

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

135th Legislative Day

5/11/2012

Speaker Lyons: "Good morning, Illinois. Your House of Representatives will come to order. Members are asked to please be at your desks. We shall be led in prayer today by Wayne Padget, the Assistant Doorkeeper. Members and guests are asked to refrain from starting their laptops, turn off all electronic equipment and rise for the invocation and the Pledge of Allegiance. Wayne Padget."

Wayne Padget: "Let us pray. Bless this House and all who serve here, Amen."

Speaker Lyons: "Representative Chris Nybo, would you lead us in the Pledge of Allegiance."

Nybo - 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, Democrats."

Currie: "Thank you, Speaker. Please let the record reflect that Representatives Carli, Feigenholtz, Jefferson, Jones, Lang and Mayfield are excused today."

Speaker Lyons: "Thank you, Leader. Leader Bost, the GOP."

Bost: "Thank... thank you, Mr. Speaker. Let the repor... let the record reflect that Representatives Connelly, Cross, Kosel, Morthland and Osmond are excused on the Republican side of the aisle."

Speaker Lyons: "Thank you, Leader. Mr. Clerk, take the roll. 107 Members are responding to the quorum call, we do have a quorum. We're prepared to do the work of the people of the State of Illinois. Mr. Clerk."

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

135th Legislative Day

5/11/2012

Clerk Bolin: "Introduction of Resolutions. House Resolution 1040, offered by Representative Flowers. House Resolution 1041, offered by Representative Flowers. And House Resolution 1043, offered by Representative DeLuca."

Speaker Lyons: "Leader Barbara Flynn Currie moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, Adjournment Resolution. Mr. Clerk, the Adjournment Resolution."

Clerk Bolin: "Senate Joint Resolution 74, offered by Representative Currie."

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the Senate adjourns on Thursday, May 10, 2012, it stands adjourned until Tuesday, May 15, 2012 at 12:00 noon, or until the call of the President; and when the House of Representatives adjourns on Friday, May 11, 2012, it stands adjourned until Tuesday, May 15, 2012 at 12:00 noon, or until the call of the Speaker."

Speaker Lyons: "Leader Currie moves for the adoption of the Adjournment Resolution. All those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Adjournment Resolution is adopted. Agreed Resolutions, Mr. Clerk."

Clerk Bolin: "Agreed Resolutions. House Resolution 1037, offered by Representative Mathias. House Resolution 1038, offered by Representative Cavaletto. House Resolution 1039,

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

135th Legislative Day

5/11/2012

offered by Representative Brauer. And House Resolution 1042, offered by Representative Connelly."

Speaker Lyons: "Alright, Mr. Clerk, this time I paid attention. Leader Barbara Flynn Currie moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions, this time, are adopted. Representative Monique Davis, for what purpose do you seek recognition?"

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

Speaker Lyons: "Please proceed, Monique."

Davis, M.: "I rise, Repre... Mr. Speaker, to say the Body should notice that Miss Shelva Stinson will be graduating tomorrow from the University of Illinois with a Bachelor of Arts in Legal Studies and she's one of our Pages. I'd like for Shelva to stand up. She's graduating from college tomorrow. Congratulations."

Speaker Lyons: "Congratulations, Miss Shelva, we're all proud of you."

Davis, M.: "Mr. Speaker..."

Speaker Lyons: "Great job."

Davis, M.: "...and I don't know if she got a scholarship or not, but we're glad she's graduating. Thank you."

Speaker Lyons: "Here, here. Representative Jim Sacia."

Sacia: "A moment of personal privilege, Mr. Speaker."

Speaker Lyons: "Please proceed, Jim."

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

135th Legislative Day

5/11/2012

Sacia: "Ladies and Gentlemen of the Body, a retired Member of this Body passed away in the past couple days. Mr. Speaker, would you..."

Speaker Lyons: "Jim, hold on a second. Shhh, Members. Representative Sacia."

Sacia: "Many of you know and hold dear in your hearts a gentleman that, over the years, if you've been fortunate you've had the privilege of knowing and loving this... this great gentleman who passed away in the past couple days. I'm referring to former State Representative Roger Marquardt. He was absolutely one of the most amazing men I think that God ever put on the planet. And he... Saturday night he suffered a stroke and/or a heart attack and he lied unconscious for several days and he did pass the day before yesterday. And there will be a Resolution forthcoming, but Mr. Speaker, if we could have a moment of silence for not only a tremendous State Representative, but an all-around great guy. Thank you."

Speaker Lyons: "May Roger rest in peace, Amen. Representative Jack Franks."

Franks: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Lyons: "Please proceed, Jack."

Franks: "We have today the eighth-grade class from Riley School in Marengo. I'd like to give them a warm Springfield welcome. They're up here in the gallery. Thanks for coming."

Speaker Lyons: "Welcome to your Capitol, students. We're proud to have you here. Enjoy your day. Members, I'm going to

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

135th Legislative Day

5/11/2012

start moving some Second Reading Bills on page 7 of the Calendar, so, heads up, pay attention. If you've got a Bill on Second Reading on page 7, we're going to try to get as many of these moved to Third as possible. We'll start with Representative Dennis Reboletti. On the top of page 7, Dennis, you have Senate Bill 180. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 180, a Bill for an Act concerning government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Jack Franks, on the Order of Second Reading, on page 7 of the Calendar, Jack, you have Senate Bill 408. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 408, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. The Chief of Staff just reminded me to lay out the plan for today. Second Readings, first, try to move as many as we can to Third and then, we will be doing some Third Readings. Capisce? We will be doing some Third Readings. Representative Esther Golar, on page 7 of the Calendar, under Senate Bills-Second Reading, you have Senate Bill 680. Out of the record. Representative Sen... Representative Sente, you have Senate Bill 967 on the Order of Second Reading. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 967, a Bill for an Act concerning transportation. Second Reading of this Senate Bill.

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

135th Legislative Day

5/11/2012

Amendment #1 was adopted in committee. No Floor Amendments.  
No Motions are filed."

Speaker Lyons: "Third Reading. Representative Pat Verschoore,  
you have Senate Bill 1286. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1286, a Bill for an Act concerning  
revenue. The Bill was read for a second time on a previous  
day. Amendment #1 was adopted in committee. Floor  
Amendments 6 and 7 have been approved for consideration.  
Floor Amendment #6 is offered by Representative  
Verschoore."

Speaker Lyons: "Representative Verschoore, Floor Amendment 6,  
Pat."

Verschoore: "I don't... I want... I just want to adopt Amendment  
#9."

Speaker Lyons: "Mr. Clerk."

Clerk Bolin: "Floor Amendments 6 and 7 have been approved for  
consideration. No further Amendments have been filed."

Verschoore: "Well, I'd ask for adoption of 6 and..."

Speaker Lyons: "Pat, do you want to take it out of the record?"

Verschoore: "Let's take it out of the record, yes."

Speaker Lyons: "Hold that Bill on the Order of Second Reading.  
Representative Elaine Nekritz, you have Senate Bill 1808,  
Elaine. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1808, a Bill for an Act concerning  
criminal law. Second Reading of this Senate Bill. Amendment  
#1 was adopted in committee. No Floor Amendments. No  
Motions are filed."

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

135th Legislative Day

5/11/2012

Speaker Lyons: "Third Reading. Representative Krezwick, you have Senate Bill 2568 on page 8 of the Calendar. Read the Bill, Mr. Clerk. 2568, Chuck. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2568, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Soto, you have Senate Bill 2569. Out of the record. Representative Greg Harris, you have Senate Bill 2824. Out of the record. Representative Gabel, you have Senate Bill 2839. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2839, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Pam Roth, Senate Bill 2882. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2882, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Page 9 of the Calendar, Members, it's got a Bill on page 9. Representative Sid Mathias, Sid, you got 2888, Senate Bill 2888. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2888, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

135th Legislative Day

5/11/2012

Speaker Lyons: "Third Reading. Representative Farnham, you have Senate Bill 2929. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2929, a Bill for an Act concerning education. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Harris, you have Senate Bill 2824. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2824, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 11, 2012: recommends be adopted Floor Amendment #1 for House Bill 5657, Floor Amendment #2 for House Resolution 824, Floor Amendment #1 for Senate Bill 2524 and Floor Amendment #1 for Senate Bill 2937."

Speaker Lyons: "Representative Mike Connelly... Mike Connelly's absent. Representative Hernandez. Sid Mathias, on page 9 of the Calendar, Senate Bills-Second Readings, you have House... Senate Bill 2949. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2949, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."



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

135th Legislative Day

5/11/2012

Speaker Lyons: "Third Reading. Representative Elaine Nekritz, you have Senate Bill 2950. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2950, a Bill for an Act concerning safety. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Nekritz, has been approved for consideration."

Speaker Lyons: "Representative Nekritz on Floor Amendment #1."

Nekritz: "Thank you, Mr. Speaker. There was some concerns raised in committee about whether there... a retailer that might be selling a product that would be banned under this Act would know whether that there was the chemical in that product. So, we've added a 'knowingly' standard to that."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, all those in favor of the adoption of Floor Amendment #1 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Floor Amendment 1 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Keith Farnham, you have Senate Bill 2993. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2993, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Chapin Rose, you have Senate Bill 2999, Chapin. Want to move it to Third? Out of the record. Representative Randy Ramey, you have, on

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

135th Legislative Day

5/11/2012

Second Reading, Senate Bill 3184. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3184, a Bill for an Act concerning local government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Emily McAsey, Senate Bill 3204. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3204, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Michelle Mussman, you have Senate Bill 3243. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3243, a Bill for an Act concerning microlending. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative McAsey, Senate Bill 3250. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3250, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Page 10 of the Calendar, Members, Second Readings. Representative Scott Penny, you have Senate Bill 3258. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3258, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. Amendment #2 was adopted in committee. No Floor Amendments. No Motions are filed."

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

135th Legislative Day

5/11/2012

Speaker Lyons: "Third Reading. Representative Chris Nybo, Senate Bill 3336, Chris. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3336, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Deb Mell, Senate Bill 3337. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3337, a Bill for an Act concerning children. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Jerry Mitchell, Senate Bill 3374. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3374, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Page 11 of the Calendar, Representative Cassidy, you have Senate Bill 3433. Out of the record. Representative Mike Tryon, you have, under Second Readings, Mike, Senate Bill 3442. Out of the record. Representative Ed Sullivan, page 11 of the Calendar, Ed, Senate Bill 3450. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3450, a Bill for an Act concerning gaming. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Dan Biss, Senate Bill 3499. Read the Bill, Mr. Clerk."

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

135th Legislative Day

5/11/2012

Clerk Bolin: "Senate Bill 3499, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Pat Verschoore, Senate Bill 3507. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3507, a Bill for an Act concerning Revenue. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Rosenthal, Senate Bill 3533. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3533, a Bill for an Act concerning wildlife. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Michelle Mussman, Senate Bill 3544. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3544, a Bill for an Act concerning children. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Sandy Pihos, Senate Bill 3549. Representative Pihos, Sandy, 3549. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3549, a Bill for an Act concerning child support. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Sid Mathias, Senate Bill 3552, Sid. Read the Bill, Mr. Clerk."

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

135th Legislative Day

5/11/2012

Clerk Bolin: "Senate Bill 3552, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Rita, Senate Bill 3555, Bob. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3555, a Bill for an Act concerning transportation. The Bill was read for a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Page 12 of the Calendar, Ann Williams. Representative, you have Senate Bill 3602. Out of the record. Representative Tryon, you have Senate Bill 3607. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3607, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Dan Biss, Senate Bill 3619. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3619, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Greg Harris, Senate Bill 3631. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3631, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

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

135th Legislative Day

5/11/2012

Speaker Lyons: "Third Reading. Representative Ann Williams, Senate Bill 3638. 3-6-3-8. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3638, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Williams, has been approved for consideration."

Speaker Lyons: "Representative Williams on Floor Amendment #3."

Williams: "Thank you, Mr. Speaker. Amendment #3 is just the technical clarification requested by the Med Society."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, all those in favor of the adoption of Floor Amendment #3 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Floor Amendment #3 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Sente, you have Senate Bill 3689. Carol, do you want to move the Bill? Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3689, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Patti... Representative Patti Bellock, you have Senate Bill 3718, 3-7-1-8, Patti. Out of the record. On page 13 of the Calendar, under Senate Bills-Second Reading, Representative Don Moffitt, Senate Bill 3746. Read the Bill, Mr. Clerk."

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

135th Legislative Day

5/11/2012

Clerk Bolin: "Senate Bill 3746, a Bill for an Act concerning volunteer emergency responders. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Kelly Burke, you've got Senate Bill 3765, Second Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3765, a Bill for an Act concerning public utilities. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Mike Tryon, Senate Bill 3792, 3-7-9-2. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3792, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Jim Durkin, Senate Bill 3800, Leader. 3800. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3800, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Mr. Clerk, what's the status on House Bill 3602? Senate Bill 3602."

Clerk Bolin: "Senate Bill 3602, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

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

135th Legislative Day

5/11/2012

Speaker Lyons: "Third Read... Third Reading. Page 4 of the Calendar, Members, Senate Bills-Third Reading, so on page 4 and page 5, heads up, follow along with me. If you have a Bill, be prepared to present it. Representative David Reis, you have Senate Bill 2869. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2869, a Bill for an Act concerning certain court orders. Third Reading of this Senate Bill."

Speaker Lyons: "Representative David Reis."

Reis: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Bill 2869 is an initiative of the Illinois Department of Corrections. It would provide that any time a respondent is committed to the custody of DOC or is on parole, the sheriff or other law enforcement officials shall notify the DOC within 48 hours of receipt. This will help protect persons that are protected by the orders of protection by making sure DOC has the needed information and also to prevent offenders from violating parole. The department states that they're often not aware of this and they would just like to have this information if they're ever moved or released. I would be happy to answer any questions and appreciate your 'aye' vote."

Speaker Lyons: "Representative Jim Sacia."

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

Speaker Lyons: "Sponsor yields."

Sacia: "I'll get it. Representative, does the Sheriffs' Association remain opposed and if so, could you explain why?"



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

135th Legislative Day

5/11/2012

Reis: "Yes, Representative. Thank you for that question. And as you recall from being in committee with me, that they did testify that they had some concerns about the potential of additional administrative burdens that might be placed on local sheriff departments, but DOC said it was just a simple e-mail or a phone call was all that they needed just to know that the orders of protection had been issued."

Sacia: "And there's been no further comments from Greg or anybody from the Sheriffs' Association expressing concern that you're aware of?"

Reis: "No."

Sacia: "Thank you, Representative."

Speaker Lyons: "Representative Reis moves for the passage of Senate Bill 2869. 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? Crespo, Dunkin, Flowers, Ford, Krezwick, Jackson, would you like to be recorded? Chuck. 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. Leader Barbara Flynn Currie, I believe you're excusing one of our Members."

Currie: "Representative Ford should be excused for the remainder of the day."

Speaker Lyons: "So noted. The Clerk will so note. Representative Bob Rita, on page 4 of the Calendar, Bob, under Senate Bills-Third Readings, you have Senate Bill 3279. Representative Rita. Out of the record. Representative Elaine Nekritz, you have, on page 4 of the

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

135th Legislative Day

5/11/2012

Calendar on the bottom, Senate Bill 3287. Out of the record. Page 5 of the Calendar, if you want to follow along, it would be helpful. Representative Mautino. Frank, you have Senate Bill 3292. All your Bills are good, Frank. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3292, a Bill for an Act concerning animals. Third Reading of this Senate Bill."

Speaker Lyons: "Leader Frank Mautino."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. This amends the Animal Disease Laboratories Act concerning fees and services that are conducted by the Department of Agriculture and those laboratories. Under the current law, it's allowed to charge fees for diagnostic tests. These fees are deposited into GRF. Also, the department's allowed to collect those... to collect those fees. In the... the Animal Disease Laboratories contributed... it's about \$135,733 and under this Bill the billings have been coded to those test amounts and they're just going to direct all these funds into their revolving fund instead of into GRF and the process is just simplified. So, it reduces the amount of time it takes. It doesn't make any changes into the fee structure themselves."

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

Cavaletto: "To the Bill. Will the speaker yield?"

Speaker Lyons: "Sponsor yields."

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

135th Legislative Day

5/11/2012

Cavaletto: "Sponsor. Thank you very much. Representative, there are three animal disease labs in the State of Illinois, correct?"

Mautino: "I do believe so."

Cavaletto: "Are... they're intended to stay open?"

Mautino: "And that... that I do not know. On... the Bill just addresses, basically, their... where we deposit the money from those fees to make it easier for the department to access them."

Cavaletto: "I understand that. But if we close one facility, then that will leave two facilities to collect the fees."

Mautino: "I don't know... Do you know if there's one slated for closure?"

Cavaletto: "There's one in my district stated for closure and I've asked the Agriculture Department and the Governor's staff that to add the fees and we will be willing to pay for the fees, added fees, in our district also, but I want assurance that our lab will stay open too."

Mautino: "I... I appreciate the problem and the concern on there and I'd be willing to talk with you about it. As I said in pass... in structuring this Bill, which we did with the Farm... Farm Bureau and the pork producers and the departments, I really don't have control over the outside issue. This is just where those fees go, where they'll be deposited and I understand and I respect your... your concerns."

Cavaletto: "Well, if these fees would help keep my lab open, then I would be more than willing to support this Bill and I think it's a good Bill. I hope that we could keep the testing going on in our own state rather than sending our

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

135th Legislative Day

5/11/2012

tests to other parts of Missouri, Kentucky and that's what's happening to us now. And if these fees are lower than the... our competitors on the outside, I think we will do well and maybe the revenue that comes into our districts and our state will be enough to keep the three labs open. But they are needed as far as the state as long as it is and the travel to get from our southern Illinois to Galesburg for a test is going to be enormous and there are going to be a lot of our people who are going to go out of the state for their testing if this... if they close my lab. So, it's going to reduce the amount of revenue that you're going to have coming into the state. So, I would hope that we could work something out and keep all three labs open. And they are needed and we have done about 400 thousand tests down in our lab in Centralia. And it means a lot to the people down there who have animals and we also ship hogs to China. The Governor is wanting that trade export and so, we are doing a lot of things there and these hogs need tested every time they leave. So, it is a revenue... a source of revenue and it can be better if we raised the fees and I'd be willing to support this Bill."

Mautino: "Thank you. I appreciate your comments on it. Incidentally, we've... there isn't a change in the structure of the fees, it's just where they go to for here, but I appreciate that."

Cavaletto: "I... I understand that. I understand that. Thank you very much."

Mautino: "Thank you, Representative."

Speaker Lyons: "Representative Brauer."

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

135th Legislative Day

5/11/2012

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

Speaker Lyons: "Sponsor yields."

Brauer: "Representative, just so you have a little background information on the livestock industry, what will happen a lot of times is if a farmer has a problem, a certain outbreak, then he will take his livestock and take them to this lab. Sometimes they're still alive, sometimes they've cease to exist, but it's very important because if you get rid of that Galesburg lab... I'm sorry... the Centralia lab, the Galesburg one is still there, what will happen these farmers will not test their animals because they'll have to drive so far because the only way they can get them delivered is if they take them themselves. This is something that you can't freeze; this is something that you can't chip; this is something that has to be tested almost immediately. So, it's very important for our producers in this state that we keep all three labs."

Mautino: "Thank you."

Speaker Lyons: "Representative Sid Mathias."

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

Speaker Lyons: "Sponsor yields."

Mathias: "Yeah. I just wanted to make this... ask you this question. You may have answered it, but I just want to be absolutely clear. This Bill does... am I correct in saying that this Bill does not raise any fees. It just directs some of the fees that are already raised and collected by the animal disease laboratory that they can be deposited

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

135th Legislative Day

5/11/2012

then into the agricultural laboratory services revolving fund?"

Mautino: "That's ex... that's exactly correct."

Mathias: "Okay. So, there are..."

Mautino: "Currently, it's split between the lab revolving fund and GRF. About 35,774 tests or the fees from them go into GRF as opposed to into the laboratory fund. And that's what this would change."

Mathias: "Thank you."

Speaker Lyons: "Representative Mautino to close."

Mautino: "Appreciate an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 3292 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 Mell, Nekritz, like to be recorded? Mr. Clerk, take the record. 106 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Robyn Gabel, you have Senate Bill 3325. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3325, a Bill for an Act concerning children. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Robyn Gabel."

Gabel: "Thank you, Mr. Speaker, Members of the House. This Bill is an initiative of the Department of Children and Family Services. It's a cleanup Bill on some language that was found in there... in there... in the statutes that refers to a

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

135th Legislative Day

5/11/2012

January 1, 1991 report. So, this Bill simply removes that language in the statute. I'd appreciate 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 Senate Bill 3325 should vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Marcus Evans. 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 Sandy Pihos, Senate Bill 3367. Out of the record. Representative Bob Rita, Senate Bill 3380. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3380, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Cook, Representative Bob Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 3380 is an agreed Bill. What it basically does is adds an additional seat to the carnival and amusement ride safety board which that seat would be held by an owner-operator. Currently, the eight-member... currently, eight members would increase it to nine which would include two owner-operators of amusement rides."

Speaker Lyons: "You've heard the Gentleman's explanation. Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

Franks: "Why?"

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

135th Legislative Day

5/11/2012

Rita: "Always why."

Franks: "Why?"

Rita: "Why not? Right now you have eight members..."

Franks: "Yeah."

Rita: "...for voting purposes to make it nine and to add an additional member that is an owner-operator where one is just an owner-operator while the others are from the... just general appointments by the Governor."

Franks: "Is there any pay for these guys?"

Rita: "Thirty-six dollars per meeting. They meet two to three times a year."

Franks: "Is there any way, if we were to expand this board, that there... we could... 'cause there is some time if we did an Amendment to take away the pay and just give them the... the cost for travel?"

Rita: "Correct. I'm not... this was what was set in it. We didn't increase it; we didn't decrease it. We just kept what was already set in the past."

Franks: "Okay. Thank you."

Speaker Lyons: "Representative Mike Bost."

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

Speaker Lyons: "Sponsor yields."

Bost: "So, this person that is now being placed on there must be an operator and must have... had operating experience of these carnival rides, correct?"

Rita: "Operator-owner, yes."

Bost: "Oh, the owner. Okay. I thought maybe it was just a guy that ran little carts around..."

Rita: "No, the owner."



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

135th Legislative Day

5/11/2012

Bost: "...and stuff like that. I wasn't..."

Rita: "Owner of and operator of amusement rides."

Bost: "The owner and operators of the... of these... are they mostly traveling carnivals?"

Rita: "Yes."

Bost: "Okay. Do we have a owner-operator... how long they... how much experience they should have had in that business or..."

Rita: "It doesn't..."

Bost: "...or a certain safety record themselves?"

Rita: "It doesn't state that. Currently, they only have one appointment of the eight members and this would bring additional knowledge and experience to the board by putting... by having two."

Bost: "Okay. I'm... my concern would be that the one that they would put on there would have some kind of a good quality history in the business because we wouldn't want to have somebody on there that would be one that had a pretty bad record and all of a sudden we put them on and..."

Rita: "Well, I would assume that's when they're making that appointment, and the Governor makes that appointment, that they would... that through their credentials and their past and their... like they would do any other appointment."

Bost: "All right. Thank you."

Speaker Lyons: "Representative Bob Rita moves for the passage of Senate Bill 3380. 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 Howard, Representative Smith. Mr. Clerk, take the record. On this Bill, there are 93 Members

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

135th Legislative Day

5/11/2012

voting 'yes', 12 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Skip Saviano, you have Senate Bill 3385. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3385, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Skip Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. This is the identical to the House Bill that we passed a couple months ago. This opens a window for electrologists in Illinois with all the proper training and everything to get into the licensure. Some people fell through the cracks when we originally passed the original licen.. licensure and this would allow them to now be licensed in the State of Illinois. And I would ask for its approval."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, all those in favor of the passage of Senate Bill 3385 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? Raymond. 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 Mike Zalewski, Senate Bill 3396. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3396, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Mike Zalewski."

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

135th Legislative Day

5/11/2012

Zalewski: "Thank you, Mr. Speaker. Senate Bill 3396 simply addresses a concern raised by the police pension fund where we passed a good piece of legislation last year by Representative Burke that dealt with open meetings training. There's a concern that in order to be efficient and not be duplicative about the training we could have members take the training if they serve on one board and the other board at the same time and it's doing it more efficient that way. I'd ask for an 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, all those in favor of the passage of Senate Bill 3396 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? DeLuca, Hatcher, Leitch, Smith. Mr. Clerk, take the record. This Bill, having received 46 'yeas' and 59 'noes', the Bill fails. Representative Zalewski."

Zalewski: "Personal privilege, Mr. Speaker? Is that the first... or an inquiry of the Chair? Is that the first time the Chair has ever seen a Bill not get any questions and yet not get the requisite number of votes to pass?"

Speaker Lyons: "I think you might... you might be right, Mike. Sorry about that. It sounds like there was a lot of made-up minds before you presented the Bill. Sorry, Mike. Better luck, Sid. Representative Mathias has, on page 5 of the Calendar, Senate Bill 3409. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3409, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Sid Mathias."

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

135th Legislative Day

5/11/2012

Mathias: "Thank you, Mr. Speaker. I'm sure one of the things that irritates many of us in this chamber is driving on a road, whether it's a highway or a... just a normal street in your neighborhood and there's a little fender bender and the traffic is tied up for miles and everybody who passes the accident says, why don't they just pull over. Well, as you know, there is a law right now that says you can't leave the scene of an accident. What Senate Bill 3409 basically states that the driver of a vehicle involved in an accident only where there's damage to a vehicle and obviously, not personal injury; only damage to a vehicle may move their vehicle off the highway to the nearest safe location. They can't go home. They just need to move it to a safe location, the nearest suitable cross street, just to get out of the area not to obstruct traffic. And I ask for your 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, all those in favor of the passage of Senate Bill 3409 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 Cole. 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 John Bradley, on page 5 of the Calendar, Representative, you have Senate Bill 3420. John Bradley, Senate Bill 3420. Out of the record. Representative Chapin Rose, page 5 of the Calendar, Senate Bill 3423. Read the Bill, Mr. Clerk."

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

135th Legislative Day

5/11/2012

Clerk Bolin: "Senate Bill 3423, a Bill for an Act concerning drugs. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Chapin Rose."

Rose: "Thank you, Mr. Speaker. This is a cleanup from the Meth Control Act of several years ago and the drafting of that which was a bipartisan enterprise with the Attorney General's Office. We inadvertently left out the ability of meth offenders to seek TASC treatment which is essentially drug treatment for their addiction. That was left out. This Bill passed this Body a year ago and became stalled in the Senate so the Senate has now sent it over here for us. So, this did previously pass. It's to correct a scrivener's error in the drafting that would allow meth offenders to actually get drug treatment through TASC. And I believe that everyone here knows what TASC is and the good job that they do and would ask for an 'aye' vote."

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

Reboletti: "Thank you, Speaker. Will my former seatmate yield?"

Speaker Lyons: "Your former seatmate indicates that he will."

Reboletti: "But Representative Rose, you said that there was a scrivener error from seven years ago. I was wondering if you knew the identity of the scrivener."

Rose: "Yes. Thank you, Representative. I was one of the lead Sponsors of that Bill so."

Reboletti: "So, you forgot to put that in there. Thank... thank you, Representative."

Rose: "Yes. Thank you, Representative."

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

135th Legislative Day

5/11/2012

Speaker Lyons: "Representative Rose moves for the passage of Senate Bill 3423. 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? Bellock, Dunkin, Connie Howard. Mr. Clerk, take the record. On this Bill, there are 73 Members voting 'yes', 32 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dave Winters, you have Senate Bill 3435. Out of the record. Representative Lisa Dugan, you have Senate Bill 3441. Out of the record. Representative Sid Mathias, you have Senate Bill 3487. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3487, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Sid Mathias."

Mathias: "Thank you, Mr. Speaker. Senate Bill 3487 amends the School Code and the Illinois Vehicle Code. It just provides that a multifunctional school activity bus, which is defined in the statute, can be used to transport high school students for curriculum related activity. They already allow to do it for extra curricular and this just allows them to do it as a safety feature in the Bill. It still has to be a licensed school bus driver with the holder of that type of permit. And I ask for your 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should Senate Bill 3487 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open."

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

135th Legislative Day

5/11/2012

Have all voted who wish? Have all voted who wish? Have all voted who wish? Naomi Jakobsson, would you like 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 Majority, is hereby declared passed. Mr. Clerk, Representative Winters has Senate Bill 3435. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3435, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Dave Winters."

Winters: "Thank you, Mr. Speaker. Senate Bill 3435 amends the Highway Code and provides that ice or snow plowed or removed from a residential driveway may not be deposited upon a public highway if it creates a traffic safety hazard. I'm unaware of any opposition to the Bill."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

Franks: "Representative, I remember a Bill similar to this last year by another Representative. How is this Bill different than the previous Bill, House Bill 3189?"

Winters: "You'd have to refresh me on that House Bill. I don't remember any of the details on that."

Franks: "At that time it was sought, I believe, to make it illegal for someone to remove snow from their sidewalk or residential driveway and push it into the street."

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

135th Legislative Day

5/11/2012

Winters: "Okay. And I don't know what the difference is. All I know is what's in this Bill and it would have to be determined by either local or State Police that it was, in fact, a traffic safety hazard. So, if you were plowing your lane and found a place in the right-of-way that was not going to create a safety hazard, that would not be any problem. It's just that they don't want people that are plowing a long residential lane. Well, here's a cul-de-sac. We'll put it out in the middle of it. And the problem with the snow and ice is once they've settled it makes it much harder. They... it freezes into a block and the highway patrol maintenance vehicles have a much more difficult time plus they may have to come back. They've already cleaned the road and it was safe when they left, now there's a pile of snow out there that may be creating a traffic safety hazard."

Franks: "Well... well, for purposes of legislative intent, it would not per se be illegal for someone to move some snow from their driveway or sidewalk and put it into the right-of-way."

Winters: "Not as long as it's not a safety hazard. If they smooth it out and it's not a problem, then it would still be legal to dispose of snow on the right-of-way, if it was off to the side."

Franks: "Well, because sometimes when the state comes through and they plow, or whoever the municipality might be, they block up your driveway. They do such a good job that they'll... you'll have 12 inches of slush and snow. You know, when we live... we... you and I live out in the country..."



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

135th Legislative Day

5/11/2012

Winters: "Right."

Franks: "...and that happens. So, sometimes you got to come out and get your shovel or whatever and throw some of the stuff out and some of it gets into the street. I don't want that to be illegal."

Winters: "It's not illegal as long as you don't leave a pile of it that becomes a traffic hazard. If it's, again, plowed off to the side of the normal roadway, you can still leave it in the right-of-way, but you can't leave it in the roadway where somebody that's unsuspecting hits a 6-inch pile. You have to make it traffic safe however you dispose of the snow. It's not illegal to put it in the right-of-way. You just... you can't make it a traffic safety hazard."

Franks: "Fine. I want to be very clear on that because I don't think the last Bill was as clear and I think this is a better drafting."

Winters: "That's 'cause it's in the much better Bill."

Franks: "Thank you."

Speaker Lyons: "Representative Don Moffitt."

Moffitt: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Moffitt: "Representative, just... this is a little bit subjective in terms of if it causes a hazard; certainly your intent is good. Are there penalties assigned for if someone is found guilty of violating this... this..."

Winters: "There could be standard fines for this. I'm not sure what the level of them are."

Moffitt: "You don't know what they would be?"

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

135th Legislative Day

5/11/2012

Winters: "No. I don't know that we have it set. It would... it'd be a standard traffic safety fine. Just like, you know if you drop something out of the back of a pickup truck and don't clean it up, there... there... because you're creating a traffic safety a police officer that would observe you could impose a municipal fine."

Moffitt: "Okay. My concern is the interpretation that it leaves here not just on the fine, but what is a hazard? You mentioned 6 inches of snow was a figure you threw out, you know, a trail, if you push snow out of your drive and across the road into a ditch sometimes it can leave a little... a little small ridge. I just... it's how subjective it is that makes it a little bit difficult for me to know if we're creating a problem here. Thank you."

Speaker Lyons: "Representative Chapin Rose."

Rose: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Rose: "What is a public highway, Representative Winters?"

Winters: "I assume that that's defined in state statute. I don't have that definition in front of me."

Rose: "It actually, from my days in traffic court, it is any way in which the taxpayer money is expended."

Winters: "Okay."

Rose: "So, anything the taxpayers pay for that you can traverse with the vehicle of the public highway. But my big question is, base question is, where do you put it if you're not going to throw it out and... I mean, when I shovel, you shovel it out there and then the truck comes through..."

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

135th Legislative Day

5/11/2012

Winters: "You begin and end with the back. You can put it on the right-of-way; you just can't put it on the portion of the right-of-way that is used by traffic. And there's, you know, we have... the standard public right-of-way is 66 feet, some alleys are 33 feet, some of the interstates are much, much wider than that. As long as it's not on the lanes that are being traveled by vehicles and you have dozens of feet of right-of-way on the side of those lanes and that's where the state... the state snowplows and the municipal snowplows they're obviously not removing it from the right-of-way, but from the actual owned land. They're putting it to the side of the... of the concrete and asphalt."

Rose: "But this is where the fun begins for me and the snowplow driver. We play a little game. I shovel it out in the street and he plows it and shoves it back in my driveway and then I shovel it out in the street and he plows it back in the driveway."

Winters: "Obviously, they're putting 99 percent of the snow on the shoulder that's not on your driveway. All you have to do is put it where the State Police plows are putting it which is to the side of the traffic lanes..."

Rose: "No, they're not. They're putting it back in my driveway. I mean, when they plow through, they plow it into my driveway and I get a 3 to 4, 5-foot and piled high stack of snow in my driveway. And honestly, I don't know what to do. I mean, one time it came through and just covered me in snow. I'm standing there and this..."

Winters: "Well, that must have been the plow..."

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

135th Legislative Day

5/11/2012

Rose: "They didn't pull the plow up in front of my driveway; they just plowed right through and covered me."

Winters: "Well, I would have probably done the same thing if I'd seen you there."

Rose: "Rep... Representative, let me ask you this question. My... my neighbor has a lawn mower with a plow attachment. Actually, not a plow attachment... we call the... the shooter..."

Winters: "The snowblower."

Rose: "The snowblower, thank you. The snowblower attachment. And he actually, one day, went through his driveway and snow-blowned all of the snow on to his neighbor's driveway who had just finished shoveling it. Would your Bill in any way prohibit neighbor A from snowblowing all that on to neighbor B's driveway?"

Winters: "I don't believe it would because it's not a public highway."

Rose: "Ah. But the local village attendant driving a snowplow can shove it on to neighbor B's driveway?"

Winters: "They're simply cla... They're cleaning the highway lanes and they're allowed to put it to the side. If your driveway impedes on that, they..."

Rose: "Representative Winters..."

Winters: "...they don't have to open up your personal driveway."

Rose: "Representative Winters, are you intentionally trying to receive the Century Club trophy here today, Sir?"

Winters: "I am not."

Rose: "We shall see. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Fortner."

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

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

135th Legislative Day

5/11/2012

Speaker Lyons: "Sponsor yields."

Fortner: "Representative, I was just reading the language of the Bill. The way I read it, and correct me if I'm wrong, this does not... this does not prohibit a person from putting the snow in the actual roadway. Only, it would be a prohibition if the local authority said they're putting it in the roadway in such a way as to create a safety hazard. I think that's an important distinction that I have not heard yet in debate. Am I... am I correct?"

Winters: "I have made that distinction that you are allowed to put snow into the right-of-way as long as it's not a traffic safety hazard."

Fortner: "I'm going... I'm going further. You may put it in the roadway according to your language..."

Winters: "If you leave an inch..."

Fortner: "...not just the right-of-way. You may put it in the roadway as long as you do not put it in such a way as to create a safety hazard."

Winters: "Correct. Often..."

Fortner: "So, it's more than just the right-of-way. You actually still can put it in the roadway. So, if I do a wide dispersal of the snow..."

Winters: "Right."

Fortner: "...and it goes out into the roadway, that's not going to create a safety hazard, that's not going to be prohibited."

Winters: "Correct."

Fortner: "So... so, you really still could move your snow in, at least part of that snow, might find its way into the

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

135th Legislative Day

5/11/2012

roadway and that would be okay as long as I have not deposited it in such a way as to be a hazard."

Winters: "You're... you're correct, yes."

Fortner: "I just wanted... I knew that just to be..."

Winters: "Incidental... incidental. If you're shoving it across the right-of-way on a rural... rural highway and you leave a ridge an inch tall, a number of ridges, as long as you're not creating a safety hazard, that is certainly permissible."

Fortner: "Thank you."

Speaker Lyons: "Representative D'Amico."

D'Amico: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

D'Amico: "So, Representative, how do you prove... if you have two driveways across from each other, how do you prove which person put the snow on the driveway?"

Winters: "The... That's fairly obvious to anybody that's looking because of the direction of the push. You've probably plowed snow in your life and you understand... you see which one is clean and which direction the snow that's on the side of the blade, it's very obvious to anybody that's done this before which person would be responsible."

D'Amico: "No. But I mean, if you're using a shovel it's not obvious, if you're using a plow it is."

Winters: "You'd have to work pretty hard with a shovel to make a traffic hazard..."

D'Amico: "No. You're talk..."

Winters: "...to pile up enough snow to make..."

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

135th Legislative Day

5/11/2012

D'Amico: "...I'm talking about clearing your driveway off on to the street."

Winters: "I don't know what your question means. Do you know..."

D'Amico: "You're saying it's... you can't shovel the snow from your driveway on to the highway?"

Winters: "You can put it on the right-of-way. So, the median between the sidewalk and the road on the side of the traveled lanes, that's certainly permissible. And there really is no other option when you're in that 10 or 15 feet beside the lanes that are used by traffic and your own personal property, there's plenty of room to the side of your lane to do it. You... What you can't do is put it out on to a traffic lane and this would normally be done by a contractor with one of the pickup trucks with a snowplow. It's not done by somebody with a shovel."

D'Amico: "All right. So, you're talking about a contractor. I misunderstood. I was talking about for a homeowner."

Winters: "No. Most of these would be done by a contractor who comes through. He's got a route that he runs. He's in a hurry. He's trying to make some money. The easiest place is to drop it in a cul-de-sac or a public roadway where there is traffic. And the highway commissioners have come to us, said this is a problem in a few cases, we need to have some authority to say this is not permissible. That's what this Bill does."

D'Amico: "Okay. Thank you."

Speaker Lyons: "Leader... Leader Jim Watson."

Watson: "I move the previous question, Mr. Speaker."

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

135th Legislative Day

5/11/2012

Speaker Lyons: "The Gentleman moves the previous question. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the question wins. Representative Dave Winters to close."

Winters: "Just ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 3435 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 19 Members voting 'yes', 87 Members voting 'no'. And the Bill fails, but Dave, you escaped the Century Club, Dave. Bill fails. Leader Mike Bost."

Bost: "Thank you, Mr... Mr. Speaker, let the record reflect that Representative Schmitz and Representative Coladipietro are excused for the rest of the day."

Speaker Lyons: "The Clerk will so note. Thank you, Leader Bost. Representative Jack Franks, you have, on the bottom of page 5, under Senate Bills, 3508. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3508, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Jack Franks."

Franks: "Thank you, Mr. Speaker. This Bill is an identical Bill that we passed less than two months ago, House Bill 5044. This Bill, again, passed unanimously in the Senate. It deals with the openness and transparency in government accounting. Be happy to answer any questions."



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

135th Legislative Day

5/11/2012

Speaker Lyons: "The Chair recognizes Representative David Reis."

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

Speaker Lyons: "Sponsor yields."

Reis: "Representative, I must not have been on the floor that day 'cause you say it passed..."

Franks: "Well, you voted for it actually."

Reis: "I didn't say I was..."

Franks: "We don't want to start a scandal. So, you were on the floor. You just don't remember it."

Reis: "My... my first question is, aren't we creating more government with this Bill?"

Franks: "No. It's already existing and actually it's an open and transparent Bill."

Reis: "Well, what about..."

Franks: "I think the Bill you did yesterday actually created more government."

Reis: "Well, what about the local level? You're creating more bureaucracy and more time."

Franks: "They're already doing it."

Reis: "They're going to have to fill out these reports."

Franks: "They're already doing... There's no extra work."

Reis: "No extra work."

Franks: "They're already doing it. All they got to do is electronically get it."

Reis: "What about the Comptroller? Are they going to have to hire more people to process all these reports that are sent into them?"

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

135th Legislative Day

5/11/2012

Franks: "No. Actually, they said that they wouldn't have to. They'd be able to do it with the folks they... 'cause they're already doing this now, they're just having it expanded to the... to some counties that hadn't been doing it."

Reis: "So, is it an expansion or not?"

Franks: "No. It's an existing law which is being done uniformly throughout the state instead of allowing exemptions."

Reis: "So, which counties are exempted now?"

Franks: "I think Cook and there was a few other small ones."

Reis: "Could..."

Franks: "I'll be... No, I'm sorry. Cook, Lake, DuPage and Will and also rural counties with populations under 10 thousand. There are 14 of those. So, they would have to file financial reports as required under the auditing Section of the Counties Code."

Reis: "Okay, Representative. I just wanted to make sure you weren't trying to secretly create some new government here when I know you're a strong advocate against doing that."

Franks: "Thank you. I appreciate your recognition of that. I think less is more."

Speaker Lyons: "Representative Franks to close."

Franks: "I'd ask for an 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should Senate Bill 3508 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 104 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby

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

135th Legislative Day

5/11/2012

declared passed. Representative Kelly Burke, on the bottom of page 5, you have Senate Bill 3517. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3517, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lyons: "The Lady from Cook, Representative Kelly Burke."

Burke, K.: "Thank you, Mr. Speaker. Senate Bill 3517 prohibits DCFS from approving an applicant for a child care facility license or an applicant applying for position within the child care facility when that applicant has been convicted of certain specified felony financial crimes and the applicant would have access to confidential financial information or would submit documentation to support billing. The crimes in that list include: financial institution fraud, identity theft, financial exploitation, computer fraud, deceptive practices, forgery, state benefits fraud, mail and wire fraud and theft. The Bill allows DCFS to make exceptions in certain cases for applicants of this type; sets forth the guidelines that would guide the... deciding whether or not to make that exception. It's an initiative of DCFS and is an effort to eliminate fraud in the agency. I ask for an 'aye' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, the question is, 'Should Senate Bill 3517 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? Jerry Mitchell, Bob Pritchard, Dennis

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

135th Legislative Day

5/11/2012

Reboletti, would you like to be recorded? Jim Sacia, would you like to help your seatmate out? Pritchard? Mr. Clerk, take the record. On this Bill, there's 103 Members voting 'yes', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Reboletti, for what purpose do you seek recognition, Sir?"

Reboletti: "Mr. Speaker, I'm very concerned about Representative Sacia. I think Representative D'Amico should bring a Bill about distracted voting on the floor because Representative Sacia was texting. He was a little confused there so. I'll cosponsor that with you, John."

Speaker Lyons: "Representative Kay Hatcher, for what purpose do you seek recognition?"

Hatcher: "To ask that my previous vote on 3517 be a 'yes' not a 'no'."

Speaker Lyons: "The Journal will reflect your wishes. Representative Sente, on the Order of Senate Bills-Second Reading, on page 2 of the Calendar, you have Senate Bill 38... House Bill 3859. House Bill 3859, Representative Sente. You have House Bill... House Bill 3859 on page 2 of the Calendar. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 3859, a Bill for an Act concerning local government. The Bill was read for a second time on a previous day. Amendment #2 was adopted in committee. Floor Amendments 6 and 7 have been approved for consideration. Floor Amendment #6, offered by... is offered by Representative Sente."

Speaker Lyons: "Representative Sente on Floor Amendment #6."

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

135th Legislative Day

5/11/2012

Sente: "I'm asking to move for the adoption of Floor Amendment 7. It would be added to Floor... 6 which was already passed and move the Bill to Third Reading. I'd like to present the Bill on Third Reading."

Speaker Lyons: "You've heard the Lady's explanation on Amendment #6. All those in favor of its adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

Clerk Bolin: "Floor Amendment #7 offered by Representative Sente."

Speaker Lyons: "Representative Sente on Floor Amendment #7."

Sente: "I'm recommending that we adopt Floor Amendment 7; 7 and 6 would become the Bill."

Speaker Lyons: "Lady moves for the adoption of Floor Amendment #7. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #7 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Hold the Bill on Third Reading. Mr. Clerk, on page 18 of the Calendar, Representative Will Davis has a Resolution, House Resolution 966. Representative Davis on House Resolution 966."

Davis, W.: "Thank you very much, Mr. Speaker. This is a Resolution that simply supports the Village of Riverdale's Tree Commission's continued active participation in shaping Riverdale which they consider to be a 'best little village

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

135th Legislative Day

5/11/2012

in Illinois' into a 'green' community. I ask for its adoption."

Speaker Lyons: "You've heard the Gentleman's explanation on House Resolution 966. All those in favor of its adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 966 is adopted. Thank you, Representative. Representative Zalewski on an announcement. Heads up."

Zalewski: "Thank you, Mr. Speaker. I know everyone's a little depressed about the Bulls season coming to an end last night, but fear not, the mighty Chicago White Sox are on a two-game winning... winning streak and next week the White Sox Caucus will be meeting at D.H. Brown's on Wednesday night, May 16th at 9:00 when they take on the Angels and we invite everybody to come on out after their dinners and enjoy a White Sox victory."

Speaker Lyons: "Representative Zalewski, I believe we have a special guest coming down for that."

Zalewski: "We do. Billy Pierce will be joining the White Sox Caucus on Wednesday night, Mr. Speaker."

Speaker Lyons: "Point well-taken. I'm sure everyone has it on their calendar. Thank you. And now, seeing no further business to come before the Illinois House of Representatives, Leader Barbara Flynn Currie moves that the House stand adjourned 'til the hour of 12 noon on Tuesday, May 15th. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And allowing perfunctory time for the Clerk, the House stands adjourned 'til the hour of 12 noon on Tuesday,

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

135th Legislative Day

5/11/2012

May 15th. Happy Mother's Day to all within the sound of my voice. God bless you. Have a great weekend, everyone."

Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 6169, offered by Representative David Harris, a Bill for an Act concerning gaming. First Reading of Senate Bills. Senate Bill 402, offered by Representative Currie, a Bill for an Act concerning revenue. Senate Bill 555, offered by Representative Sente, a Bill for an Act concerning local government. Senate Bill 636, offered by Representative Dunkin, a Bill for an Act concerning education. Senate Bill 2706, offered by Representative Mautino, a Bill for an Act concerning education. And Senate Bill 547, offered by Representative du Buclet, a Bill for an Act concerning local government. These are all referred to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."