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Speaker Lang: "The House will be in order. Members will be in their chairs. We shall be led in prayer today by Lt. David Martinez, who's the Chaplain of the Des Plaines Salvation Army in Des Plaines. Lt. Martinez is the guest of Representative Moylan. Members and guests are asked to refrain from starting their laptop, turn off all cell phones and rise for the invocation and Pledge of Allegiance. Lieutenant Martinez."

Lt. Martinez: "Heavenly Father, as always we'd like to begin this morning with thanks. We thank You for our country, one into which we do not need to fear persecution of religious expression and one in which we even get to open meeting publicly in Your name. We thank You for prosperity and provision, but as we give thanks we know that we have not been satisfied with even all of this, for there's too many in our communities, some of our neighbors and even our own family and friends who suffer unnecessarily because of greed and sin. And for all that we have more than any other nation ever before has still not been enough to satisfy us and we've exchanged Your standard with our own. Although corruption fills our halls, although immorality lives in our homes, although unfaithfulness rests in our hearts, all is not lost. While even today when our federal leaders have decided blame is more important than governing today is also the International Day of Prayer where we should remember that we are endowed by You, our creator. And You have sent us a means of salvation; You have showed us the way. Hope is alive and may that be what we claim today. And for these deliberations and these elected officials, may

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they be men and women of integrity, will their spirits align with Yours that you would grant them wisdom, and discernment so that the decisions made today would keep in tune to Your requirements to act justly, love mercy and walk humbly in Your presence, Amen and Amen."

Speaker Lang: "We will be led in the Pledge today by Representative Wheeler."

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

Speaker Lang: "Roll Call for Attendance. Leader Currie."

Currie: "Thank you, Speaker. Please let the record show there are no excused absences among House Democrats today."

Speaker Lang: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Hays, Leitch, Morrison, Roth and Senger are excused today on the Republican side of the aisle."

Speaker Lang: "Please take the record. 112 Members being present, we do have a quorum. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Mell, Chairperson from the Committee on Mass Transit reports the following committee action taken on February 28, 2013: do pass Short Debate is House Bill 140, House Bill 1389. Representative Nekritz, Chairperson from the Committee on Personnel & Pensions reports the following committee action taken on February 28, 2013: do pass Short Debate is House Bill 1351, House Bill 1444. Representative Mayfield, Chairperson from the Committee on Public Safety: Police &

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Fire reports the following committee action taken on February 28, 2013: do pass Short Debate is House Bill 1349. Representative McAsey, Chairperson from the Committee on Environment reports the following committee action taken on March 01, 2013: recommends be adopted is House Resolution 16. Representative DeLuca, Chairperson from the Committee on Cities & Villages reports the following committee action taken on March 01, 2013: do pass Short Debate is House Bill 58; do pass as amended Short Debate is House Bill 1201. Representative Jakobsson, Chairperson from the Committee on Higher Education reports the following committee action taken on March 01, 2013: do pass Short Debate is House Bill 1163. Representative Thapedi, Chairperson from the Committee on International Trade & Commerce reports the following committee action taken on March 01, 2013: do pass Short Debate is House Bill 962. Introduction of Resolutions. House Resolution 113... offered by Representative Tracy. House Resolution 115, offered by William Davis. House Resolution 119, offered by Representative DeLuca. And House Joint Resolution 23, offered by Representative Kay, are referred to the Rules Committee."

Speaker Lang: "Ladies and Gentlemen, we're going to begin on page 6 of the Calendar, where we left off, under the Order of House Bills-Third Reading. Please look ahead and see if your Bill is coming up so you're ready, Ladies and Gentlemen, so we can move expeditiously through these Bills. The first Bill on this Order is House Bill 966, Mr. Beiser. Please read the Bill."

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Clerk Bolin: "House Bill 966, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Mr. Beiser."

Beiser: "Thank you, Mr. Speaker. House Bill 966 simply amends the Vehicle Code to add the St. Louis Blues hockey team to the list of Professional Sports Team logos that are available under the professional sports teams' license plate provision. They were omitted when it was established. All the Chicago teams, as well as the St. Louis Rams and Cardinals were on, but the Blues were admitted. And the Sponsor graciously recognizes the fact that the Blackhawks beat the Blues last night to remain undefeated."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, those in favor will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have voted who wish? Have all voted who wish? Record yourselves, Members. Representative Cabello, Representative Kelly Burke. Kelly Burke. Please take the record. On this question, there are 105 voting 'yes', 7 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 984, Mr. Mautino. Please read the Bill."

Clerk Bolin: "House Bill 984, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you, Speaker, Members of the House. 984 is an initiative of the Department of Natural Resources and it is in conjunction with the clerks. And it makes a technical change to the Clerk of the Courts Act and it clarifies that

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when the clerks should or should not collect existing violations. What happened was the definition is different in the Illinois statutes than in the Supreme Court rules for the term 'conservation violation'. This Bill takes out the word 'conservation' so that they're collecting the right fees from the right Acts and putting it in the right fund. I ask for your 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill.

Rep.. Mr. Franks is recognized."

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

Speaker Lang: "Gentleman yields."

Franks: "Representative, by taking out the word 'conservation' and just saying violation, would this lead to an increase in the amount of fees that then can be collected by the..."

Mautino: "No, there's no change in the fee structures or an increase in those collected. The reason we needed to do it is the Supreme Court rules list 19 different Acts that are effected by the term 'conservation offense' and in our state statute the Acts that this applies to is different. We don't... we don't apply these fines to the Ginseng Harvesting Act, by example, so by taking that out, in our current statute every Act covered is listed, but we don't have a conflict with the Supreme Court rule."

Franks: "So, it's basically just clean up language."

Mautino: "Correct."

Franks: "And there will not be additional fees?"

Mautino: "Correct."

Franks: "Thank you."

Mautino: "Thanks."

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Speaker Lang: "There being no further 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? Monique Davis, Mr. Drury. Please take the record. On this question, there are 110 voting 'yes', 1 voting 'no', 1 voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Will Davis."

Davis, W.: "For a very brief point of personal privilege."

Speaker Lang: "Please proceed."

Davis, W.: "Ladies and Gentlemen, one of the... I think one of the more outstanding and powerful caucuses in the Illinois General Assembly is that of the Illinois Legislative Black Caucus. And last night we held an election to see... to find out who would be the Joint Chair of the caucus, which is the person that oversees both the House and the Senate. We've acknowledged our House Chair which is Representative Rita Mayfield, but Ladies and Gentlemen, we're fortunate enough to have the Joint Chair be a Member of the House as well. So Ladies and Gentlemen, I'd like to introduce to you the new chairman of the Illinois Legislative Black Caucus, Representative Ken Dunkin."

Speaker Lang: "I have to say the Chair is speechless. Representative Berrios."

Berrios: "Point of personal privilege."

Speaker Lang: "Please proceed."

Berrios: "Congratulations to Representative Dunkin and to the Black Caucus. The Illinois Leg... Legislative Latino Caucus does not stay behind. We had our elections on Wednesday

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evening and Representative Soto became the cochair of the Latino Caucus for the Members of the House. Please congratulate her. Thank you."

Speaker Lang: "Congratulations, Representative. Mr. Beiser."

Beiser: "Thank you, Mr. Speaker. I'd like to thank the new chairman of the Black Caucus for not speaking after his appointment."

Speaker Lang: "Something we can all agree with. Mr. Reboletti."

Reboletti: "Mr. Speaker, point of personal privilege."

Speaker Lang: "Please proceed."

Reboletti: "Mr. Speaker, I'd like to let the Body know that the Italian Caucus is still in formation and will be having some meetings in the well here very shortly with respect to membership. Thank you."

Speaker Lang: "Don't forget my invitation."

Reboletti: "I won't."

Speaker Lang: "Mr. Sullivan."

Sullivan: "While we're on the order of business relating to caucuses, I would like to announce that the Sullivan Caucus will be having their annual soirée on March 12 at the typical place from 5 to 9. Thank you very much."

Speaker Lang: "Representative Bellock, what caucus are you announcing?"

Bellock: "Thank you very much, Mr. Speaker. I'm glad you brought that up because since Representative Lyons left I'm not sure about if... who's going to chair the White Sox Caucus. So, that's still in discussion. Maybe you, Mr. Chairman."

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Speaker Lang: "We're for you. We're for you, Representative. Representative Senger. Who is not here, but somehow her light is on. Moving down the Calendar. House Bill 986, Mr. Franks. Please read the Bill."

Clerk Bolin: "House Bill 986, a Bill for an Act concerning aging. Third Reading of this House Bill."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. This is a Bill that I... that I think we need to pass. What we... what we used to have is a committee. We actually still have the committee, but it's obsolete; it's useless. There's no nec... there's no need for it. The committee was to deal with the Illinois Cares Rx program which has been repealed. Since we haven't met and there's no need for it, I'd like to officially put this to rest and get rid of this committee."

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. There are 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 991, Representative Osmond. Please read the Bill."

Clerk Bolin: "House Bill 991, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Lang: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. Members of this General Assembly, we have House Bill 991 which is... a provision for the Department of Insurance and it... this legislation is



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necessary for the State of Illinois to be prepared for the responsibility of liquidating systematically an insurance company if they become insolvent. So, I know of no opposition. And I would like a favorable vote, if possible."

Speaker Lang: "Lady moved for the passage of the Bill. The Chair recognizes Mr. Franks."

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

Speaker Lang: "Lady yields."

Franks: "How is it handled now, Representative, when an insurance company goes insolvent?"

Osmond: "Well, I can honestly tell you there have been issues that I cannot really explain very well, but I... this particular type of legislation is bringing us into the Federal Dodd-Frank Act. Apparently, this is something that the feds have already reviewed and looked at and knew that we needed some support. And we're trying to comply with that."

Franks: "Is there any additional cost to the state?"

Osmond: "Not to my knowledge. I think that this basically just sets up a system of how to do it more effectively."

Franks: "Okay. And you don't have any knowledge on previous liquidations?"

Osmond: "No, I'm sorry, I don't"

Franks: "Well, I trust you, Representative. Thank you."

Osmond: "Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Davis,

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Sommer, Tabares. Mr. Sommer. Please take the record. On this question, there are 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1002, Representative Chapa LaVia. Please read the Bill."

Clerk Bolin: "House Bill 1002, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Good... good morning, Speaker. Good morning, Members. House Bill 1002 amends the State Board of Education Preparation and Licensure Board to re... represent so Type 73 is at the table as well. Right now there is the state superintendent or appointee. There's 5 administrative or faculty members of public-private college or university located in Illinois, 3 administrators employed in the public schools, 10 classroom teachers employed by public schools, 1 regional superintendent. But what's missing from the boards and has been missing for a while is Type 73 which is the Illinois School Counselor Association is behind this though they'd like is one member that the board looking at their interest and the Nurses Association and social... social workers from the school districts. There's about 13 thousand public school employees that fall under this caption; they'd like to have a seat at the table. Just a disclaimer, they are members of the IEA. So, it's interesting that they're in opposition to this, but it actually is a fair process and they're hoping to get placed on that board. I'll take any questions. There is no cost."

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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? Have all voted who wish? Record yourselves, please. Harris, Sosnowski, Unes. Please take the record. On this question, there are 86 voting 'yes', 25 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1005, Mr. Pritchard. Please read the Bill."

Clerk Bolin: "House Bill 1005, a Bill for an Act concerning health. Third Reading of this House Bill."

Speaker Lang: "Mr. Pritchard."

Pritchard: "Ladies and Gentlemen, this Bill simply adds another class of professional counselors to a list that was created before this profession really became what it is today. This profession has the credentials of other counselors. And I would ask for your support in adding them to this Bill."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Leader Riley."

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

Speaker Lang: "Gentleman yields."

Riley: "Representative Pritchard, can you give the Body some ideas of who these additional professionals are?"

Pritchard: "So, the others would obviously include physicians, clinical social workers, and clinical psychologists as well as registered nurse who has supervisory experience.. responsibilities."

Riley: "I'm sorry, Mr. Speaker, I can't hear."

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Speaker Lang: "Ladies and Gentlemen, I know we're moving along and I know we have conversations, but let's listen to the conversation between the Sponsor and Mr. Riley or move your conversations to the back of the chamber. Please proceed."

Riley: "Yeah, Representative Pritchard, I wanted to know who would be the additional professionals that could, you know..."

Pritchard: "So, the current people that can give this type of prescription are physicians, clinical social workers, clinical psychologists, and registered nurses with supervisory responsibilities."

Riley: "Yes."

Pritchard: "So, what we're doing is adding clinical professional counselors to that list."

Riley: "I'm sorry. You're adding who?"

Pritchard: "Clinical professional counselors."

Riley: "Okay. Would that be... and see that's... I need a clarification on that. Would that be LCPCs or who?"

Pritchard: "LCPC, yes."

Riley: "Oh, okay. All right. Thank you."

Speaker Lang: "Mr. Reboletti."

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

Speaker Lang: "Gentleman yields."

Reboletti: "Representative, is the reason that the LCPCs were left out is because they weren't in existence at the time the original Act was passed? Is that the whole reason?"

Pritchard: "That's my understanding."

Reboletti: "Thank you."

Speaker Lang: "Representative Bellock."

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

Speaker Lang: "Gentleman yields."

Bellock: "So, Representative Pritchard, were there no other comments by other mental health professionals on this issue because this is a very controversial issue about restraints?"

Pritchard: "Well, I'm not sure that it's a controversial issue because I've not been contacted by anyone. It's certainly is an issue where you're having one more classification of people that can give an order of restraint or seclusion in an area where it's for the protection of the recipient, the client if you will, or for the providers of service. This is already being done. We're simply adding one more class of individual because in late night situations or at other times when these other people aren't available, we're able to use the clinical professional counselor to provide the services in a more timely fashion."

Bellock: "Thank you very much."

Speaker Lang: "Mr. Pritchard to close."

Pritchard: "I would ask for your support."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have voted who wish? Please record yourself. Davidsmeyer, Ford, Tryon. Please take the record. On this question, there are 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1009, Mr. D'Amico. Please read the Bill."

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Clerk Bolin: "House Bill 1009, a Bill for an Act concerning transportation, which may be referred to as 'Kelsey's Law'. 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 1009 will be referred to as 'Kelsey's Law' and basically what it's going to do is when a kid, a teenager has completed his graduated driver's license and he's going to get his full-fledged license, he's got to disclose if he has a ticket in the judicial system. Right now, what happened here there was a terrible accident where Kelsey was injured and the teenager never disclosed that he had a ticket pending in the courts and two weeks later he went and got his full-fledged license and there was nothing that the Secretary of State could do to take it away from him. So, that's basically what it does."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, those in favor of the Gentleman's Motion will 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 111 voting 'yes', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1010, Mr. D'Amico. Please read the Bill."

Clerk Bolin: "House Bill 1010, a Bill for an Act concerning criminal law, which may be referred to as 'Patricia's Law'. Third Reading of this House Bill."

Speaker Lang: "Mr. D'Amico."

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D'Amico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1010, which will be referred to as 'Patricia's Law', was the result of a horrific accident where a man was driving through a 4-way stop, reaching down to grab his cell phone, killed Patricia and he was granted supervision when he went to court. So, what we want to do when there's a fatality involved and a ticket that is issued, we want to take away the ability to get supervision in the court."

Speaker Lang: "Gentleman moves for the passage of the Bill. On this question, the Chair recognizes Mr. Reboletti."

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

Speaker Lang: "Gentleman yields."

Reboletti: "Representative, what was the driver charged with that he received supervision for?"

D'Amico: "Failure to obey a traffic sign and failure to reduce speed."

Reboletti: "And the standard of proof is approximate cause to show that the driver was the approximate cause of the fatality. Is that... is what is in your Bill?"

D'Amico: "Yes."

Reboletti: "I know you're not an attorney and you would not be aware of the case, but there's a case out of the Third District that came out of Will County that's People v. Pomykala and an individual who was charged with reckless homicide and the jury instructions talked about him being the approximate cause of the death and eventually was appealed and the convictions were overturned because approximate cause is a different standard of proof than

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beyond a reasonable doubt. So, I have some concerns that if you put this into statute that you're reducing the burden that the state would have to prove at trial."

D'Amico: "The imposition of driver's license penalty is not a criminal offense."

Reboletti: "But they're still held to the same standard so that's one of my concerns. And Representative Durkin points out that the rules of evidence are the same, so that's one of my concerns, not that I don't... I disagree with the premises of your Bill. Why wasn't... if you know, why wasn't that individual charged with reckless driving, aggravated reckless driving that involved a fatality?"

D'Amico: "It was the state's attorney's call and they didn't do it."

Reboletti: "And what county did it happen in?"

D'Amico: "I think it was up in McHenry. I think it was in Representative Frank's district."

Reboletti: "All right. I'm just going to listen to the debate. I support the premise and I know this has happened when I was in traffic court where there was fatalities but the person was eligible for supervision. There's a presumption in the Vehicle Code that supervision should be granted but for other factors, so obviously a fatality is a good reason not to grant it. But I'm concerned about the proof issues, so I'll listen to more debate. Thank you, John."

D'Amico: "Thank you."

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Sponsor yields."



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Franks: "Representative, first of all, I want to thank you, when we talked about this last summer, this arose out of an incident that had occurred in my district, frankly just a few miles from my house, on a street at an intersection which my family, myself and my kids travel almost daily and we've met with the Secretary of State on this issue as well. What we're really trying to do in this Bill is simply take away the judge's discretion to give supervision when you have a case where there's a fatality, correct?"

D'Amico: "Correct."

Franks: "We're not changing any of the proof requirements?"

D'Amico: "Not at all."

Franks: "Okay. Cause right now, what happened in this case and I'm sure it's happened in others, a person who's committed this type of offense has basically gotten a slap on the wrist and there's been nothing more."

D'Amico: "That's it exactly."

Franks: "So, this would tighten up the law and not allow an offender to have... to make life so cheap and to get such a meaningless penalty."

D'Amico: "That's right."

Franks: "Well, I appreciate you bringing this forward. I encourage everyone to vote 'aye'."

D'Amico: "Thank you."

Speaker Lang: "Mr. Dunkin... I'm sorry. Excuse me. Mr. Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Durkin: "I do agree with Representative Reboletti. We're getting into an area where we are now designating different

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standards, civil standards in this process, but the question I have, who determines approximate cause, under this Bill?"

D'Amico: "The state's attorney."

Durkin: "It's not in... I don't believe that's correct. It's silent in the Bill about... it doesn't state who ultimately determines whether approximate cause is the contributing factor towards the death. It doesn't state that and I'll John, I'll just tell you, I'm not trying to give you a hard time, but the fact is the state's attorney that is not part of their daily routine in a courtroom and they're not obligated to make any type of finding or statement to that effect. I think it would just be helpful to have more clarity on who is ultimately charged with determining or making a determination of approximate cause under the Bill."

D'Amico: "I understand where you're going, but all we're talking about is taking away the ability to get supervision. You can still petition the courts... the court and come back and try and get it."

Durkin: "Well, I... I disagree with you with your previous response that the state's attorney is charged with determining approximate cause and I think that this will add confusion down the road to practitioners, not only to the court, the state's attorney, but also defense attorneys whether it's in the misdemeanor courtroom or it's in the Secretary of State License Adjudication Division. So, I think this is still vague. I'm not sure that how it will be implemented and I would strongly encourage that people or

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that, John, you rethink and maybe there's a way we can get there. But I believe it's still... the way that it's drafted, it will bring confusion to the individuals who are going to be responsible for implementing the law."

D'Amico: "Thank you."

Speaker Lang: "Mr. D'Amico to close."

D'Amico: "I'd just appreciate an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 94 voting 'yes', 17 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1013, Mr. Zalewski. Please read the Bill."

Clerk Bolin: "House Bill 1013, a Bill for an Act concerning apostilles and certifications. Third Reading of this House Bill."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Thank you, Mr. Speaker. House Bill 13... 1013 is an initiative of the Illinois Secretary of State. Last year we did a similar Bill with respect to the Univers... Uniform Commercial Code. There... the Secretary of State is finding that some are using what's called the apostille which is a document, an official document and they're using it to... they're abusing that particular document, which is actually kind of an arcane document. They're abusing the process. The Secretary of State wants to exercise more discretion

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about the use of an apostille. So, I'd ask for an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. Seeing no debate, those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Ford. Please take the record. On this question, there are 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1020, Representative Mayfield. Please read the Bill."

Clerk Bolin: "House Bill 1020, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Representative Mayfield."

Mayfield: "This Bill is an initiative of the Lake County.. of the Lake County Board. It would apply throughout the State of Illinois. And what it would do it will give counties the same rights as municipalities currently have. Right now, cur... county buildings can tear down vacated, dilapidated, dangerous buildings. They have the right to do that with proper notification to the owners of those buildings. What we do not have is the ability to tear down the garage next door to the building, which creates additional funding... I'm sorry... additional revenue... I'm sorry... expenses to the county because they have to then go back and petition all over again and it draws out the process. We just want to expedite it and be able to tear down the garage at the same time that we're tearing down the house. That's all that we're looking for in this Bill. And these are for

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properties where we have done due diligence, gone out of our way to find the owners. In most cases, these buildings have been vacant for several numbers of years. There is a high risk; they're dangerous buildings. And we just want to have that opportunity to remove them."

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

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

Speaker Lang: "Lady yields."

Reboletti: "Is Lake County a Home Rule county is that... or they're not a Home Rule county. Is that what the problem is?"

Mayfield: "It's not Home Rule."

Reboletti: "And so, if they were Home Rule they could do this. They could enact an ordinance..."

Mayfield: "Absolutely."

Reboletti: "...that would allow them to do that."

Mayfield: "Absolutely."

Reboletti: "How many buildings would Lake County be looking at razing based off of... if this Bill were to pass?"

Mayfield: "We don't have a direct number right now. We just would like the ability. What we've done in the past is if there was a house that was of ser... a serious danger and threat to the community, we would do due diligence to remove that home, but because the garage is considered other structural property, it was a long process to go back to have that garage moved. We would have to go through the entire process again, bid it out again at the taxpayer expense to have that garage removed. We just want to be

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able to tear everything down at the same time. We're not the..."

Reboletti: "The... if you said expedited removal, how quickly does it take now to remove one of those buildings and how quickly will this help expedite the process, if you know, Representative?"

Mayfield: "Okay. Well, like I said, currently we're having... it's two processes: one to remove the home and then another to remove the garage. And let me see, find my notes here. It normally takes... bear with me 'cause I do have notes on this. Okay, I'm sorry. It takes about four months, four month additional to remove the garage as opposed to if we were able to remove the garage and the home at the exact same time. And again, it's an additional expense to the taxpayers. We're just trying to make it, you know, do everything all in one shot..."

Reboletti: "So, you're back in..."

Mayfield: "...and it will save money."

Reboletti: "So, you're back in court again just for the garage. Is that what you're saying?"

Mayfield: "Just for the garage."

Reboletti: "All right. That makes sense. Thank you, Representative."

Speaker Lang: "Representative Mayfield to close."

Mayfield: "I recommend a 'aye' vote."

Speaker Lang: "Those in favor of the Lady's Motion will 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 111 voting 'yes', 0 voting 'no'."

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This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1045, Mr. Franks. Please read the Bill."

Clerk Bolin: "House Bill 1045, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. This is a Bill that we passed unanimously in the waning days of 1st the 97th General Assembly to allow additional time for the Local Government Consolidation Commission to come up with their... their answers... their report which you're a member of Mr. Speaker. We'd like to go to the September of this year because we couldn't get all our work done last year. There was a late appointment and this year we've had a very slow start because we haven't been able to get a quorum. Last night I was told that the Senate GOP has made their appointments. Mr. McCarter, Ms. McConnaughay, and Mr. Oberweis will now be on the commission, so we'll be able to convene next week. So I'd ask for an 'aye' vote."

Speaker Lang: "Gentleman 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? Have all voted who wish? Mayfield. Please take the record. On this question, there are 111 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1048, Mr. Welch. Please read the Bill."

Clerk Bolin: "House Bill 1048, a Bill for an Act concerning business. Third Reading of this House Bill."

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Speaker Lang: "Mr. Welch."

Welch: "Thank you, Mr. Speaker. I rise on House Bill 1048. This is an initiative of the Secretary of State. 1048 amends the Business Corporation Act, the General Not for-Profit Corporation Act and the Limited Liability Company Act to clarify certain provisions and to correct various errors and omissions throughout the Act. There is no cost to the state. There are no opponents to this Bill. And I urge the colleagues to vote 'aye' on this Bill."

Speaker Lang: "Gentlemen moves for the passage of the Bill. The Chair recognizes Mr. Bost."

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

Speaker Lang: "Sponsor yields."

Bost: "This is your second Bill, correct?"

Welch: "That is correct, Representative."

Bost: "And we have many freshmen not carried their first Bill yet."

Welch: "I didn't... I didn't hear your question from the noise."

Bost: "No, just a statement. We've had many freshmen that haven't carried their first Bill yet. Is that correct?"

Welch: "That is correct."

Bost: "Are you an overachiever?"

Welch: "Yes."

Bost: "Watch that."

Speaker Lang: "That's it, Sir? All right. Mr. Reboletti."

Reboletti: "What do you mean, that's it? That was a great line of questioning, Mr. Speaker. So, will the Sponsor yield?"

Speaker Lang: "Gentleman yields."



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Reboletti: "Representative, while you're taking all the other freshmen's time up, I was concerned as to why this went to State Government. We have a great Judiciary Committee, which you're a member of. We would have loved to have you come over there. Why'd you go to State Government over in Jack Franks community over there?"

Welch: "You'd have to direct that question to the Speaker."

Reboletti: "Why... why... to the Speaker?"

Welch: "Or the Rules... the Rules Committee."

Reboletti: "Did you request that the Speaker put it in State Government?"

Welch: "I just appeared where it was put."

Reboletti: "And who's the young man standing to your left? He looks like a very good counsel there."

Welch: "This is the fine lawyer from the Secretary of State's Office, Mr. Maddox, who drafted the Bill for me."

Reboletti: "He seems to be doing a very good job over there so."

Welch: "He's doing a great job."

Reboletti: "I'm eagerly waiting your third Bill probably on the next page, so good luck on this one."

Welch: "Thank you, Representative."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Rita. Mr. Rita. Please take the record. On this question, there are 111 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared

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passed. House Bill 1191, Representative Hernandez. Please read the Bill."

Clerk Bolin: "House Bill 1191, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Representative Hernandez."

Hernandez: "Thank you, Speaker. House Bill 1191 is an initiative of the Department of Aging. I introduced this Bill last year; however, it was close to deadline and there were a few concerns that needed to be addressed that were not met on time. So the Bill allows the department to charge fees to community care and elder abuse providers for online training that the department is mandated to do so. By doing this, the department is able to sustain the system. The cost savings come through reduction of travel costs and time out of the office. All rules to implement the authority must be approved by JCAR. This is agreed language crafted with Representative Pihos and I'd like take that opportunity to thank her for all her work. I ask for an 'aye' vote."

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

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

Speaker Lang: "Sponsor yields."

Reboletti: "Representative, what type of fees and costs are you anticipating that JCAR would act on and what would the total cost be to the... to the budget?"

Hernandez: "There is no determined cost. Wh... what has been discussed is that the provider or rather the department

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will come up with an estimate, but it will be up to JCAR to accept it or not."

Reboletti: "And I'm sure it's your hope as well as mine that the money will be used for its intended purpose not swept and put somewhere else."

Hernandez: "Absolutely."

Reboletti: "Thank you."

Speaker Lang: "There being no one further wishing to speak, 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 record yourselves. Mitchell, Zalewski. Please take the record. There are 67 voting 'yes', 44 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1209, Mr. Mautino. Is Mr. Mautino in the chamber? Oh, there he is. Please read the Bill."

Clerk Bolin: "House Bill 1209, a Bill for an Act concerning conservation. Third Reading of this House Bill."

Speaker Lang: "Leader Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1209 is an initiative of the University of Illinois. A number of years back we took our scientific surveys from the other departments in State Government, we housed them at the University of Illinois. The name has been changed on those to the Prairie Research Institute. This makes those changes in the law. And just for your identification on them, those would be the Illinois State archeological survey, the water survey, the geologic

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survey. And it eliminates other outdated provisions. Appreciate an 'aye' vote."

Speaker Lang: "Gentleman moved for the passage of the Bill. There being no debate, those in favor of the Gentleman's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Franks. Please take the record. On this question, there are 111 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1233, Mr. Sacia. Please read the Bill."

Clerk Bolin: "House Bill 1233, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Bill is a very straightforward and a Bill with not opposition at all. It simply increases the number of hospice care facilities in Illinois, in all of the differing counties, from a maximum of four to a maximum of five. I will be happy to answer your questions."

Speaker Lang: "Gentleman's moved for the passage of the Bill. The Chair recognizes Mr. Franks."

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

Speaker Lang: "Gentleman yields."

Franks: "Who limits the amount of health care that people can provide?"

Sacia: "I can't answer that, Representative. All I know is the way it currently is set up. In counties of 200 thousand or less, they could have a maximum of four. From 200 thousand to 700 thousand, they could have a maximum of four. From

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700 thousand and over, they could have a maximum of four. And that is regulated and I will have follow-up legislation to deal with the very issue that you're pointing out because there does seem to be no sensible reason to hold them back."

Franks: "Well, the reason I would think is and I... maybe I'm wrong here, but it could be the Illinois Health Facilities Planning Board. Is that come... Does that name sound familiar to you on this?"

Sacia: "You know, in all honesty, Representative, it never came up. The Bill breezed through committee and the..."

Franks: "No, I... I agree with what you're trying to do."

Sacia: "Sure."

Franks: "I don't think there should be any limits. I don't know why the government's involved in telling us... in telling private enterprises where and... where they can open up when they're... all they're doing right now is creating monopolies, increasing prices, and limiting health care. I don't see how that's a state interest. I would prefer that people who want to provide health care, especially such critical health care as hospice, if people want to open, they should be able to and not be limited in scope. So, you may have an underprovider or someone who's not doing a good job one of those four and it's going to keep out someone who could probably... may be able to do a much better job."

Sacia: "Representative Franks, I completely agree with you and I promise you I will have follow-up legislation to deal with that very issue. This was brought to me specifically

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for a veteran's hospice center that was needed in my hometown of Pecatonica, Illinois."

Franks: "Would... would you... since we're early in the process, would you be willing to perhaps take an Amendment to say there can't be limits, because I don't even know why we're even limiting it from four to five, because we could have three really bad providers and one good one and the other three don't have to get any better because there's no other competition and the fourth one who's good can't add any more beds."

Sacia: "That... that very question came up in committee and the consensus was that due to the need for this veteran's hospice center that we wouldn't try to do that now, that we felt, we meaning the advocates for the Bill and a couple of committee members and myself, let's pass this and then follow up with one."

Franks: "And I appre..."

Sacia: "But I am not opposed to that, Jack. If you want me to pull it out of the record, I'd do it."

Franks: "Can you for a minute? I'll come over and talk to you, if you don't mind."

Sacia: "I'd be happy to."

Franks: "Thank you."

Speaker Lang: "Gentleman takes the Bill out of the record. Turning to the next page, the next House Bill is 1247, Mr. D'Amico. Please read the Bill."

Clerk Bolin: "House Bill 1247, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Mr. D'Amico."

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D'Amico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What House Bill 1247 does is ban handheld cell phones while driving a vehicle."

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

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

Speaker Lang: "Gentleman yields."

Bost: "John, you know I respect you tremendously, but I have a real problem with this Bill. I need to know... and I understand the dangers of using a handheld phone, I do. But where does it stop? Where does it stop? Is it... you can place your arguments, but I'm going to ask. Can we go ahead and take radios out of cars because I'm going to have to reach forward and grab the switch on the radio."

D'Amico: "Representative, reaching forward to touch your radio is not as big of a... nowhere near a distraction like talking on a handheld cell phone. We have this... we have this..."

Bost: "Well, and I'll tell you what is."

D'Amico: "Wait a minute. Wait a minute. We had..."

Bost: "I'll tell you what is. And when I... when I had my grand... when I have my grandchildren in the backseat and I'm a little worried about what's going on, that is. So, how about we just don't have any of our children ride with us in the car."

D'Amico: "I'm not... I'm not dealing with that right now. I'm talking about studies that we have by the universities here... across the country that show how dangerous it is and people are dying every day and if we can do something about

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it, we need to stop it. I mean, these were the same arguments that when we put the seat belt Bill..."

Bost: "No. No..."

D'Amico: "When that first went into place."

Bost: "...this is a completely different argument."

D'Amico: "Yes... Yes it was."

Bost: "It's a completely different argument."

D'Amico: "No, it's not."

Bost: "And you know I respect you, but it's a completely different argument. This is a person taking a person's right away from them, while they're driving to communicate now."

D'Amico: "No, it's not. You can still communicate. All we're saying is a handheld device. You can put it on speaker, you can talk over the radio. The way the technology is today it is so easy to communicate by not holding the phone to your ear."

Bost: "Well... well, suppose that person is that's the only communications device they have because maybe they're limited on their budget. And they don't have a Bluetooth or they don't have..."

D'Amico: "You put it on speaker phone."

Bost: "Representative, come on..."

D'Amico: "I'm ser... I'm..."

Bost: "This kind of stuff is the ultimate... ultimate in... in big brother."

D'Amico: "No, it is not."

Bost: "Yes, it is."



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D'Amico: "Repre... Representative, have you ever put your phone on speaker phone and had a conversation?"

Bost: "I have."

D'Amico: "It's as easy as putting it to your ear."

Bost: "Okay. Mr. Speaker, to the Bill. Ladies and Gentlemen, there's a time we've got to stop doing this type of stuff. Look, if this is the case and I know it is, it is dangerous, but there's a lot of things that we do every day while driving in our car that become dangerous. Now, if I have children in the backseat, that can be dangerous 'cause I'm paying attention to what's going on there. I can be reaching from the radio; that can be dangerous. I can drop a pen while trying to write something down and try to all of a sudden reach for it; that can be dangerous. I don't do it, but I'm sure that some people that are members of the chamber probably drive down the road and put their makeup on. Now, that can be dangerous. Where do we stop? I respect the Sponsor, but this Bill, it goes too far."

Speaker Lang: "Mr. Reboletti."

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

Speaker Lang: "Sponsor yields."

Reboletti: "Thank you. Representative D'Amico, I have a great appreciation for the work that you're doing in conjunction with the Secretary of State's Office to try to make the world safer. One of my concerns is, why is this a primary stop compared to... no different than speeding where... This isn't an add-on charge. This is the police can stop you for seeing you with a cell phone is that... why is that?"

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D'Amico: "The reason that we're doing that is we needed to put some teeth in the law. If we're serious about stopping this, we had to put that in the Bill because we got to make it a primary stop. I mean, every day, even... Here's an article from today's USA Today talking about teen fatalities on the roadway due to cell phone use and this is every day. And we have a chance here in Illinois to be a leader across the nation. There's nine states already that ban this handheld cell phone. I think it's a move in the right direction to make the roads here in Illinois as safe as possible. And let me add, there is no filed opposition to this Bill. Even the cell phone industry is in favor of the Bill, the State Police, the Chiefs of Police, a number of police departments across the state are all in favor of this Bill."

Reboletti: "If I recall correctly, when I was a member of the committee last year, wasn't there a group that testified that said... I remember asking the question... just if I have my phone up to my ear how is that any different from distracted if I have an ear piece in and I'm still having communication. Isn't that... they said there really was no difference and that was their primary goal just to ban... to make things hands-free. I recall them saying that there was absolutely no difference whatsoever and that the ultimate goal, John, was to ban cell phone communication down the road which is where the Federal Government wanted to go to."

D'Amico: "That is not where I intend to go and I have the study here from the University of Utah that says handheld cell

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phone increases your chance of being in an accident four times."

Reboletti: "Then what about monitoring the volume of listening to the radio or shaving or eating McDonald's or having children cry in the backseat. There's so many things that we can't as a Legislature always take a look at and say, hey, we have to ban that practice and so at some point I think it has to stop. And so, to the Bill. Ladies and Gentlemen, while I have a great appreciation for the Sponsor, I think this is the wrong thing to do. We can't ban everything in the vehicle and I think the ultimate goal, not by this Sponsor but by someone else, will be to ban communications by phone in a vehicle. And while I understand and... and I'm just as concerned about public safety that we have other issues we should be addressing. Like negligent driving, this should be part of an offense that when, in coordination with another offense, maybe leads to reckless driving. I know that we've talked about that, Representative D'Amico, but this, in and of itself, shouldn't be a primary stop. I don't know if it's reduced things in the City of Chicago. They do it there; other municipalities are doing it. I'm not sure if it makes a difference, but we're not banning so many other things that could cause distracted driving that I regretfully must urge a 'no' vote."

Speaker Lang: "Mr. DeLuca."

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

Speaker Lang: "Gentleman will yield."

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DeLuca: "Representative D'Amico, I represent a lot of individuals that do not have the ability to purchase a vehicle with Bluetooth and maybe not have the ability to purchase hand... a hands-free device. Is there a carveout for those individuals or will they have to comply with this?"

D'Amico: "All the phones have speaker, you put it on speaker."

DeLuca: "If you're driving down the street and you put your cell phone on speaker, where would you place the phone?"

D'Amico: "Wherever you feel like, just not next to your ear."

DeLuca: "Well, that it's... Where would you leave the phone on speaker where it's useable?"

D'Amico: "I've had it all over my car. I've had it on the front seat, on the dash, on the middle console. It works anywhere."

DeLuca: "I'm just trying to figure out how it will work in practicality 'cause it sounds easy just put the phone on speaker, but maybe there's other people in the car, maybe it's your wife with the kids in the backseat who are making all kinds of noise. You can't hear... you can't hear in that case."

D'Amico: "And I suggest when you're driving with your kids in the backseat, you can't hear, why be distracted by talking on a phone. If the call is that important, pull over."

DeLuca: "In regards to enforcement, you know, we have a no texting while driving, as we know, but yet as I'm on the road I purposely I pay attention to the people around me, just to look and see. It is nonstop, every direction you look, there are people texting while driving. So, yes, it's the law; yes, we have teeth in the law, but it's not being

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enforced. If we pass this, what reason do we have to believe that it's going to be enforced?"

D'Amico: "Well, every law that we pass here has to be enforced. I mean, that's up to the police officers to get out there and do it. There have been 3500 convictions statewide for texting and driving and they're continuing to work and try to make the roads as safe as possible. I mean..."

DeLuca: "Well, I really do applaud your efforts because, I agree, we have to increase the safety on our roads. The texting while driving I think is the No. 1 issue. It's not being enforced. Clearly, I can tell you that the police officers in my area, in my neck of the woods, they have much more important issues to deal with than someone talking on a cell phone. I'll be voting 'no', but I do applaud your efforts. Thank you."

Speaker Lang: "Ladies and Gentlemen, there are 11 Members still wishing to speak on this Bill. I would just simply ask that you be as brief as possible, although, I recognize it's an important Bill. David Harris is next."

Harris, D.: "Thank you, Mr. Speaker. A quick question of the Sponsor?"

Speaker Lang: "Sponsor yields."

Harris, D.: "Representative, this is the same Bill that passed last year, correct?"

D'Amico: "Yes, it is."

Harris, D.: "Right. Thank you. To the Bill. Ladies and Gentlemen of the House, my name is up there as a cosponsor and I sponsored this Bill last year. And I do so proudly, even though I readily admit there are elements of big

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brother in this Bill. There's no way that you can get around that. This is the government telling you what you can and cannot do within the confines of your car as you are driving. Talking about distracted driving, there is no way that we are going to stop the woman who's putting on her makeup, the guy who has a doughnut in one hand and a coffee in the other hand and he's steering with his knee. That's all distractive driving; we can't stop that. The issue, as we talked about last year, is one of situational awareness. You want to know where you are, what you're doing, while you're driving that car. Sure, you're going to turn around, do something with your child in the backseat. You're going to adjust the radio. That's taking your eyes off the road; that's bad. You don't want to do that. You want to have the hands as much as possible at the appropriate position. The difference though is this, between turning around and... and adjusting with your child or adjusting the radio, the difference is cell phones have become pervasive. Everybody's driving down the road using a cell phone. How many times have you seen that person turn a corner with one hand, just going like this, holding the cell phone in the other hand? It's unsafe for that person and for every other driver. You know, in the future these kinds of Bills aren't going to even be necessary because every car is going to come equipped with some sort of... of speaker and Bluetooth device. But until that time comes, our job is to try to make the roadways as safe as possible. It is known that distractive driving is unsafe. This is a positive step forward despite the fact that, as we say,

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it's a primary stop and by the way, the fact that, what, 60 or 70 other municipal... 60 or 70 municipalities in this state already ticket. And you can ask my wife because she was driving through Evanston and received a citation for talking on her cell phone. The fact that 60 or 70 communities in this state already make this a primary stop offense, let's have uniformity around the state. Let's get away from the distractive driving of all those people using cell phones. I applaud the Member for his effort. And I hope you will vote 'yes'."

Speaker Lang: "Mr. McAuliffe."

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

Speaker Lang: "Sponsor yields."

McAuliffe: "Representative D'Amico, isn't there in the case of an emergency if somebody needed to pick up their phone and use it that they still could in this legislation?"

D'Amico: "Absolutely."

McAuliffe: "Okay. To the Bill. We've all seen in a number of years, how everybody's using cell phones; they're using it with their hands. And how many times going back today we're going to see people swerving on I-55 or whichever way you're traveling and it's a hazard. In the City of Chicago, in the suburbs, when you're coming to a stop sign years ago you would assume that the other person would stop. You see people rolling stop signs, rolling red lights. I mean, I think the time has come. Last year the Bill passed the House and hopefully this year it will pass again in the House, pass in the Senate and the Governor will sign it and

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this is all about saving lives. It's not about big brother at all, in my opinion. So I urge a 'yes' vote. Thank you."

Speaker Lang: "Representative Hatcher."

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

Speaker Lang: "Sponsor yields."

Hatcher: "Representative, I appreciate you bringing this Bill to us, but I want to reinforce and actually illustrate the questions that I had while we were on... in committee. Do you know what this is?"

D'Amico: "Looks... looks like a cell phone."

Hatcher: "Yeah, well, it's not. It's an adaptive device that's available to Members on the board who serve here in the Legislature for those who have hearing challenges. This brings the speaking directly into our ears and clarifies much of what we hear here. I wear this constantly when I am on the floor. I own the highest-end, computer generated, instinctive learning devices in my ear, hearing aids, every day. And what happens when I wear these on the floor is that instead of being a dull roar, as you all hear it is a loud roar and that is the way a speaker phone works with anyone who has hearing challenges. I truly believe that this kind of legislation is an absolute... absolute violation of the American with Disabilities Act. It... There are about 30 percent of America has some hearing issues and the best estimation we have is that 7 percent of America wears hearing devices and they're not this good. Some of the big, beige monsters you've seen in your grandparent's ears and those folks can't begin to hear any kind of mass generation noise. They can't begin to hear a speaker phone and if they



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are able to purchase any kind of additional adaptive device, it's hundreds of dollars more and most of those folks can't afford it. And so, that is why we'll continue to speak against hands-free because it is both... it is a greater danger to someone who is attempting to hear and lean forward and taking their eyes off the very road they're trying to navigate."

D'Amico: "And Representative, I understand completely where you're coming from on that. Now, with this legislation you are allowed to have an earpiece in your ear and talk on the phone."

Hatcher: "Right, but you have to purchase another earpiece. The adaptive device that went with these... and I won't tell you what these cost... but they were in the thousands. The extra adaptive device was over \$300. Now, in fact, what..."

D'Amico: "Does insurance... does insurance cover that?"

Hatcher: "And that's what... Of course not. And of cour... and it's the very folks who wear hearing aids that tend to be the folks that have less access to money."

D'Amico: "Well and I have reached out to a number of communities including the City of Chicago, Evanston, there's 76 communities across the state that have some sort of cell phone ban in place and this issue has never been brought up as a... as a potential problem. Even tried to reach out to some of the groups, nobody seemed to have any questions for me or answers."

Hatcher: "Well, on behalf of those who can't hear, I'm bringing up the issue and I will without question, as last year, I will vote against this Bill, Thank you."

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Speaker Lang: "Representative Soto."

Soto: "Speaker, will the Sponsor yield."

Speaker Lang: "Gentleman yields."

Soto: "I... I stand in strong support of this Bill. About a month and a half ago, there was someone on a device, when I was... when I had the right of way and I was heading home from Springfield. I was hit in the driver's side, right by the rear door and the person driving a small car, texting, hit me and broke my axle. So I was stranded for over two hours just dealing with the accident. Last week I was driving down Grand Avenue in Chicago and there was a woman with a child, a two-year-old child, not in a car seat and not in a seat belt and he was going back and forth and she was driving, on her cell phone. And she went over to my lane, so I almost got hit again by another person. So, I'm standing today in strong support of this Bill and I just want to applaud the Sponsor of the Bill and I also encourage my colleagues here today that if they can support this Bill it's a very important Bill. One of our colleagues here today mentioned if there are grandchild... if they're driving their grandchildren and they're looking back to see what's going on and they're being distracted, will that... will he get a citation for that? But you know what, a Bill like this is very important. I'd rather drive and move over, stop and see what the issue is in the backseat with my grandchildren than get into an accident the way I did. I was very lucky because when I did get hit I almost went into a tree. If I didn't get killed, there was... ranch homes around the area where I was hit. If I didn't kill myself, I

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was going to kill somebody because I would have gone into that house if I didn't go, you know, if I wasn't able to control that car. So, again, I stand in strong support of this Bill and I encourage my colleagues to support it. Thank you."

Speaker Lang: "Mr. Sullivan."

Sullivan: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Sullivan: "Representative, imbedded in your Bill on page 3 line 9 Section 9, is the affirmative defense the exception rule to one button touch to call somebody?"

D'Amico: "Yes."

Sullivan: "That's correct? Is that the only affirmative defense that a person has before a judge on this stop."

D'Amico: "No, in an emergency situation as well."

Sullivan: "Okay. An emergency situation. Okay. And to the Bill. Ladies and Gentlemen, everybody pick up their phone. Which person, with their phone like this, can one-button call somebody. I don't think anybody... Well, it's very hard for us to sit here and one-button call somebody. And I don't know that you could do that because you'd have to find the person first, click on them and then hit the dial button. Okay. So, you have 1 person out of 118 that can do that. So, when you talk about an affirmative defense on one-button calling, you can't do it, so it's fatally flawed right there. And I bring this up because I didn't vote for the texting Bill, not that I disagreed with it, but I asked how do you go to court and oppose things when you know that you're wrong. And I bring up an instance of a friend of

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mine in my neighborhood who was at a stoplight and looked at her phone and flipped it through an e-mail and put it down and then went on and turned. She was given a te.. a ticket for texting and driving. And she said to the cop, here, I wasn't texting and driving. Look at my phone, look at my e-mails, look at my text messages. And he says, no, I saw you with your phone in your hand and he wrote her a ticket. And she's fighting it and she's going onwards, but what's the affirmative defense. One button, one touch, you can't do that. And for that reason and until you change that, I will be voting 'no'."

Speaker Lang: "Mr. Durkin."

Durkin: "Sponsor yield?"

Speaker Lang: "Sponsor yields."

Durkin: "Representative, we've had some discussions over the last few days and over the last year over certain scenarios which I'm concerned about as a parent. And under the Section where... with the exemptions and exemptions say, this Section shall not apply to a driver using electronic communication device for the sole purpose of reporting an emergency situation and continued communication with emergency personnel during the emergency... emergency situation. We all have family members, daughters, sons, even aunts, uncles and parents who at times are driving somewhere and they are lost. I want them to call me first and I want to direct them out of harm's way and back to home. Am I an emergency personnel if my daughter calls me and she is lost and she's in a strange neighborhood and she is frightened? And would we be in... would she be in

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violation of this law if she called me and said, Dad, I'm afraid where I'm at. Can you help me, please. And if I tell her, no, the law says you have to pull over to the side of the road and then you won't be in violation of the law."

D'Amico: "In my opinion, that's an emergency call because she is fearful, maybe fearful for her life, so I consider that an emergency phone call. Plus you can always have the phone on speaker, as well, you don't have to be holding it to your ear."

Durkin: "But this exemption only applies to emergency personnel. I am not... tell me how is emergency personnel defined under this Bill?"

D'Amico: "It's not defined. So, I would consider that an emergency call."

Durkin: "But then... but John, I've had this situation with my stepdaughter where they left my house in Western Springs and they were going out to South Suburban College for a tennis meet. She ended up four blocks south of Midway Airport. And I told her... she was scared, frightened and she was not... she was extremely frightened based on the area she was at. I told her to keep driving and show me and tell me what intersections you are at and I will guide you home. That does not constitute my... that conversation to me does not qualify me as an emergency personnel individual that would be... which would exempt my stepdaughter for violation under this statute, John."

D'Amico: "Representative, right on page 2 it says an emergency situation. So, if she's fearful for her life, I think that qualifies as an emergency situation."

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Durkin: "But there's no definition for emergency personnel. And when you say personnel, I think it's specific enough when I..."

D'Amico: "It says situation and personnel. So..."

Durkin: "Does it... but is there a... is emergency personnel is that a person who works at a fire department, a police department some... I don't... I think it's so vague that we... and John..."

D'Amico: "It's not defined."

Durkin: "...I want... I want further clarification about who is and I think it can't be just done with debate. I would like to see language placed in... in that... in those types of situations for me as a parent to be able to help my daughter, my parent, my cousin to guide them and to keep telling them to keep driving along 'cause I want to be able to find out what intersection you're at, as opposed to telling her to pull over and stay on the side of the road and we'll try to figure it out from there. That's what I see as a legitimate unintended consequence of the Bill. It can be cured though, John, but I would like... we're... We've only been in Session for three weeks, so I would like for you to consider that. I also want to just raise the issue over individuals who are hearing impaired. Eight years ago I had a very difficult health situation and to cure the health situation, a neurosurgeon had to sever the auditory nerves in my left ear. I am 100 percent deaf in my left ear. I have tried using Bluetooth technology a number of times and I still cannot hear. I don't know how I can comply under this law other than retrofitting my automobile

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to have it somehow some speaker system coordinated where I can have that conversation with someone. I just think, again, we've had this discussion, but I think that there are unintended consequences at this point based on the way that the Bill is drafted. I also believe that low-income individuals in this state are going to have a hard time considering, you know, the economic situation that we're at. Particular people who are unemployed people who are living on this, you know, checks from the state and getting some type of support to be able to comply with this law because this is not cheap technology. So, John, I think there's maybe a way to cure this, but I think right now the way that it's drafted my initial concerns about my daughter, my family member being in harm's way and me... and I want them to call me. I feel that it would be violating the statute, this law, if it goes into effect."

D'Amico: "And Representative, I understand exactly where you're coming from and I'd be glad to work on something with you on that, if this Bill gets out of here and goes over to the Senate. You got to realize, too, right now there's 76, again, 76 communities across the State of Illinois that have this same exact legislation. So, as you're driving your car right now, you don't know where you're breaking the law. This is... this..."

Durkin: "It doesn't mean that it's right, though, John. It doesn't mean that those 7... 76 communities are right."

D'Amico: "But I want to put everybody on an equal playing field, Representative."

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Durkin: "I understand that, John and I... I think that there's a way to get there, but I don't believe that the way the Bill is drafted is going to contemplate unintended consequences which I know will occur under this but also the cost and also the individuals who do have hearing impairments including myself. How do I comply? Thank you."

Speaker Lang: "Mr. Jefferson."

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

Speaker Lang: "Gentleman yields."

Jefferson: "I voted against this Bill the last time around. I think it's a bad Bill. John, do you... does this mandate, for the whole State of Illinois, the law, as to how we use cell phones?"

D'Amico: "This Bill would, yes."

Jefferson: "This Bill would mandate throughout and you know, I understand being in a place like Chicago because they're so busy and for them to not be able... be on the phones is one thing, but we're in the country. Oftentimes, we don't see each other, we don't pass each other for 30 minutes at a time. I think this is an unfair Bill."

D'Amico: "But Representative, again, like I said, there's 76 communities already that have this Bill in place and one of the Bills that we did earlier today that I sponsored called 'Patricia's Law' took place in a rural area, did not take place in a busy town like the City of Chicago. This was on a rural back street where a kid was reaching for his cell phone and wound up killing somebody. So, these accidents are everywhere. They're not just in a major city like the City of Chicago."



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Jefferson: "Well, you know, I listened to testimony from one of the Representatives before and I think this could also borderline on the lines of racial profiling. I listened to one of the Representatives say a little while ago that his sister or someone that he knew was stopped because they said she was on the phone when, in fact, she said she was not on the phone. Maybe she was a good-looking female and the guy that stopped her wanted to stop her and see if he could get some conversation with her. But the thing is, when we go to court and we've been ticketed for this, who do you think they're going to believe?"

D'Amico: "But they can do that now. They can pull you over for that right now."

Jefferson: "This gives them a reason, an extra reason, to pull people over. You know, we deal with this all the time in communities where, because of the color of your skin, because of the way you look, people look for reasons to pull you over and give you citations. I think this is a bad Bill; I'm voting against it. Thank you very much."

Speaker Lang: "Representative Fine."

Fine: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Fine: "A phone call is not that important. If you get a phone call in the car and you don't have a hands-free, you can easily pull over. If your family is impacted by a distracted driver, it is devastating. I know it personally because three years ago my husband was driving to work and he was hit by a distracted driver and he's now an amputee. And so, I think we are finding, because more and more

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distracted drivers are on the road, we have more people falling under the ADA than we've ever had before. So, as I said, this is something that's personal to me. I support it very much and I think everybody could know that when you are on the phone, even if you are hands-free you're still distracted. You're better off having two hands on the wheel, if you're fortunate enough to still have two hands. Thank you."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Based on that, Mr. Speaker, I move the previous question."

Speaker Lang: "Gentleman moves the previous question. Those in favor of the Gentleman's Motion will say 'yes'; opposed 'no'. The 'ayes' have it. And the Motion passes. The previous question is put. Mr. D'Amico to close."

D'Amico: "Thank you, Mr. Speaker. And I appreciate the spirited debate from all of my colleagues. Again, I want to remind everybody that there are 76 communities across the State of Illinois that have this ban in place. We're trying to put everybody on an equal playing field. A couple of years ago we passed a Bill that banned teenagers from talking on the cell phone. It passed out of here unanimously and the reason we did that was because of safety. Last year we passed a Bill that banned people with professional CDL license from talking on a cell phone while driving and now we have a chance to do it for everyone across the State of Illinois. We need to be... continue to be a leader here for the United States and lead our state to make our roads as safe as possible. So, I appreciate an 'aye' vote."

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Speaker Lang: "Gentlemen moves for the passage of the Bill. Those in favor of the Gentleman's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Record yourself, Members. Have all voted who wish? Chapa LaVia, Flowers. Representative Chapa LaVia. Please take the record. On this question, there are 64 voting 'yes', 46 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, returning to House Bill 1233. 1233, the Sponsor, Mr. Sacia has requested the Bill be brought back to the Order of Second Reading. Please do that for him. Moving down the Calendar, House Bill 1309, Representative Cassidy. Please... Out of the record. 1311, Mr. Costello. Please read the Bill."

Clerk Bolin: "House Bill 1311, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Mr. Costello."

Costello: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1311 is actually a trailer Bill from Senate Bill 73, which I ran last year that is the Methamphetamine Precursor Act. Currently, law enforcement can access the National Precursor Log Exchange. This would add Illinois probation, parole and federal parole to the access of that information. I thank you. And I ask for an 'aye' vote."

Speaker Lang: "Gentleman 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? Have all voted who wish?"

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Golar, Mayfield, Mussman, Schmitz. Representative Mussman. Please take the record. On this question, there are 111 voting 'yes, 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1327, Representative Flowers. Representative Flowers. Out of the record. House Bill 1353, Representative McAsey. Please read the Bill."

Clerk Bolin: "House Bill 1353, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Lang: "Representative McAsey."

McAsey: "Thank you, Mr. Speaker, Members of the House. This legislation is an initiative of the Illinois Association of Park Districts. What it does is simply allow for park districts, forest preserve districts, as well as conservation districts to be authorized to invest in municipal bonds. Right now, they are prohibited from doing so. The ability to do so they would be able to invest in things just as secure as what they're currently authorized to do. It allows for them greater flexibility, greater return on investment, and is in the best interest of the taxpayer. And I appreciate the support of the Body."

Speaker Lang: "Lady moves for the passage of the Bill. There being no debate, those in favor of the Lady's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Jefferson, Pritchard, Smith. Mr. Smith. Please take the record. On this question, there are 111 voting 'yes', 0 voting 'no'. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. House Bill 1402, Mr. Evans. Please read the Bill."

Clerk Bolin: "House Bill 1402, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Lang: "Out of the record, Mr. Clerk. Returning to House Bill 130... Excuse me, 1327, Representative Flowers. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1327, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1327 amends the Patients' Right to Know Act by extending the disclosure period for information on physician public profile for 5 years to 10 years. I'll be more than happy to answer any question. And I would appreciate an 'aye' vote."

Speaker Lang: "Lady moves for the passage of the Bill. The Chair recognizes Representative Bellock. Representative Bellock passes. The Chair recognizes Mr. Reboletti."

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

Speaker Lang: "Lady yields."

Reboletti: "Representative, why are we extending it from 5 years to 10 years?"

Flowers: "Well, I'm glad you asked that question, Representative. The reason why we are extending it is because there was an article... the present law is 5 years and there was a doctor that was locked up for 5 years and upon his release, had he completed his profile and it would have asked the question have you been incarcerated within

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the last 5 years, it would have said... he would have said no and as a result, he would have been able to get his license. And now we're going to move it to 10 years."

Reboletti: "Has the Illinois State Medical Society taken a position on your legislation?"

Flowers: "I have not heard any objections from anyone in regards to this legislation."

Reboletti: "And according to our analysis, it says that IDPFR would have some type of fiscal impact. Did they discuss that with you? Or do you know what the additional cost would be?"

Flowers: "This is present law. So, I have no idea what it might be because it's all on the Internet. So, I think it would be... I don't think there is really a cost to it because you would just really be updating the profile."

Reboletti: "Thank you, Representative."

Flowers: "The profile that's already online."

Speaker Lang: "Representative Flowers to close."

Flowers: "I would appreciate an 'aye' vote. Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Conroy, Davis. Representative Monique Davis. Please take the record. On this question, there are 111 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Bellock. For what reason do you rise?"

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Bellock: "Thank you very much, Mr. Speaker. A point of personal privilege."

Speaker Lang: "Please proceed."

Bellock: "I just wanted to invite all the women of the House. Next Wednesday, the national organization Women In Government will be in town visiting. They'd like to meet as many women Legislators as possible. So, they're having a reception at the Pasfield House at 5:00 next Wednesday and if you can't make that, they'll be in my office at 8:00 the next morning, just for coffee and rolls. Thank you very much."

Speaker Lang: "Thank you, Representative. On page 9 of the Calendar, under Motions in Writing there are two Motions to Table and the Chair has two additional Motions to Table that have been filed today. We'll take these on one vote. These would be House Bill 1590, Representative Turner; House Bill 2989, Representative Pihos; House Bill 1285, Representative Jacobson; House Bill 1275, Representative Pihos. Each of these Motions is pursuant to House Rule 60(b). These Sponsors wish to table their Motions. Those in favor will say 'yes'; opposed 'no'. The 'ayes' have it. And all four Bills have been tabled. Returning to page 8 of the Calendar, under Order of Resolutions, appears House Joint Resolution 3, Mr. Hays. Out of the record. Mr. Reis, for what reason do you rise?"

Reis: "Point of personal privilege, Sir."

Speaker Lang: "Please proceed."

Reis: "With all due respect, Mr. Speaker, there were several people that had legitimate questions on the cell phone ban

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before we were rudely interrupted there and then shut off on debate, but I would ask that the Sponsor of the Bill... many of us in southern Illinois get calls in our offices because people from out of state do not know the laws in Illinois. They get pulled over and they get tickets. If he would be amenable to amending his Bill that requires IDOT to put these rules up on the interstates so that people from out of state, and even people that forget, know the rules in Illinois. And I think that would have been a legitimate debate question. And one final thing is if the Secretary of State's Office, they put little things in our annual renewal each year, if they would put something in there that tells the drivers, especially people that are used to using these devices on the road, that it's no longer legal, so we don't get the calls into our office saying they don't know the laws. Thank you."

Speaker Lang: "The Chair recognizes Representative Phelps."

Phelps: "Thank you, Mr. Speaker. Point of personal privilege for a moment of silence, please."

Speaker Lang: "Please proceed, Sir."

Phelps: "I know we're ready to go home, but I would be remiss without bringing up a horrific event that my district went through a year ago today, February 29, on Leap Day, with a Leap Day tornado. As you know it left eight people dead and a lot of communities devastated. So, to be very brief, before we travel home, I'd like for all of you to join me in honoring them with a moment of silence. Jaylynn Ferrell, Donna and Randy Rann, Mary Osman, Linda Hull, Greg Swierk, Donald Smith, and R. Blaine Mauney. Mr. Speaker, I'd like



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to have a moment of silence, please, in their honor. Thank you to all my colleagues."

Speaker Lang: "Thank you, Mr. Phelps. The Chair recognizes Representative Camille Lilly. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 111, offered by Representative Demmer. House Resolution 112, offered by Representative Cross. House Resolution 114, offered by Representative Evans. House Resolution 116, offered by Representative Currie. And House Resolution 118, offered by Representative Lilly."

Speaker Lang: "Leader Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Agreed Resolutions are adopted. The Chair recognizes Mr. Reboletti."

Reboletti: "Inquiry of the Chair, Mr. Speaker."

Speaker Lang: "Please proceed. Sir."

Reboletti: "Mr. Speaker, I know that there was a request about a Committee of the Whole on pensions. And I was wondering what the status of that request was. I have yet to read some of the comments of the Speaker's spokesperson, but I wasn't sure if that was the definitive answer from the Speaker."

Speaker Lang: "As I recall, Sir, the Speaker of the House was in the chamber when the request was made and that request is under review."

Reboletti: "Thank you."

Speaker Lang: "And now allowing perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned 'til

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Tuesday, Feb.. March 5, Tuesday, March 5 at the hour of 12 noon. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the House does stand adjourned until Tuesday, March 5 at the hour of 12 noon."

Clerk Hollman: "House Perfunctory Session will come to order. First Reading of Senate Bills. Senate Bill 48, offered by Representative Soto, a Bill for an Act concerning civil law. Senate Bill 50, offered by Representative Chapa LaVia, a Bill for an Act concerning wildlife. Senate Bill 62, offered by Representative Golar, a Bill for an Act concerning health. Senate Bill 63, offered by Representative Golar, a Bill for an Act concerning State government. Senate Bill 70, offered by Representative Gordon-Booth, a Bill for an Act concerning gaming. Senate Bill 104, offered by Representative Franks, a Bill for an Act concerning employment. Senate Bill 1169, offered by Representative Mell, a Bill for an Act concerning civil law. Senate Bill 1170, offered by Representative Acevedo, a Bill for an Act concerning wildlife. Senate Bill 1216, offered by Representative Acevedo, a Bill for an Act concerning transportation. Senate Bill 1219, offered by Representative Turner, a Bill for an Act concerning government. These are referred to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."