speaks to the mental state of the person committing the tax evasion and under your... your example, it would have to be that they were already charged with the tax evasion and the knowing mental state was there so."

Eddy: "Okay. Well, look, that's my question. That's my concern and I think maybe someone else can address it better than I, but I think it's something we should look at before we vote on the Bill. Thank you."

Speaker Lyons: "Representative Zalewski."

Zalewski: "To the Bill, Mr. Speaker. To the previous speaker's question, I think the offense would have to be charged by a

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law enforcement agency and then there'd have to be a... there'd have to be a finding of fact that in the hypothetical the previous speaker described, you know, it's hard to say we're speaking of an incidence where someone on the Internet simply didn't know that the sales tax was due and they... and they failed to pay it. Under... under that scenario, they'd have to be charged with the offense. There'd have to be a finding of fact that they were guilty beyond a reasonable doubt. So, I don't necessarily know that under this Bill we'll be scooping up all these innocent actors that are simply failing to pay a sales tax. I think what the Bill attempts to do is go after these serial offenders that aren't paying the sales tax that is due."

Speaker Lyons: "Representative David Reis."

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

Speaker Lyons: "Sponsor yields."

Reis: "Representative, I'm going to try and approach this from a different angle. What's the genesis of your Bill?"

Speaker Lyons: "Representative Turner?"

Turner: "I'm sorry. I didn't hear the question."

Reis: "I want to approach this from a different angle. What's the genesis of your Bill?"

Turner: "The Bill... it's an initiative of the Attorney General's Office. And it's... the intent behind it is to go after retailers who knowingly and intentionally evade paying taxes on retail that they are selling, inventory, things like that."

Reis: "Does your Bill..."

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Turner: "So, it's not for the person who's necessarily shopping on the Internet or buying a pair of shoes, but instead..."

Reis: "I understand that's not the intent of your Bill, but does your Bill specifically say that this is just for retailers?"

Turner: "No, no."

Reis: "'Cause I think the collateral damage from your Bill... I'm going to use another example. What if someone purchases cigarettes across state line and comes back?"

Turner: "The Bill is for those who are knowingly attempting to evade sales tax. So, if you buy a pack of cigarettes across state lines and bring it back it wouldn't apply to you, necessarily."

Reis: "Are you sure?"

Turner: "Yes."

Reis: "I think your Bill is written very, very broad and I understand it's an initiative of the Attorney General, but I think maybe you should pull your Bill out of the record. I'm not even sure everyone on your side of the aisle is comfortable with this. Let's make sure it's drafted properly and it goes after the retailers that you're specifically after and then you're not going to have collateral damage from Aunt Matilda that orders some stuff over the Internet and it doesn't even give her the option to pur... to pay sales taxes. She does get charged and then all of a sudden she has a Class IV Felony. Now, that's a very serious felony. I understand what you're going after, but I'm not sure your Bill's drafted correctly."

Speaker Lyons: "Representative Turner."

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Turner: "We'll pull the Bill from the record and bring it back.
Thank you."

Speaker Lyons: "Mr. Clerk, take the Bill out of the record on
request of the Sponsor. Leader Jim Durkin."

Durkin: "I'd like to recognize friends who are here from... from
my district who are part of the Illinois Dietetic
Association. If they could stand up and be recognized and
if we could extend to them a warm Springfield welcome and
the next time we decide to go out for our horseshoes, maybe
we should talk to them ahead of time. So, thank you very
much and welcome to Springfield."

Speaker Lyons: "Welcome to your Capitol. Enjoy the day.
Representative Mike Tryon, on page 24 of the Calendar, you
have House Bill 5642. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5642, a Bill for an Act concerning
safety. Third Reading of this House Bill."

Speaker Lyons: "Representative Mike Tryon."

Tryon: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House. Those of you who were here last year remember House
Bill 3604 which was a Bill that allowed the Illinois EPA to
implement a NPDES permitting program for large animal
feeding operations. It was a very controversial Bill. It
set up an \$1800 fee, but it was necessary to implement such
a program because it was a result of a lawsuit that was
brought against Illinois EPA and as part of a settlement
agreement, we agreed that we would initiate an NPDES
program on our large animal feeding operations. That Bill
failed; it didn't pass. And I'm glad to say that this Bill,
House Bill 5642 is now agreed to by the Farm Bureau and the

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pork producers and the very entities that are being regulated. The fee is much less and the provisions that were offensive to the Farm Bureau and the pork producers have been removed. So, I want to point out that every state in the United States who has a delegation agreement with USEPA for a clean water program has to establish a permitting program for discharging animal feeding operations. This will allow us to comply with Federal Law and allow us to honor the terms of the settlement agreement that EPA entered into. So, with that, I would be glad to answer any questions."

Speaker Lyons: "The Chair recognizes Representative Jim Sacia."

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

Speaker Lyons: "Sponsor yields."

Sacia: "Ladies and Gentlemen of the House, the Sponsor is to be truly commended for his work on this Bill. The Bill he alluded to that he had last year was adamantly opposed by the Farm Bureau, the pork producers, practically every agricultural organization out there, in particular, those dealing with livestock agriculture. Could you get some order, Mr. Speaker? Could I ask for it, please?"

Speaker Lyons: "Ladies and Gentlemen, the noise level on the floor makes it hard to have a discussion. Can I ask you, please, to lower your conversations. Shhh. Thank you."

Sacia: "Thank you, Mr. Speaker. I think the importance of what the Sponsor did here is noteworthy and really does deserve your attention. You know, we always talk about what's going to happen over the summer. A good example is we were going to solve the state pension issue over the summer and we

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never worked on it, but Representative Tryon, representatives from the Farm Bureau, pork producers, beef producers, the vast majority of livestock agencies got together and came up with an agreed Bill. I won't elaborate on this. The fact remains they all worked very hard and they came to consensus on something that, in my opinion, has become very meritorious and a year ago I was adamantly opposed. So, I commend the Sponsor for his work and I urge your 'aye' vote."

Speaker Lyons: "Representative Moffitt."

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

Speaker Lyons: "Sponsor yields."

Moffitt: "Representative, just... and very, very briefly, and I, too, commend you for going from a Bill that the agriculture community was really concerned about to where you have them as proponents. Could very briefly you tell us what changes have been made that the Farm Bureau, the pork producers, the cattleman are all on board now?"

Tryon: "Okay. There were changes made that lowered the permitting fee from the amount that was proposed last year and made a tier fee schedule so that all farms that discharged weren't treated like... the same. So, they used different animal designations under the Livestock Act, and then they matched those up with the fee program. There's also, by the way, this is kind of fashioned after programs in Minnesota and Michigan. That was how they dealt with it and then the EPA and the Farm Bureau and pork producers have some agreements on how they could discharge and when they could discharge and so forth. So, the industry and...

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and I think the industry has done a phenomenal job of... of coming to the table with the regulators."

Moffitt: "And you did say that it's the Federal Government that's got us to this point requiring some action?"

Tryon: "Absolutely, and it's something that probab... that we were remiss in not taking a program forward earlier. This should have been done really in the onset of the clean water program."

Moffitt: "And are there any thresholds that a small enough operation that would not even apply to in terms of a fee?"

Tryon: "There's no exemption under the... under the Clean Water Act. If you discharge sewage or pollutants or wastewater to waters of the United States as it's defined, you have to do so under a permit that would qualify as a NPDES permit and that stands for the National Pollutant Discharge Elimination System. And it's a federal permit that IEPA administers."

Moffitt: "Thank you for working with the opponents and getting an agreed Bill. I appreciate it. Thank you."

Speaker Lyons: "Representative Karen May."

May: "Yes. I would just like to stand from this side of the aisle to salute the Sponsor for the work on this. He truly has been a leader. He understands clean water issues. So, we brought his expertise and hard work getting everyone together. I think I learned a few years back that anytime you touch NPDE... the NPDES that it can be ballistic, totally ballistic. But this is a Bill that brings together protection of clean water and yet understanding the concerns and the ramifications in our feeding operations.

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So, it truly is a bipartisan Bill. It's Representative Tryon working together to find a solution that meets all the needs of our diverse state. So, thank you for your work on this."

Speaker Lyons: "Representative Tryon moves for the passage of House Bill 5642. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Reboletti, Rita, Watson, would you like to be recorded? Mr. Clerk... Rita. Take the record. On this Bill, there are 91 Members voting 'yes', 14 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Sacia has, on the Order of Second Readings, House Bill 4940. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 4940, a Bill for an Act concerning revenue. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motion are filed."

Speaker Lyons: "Third Reading. Representative Camille Lilly, point of personal privilege."

Lilly: "Thank you, Mr. Speaker. Yes, point of personal privilege. I would like to recognize the leaders of the west side of Chicago, our young leaders, fathers who care, West Side Garfield Park Safety Net Children Youth Leadership Council. Can we give them a warm, round welcome."

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Speaker Lyons: "Garfield Park, glad to have you at your Capitol, enjoy your day. Representative Mike Unes, on page 21 of the Calendar, under Bills-Third Reading, you have House Bill 4901. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4901, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "Representative Unes."

Unes: "Thank you, Mr. Speaker. House Bill 4901 is essentially just cleanup language from a Bill that passed last year. It simply rewords the statute to make the exemption applicable to a military reenactor or a person who has a CNR relics... or CNR license from the Federal Government. I'm happy to answer any questions and I urge an 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation regarding House Bill 4901. Are there any questions? Seeing none, the question is, 'Should House Bill 4901 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Monique Davis, Emily McAsey, Pat Verschoore, Eddie Jackson. Representative Penny, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there's 96 Members voting 'yes', 7 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Pat Verschoore, on the Order of Third Readings, on page 22 of the Calendar, you have House Bill 5151. Representative Verschoore, House Bill 5151. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 5151, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Rock Island, Representative Pat Verschoore."

Verschoore: "Thank you, Mr. Speaker, Ladies and Gentlemen. What this does is there's already a limit on how far away a gun range can be for a sound nuisance and what this Bill does is just increases that distance from 500 yards up to a thousand yards as far as a nuisance. So, I don't think there's any... the only opposition I have is the Illinois Council Against Handgun Violence. So, the National Rifle Association, the Illinois State Rifle Association, the Department of Natural Resources is in agreement with this Bill. So, I'd be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, all those in favor of the passage of House Bill 5151 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brauer, Barickman. Mr. Clerk, take the record. On this Bill, there are 98 Members voting 'yes', 7 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ann Williams, on the Order of Second Readings, on page 10 of the Calendar, you have House Bill 5008. Out of the record. Representative Mike Zalewski, on the Order of Second Readings, on page 7 of the Calendar, you have House Bill 4526. 4526, Mike. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 4526, a Bill for an Act concerning safety. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motion are filed."

Speaker Lyons: "Third Reading. Representative Kelly Cassidy, on page 11 of the Calendar, under Bills-Second Reading, you have House Bill 5114. Representative Cassidy. Cassidy, you want to move that Bill? Out of the record. Representative Ken Dunkin, on the Order of Second Readings, on page 4 of the Calendar, you have House Bill 3867. Do you want to move that Bill to Third Reading, Representative? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3867, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Camille Lilly, on the Order of Second Reading-House Bills, you have, on page 8 of the Calendar, House Bill 4615. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4615, a Bill for an Act concerning housing. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Leader Lou Lang in the Chair."

Speaker Lang: "House Bill 2912, Representative Acevedo. Please read the Bill. Out of the record. House Bill 5852, Representative Arroyo. Please read the Bill. Out of the record. House Bill 5121, Representative Beiser. Please read the Bill."

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Clerk Bolin: "House Bill 5121, a Bill for an Act concerning Corrections. Third Reading of this House Bill."

Speaker Lang: "Mr. Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. House Bill 5121 is an initiative of our State's Attorneys Office and myself as a result of a situation in Southern Illinois University at Edwardsville where a student was convicted of attempted terrorism which, if it would've panned out, would have been horrific in the consequences in death and injury that it would have caused. Currently, the way he was charged and the way the law states, he will only have to serve... he could get off in half of his time for good behavior. And what this Bill does it says that he has to serve or that person or anybody in subsequently would have to serve at least 85 percent of their sentence. I'd ask for your 'aye' vote. I'd be happy to answer any questions."

Speaker Lang: "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? Record yourselves, Members. Representative Kay, Lyons. Mr. Reis. Mr. Lyons, Mr. Reis. Please take the record. On this question, 106 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, returning to House Bill 5852, Mr. Arroyo. Please read the Bill."

Clerk Bolin: "House Bill 5852, a Bill for an Act concerning construction. Second Reading of this House Bill. No

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

Lang: "Third Reading. House Bill 5315, Mr. Barickman. Please read the Bill."

Clerk Bolin: "House Bill 5315, a Bill for an Act concerning government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 4707, Representative Berrios. Representative Berrios. Out of the record. House Bill 4043, Mr. Bradley. Read the Bill, please."

Clerk Bolin: "House Bill 4043, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Mr. Bradley."

Bradley: "Thank you, Mr. Speaker. This would allow a couple of school districts to consolidate. The consolidation would not take effect unless they were able to get a school construction. It does not move them up the list in front of any other schools. I'd ask for an 'aye' vote."

Speaker Lang: "Mr. Bradley 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? Members, record yourselves, please. Have all voted who wish? Representative Cole, Davis, Durkin. Representative Will Davis. Please take the record. On this question, there are 104 voting 'yes', 2 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5236, Mr. Bost. Please read the Bill."

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Clerk Bolin: "House Bill 5236, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee amendments. No Floor amendments. No Motion are filed."

Speaker Lang: "Third Reading. House Bill 5114, Dan Burke. Please read the Bill."

Clerk Bolin: "House Bill 5114, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Dan Burke, has been approved for consideration."

Speaker Lang: "Mr. Burke."

Burke, D.: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. Very simply, Floor Amendment #2 would provide that this video that would offer training in the use of AEDs and CPR would be provided at no charge to all public schools in our state. This was a initiative that Representative Eddy had recommended when we were debating the issue in committee and we have accommodated his concern with this Amendment. And I would ask for the Body's favorable consideration."

Speaker Lang: "Those in favor of the Amendment 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. House Bill 5342, Kelly Burke. Please read the Bill."

Clerk Bolin: "House Bill 5342, a Bill for an Act concerning revenue. Second Reading of this House Bill. Amendment #1

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was adopted in committee. No Floor Amendments. No Motion are filed."

Speaker Lang: "Third Reading. House Bill 4148, Representative Cassidy. Returning to House Bill 5342, Representative Kelly Burke."

Burke, K: "Could it go back to Second Reading.. my mistake?"

Speaker Lang: "Let's hold this Bill on the Order of Second Reading at the request of the Sponsor, Mr. Clerk. House Bill 4148, Representative Cassidy. Please read the Bill."

Clerk Bolin: "House Bill 4148, a Bill for an Act concerning revenue. Second Reading of this House Bill. Amendment #2 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 4991, Leader Cross. Is this Bill ready to go for Leader Cross? Please read the Bill."

Clerk Bolin: "House Bill 4991, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 4029, Representative Chapa LaVia. Please read the Bill."

Clerk Bolin: "House Bill 4029, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5565, Representative Costello. Please read the Bill."

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Clerk Bolin: "House Bill 5565, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Lang: "Mr. Costello."

Costello: "Thank you, Mr. Speaker and Members of the General Assembly. House Bill 5565 removes a municipality's authority to impose greater firearms regist... restrictions than those authorized under State Law. It gives the state the exclusive authority to regulate firearms in the State of Illinois. And I will accept any questions. Thank you."

Speaker Lyons: "Gentleman moves for the passage of the Bill. The Chair recognizes the Majority Leader, Representative Currie."

Currie: "I have a question for the Chair. What would the vote requirement for passage of House Bill 5565? And while you're taking that question under advisement, I'd like to speak to the Bill, if I might. It's proper to do that..."

Speaker Lang: "Leader Currie, and we will get you an answer to your question."

Currie: "Pardon me?"

Speaker Lang: "We'll get you an answer to your question..."

Currie: "Okay. Thank..."

Speaker Lang: "...and please proceed to debate."

Currie: "Yeah. Yeah, I... I strongly object to this Bill. I live in a city that does have some gun control restrictions and it does so because we are privy to far too much violence on our streets. Barely a day goes by that you don't see another drive-by shooting another child, a six-year-old most recently dead because gun violence is a major public health problem. The idea that Chicago and some other

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communities where there is evidence of street violence, gun violence, should be unable to do anything to protect the safety of our children strikes me as unconscionable. Maybe, in the area that the Sponsor represents, gun violence is not an issue. Although my guess is that it is an issue everywhere, but there's no question it's a major issue in our big cities and it would be, I think, morally improper for this Legislature to say no, we're not going to let you, the citizens of Chicago, protect your own. I strongly urge a 'no' vote."

Speaker Lang: "Representative Williams."

Williams: "Thank you, Mr. Speaker. Will the Representative yield?"

Speaker Lang: "Gentleman yields."

Williams: "Representative, is this the same Bill that Representative Rosenthal carried last year?"

Speaker Lang: "Mr. Costello."

Costello: "I'm sorry, Mr. Speaker, I missed the question."

Williams: "I'm wondering if this is the same Bill that Representative Rosenthal carried last year? Just curious."

Costello: "It was a Representative Bost Bill last year, I believe."

Williams: "Okay. Well, I just want to... to the Bill. I just want to echo the sentiments of the Majority Leader in saying we have to keep in mind what we're dealing with in terms of a vast disparity in the type of districts that we represent. I think I brought this up last Session in debate. It would take me about three hours probably to walk across my Legislative District from end to end and I'm guessing

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Representative Costello's district takes quite a bit longer to walk across. Just the point being that there's a great deal of difference in terms of density and I think we really need to keep that in mind when we are attempting to limit the ability of a municipality to make the best decisions for its residents based on things like density, population, et cetera. I would urge a 'no' vote."

Speaker Lang: "Representative Greg Harris."

Harris, G.: "Thank you, Mr. Speaker. To the Bill. I echo the concerns of the previous two speakers, my colleague from Chicago that the City of Chicago should be allowed to enforce its own more restrictive gun control ordinances, if we so choose. There will be several thousand of us from various faith communities on April 2 making a holy week procession from St. James Cathedral to old St. Pat's Church and through a number of houses of worship remembering 600 children who have been killed by violence in the City of Chicago, and I would like to be sure that we can tell the families of those children that at least for the City of Chicago we're allowing our municipal entity to do what it believes is right to protect other children. I would ask for a 'no' vote."

Speaker Lang: "Sponsor wishes to remove the Bill from the record. Is that correct, Sir? Bill goes out of the record. House Bill 5899, Mr. Fortner. Please read the Bill."

Clerk Bolin: "House Bill 5899, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motion are filed."

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Speaker Lang: "Third Reading. House Bill 5250, Mr. Cunningham. Out of the record. House Bill 5321, Representative Currie. Please read the Bill."

Clerk Bolin: "House Bill 5321, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5101, Mr. D'Amico. Mr. D'Amico, 5101. Please read the Bill."

Clerk Bolin: "House Bill 5101, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Mr. D'Amico."

D'Amico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5101 is part of a federal initiative which is basically banning handheld cell phones while driving a commercial vehicle. Part of the federal guidelines, we have three years to adopt this. Every state across the nation. The truckers are in full support. There's no opposition to the Bill. I'll take any questions."

Speaker Lang: "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? Please record yourselves. Mr. Mitchell, Mr. Watson. Please, take the record. On this question, there are 107 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5193, Representative Will Davis. Mr. Davis. Out of the

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record. House Bill 4670, Representative Hammond. Please read the Bill."

Clerk Bolin: "House Bill 4670, a Bill for an Act concerning sex offenders. Third Reading of this House Bill."

Speaker Lang: "Representative Hammond."

Hammond: "Thank you, Mr. Speaker. House Bill 4670 permits law enforcement to allow a sex offender to pay the sex offender registration fees under a payment plan or allows an indigent sex offender to perform community service in lieu of paying the fee. I'd be happy to answer any questions."

Speaker Lang: "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? Mr. Clerk... Is there a problem with the board? With the leave of the Body, we will dump the Roll Call, Mr. Clerk. The board is frozen, bear with us a moment. Members, we're going to do the Roll Call on this Bill, House Bill 4670, again. We're obviously dumping that one for technical reasons. The Representative Hammond has closed. Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 75 voting 'yes', 29 voting 'no', and 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Next Bill is House Bill 4018, Mr. DeLuca. Out of the record. House Bill 5459, Representative du Buclet. Out of the record. House Bill 4985,

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Representative Feigenholtz. Out of the record. House Bill 5630, Representative Hatcher. Please read the Bill."

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

Speaker Lang: "Representative Hatcher."

Hatcher: "Thank you. House Bill 5630 amends the Vehicle Code. It provides that if an uninsured driver provides damage with the vehicle they are driving, they are responsible for that damage."

Speaker Lang: "The Lady has moved for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Carli, Harris, Mussman. Representative Harris, Representative Mussman. Please take the record. On this question, 107 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 174, Representative Flowers. 174. Out of the record. House Bill 4968, Representative Gabel. Representative Gabel. Please read the Bill."

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

Speaker Lang: "Representative Gabel."

Gabel: "Thank you, Mr. Speaker. This Bill says the hospitals must adopt an infant feeding policy that promotes breastfeeding. This Bill was worked out with the Hospital Association. And I think it's a great Bill that will help promote breastfeeding among our new mothers. I ask for an 'aye' vote. Thank you."

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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? Please take the record. On this question, there are 107 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5450, Representative Golar. Representative Golar. Please read the Bill."

Clerk Bolin: "House Bill 5450, a Bill for an Act concerning housing. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 1384, Representative Gordon. Representative Gordon. Out of the record. House Bill 4531, Representative Hernandez. Out of the record. House Bill 5789, Representative Osmond. Out of the record. House Bill 4563, Representative Howard. Please read the Bill."

Clerk Bolin: "House Bill 4563, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Representative Howard."

Howard: "Yes. Thank you, Mr. Speaker. House Bill 4563 would make applicable changes within the Illinois Health Facilities Planning Act as it relates to facilities licensed under the ID/DD Community Care Act. You perhaps know that over the past 20 years, community-based intermediate care facilities for the department... for the developmentally disabled and long-term care for under age 22 were licensed under the Nursing Home Care Act and that it was believed was really not appropriate. Now, this

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legislation would... let's see what... what does this legislation do? No... it would... no permit or exemption would be required from the Illinois Health Facilities and Services Review Board prior to the reduction of the number of beds. A facilities license under this Act would notify HFSRB and the Department of Human Services in writing within 30 days if there is intent to reduce the number of beds or close the facility. Annual reports for facilities licensed under this Act would be specific to those licensed under the ID/DD Community Care Act, and there are a number of other specifics that I can answer questions about. This legislation was agreed to by the Center for Developmental Disabilities Advocacy and Community Supports, DHS and the SEIU said they were going to be neutral. There are no implications on any facility that is maintained by the state. I ask for your 'yes' votes."

Speaker Lang: "Lady moves for the passage of the Bill. There being no debate, 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? Please take the record, Mr. Clerk. On this question, there are 107 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4492, Mr. Poe. Mr. Poe. Please read the Bill."

Clerk Bolin: "House Bill 4492, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lang: "Mr. Poe."

Poe: "Speaker... Mr. Speaker, Ladies and Gentlemen of the House. This Bill makes the Tartan of the state of... Illinois St.

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Andrews Society the official Tartan of the State of Illinois. I'd like a 'yes' vote."

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

May: "Yes, thank you. Inquiry of the Chair. I had filed an Amendment asking to have the Stewart Tartan to be considered and it's not on my screen. Has that been considered? Is that out of Rules? My tennis partner used to be a Stewart and there are a lot of Stewarts in my district, so, with all due respect to the St. Andrew Society, I wonder why we're picking the St. Andrew Tartan, instead of the Stewart Tatan... Tartan or the Black Watch or any of the other of the famous tartans?"

Speaker Lang: "Mr. Clerk, do you have an answer to the Representative's inquiry?"

Clerk Bolin: "Floor Amendments 1 and 2 have been referred to the House Rules Committee."

Speaker Lang: "That's your answer."

May: "Okay. Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Poe: "Yes."

May: "Yes. Could you answer my question why you picked the St. Andrew Society versus the Stewart Tartan or the Black Watch Tartan or any of the other tartans?"

Poe: "This... this passed the House in 2002 by former Representative O'Connor, and at that time that's when they suggested the St. Andrew Society and that's why it's come back up now. It passed out of the House near unanimous and it never passed the Senate. So, I know I didn't really

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answer your question, I don't know, but I'm just giving you a little back history as the St. Andrew Society has passed it in this chamber before."

May: "Okay. Well, I just happen to be partial to the Stewart Tartan because there are a lot of Stewarts in my district and I think that we have a history in this state of sometimes putting the question of the state toy, you know, the state snack or whatever we've debated over the years I've been down here, putting it to the school children to decide. So, I would just hate to weigh in on the St. Andrew's Tartan versus any other tartan without checking with the school children also. I just don't... I guess, with all due respect, I don't understand why we're voting on this. Thank you."

Speaker Lang: "Mr. Ramey."

Ramey: "Thank you, Mr. Speaker. To the Bill. If I may, and the previous speaker's question, I believe as it was presented in committee that they created the tartan using red, white, and blue to designate different parts of the State of Illinois. So, it's not actually the Stew... or the St. Andrew's Tartan, but the St. Andrew Society helped create the tartan for Illinois. So, the Stewarts are not getting dismissed. I being a Scot, we're not being dismissed. It's specific for the State of Illinois. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Poe to close."

Poe: "Just appreciate an 'aye' vote."

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

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Harris, Howard, May, Mell, Nekritz. Please record yourselves, Members. Please take the record. On this question, there are 99 voting 'yes', and 5 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3940, Representative Jakobsson. Out of the record. House Bill 2886, Mr. Jefferson. Out of the record. House Bill 5632, Mr. Mautino. Please read the Bill."

Clerk Bolin: "House Bill 5632, a Bill for an Act concerning employment. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5624, Representative May. Out of the record. House Bill 5207, Mr. Reis. Please read the Bill."

Clerk Bolin: "House bill 5207, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Lang: "Mr. Reis."

Reis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 5207 is an initiative of the State Board of Elections. It's a cleanup Bill. Simply removes two words from a Bill that was passed last year. I ask for your 'aye' vote."

Speaker Lang: "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? Davis, Howard. Will Davis. Please take the record. On this question, 107 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional

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Majority, is hereby declared passed. House Bill 4638, Representative McAsey. Representative McAsey. Please read the Bill."

Clerk Bolin: "House Bill 4638, a Bill for an Act concerning safety. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motion are filed."

Speaker Lang: "Third Reading. House Bill 5178, Representative Mell. Please read the Bill."

Clerk Bolin: "House Bill 5178, a Bill for an Act concerning safety. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5145, Mr. Sacia. Please read the Bill."

Clerk Bolin: "House Bill 5145, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an initiative of the Village of Elizabeth, Illinois, in Jo Daviess County, which after many, many years of being on solid ground, no pun intended, all of a sudden old lead mines started caving in. And back in 1960 it was... IDNR determined that it no longer needed the funding to take care of that, and all of the funds for reclaiming old coal mines comes from the Federal Government, but it's only been allocated since 1960 to old coal mines. What this legislation would do, and it has the support of IDNR and I know of no opposition, is simply allow two percent of the funding that comes to IDNR for this purpose to be used for filling in other than coal

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mines, i.e., in my situation, old lead mines. And I ask for your support. I know of no opposition."

Speaker Lyons: "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? Representative Howard. Please take the record. On this question, there are 107 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5440, Representative Mussman. Representative Mussman. Please read the Bill."

Clerk Bolin: "House Bill 5440, a Bill for an Act concerning revenue. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 4464, Representative Nekritz. Representative Nekritz. Out of the record. House Bill 5814, Mr. Sosnowski. Please read the Bill."

Clerk Bolin: "House Bill 5814, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5745, Mr. Phelps. Mr. Phelps. Out of the record. House Bill 5359, Mr. Rita. Please read the Bill."

Clerk Bolin: "House Bill 5359, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5791, Representative Senger. Please read the Bill."

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

Speaker Lang: "Third Reading. House Bill 5193, Representative Will Davis. Please read the Bill."

Clerk Bolin: "House Bill 5193, a Bill for an Act concerning public health. Third Reading of this House Bill."

Speaker Lang: "Mr. Davis."

Davis, W.: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 5193 simply is an effort to ask the Department of Public Health to... to the extent they are able to do so provide information, education and resources toward making sure that the awareness surrounding Hepatitis C has been heightened. We found an Amendment that has also been adopted that will now include Hepatitis B in that conversation as well. Be more than happy to answer any questions."

Speaker Lang: "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? Please take the record. On this question, there are 107 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 862, offered by Representative Gordon. House Resolution 863, offered by Representative Phelps. House Resolution 864, offered by

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Representative Phelps. House Resolution 865, offered by
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Representative Phelps. House Resolution 867, offered by
Representative Phelps. House Resolution 868, offered by
Representative Phelps. House Resolution 869, offered by
Representative Jefferson. House Resolution 870, offered by
Representative Hays. House Resolution 871, offered by
Representative Chapa LaVia. House Resolution 873, offered
by Representative Yarbrough. House Resolution 874, offered
by Representative Lang. And House Resolution 875, offered
by Representative Rosenthal."

Speaker Lang: "Leader Currie moves for the adoption of the
Agreed Resolutions. Those in favor say 'yes'; opposed 'no'.
In the opinion of the Chair, the 'ayes' have it. And the
Agreed Resolutions are adopted. Mr. Clerk, committee
announcements."

Clerk Hollman: "Committee announcements. The following
committees have been canceled this afternoon: the
Agriculture & Conservation Committee has been cancelled;
the Cities & Villages Committee has been canceled, and the
Judiciary II Committee has been canceled. Meeting at 4:45
is State Government Administration in Room D-1, Consumer
Protection in C-1, Elementary & Secondary Education in Room
114. Meeting at 5:15 is Higher Education in 413, the
Executive Committee in Room 114, and the Revenue & Finance
Committee in Room C-1. Meeting at 5:45 is Insurance
Committee in C-1 and the Judiciary I Committee in D-1."

Speaker Lang: "Chair recognizes Mr. Reis."

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

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Speaker Lang: "State your point."

Reis: "I just want to remind everybody that tonight is the joint reception of the Illinois Pork Producers Association and the Illinois Beef Association. Always great pork chops and... and freshly prepared beef. It's at the Hilton tonight, so stop by and have a great meal. Thank you."

Speaker Lang: "Members, an important announcement. Members, please pay attention. All Amendments need to be filed no later than Tuesday, March 27 at 4 p.m. I'm going to repeat that one more time. All amendments need to be filed by Tuesday, March 27 at 4 P.M., so that any Amendment might be heard by the Third Reading deadline next week. And now, allowing for perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned till Thursday, March 22 at the hour of 10 a.m. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion is adopted and the House is adjourned."

Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 6140, offered by Representative Cross, a Bill for an Act concerning public employee benefits. There being no further business, the House Perfunctory Session will stand adjourned."