

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

109th Legislative Day

3/25/2004

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off their laptop computers, their cell phones and their pagers. And we ask our guests in the gallery to rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Lee Crawford, the Assistant Pastor of the Victory Temple Church in Springfield."

Pastor Crawford: "Let us pray as we go before his throne of grace. Most precious and gracious God, who art the author and the finisher of our faith. We come so humbly before You as Your beloved, for we are indeed Your people, the very sheep of Your pasture. And it is You that have made us and not we ourselves. For we on our own can do nothing for we are not of ourselves, sufficient of ourselves that we would think of ourselves. But, rather our sufficiency is in You. So, this day, Father, I would pray that You would give us the wisdom that we need, the understanding that we need and the strength and the resolve that we need. This we pray and ask in Your Son's name. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Hassert."

Hassert - 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 Madigan: "Roll Call for Attendance. Representative Currie."

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Currie: "Thank you, Speaker. Please let the record reflect that Representatives Brosnahan and Giles are excused today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank... thank you, Mr. Speaker. Let the record reflect that Representative Kosel is excused today, Renee Kosel."

Speaker Madigan: "The Clerk shall take the record. There being 115 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Mahoney: "Representative Molaro, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on Thursday, March 25, 2004, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4929 and House Bill 4990. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Thursday, March 25, 2004, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 5613. Referred to the House Rules Committee; House Resolution 760, offered by Representative Rose; House Resolution 761, offered by Representative Jakobsson."

Speaker Madigan: "Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions, House Resolution 733, offered by Representative Granberg; House Resolution 734, offered by Representative Davis, M.; House Resolution 735, offered by Representative Grunloh; House Resolution 736, offered by Representative Nekritz; House

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Resolution 737, offered by Representative Mautino; House
Resolution 738, offered by Representative Davis, W.; House
Resolution 741, offered by Representative Rose; House
Resolution 742, offered by Representative Rose; House
Resolution 743, offered by Representative Rose; House
Resolution 744, offered by Representative Rose; House
Resolution 745, offered by Representative Grunloh; House
Resolution 746, offered by Representative Bellock; House
Resolution 747, offered by Representative Jakobsson; House
Resolution 748, offered by Representative Flider; House
Resolution 749, offered by Representative Bellock; House
Resolution 751, offered by Representative Coulson; House
Resolution 752, offered by Representative Coulson; House
Resolution 754, offered by Representative Osmond; House
Resolution 755, offered by Representative Froehlich; House
Resolution 756, offered by Representative Lang; House
Resolution 758, offered by Representative Ryg; House
Resolution 759, offered by Representative Hoffman; House
Resolution 762, offered by Representative Grunloh; House
Joint Resolution 71, offered by Representative Rose."

Speaker Madigan: "Clerk has read the Agreed Resolutions. Representative Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Mr. Clerk, anything further? Mr. Clerk, on page 19 of the Calendar appears House Bill 4847. Representative May, Representative Karen May. Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 4847, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Madigan: "Representative May."

May: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill amends the prompt payment section of the Illinois Insurance Code. It requires that the chosen health care professional leav... when they leave a network, the insurance company must notify the patient that the physician has left the network and provide notice of transitional services that are currently mandated under Illinois Law. This is a good consumer Bill that protects their rights and it passed unanimously out of committee."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Has anyone seen Mr. Parke? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 18 of the Calendar there appears House Bill 4458, Mr. Sacia. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4458, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Madigan: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 4458 is identical to a Bill that passed this chamber unanimously last year which was House Bill 3692 and passed the Senate unanimously and then came back for an Amendment

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and we simply ran out of time. The genesis of this Bill is the Stockton Cheese Company in Stockton, Illinois. It's a facility that employs 80 people, does \$80,000,000 a year in business and is the largest manufacturer of Swiss cheese in the nation. They have a very unique problem, only it is not unique to creameries and cheese factories around the State of Illinois. Stockton, Illinois borders on Iowa and Wisconsin and accordingly, much of the milk comes from those two states. These straight... tandem axle straight trucks can operate legally in those states, as soon as they get into the State of Illinois they are illegal and let me explain why. Illinois EPA has determined that milk is a non-divisible load, meaning the load cannot be divided in any way. So that you might better understand, if you see a load of farm equipment going down the road say there's three tractors on it, it's a non... it's a divisible load because you can remove one of the tractors. If you see a large transformer on the back of a semi-trailer on the back of semi-trailer going down the road and that transformer is one unit, it is a non-divisible load and EPA has determined that milk is a non-divisible load. Accordingly, when that straight truck pulls into a dairy farm and empties a 5,000 gallon milk container onto the truck, which it is required by law to do, as soon as it gets on the township road or the county road it is in violation of weight limits. What this legislation does is it simply provides a structure and IDOT has provided a fee structure for us that allows milk trucks to operate legally anytime except in the spring of

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the year when the roads are posted due to the frost coming out. It's very necessary legislation for our milk industry, our dairy industry. And I ask for an 'aye' vote. I'd be glad to answer any questions."

Speaker Madigan: "Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 19 of the Calendar there appears House Bill 5017, Mr. McCarthy. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5017, a Bill for an Act concerning fire protection districts. Third Reading of this House Bill."

Speaker Madigan: "Mr. McCarthy."

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 5017 is an initiative of the Illinois Association of Fire Protection Districts and the Illinois Fire Chiefs Association. It, basically, allows our fire districts to require that a new hire and we did add an Amendment to make sure that the firefighters would say that it was a new hire, they would be allowed to... require them to be an EMT before they could be license... or licensed as an EMT before they could be hired as a firefighter for that district. It's an important

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initiative for the fire protection districts and I'd ask for your favorable support."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Schmitz."

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

Speaker Madigan: "Sponsor yields."

Schmitz: "Representative McCarthy, is it... the license at time of hire or at time of test?"

McCarthy: "The language says that 'all firefighters hired by any fire department'. So, that would be at the time of hire."

Schmitz: "Okay. So, at the test they don't have to bear the certificate to take the... take the..."

McCarthy: "Correct."

Schmitz: "...exam? Okay. Thank you."

McCarthy: "Thank you very much."

Speaker Madigan: "Mr. Bost."

Bost: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Bost: "Representative, what I need to find out and I end up asking this every year that we deal with these pieces of legislation, is the legislation clear that it also includes township fire departments? Because there's only two in this state, they're the ones in my district. All the rest of them are fire districts."

McCarthy: "Are they registered as a fire protection district?"

Bost: "No. That's... that's... that's always the problem when we're dealing with fire language. We have two unique

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districts because they are actually township fire departments. We always deal with muni... municipalities, we always deal with fire protection districts, but we do not get those other two included. Maybe if... if... and I'm going to support your Bill, but maybe when it goes over to the Senate we need to see if we can put an Amendment on to make sure that they're... they're included in there. And it's just the wording."

McCarthy: "Okay. I... I'm sure that the Association of Fire Protection Districts would... would welcome that."

Bost: "Okay."

McCarthy: "And it is permissive, too."

Bost: "All right."

McCarthy: "This allows them to make this a requirement or not depending on what the fire protection district believes."

Bost: "All right. Thank you."

McCarthy: Thank you."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. It's hard for me to hear, as I was walking in the chamber somebody rang a loud bell and its upset my hearing. My... it's ringing. I don't know who did it, but whatever. Will the Sponsor yield?"

Speaker Madigan: "Well, just... just rest assured, Mr. Black, that none of us have a difficult time hearing you. Okay."

Black: "Mr. Speaker, you've made me feel better already. Thank you."

Speaker Madigan: "Right. Right. And Mr. McCarthy..."

Black: "Rep... Representative..."

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Speaker Madigan: "...would be happy to respond."

Black: "...has the Bill been amended?"

McCarthy: "Yes, it has. We added a Floor Amendment two days ago..."

Black: "Okay. And that was the new hire language?"

McCarthy: "That was the new hire that the Associated Firefighters asked for us..."

Black: "All right."

McCarthy: "...in committee. So..."

Black: "Is it your understanding that the fire marshal would still like to seek some additional clarification language, perhaps amendatory language, before the Bill gets to the Governor's desk?"

McCarthy: "I really can't answer that. The Office of the State Fire Marshal has never contacted me since this Bill was introduced, you know, a couple of months ago."

Black: "All right. Our... our staff..."

McCarthy: "I do see them as no... they have no position..."

Black: "Yeah."

McCarthy: "...they say, but... but they really did not contact me."

Black: "You... you may want to check with your staff, our staff indicates that they might like to make a technical or clarification Amendment in the process, not to delay it today. I'm certainly not going to ask you to take it out of the record. But, let me make sure that the underlying Bill is what I think it is. It says the appropriate fire entity 'may' require. It does not force them to require

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the EMT certificate prior to their being hired by the department. Correct?"

McCarthy: "You are absolutely correct."

Black: "Okay. So, in... in many rural areas in my district sometimes the only way to get that training is training that's arranged by the volunteer fire district. So, this won't interfere with that, right?"

McCarthy: "It won't because..."

Black: "Okay. Fine."

McCarthy: "...in that instance they probably wouldn't enforce this. So..."

Black: "All right. Thank you very much."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 17 of the Calendar there appears House Bill 4241, Mr. Saviano. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4241, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Madigan: "Mr. Clerk, put this Bill on the Order of Second Reading. On page 20 of the Calendar there appears House Bill 5061, Representative Mendoza. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5061, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5061 is an initiative of the Illinois Coalition against sexual assault. The Bill adds the term 'sexual exploitation of a child and ritualized abuse of a child' to the definition of sexual assault. Under current law, courts impose a \$100 fine upon any person who pleads guilty or is convicted of a sexual assault or of attempt of a sexual assault. Any person incarcerated on a bailable offense who does not supply bail and against whom this fine is levied, upon conviction is given a \$5 credit for each day that they are in jail. So basically, we're paying \$5 towards their fine. Obviously, this seems quite unfair and I think that sex offender should have to pay for their entire fine not the taxpayers. So, House Bill 5061 will eliminate this \$5 credit and place responsibility where it needs to be, which is with the guilty perpetrator. I would ask for any 'aye' vote."

Speaker Madigan: "Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Holbrook."

Holbrook: "Thank you, Speaker. To all the Members, if you haven't been down in the rotunda or in the wings downstairs, it's museum day and I hope you go down and

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visit your local museum. But, we're very honored today, we have the Belleville Labor and Industry Museum Auxiliary here in the gallery joining with us and with their President Pat Wright. Let's hear a nice welcome from the legislature for her."

Speaker Madigan: "On page 20 of the Calendar there appears House Bill 6753. Mr. Schmitz. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 6753, a Bill in rel... for an Act in relation to alcoholic liquor. Third Reading of this House Bill."

Speaker Madigan: "Mr. Schmitz."

Schmitz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Sure that introduction of the House Bill probably woke everybody up. This is a very, actually very simple Bill that will require lic... a licensed liquor distributor maintain a warehouse located here in Illinois. What we're trying to avoid is a distributor that may be over the line that will have a P.O. box here in Illinois and they could ship their... their product actually out of a facility located in a state surrounding us. This did pass through the Executive Committee. We are still working on some language and we're going to continue that work over in the Senate should we receive enough votes today. I would ask for your 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish?"

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Have all voted who wish? Has Mr. Poe voted? Has Raymond Poe voted? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 18 of the Calendar there appears House Bill 4522, Mr. Miller. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4552(sic-4522), a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Madigan: "Mr. Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4522 corrects a problem which was identified last year with a change... in which we changed poverty count. Last year this Body passed House Bill 430 and ultimately Senate Bill... Senate Bill 744 which fundamentally changed the way we count poverty from census count to DHS number. However, there was a shortfall in which the poverty grant was prorated in the Senate... House Bill 4522 addresses the problem and fix it. I would ask for a favorable vote."

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

Eddy: "Thank you very much, Mr. Speaker. Would the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, I have a question regarding the effect of this legislation as it relates to the poverty grant distribution and amounts for school districts. Does this

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in any way change the amount that a district might receive based on a redistribution of... of this poverty grant money?"

Miller: "I don't believe so. What... what's happened is... what happened was the fact that in prior years the poverty grant wasn't pro... prorated to offset the costs in general state aid. And what... what... with Senate Bill 744 passing the amount was prorated. So, a school district was deemed as having a certain amount of money indicated for... due to their poverty count. But however, this corrects the problem in which it will not be able to prorate it from that poverty grant."

Eddy: "Will however, any school district receive less distribution than they did last year based on the implementation of this measure?"

Miller: "Not... not that I know of. I know there are certain districts that have approached me already that have lost money based on... on this... on last year's Bill, which was unfortunate. And so, this aims to correct that problem so that... and I think what you're getting at is a hold harmless situation which was brought up to me. I think as we go along in the budget negotiations in addition to possible other legislation or a possible amendment in the Senate to add on a hold harmless clause to those school districts that have lost money. So, I would understand what you're saying and would agree with you."

Eddy: "The information that I have regarding this Bill is that there are as many of 332 school districts that could see a reduction in the amount of poverty grant that they receive

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if this is implemented. And the original implementation of the ramp up or the changeover to the DHS count and the free and reduced count rather than the census count was supposed to have taken place in conjunction with the full implementation of the EFAB recommendation of a five... \$5,665 foundation level. Without that full implementation, school districts will and in some cases lose 400, 500, 800 thousand dollars in poverty grant money due to this switch over and that's my concern. At a time when school districts cannot afford a loss there could be a price tag of... estimates are \$20,00,000 in hold harmless for this... for this type of Bill?"

Miller: "Yeah. I've heard... I've heard similar arguments, Representative. I think what... like I said, the legislation that passed last year did include a hold harmless, that part wasn't implemented. And so, once again, I think this at least structurally corrects part of the problem but it does need to... be an additional hold harmless whether it's through the Governor's Office or whether it's through legis... legislation and ultimately in the final budget."

Eddy: "So, is it your intent or is it your commitment that this Bill in the Senate will be amended to include a hold harmless before it's moved so that those districts... those 332 districts who have been contacting us, will not have that loss to fear if this is implemented?"

Miller: "Well, my intent is to move it over to the Senate. I have not spoken with the a... a potential Senate Sponsor yet. However, my intent is not to hurt those school districts. I

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do understand and the problem that this has created. In addition to other school districts, not just those, the way this is funded aren't still fully funded even though this change in methodology in the way we count poverty has been done. So, I... you know, I believe in trying to work with them and then ultimately either working with the Governor's Office or with the Senate Sponsor to see if we can add an Amendment to this or additional legislation in which a hold harmless clause can be introduced."

Eddy: "I appreciate the answers. Thank you very much. Mr. Speaker, to the Bill. The... the actual implementation of the DHS count and the free and reduced lunch count will indeed cause 332 districts in the state to re... receive less money next year than last year. And if... if you look at the printout of those school districts, they're spread out all over the state. One of the consistent factors is in many districts that have high property values they actually receive an increase in funding from the poverty rate and in districts with low property values, those districts lose money. So, while the intent is noble and that it to make sure the poverty grant money goes where an accurate count exists, in the end, some of the poorer school districts EAV wise in the state will actually lose, if this legislation is not amended to include a hold harmless. And they could lose substantial amounts of money at a time when they, quite frankly, cannot make it up with their EAV. So, I... I would certainly support the concept behind this legislation. However, I would urge... I would urge the Body

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to be very cautious when voting on this and know what the affect is specifically in the school districts. And until the amendment is put on this, I would urge a 'present' vote. Thank you."

Speaker Madigan: "Mr. Mitchell."

Mitchell, J.: "Yeah, let me..."

Speaker Madigan: "Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. The Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Mitchell, J." "David, I... and I voted for this in committee and that was prior to a meeting I had in Representative Hannig's office where we met with various school districts across the State of Illinois that brought our attention to the problem. And the problem being that when we changed to the DHS count versus the census count, we changed the formula, we tweaked the formula and the percentage of... of money that we get for the poverty level students was lower. Now, that assumption was that we would be able to fund EFAB at 5695 which is the level that would have raised those districts that were losing money through the poverty grant, they would have made it up on the other side of the formula. We weren't able to that at 5695. And if I can get the f... we have a list of those school districts according to Senate districts that have lost money. Some of them being the poorest districts in the State of Illinois that actually lost money through this particular change in that part of the formula. No intention from any of us to do that. In fact, every superintendent in the

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State of Illinois agreed that it was a good idea. But, if we don't have a hold harmless to go along with this or at least a 90 percent rather than a 66 percent hold harmless, some districts are going to go bankrupt. There's no question about it. Now, I'm not... I'm not just telling you this, I've got it in front of me. We met with the superintendents yesterday and they had a real problem. Representative Hannig and I are working on a possible solution to this, every solution that we have costs money. But again, as my colleague, Representative Eddy, told you, I would be very, very cautious if we're going to move this legislation without a hold harmless or a partial hold harmless to help out with this problem. I don't think anybody in this Body wants to cause more harm to districts, that's not our intent and I know that's not Representative Miller's intent. Without the knowledge that we had just a few days ago, I would certainly would still be a 'yes' vote. But because we don't have a guarantee that the Senate will act in good faith to try to modify this Bill, we've either got to hold it here and continue to investigate the problem or rely on our colleagues in the Senate. And quite frankly, we haven't been able to do that very well in the past few years to solve the problem. This is indeed a problem that will affect the entire State of Illinois, not just downstate, not just the suburbs, it's spread all over. And the proof of that is in the printout, the proof of that was in the meeting we had in Representative Hannig's office. Small districts in the

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suburbs were affected tremendously. The poorest school district in the State of Illinois would lose a tremendous amount of money because this whole thing doesn't work. When you tweak the formula, every time we do that there are circumstances that happen that are unforeseen. And quite frankly, this is one of those things. If you remember a few years ago and it was even before me, we passed a wide load Bill in the State of Illinois that even the Farm Bureau agreed to and lo and behold we found out that farmers weren't even able to move their combines across the road without paying an additional fee. This could have that same kind of affect and I have tremendous respect for the Sponsor of this legislation. I know his intent, it's the same as mine when I voted for it out of committee. But, I think we should take this Bill out of the record, discuss it, discuss it with some of the superintendents and not have the faith that our colleagues in the Senate will do the work that we know needs to be done. I'd be happy to help anyway I can if we continue to move it forward. Ladies and Gentlemen, I suggest we vote 'present', not... not because we're opposed to what the Bill should do, but because of what the consequences are going to be. And before you vote, you need to look at the printouts to make sure that your districts aren't some of those that are going to be affected adversely. Representative Miller, I know... know your intent and I'm certainly not speaking against your legislation, I think I'm speaking against it

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because of the timing and because what I've learned in just the last few days. Thank you, Mr. Speaker."

Speaker Madigan: "Representative Will Davis."

Davis, W.: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, simply what Representative Miller I think is trying to do, he's just trying to draw some attention to a much larger problem that we have. What he's proposing to do will simply be able to benefit numbers of children by the... simply the way we count them. And providing a more accurate account of children helps districts to gain more money and get additional resources. And I appreciate what my colleagues on the other side of the aisle have added to this debate. But simply, this is just illustrative of the problem that we have with education funding. And that's the fact that we have a huge problem that we have to be able to stand up and fix. This is simply one way of trying to help some districts who are in peril, but as was mentioned yesterday and previous days, we have a number of districts that are in peril, they need help. As a Legislature we have to stand up and help those districts, we have to provide for those students. Education should be our first priority here in the Statehouse. This is one measure that will help to give some relief to some districts and you'll hear of other measures in the future. But again, we have a funding problem in the State of Illinois that we must stand up and fix. That way we don't have to worry about hold harmless agreements and some versus others, we need to fix the problem as a whole. And

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I hope that in the very near future my colleagues here in the House as well as across the way in the Senate, we will all stand up together and we will fix the problem in terms of education funding that we have here in the State of Illinois. Thank you."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you, Speaker. Sponsor yield? Representative Miller, with this legisla... now, have you had any... any conversations with the Senate regarding the hold harmless? I mean, I... I took a look at the... some of the numbers and those aren't final printouts there, but there is a tremendous prob... problem that's been created not only downstate but in other districts with the change to DHS and the federal poverty counts. And it's... it's having an impact which is not Democrat, Republican, we have a concern about the hold harmless. Take for example, with the numbers as they came out the... the Bureau Junction School District, Leapertown, this shift here will cost them 20 percent of their operating budget and they will close by July 1st. I mean, without the hold harmless... and this has been followed locally for awhile and we've been working on a problem... on the problem, the numbers that I saw just bore that out. So, I think some of the Members may want to take a look at their budget. I respect what you're trying to do and I just want relay to you that the concerns that we have are because without that hold harmless there are suburban schools, City of Chicago schools, downstate schools which will have, as in my case, I've got a 20 percent operating

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budget impact without that. So, I'm just looking for a commitment and a... before we allow for the money not to be prorated. So, will you work to get the hold harmless funding in? That'll... that'll be a tremendous ease of the burden on our districts. Cause as I said, I know I have a school that'll close come the end of this year and we only have seven teachers there and of that, we're going to have to get rid of two."

Miller: "Well... thank you, Representative Mautino. First off, I have not seen any of the information that was... that the other side of the aisle has been presented with. It was brought to me yesterday in regards to even the fact that other school districts would be losing money. I think we might be looking at here... and in addition what I was told from the State Board of Education that the numbers are old, number one. Number two is, I represent part of the five poorest communities in Cook County in which one of my school districts, when the..."

Mautino: "Okay."

Miller: "...first formula came out would have lost money just to get based on the census count. So, I'm extremely sensitive to those districts losing money. I think what we have to remember with this... what happened was, was the fact that... that money from the general state aid is made up from foundational level and also the poverty grant. Long story short is that when there was a short... the money from the poverty grant was essentially moved over to help out with the foundation level. And before with... before... in the Veto

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Session, the General Assembly would approve additional funds to offset that. This year it did not the way the legislation was introduced and so... which was passed so it resulted in a \$7.6 million shortfall. So, what we're really talking about here dealing with the poverty level as far as I understand it. The legislation... the numbers that has been presented I have not seen nor has it been presented to me. So, to be able to really articulate whether that's going to affect any particular school district in what way, I think is just kind of confusing as... confusing the issue."

Mautino: "Thank you. I... I appreciate... I appreciate the depth of the problem. I know that the answer to a lot of these are funding and dollars. The Governor has set aside \$400,000,000 in the... in the upcoming budget for total education expenditures that we can choose where they go as far as increases. If we go with \$250 per student that's \$396,000,000. Doesn't leave a lot left there, so it makes us nervous that we need the additional dollars before we can be comfortable in voting for this. I... I look at my 28 school dis... now these numbers are not firmed up, they're not solid. I've got 28 school districts, 23 lose. So, with that and I respect the Sponsor, if we can get some language in there towards hold harmless, I'd be proud to support your Bill. You're on the right direction. If we can bring this back with an Amendment to look at that, I'd be happy to vote for it. At this time, I can't."

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Speaker Madigan: "All right. Ladies and Gentlemen, we have had Mr. Miller speak for this Bill. We have had Mr. Eddy and Mr. Mitchell and Mr. Mautino speak in response. So, in terms of further people speaking in response, we have... we've had three which is provided under the provisions of Standard Debate. Is there anyone who wishes to speak for this Bill? Mr. Boland, are you rising to speak for the Bill? Mr. Black, are you rising to speak for the Bill?"

Black: "Mr. Speaker, I would like to speak in favor of the Bill. If I might address the Sponsor..."

Speaker Madigan: "Mr. Black."

Black: "What... what has happened, Representative, is that there's information being disseminated on the floor that may or may not be accurate."

Miller: "Correct."

Black: "And the information may or may not pertain to the underlying Bill on which I was a cosponsor. I have taken my name off simply because the data would indicate that my district now would show more losers than... than winners. And staff just came up to me and said a lot of this information that's being disseminated is not really related to the Bill. But, given... given the confusion that exists, I think, on both sides of the aisle, I would simply ask you as a man of goodwill and I'm interested in this Bill as you were... are, to take it out of the record. Let's see if we can get staff together and concentrate on the actual Bill rather than get into a panic on information that's being disseminated on the floor at the last minute."

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Miller: "Yeah. Representative Black, I agree with you. What we're seeing here is some misinformation on both sides of the aisle and some confusion. And so, Mr. Speaker, I'd like to take this Bill out of the record for now."

Speaker Madigan: "Does that mean that I won't be able to vote 'yes' for your Bill? Is that what that means?"

Miller: "That means you can vote 'yes' later."

Speaker Madigan: "All right. Mr. Clerk, take this matter out of the record. The Chair recognizes Mr. Millner, John Millner. Is Mr. Millner in the chamber? Mr. Millner."

Millner: "Thank you, Mr. Speaker. I wish to table House Bill 5021, my cell phone Bill."

Speaker Madigan: "You've all heard the Gentleman's Motion, is there leave? Leave is granted. The Motion is adopted and the Bill is tabled. Is Mr. Delgado in the chamber? Mr. Delgado. Mr. Millner."

Millner: "The Bill is 5020, that's the cell phone Bill. Thank you."

Speaker Madigan: "All right. Mr. Millner. Mr. Millner, what was the first number?"

Millner: "5020."

Speaker Madigan: "Is that the number of the Bill that we just tabled?"

Millner: "I just tabled, yes, that's correct. Oh, the first one I said was 5021, but I meant to say 5020."

Speaker Madigan: "All right. Now, Mr. Millner, please understand, 5021 has now been tabled. And if that's

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contrary to your intent, we're going to have to take it from the table. Is that... is that what you want to do?"

Millner: "Yes."

Speaker Madigan: "We can do it right now, but..."

Millner: "Yes, yes, correct."

Speaker Madigan: "...is that what you want to do?"

Millner: "Oh yes, correct, yes."

Speaker Madigan: "All right. All right. Mr. Clerk, what is the status of House Bill 5021?"

Clerk Mahoney: "House Bill 5021 has been tabled."

Speaker Madigan: "All right. Mr. Millner moves to take House Bill 5021 from the table."

Millner: "That's correct."

Speaker Madigan: "Is there leave? Leave is granted. The Motion is adopted and House Bill 5021 is taken from the table and placed on the Calendar. Mr. Millner, for the purpose of a Motion on 5020."

Millner: "5020 is the Bill I wish to table."

Speaker Madigan: "Fine. So, Mr. Millner moves to table House Bill 5020. Is there leave? Leave is granted. The Motion is adopted and House Bill 5020 is tabled. Mr. Clerk, what is the status of House Bill 4027? 4027."

Clerk Mahoney: "House Bill 4027, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Madigan: "Mr. Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. House Bill 4027 many of you are familiar with. House Bill 4027 amends Section 11-401 of the Illinois Vehicle Code

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pertaining to motor vehicle accidents involving death or personal injuries. At present, any person involved in a car accident that causes personal injury or death must stop and remain at the scene of the accident. This Bill changes such a violation from a Class A misdemeanor to a Class 4 felony. The current statute also accounts for those who fail to stop after being involved in a car accident resulting in a death or personal injury, requiring them to report the accident within one hour. This Bill changes the time requirements from one hour to one half hour after the accident or after being released from the hospital. The Bill changes the violation of the time required... or requirement from a Class 4 felony, which is one to three years, to a Class 3 felony, which is two to five years. In addition, this new... in addition, the current law prohibits the use of such reports for... as a basis for prosecution. House Bill 4027 will delete this provision... this prohibition allowing such reports to be used in court of law to prove a violation of this Section of the vehicle code. Let me help you understand that many of you, if you'll recall, a wonderful family from Des Plaines named Limberopoulos lost a young man, 14 years old, to a hit and run accident where the person who hit this young man came back 57 minutes prior to one hour and at that point we realized that Illinois has a problem. I was able to work very well with many of you and I give special thanks to Representative Graham and to other legislators in this room, especially to Representative Deborah Graham, for her

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diligence and research. We talked... we researched California, I believe it was Michigan, as to trying to make the best comprehensive law to protect lives on our streets. At this point, we have to make sure that when a stand-up citizen, accountable citizen, is driving a car we know that they're supposed to stop and address the accident as soon as possible. They should not be leaving the scene of that accident, not for one second. We know that if your moral turpitude is such, that you would do the right thing. Mr. Speaker, this Bill we have commonly called it 'Louie's Law' and 'Louie's Law' will live in the State of Illinois. I also want to say that this is a very bipartisan effort because I got to thank Representative Paul Froehlich. Paul... Representative Froehlich has been diligent in making sure the information is being disseminated, that everybody knew what was going on. And I for one had to bow out for a short time dealing with my own health problems and thanks to Representative Froehlich, he took the lead and made sure that this Bill continued to be in the eyes of all Illinoisans. Mr. Speaker, I would be open to any questions at this time."

Speaker Madigan: "The Bill is on the Order of Standard Debate. Mr. Delgado has spoken for the Bill. There are four people seeking recognition. Representative Lindner, do you rise for the Bill or in response?"

Lindner: "Mr. Speaker, I do have a couple of questions and clarifications of what happened in committee."

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Speaker Madigan: "So, you rise in response. Chair recognizes Representative Lindner and Mr. Delgado yields."

Lindner: "Thank you, Mr. Speaker. Thank you for all your work on the Bill, I know I am a cosponsor and I think everyone in this Body probably received letters from the family from this tragic situation. But as the spokesperson for Criminal Law, I want to make sure that we have this straight, that you did agree to do a trailer Bill so that if someone is in a rural area and makes every effort to seek help, they don't have a cell phone, they can't get to a phone, that they would not be prosecuted for... under this Act?"

Delgado: "Um... Yes, thank you for asking that question. Your staff reviewed the transcripts and they did listen to the transcripts and of course, we did agree that any legislation to follow this would be a trailer Bill to do... but, as it pertains to rural, it was clearly stated in the transcripts also with prosecutors who were in the room, one being notably from the Cook County State's Attorneys Office, and that was the most common comment asked, too. In a rural community if indeed you make an effort to do so because there's not a phone or... or a police station nearby or anywhere to find out. We know that prosecutors will use discretion and not be a... and this is the kind of law that a reasonable person would assume would make sure that they're not going to prosecute nor would a judge want to hear a case of that nature. But, yes, if indeed it needs tweaking we want to be able to do that in two forms. Either (a) it's going to be done in the Senate or (b) it's going to be

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an Amendatory Veto which I don't want and three, I have committed to doing a trailer Bill because I believe we have to continue to shore up this piece of legislation. And Representative Lindner, I want to thank you because you've asked some tremendously important questions to me and I want to also add that this legislation must be effective immediately and the legislation at this stage still continues on there the effective date is not stated. So, these are technical issues and you have my word and I was very glad to see that staff and Representative... Representative Black confirmed with me this morning that they did go over the transcripts and heard that I was correct in my... in what I stated in committee that day."

Lindner: "All right. Thank you. But, we are going to do a trailer Bill on that..."

Delgado: "Yes..."

Lindner: "...issue then?"

Delgado: "...yes, we are, Representative."

Lindner: "All right."

Delgado: "We'll do a trailer Bill that will address this specifically and I would ask for your help for the language so that we can make sure that we do this together in the next coming year."

Lindner: "Thank you. I would urge an 'aye' vote on this issue."

Speaker Turner: "Representative Turner in the Chair. The Lady from Cook, Representative Graham, for what reason do you rise?"

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Graham: "Thank you, Mr. Speaker. I just rise in total support of this Bill. And I'd like to thank Representative Delgado for allowing me the opportunity to work along with him and to... along with him in creating such a beautiful piece of legislation. And I thank the Representative from across the aisle for voicing the concern that if someone who makes an effort to go and seek help that they will not be harmed by this piece of legislation. So, I urge all of my colleagues for an 'aye' vote... an 'aye' vote is needed. And thank you all for your support. Thank you."

Speaker Turner: "The Gentleman from Cook, Representative Morrow, for what reason do you rise?"

Morrow: "Yes, thank you, Mr. Speaker. I rise on a point of clarification. Would... would the Gentleman yield?"

Speaker Turner: "He indicates he will."

Morrow: "Representative Delgado, I have... I have one problem with your Bill. Right now, if you are in an accident and if you feel that your life is in danger, you as being the person that hit someone, if you go directly to the police station and report the accident that's not considered a hit and run. I'm sure you're aware... you saw the article in the paper today where a gentleman accidentally hit someone, he stopped came back to the scene of the accident and wa... and... and was beaten by a mob. I had a godbrother two years ago went through the same thing. They had a op... fire hydrant, a three-year-old ran out in front of him, he accidentally hit him, he stopped, had his jaw broken by a golf club. So, I'm concerned about this Bill from... raising it from a

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misdemeanor to a felony. I know that you're trying to get at people who do actually hit and run, but I'm concerned about the safety of people who... who stop and are then viciously attacked."

Delgado: "Absolutely, Representative Morrow, and I appreciate you bringing that situation up. I read the articles this morning. Once again, the safeguards are in place as to prosecution discretion. At the same time, in the situation that you mentioned, those are very unique circumstances that will protect that person. Let me suggest to you that in the scenarios that you posed, the person has a fear for their life all... that's going to all come out in court. There's not a judge that's going to prosecute that person in the case that they came back. They came back under that half hour. Because it's... a half hour is what we're trying to reduce this to and in both scenarios that you posed those two individuals returned before that half hour. So, they're legal."

Morrow: "Representative, would you be amenable to put some language in that says that it's an affirmative defense if you go to... directly to the police station?"

Delgado: "That would be looked at as a trailer Bill, Representative, that I'm talking about from our Criminal Law Committee for this. 'Louie's Law', we want to pass today to get it to the Senate. This will be part of a trailer Bill. Because at this point, the two that you mention would have an affirmative defense automatically just based on the fact that they report... they were there

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before the half hour occurred. So, they're within the law."

Morrow: "Well, my concern..."

Delgado: "I will... I will agree to that, Representative..."

Morrow: "My... well, see my con..."

Delgado: "...because that will be part of the trailer Bill."

Morrow: "...my... my concern is the half hour. If you... if you're hit someone with a car and I unfortunately did that several years ago, I hit someone who had walked in front of my car. I did not leave... leave the scene of the accident, but if you were to hit someone you... you're under a... Representative, you listening?"

Delgado: "Yes."

Morrow: "You're in a traumatized state yourself because you've hit someone and... and..."

Delgado: "Right, but Representative..."

Morrow: "...caused bodily harm."

Delgado: "...but, Representative, legally again, as a... as a citizen there's no excuse for leaving the scene, period. Now, if there was... if there... if... they have to assess the situation. Now under the circumstances of someone getting attacked and we had that once when they hit a porch and they... and some guy with a truck and they wind up killing a man. Those are isolated incidents overall based on what happens on our highways and byways. In this case this is a 14 year old boy that gets hit by a driver, she leaves the scene of the accident and comes back 56 minutes later. See, in your situation there's so many extenuating

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circumstances that will legally protect your driver in that case and make sure that they're going to be okay. That will... within the checks and balances of the court systems, Representative Morrow, that is already protected under the current codes of the Criminal Justice Code. But, I am willing to work with you to make sure that you're..."

Morrow: "To the Bill, Mr. Speaker, to the Bill."

Speaker Turner: "To the Bill."

Morrow: "I'm... I'm... I'm going to have to reluctantly not vote for this Bill. I... I know... I know that this Bill is needed, I wish we had the language that would protect those who... who want to be law-abiding citizens who... and who do stop and do not leave the scene of a crime. But to put yourself in a situation where a crime is going to be committed on top of a crime by being attacked by an irate mob, you don't... you don't know that... you don't know what's going to happen to you when you stop. You don't know that... and being a good citizen when you stop and you are concerned for the welfare of the person that you hit and all of the sudden you... you have... you are attacked and you have no... no... no chance to escape and save your own life. I'm very concerned about this Bill. I'm concerned about taking it from an hour to an half hour. So, I have to re... reluctantly arise to oppose House Bill 4027."

Speaker Turner: "The Gentleman from DuPage, Representative Meyer, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

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Meyer: "Representative, the last two Representatives that had questions on your Bill you agreed to do a trailer Bill next year to correct the deficiencies that they pointed out. My question to you, Sir, is in the process... we're early in our debate process here on the House Floor. We got a week and a half more on debating House Bills to get them to the Senate. Once the Bill moves to the Senate we have ample time to introduce Amendments over there to correct those things that you've agreed should be corrected. Why are you doing trailer Bills next year when you could correct the situation this year and have a good Bill that all of us could stand up in strong support of?"

Delgado: "Representative Meyer, that's a very good observation and we've discussed in this debate. Those are those options we have. I strongly anticipate with our Sponsor in the Senate that we anticipate, we have done as best as we can with the Bill in the House. We will encourage it to be amended in the Senate. We have the family here in the gallery. We will want this to have a smooth transition because the most important parts, the most substantive parts of this legislation is currently in the language of this Bill. And therefore, you're absolutely right, our Sponsor in the Senate will have that option. If not, we have an amendatory option and if not, I have agreed that a trailer will be there. So, I have covered every aspect of a... of a safety net if you will, for this. And I agree with you and to make the Body even more comfortable I will encourage the Sponsor who I anticipate having the Bill in

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the Senate will do the same. And I will take that advice and move that forward, Representative."

Meyer: "Well, thank you and quite frankly, I may have missed that part of the discussion that you were going to attempt to have the Senate Sponsor amend it. Certainly, that happens all the time though. The Bills we send..."

Delgado: "Absolutely."

Meyer: "...over there whether we want those Amendments or not."

Delgado: "Absolutely."

Meyer: "And in this case where you want one, well I... I certainly trust that you'll in good faith attempt to have that done. Thank you for your..."

Delgado: "And thank you..."

Meyer: "...comments."

Delgado: "...Representative. Actually, I would prefer the Amendments instead of waiting a year later for a trailer when I could... I'm sure I'm going to be working on many other projects back then, too. And we would like to bring closure to the family as soon as possible. And I do take your advice at heart."

Speaker Turner: "The Gentleman from Cook, Representative Lang, for what reason do you rise?"

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

Speaker Turner: "Indicates he will."

Lang: "Thank you. Representative, let me say right up front, I'm going to support your Bill, but I see a constitutional issue with it that I would like you to address when the Bill's in the Senate. This... this has to do with the

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notice. And so under the current law, when you call to report an accident, that cannot be used in prosecuting you for a violation of the Vehicle Code. But, under your Bill, once you report it you've taken off that prohibition and under this Bill a... the report itself can become part of the prosecution against you in an accident. And so, I think there may be an issue here that relates to Fifth Amendment protection against self-incrimination and I think you're leading up to a possibility, if the Bill passes this way, of someone having a defense or someone claiming that this Bill violates the constitution. And so, really I would just like your comments as to whether you're willing to address that issue in the Senate?"

Delgado: "Yes, Representative Lang, it was brought up in committee and one thing we have found was that... I actually had a felony review look at this from the State's Attorneys Office. We... we know that the charge will be aft... leaving the scene of the accident, that's when that will come in. We took this language from a variety of states that already have this on the books and we were able to condense that into a piece of legislation and now Illinois has a... I believe, the most comprehensive. And yes, this matters will be addressed in the Senate, but from our legal eagles on our side of the aisle due diligence was done on this and at this stage any tweaking of this will be done in the Senate. We do not anticipate constitutional problems. We did not have any slips from the ACLU, we did not have any... the only objection was a separate situation that was

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brought up by the Illinois State Bar Association and in my... in my opinion the natural opposition from the Public Defender's Office. Other than that, this is the first time it's coming up and you know that I'm very concerned to make sure that... that we do not have a constitutional problem. This Bill is needed and at the same time there is a family attached to it and people who leave a scene of an accident should not be protected from prosecution."

Lang: "Well, as I say, I'm voting for your Bill..."

Delgado: "Thank you."

Lang: "...but, I think the research should be done, legal constitutional research..."

Delgado: "Absolutely."

Lang: "...to determine whether we're violating people's constitutional rights just with this clause of your Bill."

Delgado: "I will do so, Representative Lang."

Lang: "Thank you."

Delgado: "And, thank you for that guidance."

Speaker Turner: "The Lady from Cook, Representative Davis, for what reason do you rise?"

Davis, M.: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Davis, M.: "Thank you, Representative, I'm not sure if I'm reading this correctly. Are you changing the reporting time also from one hour to one half hour?"

Delgado: "Yes. Representative Davis, that's the whole gist of this Bill. Right now, it was one hour and if you rep... and if you don't report it's a felony. In the case of

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the Limberopoulos, Louie Limberopoulos, who we commonly we call this law..."

Davis, M.: "You know, I really don't want to hear about that case..."

Delgado: "Okay."

Davis, M.: "...because what happens is we become emotional about something that happened to one person and we..."

Delgado: "Oh, I can assure you..."

Davis, M.: "...wanna affect that whole state."

Delgado: "No, I agree..."

Davis, M.: "And I don't want to deal with that mentally."

Delgado: "Well, I'm not ask..."

Davis, M.: "I... I really... I don't want to deal with it."

Delgado: "Rep... Representative... Representative..."

Davis, M.: "Don't want to deal with it."

Delgado: "All right. We've got..."

Davis, M.: "Don't want to deal with it. Here's my question to you, Representative. I was hit by a hit and run driver on 87th and Western. He didn't stop until I chased him. I caught him and he stopped. The police station that I had to go to from 87th and Western was at 79th... or 78th and Halstead. And it took me 40 minutes to get there because traffic was awful, traffic going west on 79th. It takes longer than a half an hour to get over there from 87th. There's no pol... the police district that I was in, you couldn't go to 111th, that's not their district. You had to go to 78th. So, my point is, in some areas it will take longer than a half an hour to get to the station."

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Delgado: "No, we understand, Representative, but we have to clarify something here. It's very important that you see... I want to help you understand that it... this only applies if they leave the scene of an accident. And in the case of leaving the scene of..."

Davis, M.: "This was an accident and we were both leaving."

Delgado: "No, but he... but you caught the person. And so it doesn't apply to this law."

Davis, M.: "It only applies to..."

Delgado: "The person who creates bodily harm or death, leaves the scene and doesn't come back."

Davis, M.: "But, I thought it also said personal injury? 'Cause my..."

Delgado: "Yeah, personal injury."

Davis, M.: "...my car... my car..."

Delgado: "Yeah."

Davis, M.: "...was injured."

Delgado: "No, no, Ma'am, your car is not a person."

Davis, M.: "Oh, personal, I see, okay. All right. And what are we increasing the penalty to?"

Delgado: "We're only taking it up to the next step, constitutionally speaking. It goes from a felony... let me be specific..."

Davis, M.: "They're leaving..."

Delgado: "...from a..."

Davis, M.: "...no hold on, they're leaving a misdemeanor, going to a felony?"

Delgado: "That is correct. From a misdemeanor to a felony."

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Davis, M.: "Which means there will be jail time?"

Delgado: "There possibly could be jai..."

Davis, M.: "How much?"

Delgado: "Not if you report within a half hour."

Davis, M.: "How much?"

Delgado: "Not if... if it's... it's a misdemeanor if you report it within a half hour. If you don't, then it's a felony, two to... two to five years."

Davis, M.: "But you..."

Delgado: "Now, keep in mind someone is injured, someone... you're responsible as a citizen to stand there and report your accident. We learned in the basic rules of road... of the road, you have a crash, you stay there, exchange insurance, exchange your licenses and get it done, make sure no one's injured. And this case, if my loved one is injured and... and... or dies, in the case of this young man, then you know what, if that person who left that scene is egregious behavior. Why did they leave? What were they thinking? Are they a responsible citizen? Shouldn't they go to jail for two... to a prison for two to five years if they kill my son in a hit and run? I think so. I want to protect my family and I want to have some kind of penalty for that person, other than what happened to this driver, which was given a civil penalty, slapped on the wrist and we have a lost child. Now, this family must go and try to find restitution on a civil basis to sue this family so that they can get some kind of closure in their minds."

Davis, M.: "Can... can I ask you a question?"

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Delgado: "Yes, Ma'am."

Davis, M.: "What was... what did the prosecutor charge that individual with?"

Delgado: "With a Class A misdemeanor."

Davis, M.: "What did he... I mean he charged him with what leaving..."

Delgado: "She came back in 56 minutes, so she beat the clock. It was an hour. If she had not come back in 44 more minutes and came back in 61 minutes, she would have had a Class 4 felony anyway."

Davis, M.: "So... so, what you want to say is, we want to just give you a half an hour because if it takes you 59 minutes then you deserve to go to jail..."

Delgado: "And that..."

Davis, M.: "...for that."

Delgado: "...and that person can be... and you can save a life. Why did you leave?"

Davis, M.: "Thank you."

Delgado: "Thank you, Representative."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. To the Bill, if I might?"

Speaker Turner: "To the Bill."

Black: "Thank you very much. Ladies and Gentlemen of the House, I would simply ask you... if you have listened carefully to the Sponsor, I wish to commend him for his willingness to work with our staff, the concerns that some of us had about

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some language that he has promised that will be added in a trailer Bill. I had... as many of you have... has expressed your concerns, I had concerns about this from a rural area where a cell phone may not reach and on a township road nobody may come by for an hour or an hour and a half. And you may not be able to make a call and get back in the 30 minutes. The Sponsor is a man that I happen to believe has as much integrity as anybody in this chamber. He's aware of the potential difficulties this might create. He's aware of... as one Representative pointed out, some unfortunate instances where people do not react as we wish they would when a driver hits somebody and does stop. And I think there is ample time and ample opportunity to correct some of those errors, to look at... or not errors, but to correct some of those concerns and to address some of the constitutional concerns. But, the bottom line I don't think is... is arguable. The bottom line is that you are supposed to stop, you are supposed to render aid, you are supposed to summon assistance if at all possible. And whatever happened to this society that suddenly we don't want to do that? We'll... we'll run, we won't accept personal responsibility. There was just a case in Arizona that I thought was extremely egregious. A priest, a Catholic priest, hit and killed a jaywalker at night in the greater Phoenix Metropolitan area, did not stop, did not summon assistance, was later obviously caught. Witnesses had the license plate. His defense was, I thought I hit a dog. I don't know what's happened in society. We're

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supposed to stop, we're supposed to summon assistance, we're supposed to do what's right. And that's all the Representative is trying to accomplish by this legislation. For all of us who have concerns about the half hour window, he has given us his assurance that he will address those concerns and any other in a trailer Bill. And I... I happen to believe that he will. This is not perfect legislation. If this were a perfect society the legislation wouldn't even be necessary. We should encourage people to do the right thing. It's unfortunate that we have to pass a law sometimes to tell people, if you don't do the right thing there will be consequences. And I'm confident that he will work out all of the concerns that have been expressed. I think the Bill has had a very full and fair hearing. I can't imagine that any of us would want to turn our back on a family or an individual who gets hit by a motor vehicle or is injured and the driver for whatever the reason, refuses to stop, refuses to summon assistance in a reasonable period of time and leave a human being to die by the side of the road. That's not what we're supposed to be about, but unfortunately society isn't what we would like it to be in this day and age. I intend to vote 'aye' for the Bill and I have every confidence that the Gentleman will address all of our concerns either in a trailer Bill or before we leave here in May."

Speaker Turner: "The Gentleman from Jackson, Representative Bost, for what reason do you rise?"

Bost: "Will the Sponsor yield? May..."

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Speaker Turner: "He indicates he will."

Bost: "Representative, maybe early on in your presentation of the Bill you explained... I know there's a problem in one of my constituents had that it is actually a lesser charge right now if you leave a scene if you are intoxicated, than if you would stay... if you would stay and receive a DUI and those type. Would this change that? What are the... if there's an injury involving a DUI... what... what's the level of that... is that a felony... is it..."

Delgado: "Right. That's actually a very wonderful observation, Representative Bost. This is the beginning of, I think, of a wonderful piece of legislation hearing the comments of all our colleagues that would be interested in writing it with me since you all received letters on this Bill. Obviously, I would intelligently assume that the de facto Chair of Criminal Law and having some work on that... on that basis is that (a) there's charges on the DUI side, it still keeps the window in terms of the half hour. The distinction of this Bill is changing the window and adding a penalty so that families will have... feel like there's some compensation at the end."

Bost: "Yeah. I... I... I think that..."

Delgado: "In future legislation we have to continue to develop this."

Bost: "Okay."

Delgado: "And we may even be seeing an Act. I think... I would love to work with you because it's something very dear to me as I want to get DUI's..."

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Bost: "Well, it... from what I understand is, is with this... the way it is now it's a Class A misdemeanor, correct?"

Delgado: "That's correct."

Bost: "And... and as a Class A misdemeanor that would be a lesser charge than staying, for a person that is intoxicated or has a possibility of being charged with a DUI. So, it... it encourages them to fly."

Delgado: "Yeah. And that is true. And that's why I would encourage you to bring legislation forward with me and I would love to support yours or... and work with me on that..."

Bost: "Okay. I'm glad to see you're doing this. Thank you, Representative."

Delgado: "Thank you."

Speaker Turner: "The Gentleman from Lake, Representative Washington, for what reason do you rise?"

Washington: "I'd like to speak to the Bill. Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Washington: "I want to thank the Sponsor for this legislation because I know of two families who were involved in hit and run and that is a pain in the gut that never goes away and is such a... any death is a... is a hard thing to take for anybody. But, I think when it's involving metal against flesh and people run off for whatever reason, I think that there's room for improvement. And, I thank you, Representative Delgado, for this Bill. Thank you, Mr. Speaker."

Delgado: "Thank you, Representative for those words."

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Speaker Turner: "Representative Delgado to close."

Delgado: "Thank you for this spirited debate. I love it when you can put me to work and help me open up my mind more. My word is my bond and that's all we have down here. I encourage my Members of my committee, I encourage other Legislators who have interests in creat... creating our byways and highways to be a safer place to be. We have to encourage our citizens to maintain their moral turpitude and character of the highest. We have to say, there's never a reason to leave a scene of an accident. For heaven's sakes, people have stopped to pick up a dog on the side once they've hit it. So,... to move a squirrel or a deer out of the way. Now we're talking about a human life. And House Bill 4027, 'Louie's Law', my fellow colleagues, many of you all have received numerous letters and petitions from the Limberopoulos family, Angie and her sister, Annette with their children who joined us in the gallery today. And they're here, they worked day and night, they proved to be great lobbyists. Regular working moms whom with our help had access to their government. This Bill, if passed and when passed, illustrates that citizens can truly participate and see and feel democracy at work. 'Louie's Law' today with your help, we could affirm what Angie believes, that government does work for the common citizen, the person down the street. When I drove in this morning it appeared that it was gloomy and rainy out today. However, I realized that symbolically the rain with all of the spirited debate are the true happy tears of Louie from

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above. Because Louie knows that mom took care of his needs. She's here taking care of business and reached out to everyone of these Members in this chamber. And I want to thank her and her family for having the confidence in this Legislature to make Illinois a stronger state when it come to safety on our highways and byways. Please, use your heart, use your logic and understand that we have a process that we utilize and I understand how to use the legislative process to get important legislation passed. And for that, I would tremendously ask in your kindness for an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 4027 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 voting 'yes', 1 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Rep... the Lady from Lake, Representative May, for what reason do you rise?"

May: "Point of personal privilege..."

Speaker Turner: "State your point."

May: "...Mr. Speaker, yes. I would like to welcome to Springfield and the Illinois House, Katie Plonsker, 11 years old from Deerfield, was here to accept award from the Illinois Art Education Association. They're in the gallery.

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Will the Plonskers' stand so we can recognize them? And I'd like to show you, this is Katie's..."

Speaker Turner: "Welcome to Springfield, Katie."

May: "...this is Katie's picture right here in the upper left-hand corner. So... on her new poster. Thank you."

Speaker Turner: "Thank you. I'd like to remind the Members that the last Bill was on Short Debate. It is the intent of the Chair to adhere to the Rule of Short Debate. We will hear from one opponent and one proponent as we move through this Calendar today. So, those Bills that are on Short Debate, be prepared for a Short Debate. On page 18 of the Calendar we have... on Third Reading, page 18 of the Calendar, Representative Stephens on House Bill 4491. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4491, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Fayette, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. House Bill 4491 would simply bring some equity to the Illinois National Guard members serving on active duty overseas or training here in Illinois or other parts of the United States. It amends the School Code in... in a provision concerning the MIA/POW scholarships which defines eligi... eligible veteran or service person which doesn't current... currently include this language. It would include the Illinois National Guard member who is on active duty or is on active training assignment who has been declared a prisoner of war or is

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missing in action or has died as a result of service-connected disability or is permanently disabled from service-connected causes. It has an immediate effective date. This is long overdue, it is very unlikely that it's going to cause any increased state spending. Universities had some concerns that their costs might be increased, but it's really a question of equity. These are equitable treatment. These are people who are in service of their country, this isn't the old days when the National Guard only did floods and things like that. The Illinois National Guard is serving in harm's way today and they should be compensated and awarded the same as... just like they were any other soldier, sailor, marine or coastguardsman or air guard. So, I would appreciate your 'aye' vote. I would be glad to respond to any questions."

Speaker Turner: "The Gentleman from Cook, Representative Dunkin, I assume you're a proponent?"

Dunkin: "I have a question."

Speaker Turner: "State your purpose."

Dunkin: "To the Bill. Representative, the question that I have is... active on a training assignment, is that generally in this country or is that overseas as well? I'm trying to figure out..."

Stephens: "Normally, it's going to..."

Dunkin: "...what that is."

Stephens: "...normally for the Illinois National Guard we're talking about training either here in Illinois or somewhere in the continental United States. But, the language

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actually just says, 'on an active duty training assignment'. So, currently, any member of the Reserves or National... or Armed Forces who is training and is killed in training gets this compensation. If they're from Illinois, they would qualify for the POW/MIA scholarship, except if you're a member of the Illinois National Guard. This would add the Illinois National Guard to receive the benefits that members of the other services who live in Illinois or were stationed in Illinois receive. That's all."

Dunkin: "Okay. I'm... I'm just trying to get some clarification and, you know, I think it's... it's a great Bill. But, as a... a member of the National Guard active, you know, active training assignment, if they're here in the State of Illinois, is that the same at least in this context of being on active duty overseas?"

Stephens: "If they're killed, yes."

Dunkin: "So, if they're killed in the... in the State of Illinois..."

Stephens: "On... on training..."

Dunkin: "...active training duty, you're saying they should be eligible."

Stephens: "Yes. Just as if you're a reservist in Illinois now and you're on training and you're killed, your family would qualify for this scholarship. If you're a member of the active... an active duty service member and you're killed in training your family would qualify for these benefits."

Dunkin: "Okay."

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Stephens: "The only people who don't qualify are people who are in the National Guard who happen to be on training or on active duty and are killed, they don't qualify."

Dunkin: "Okay."

Stephens: "It's just not fair."

Dunkin: "Are other states doing this as well?"

Stephens: "You know, I hope that they are, I don't know that they are. But here's the bottom line, whether you're training or serving in harm's way, when you are a full time soldier, training or in harm's way, and you're killed, you should be recognized for that and get all the benefits that any other member of the armed services who is either in training or in harm's way would receive. That's all this is. This is a matter of equity for all soldiers, men and women, black and white, Army, Navy, Marine Corps, Air Force, they should all be treated the same. Just because they're National Guard doesn't mean that they're not capable of being hurt, injured, captured or killed either in active duty or in training."

Dunkin: "Thank you."

Stephens: "Thank you, Representative."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 4491 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 113 voting 'aye', 0 voting 'no', 0 'presents'. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. On page 18 of the Calendar... page... we have House Bill 4522. Read the Bill, Mr. Clerk. Take it out of the record. On page 19 of the Calendar we have House Bill 4989. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4989, a Bill for an Act concerning pest control. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Adams, Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4989 is an initiative of the Illinois Pest Control Association, increases the amount of hours required for continuing education from 7 hours to 9 hours. And allows them to break... be broken up into increments of 3 hours. The intention is not only to increase the amount of continuing education, but also give an opportunity so that it can be done over a period of time rather than one 7 hour school. I'd ask for a favorable consideration."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4989 pass?' All those in favor should say 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, page 21 of the Calendar, we have Senate Bill 1921. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 1921, a Bill for an Act in relation to agriculture. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Cook, Representative Molaro."

Molaro: "Thank you, Mr. Speaker. This Bill today, even though it's... as... as we went around the chamber and it's kinda hard not to make some remarks that'll be a little comic about it, but I assure you and I wanna make this clear, that the people for and against this Bill, as you'll hear in debate, certainly take this very seriously. And it is a very serious issue. For those who've said I don't care or the people against it don't care, actually, is not true. It's a very serious Bill and I'll tell ya a thirty-second or one-minute story or however long it takes and we'll see if there's opposition and where it stands and then I'll close and tell you what the Bill does. Some years ago there was a plant in DeKalb, it was originally designed to slaughter cows. Sometime in the '80s it was changed to horses. And two or three years ago, the plant burned down. In the State of Illinois, so we're clear, it's illegal to sell horsemeat, it's illegal to consume horse meat. We made a public policy decision many, many years ago and it's been the public policy of the state that the horse is in a better or bigger or more revered stature than other animals that were bred for slaughter. Cattle, pigs, sheep are all bred for slaughter, horses weren't, horses never were. Culturally and through public policy, the law of the State of Illinois is it's illegal to sell and consume horse meat

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in Illinois, illegal to sell it. Well, what this plant in DeKalb wants to reopen and what they're gonna do is they're gonna slaughter horses. So, you say, how could they because it's gonna be illegal for them to sell any in the State... in the State of Illinois. Well, they're not gonna sell it in the State of Illinois, they're gonna sell it overseas because in France and Belgium they eat horse meat. Well, either the horse is revered culturally and we have it in a special place and we consider it a companion not a food animal or we don't. If it's a food animal and we're gonna breed 'em to slaughter 'em, then let's make it legal to eat 'em, slaughter 'em, do whatever we want. A little dishonest to say, well, we're gonna do it and ship it over there. If you believe that horses aren't revered, that all these pictures of them serving us in battle and on... when we have infrastructure programs, you don't believe they should be in revered status, then vote 'no' on the Bill. If you do and they belong with dogs and cats and other animals that are not bred for human consumption, there is something dishonest about it, not bred for human consumption, then you would vote 'yes' on the Bill. One thing I'll say and then I'll turn it over for questions. The one thing that we have to know is in 49 states, including Illinois today, there are no slaughter horses (sic-houses) that kill horses for human consumption, none, except Texas, no state. I checked with the State Police, in the two or three years this plant has been closed not one arrest was made for fly dumping of horses. Not one arrest was made because they

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didn't know what to do with their horses. Forty-nine states including Illinois have done very well with rendering their horses and rendering means when they're destroyed or they died or ya shoot 'em or ya put 'em with the needle or ya hit 'em over the head, you call a rendering plant, they take 'em away and dispose of the animal. There is no problem. Illinois has done just fine, thank you very much, without this plant. Now, there's a couple other things that I'll do, but we'll wait 'til closing. And I'll certainly answer any questions, if there are any, so, thank you."

Speaker Turner: "The Gentleman from DeKalb, Representative Pritchard, for what reason do you rise?"

Pritchard: "Yes, Mr. Speaker. I'd like to address this Bill and raise some questions of the Sponsor."

Speaker Turner: "State your que..."

Pritchard: "And I would also ask, could this be taken off of Short Debate?"

Speaker Turner: "The Gentleman asked leave to have it taken off Short Debate. The requisite number of hands have been raised. Leave is granted. Leave is granted. Proceed."

Pritchard: "Yes. As a Representative who has this plant in my district, I have a number of questions of the speaker (sic-Sponsor), if I may. Also, as a former horse owner, I share some of the concerns that the speaker (sic-Sponsor) has mentioned. In your introductory comments, you mentioned that horses are not bred for consumption. Do people

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normally eat other things that aren't bred for consumption?"

Molaro: "Well, I don't wanna be facetious. I don't know what you mean by that. I guess people eat a lot of things. Well, I mean, namely, I don't... I don't understand."

Pritchard: "So, the point is that just because horses aren't bred for human consumption doesn't mean that they can't be consumed."

Molaro: "Well..."

Pritchard: "That is a matter of choice."

Molaro: "Peop... people can do whatever they want. That's correct."

Pritchard: "That's a very good point. So, if people can do whatever they want, why don't we give people the choice of whether they want to..."

Molaro: "Well..."

Pritchard: "...somehow euthanize the animal and bury it or whether they would like to sell it for commercial enterprise?"

Molaro: "Well, I'm not... let's make this clear in the Bill. I want everybody to read this Bill. I am not telling anybody what they can do with their horse. You can take your horse, even after this Bill... if it were to pass or become law, you can take your horse and you could have it slaughtered for human consumption. What you couldn't do is have it done in Illinois. Right now, many horses are being sent from Illinois, going to Canada, going to Texas, going overseas. Cultural differences are there. You know, in

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India they don't kill cows, but we do. I'm just saying this state has decided, by making it illegal to sell horse meat, this make... state has decided on cultural issues and public policy that it's illegal to sell horse meat. We put 'em in a different revered position. If you wanna go ahead, whatever you've been doing for the last two years with Cavel being closed, you can continue to do. I am not stopping anything. I'm for status quo. Leave it exactly like it is. Cavel has other plants in other places and there are places where you could go butcher a horse for human consumption. This Bill just says, you can't do it in Illinois. That's all it says. It's not stopping anybody from doing anything."

Pritchard: "Well, I... I support your notion of diversity in allowing people to do many different things. And I think we ought to allow Illinois residents to also do many different things. And if this is a part of the economic economy, as it is in our district, why can't we continue that?"

Molaro: "Well... well, I would say this. If I was from DeKalb, I'd certainly be taking the same position you are. I can't deny the fact that if this plant doesn't open because of this Bill or some Federal Law, if they were gonna hire 20, 30, 40 employees, obviously, those employees, when you do open up, wouldn't have a job. I cannot deny that. The only thing I would say as far as... the only thing I would say as far as economic recovery... let me... let me be clear on this subject, also. Right now, there are rendering plants

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in Illinois. Cavel, by their own press release says, they're gonna... they're gonna take up to 25,000 horses to be destroyed. We have about 28 rendering plants in Illinois. Many of them were opened in the last two years by Illinois owners to take the horses that Cavel wasn't getting since they burned down. If Cavel reopens, yes, they will put 20 people to work, but six or eight of those rendering plants will go out of business. It will be a net job loss for Illinois. Will it be a plus for DeKalb? Yes. Are you up there..."

Pritchard: "Yes."

Molaro: "...representing DeKalb? Sure. But the State of Illinois..."

Pritchard: "And it certainly will be a plus for DeKalb."

Molaro: "Right. It'll be a loss for the State of Illinois."

Pritchard: "We're talking about \$1.1 million every year in payroll taxes. We're talking about \$90,000 in property taxes that our schools desperately need. We're talking about 40 jobs of people that wanna educate their families and raise their families in a more respectable manner. This has huge implications for our district and I would like the dollars to come to our district. We've lost thousands of manufacturing jobs and here's one that we don't wanna lose. I would ask one more question of you and that deals with the legality of this law. As I understand it, federal statute precludes us from interfering with interstate and international commerce. Why do you think this Bill is going to be legal?"

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Molaro: "Well, let me say this. First of all, Texas passed similar sta... California passed the exact same law and it has not been challenged and slaughter horses (sic-houses) are banned in the State of California. There's lawsuits in the State of Texas as to whether or not it's legal. Also, in the...in the Congress for the United States, there is HR857 which has over a hundred and ninety-one cosponsors. Of the 19 Congressmen in Illinois, 14 are cosponsors. Of the Congressmen who cosponsored the Bill, that's identical to mine, is Judy Biggert, Danny Davis, Rahm Emanuel, Lane Evans..."

Pritchard: "That's fine. That's fine."

Molaro: "...Jerry Costello."

Pritchard: "We can read that later."

Molaro: "I could go on."

Pritchard: "That's fine."

Molaro: "And they spon... they're cosponsoring the same Bill. So, what we think the Bill will eventually leave Congress, they'll throw it back to the states and say that the states have the right to ban 'em or not ban 'em and that's what this law does."

Pritchard: "So, we could wait for the Federal Law and perhaps, not have to go through the legal ramifications of trying to defend theirselves against an unconstitutional law. So, we could just wait on this."

Molaro: "Could wait on... Yes, we could wait on any Bill, I guess."

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Pritchard: "Very good. So, I guess, could you conclude by telling us what problem we're trying to solve with this legislation?"

Molaro: "Well, as... as I said before, there is no problem now because you... nobody is slaughtering horses for human consumption in Illinois. What we're trying to do is stop a problem from occurring. Now, there are some people who will say that, I don't care about horses and whether we eat them, to me they're just like cattle, they're just like pigs. Okay, well, then vote 'no' on the Bill. I mean, I can't argue with ya. If you believe like I do, that culturally, the State of Illinois has already decided that they're not like cattle, they're not like pigs. It's illegal to sell horse meat in the State of Illinois. If you go right out this rotunda, you'll see men on horseback, you'll see horses all serving mankind. They are not bred to be killed for human consumption and it's dishonest that we do that, in my opinion. If you don't share that opinion, well, then you don't share it."

Pritchard: "Well, I don't share it..."

Molaro: "I see that."

Pritchard: "...and I'd like the option to... to be able to market horses. I've raised horses and they're an economic entity that some people choose to either consume or to... to engage in commerce. And I think we ought not to preclude such a legitimate activities. Farmers are struggling for ways to have alternative and value-added income and this is but one

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more way that we're doing that and now we're shutting the door on that."

Molaro: "Well, I..."

Pritchard: "I would just encourage my fellow Representatives in this House to consider this as a matter of choice, as to consider this is as a... if it is a companion animal, then the owner ought not to sell that animal at auction. They ought to be concerned about where that animal is housed and what the future of that animal is going to be. They have that prerogative and I think we ought not to preclude choice and the opportunity for people to... to be engaged in an economic activity and to raise animals and dispose of those animals as they see appropriate and in a humane manner. And I would just encourage you to think hard about giving people choice, of giving employment to opportunity in trying to add to the economic of our... activity of our state rather than detracting from it. Thank you, Mr. Speaker.

Speaker Turner: "The Gentleman from Winnebago, Representative Sacia, for what reason do you rise?"

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen, the Sponsor of this Bill did me a huge favor last year as a freshman Representative. He found a flaw in a Bill that I was discussing and he shared it with me and I... I've always appreciated that and I had hoped the day would come when I'd have the opportunity to reciprocate. One of the things that the Sponsor has stated is that the only other state other than Illinois that potentially has a horse slaughter

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plant is Texas. And he says that as if that's a badge of honor. Quite frankly, Ladies and Gentlemen, I think, we, in Illinois, should be at the edge of bringing economic development to our state. I have the privilege of being married to a lady for 34 years that has raised and shown horses. Accordingly, 11 horses stand on our farm to this day. I have always believed in the humane disposition of companion animals and it's really very, very unfortunate that there is so much emotion attached to this Bill. The Sponsor's own secretary called me very emotional about the fact that I would not sponsor this... cosponsor this Bill. And she talked about the inhumane way that horses are disposed of. Ladies and Gentlemen, you must understand nothing could be further from the truth. Horses are very humanely disposed of at the Cavel plant. They have an excellent facility and what really needs to be pointed out here and I think many Members of this learned Body are not aware of the fact that since Cavel has been closed and this is extremely important, Ladies and Gentlemen, the number... the number of complaints of cruelty to animals involving horses has more than doubled and you need to understand why. The young lady that wants to protect horses and wants to see that they are never destroyed, wants to take that horse home, wants to put it in the backyard and care for it. However, she can't afford the hay. She doesn't understand the cost of having a farrier come by and trim the feet and in no time at all, her desire to be doing good things for that horse has deteriorated and exactly the

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opposite situation has occurred. This is a good reason to stop this Bill, Ladies and Gentlemen. It is an excellent economic opportunity for the State of Illinois. It is rebuilding a plant that already does exist. This Bill is adamantly opposed, not only by the Farm Bureau, but by the Horse Council of Illinois that has over 70,000 members, 70,000. Ladies and Gentlemen, there are 220,000 horses in the great State of Illinois. This is a humane way of disposition... of disposing of animals. And... and we get all caught up in the emotion of companion animals. Every day dogs and cats, which are also companion animals, are humanely disposed of. This really... the issue here to many people is not whether or not there is the human consumption of horses, that is not the issue at all. This is a very, very emotional issue where people are caught up in the fact that horses are being destroyed inhumanely and that must be put to rest. This is a very humane way of disposing of horses. It is good for economic development for the State of Illinois and Representative Molaro, you know I have profound respect for you, but this, Sir, is a bad Bill not only for economic development, but allowing the emotion and certainly you had no hand in that, but the emotion on this Bill throughout the State of Illinois, giving people to believe by some groups and again, not you, but some groups are perpetuating a myth out there that these horses are hung from their hind legs and I even had this said to me, while they're still alive they're necks are chain-sawed off and you and I both know nothing could be further from the

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truth, but it perpetuates that emotion. This is a Bill... Bob, I know you know, it really should be stopped and I... I recognize your passion and I just... I truly wish I could understand... I understand how compassionate your secretary is, I really do. I guess, I do... I don't see that passion in you and I really think that this is a Bill that needs to have a 'no' vote. For economic development, for the quality disposition of a companion animal, this is a good way to dispose of horses and... and we're not gonna stop the number of horses in Illinois. There are... as I said before, there's 220,000 and we're gonna have more every day. And we need to stop this Bill Bob, and I really think down deep, you know that. Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill."

Speaker Turner: "To the Bill."

Black: "In more than 18 years down here I have learned how difficult it is to speak on a... any issue that has become enmeshed in emotional... the thought process that becomes very emotional. Minds become set, people are swayed by hundreds of e-mails. I have gotten them from as far away as Guam, Hawaii, Canada. I haven't heard from a half a dozen people in my own district, but that's neither here nor there. It's very, very difficult to speak on an object that some people will internalize and become emotional on and they don't want to listen to either side of the debate.

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I can't add a great deal to what my two colleagues have said but let... let me remind you that the sale and consumption of horse meat in the State of Illinois and, in fact, I believe, correct me if I'm wrong, is illegal and has been for a number of years. But let me just give... I... I called a number of people in my district who raise horses and I'll be glad to share the name of the one who started.. I think it's called the Western Riders Club in my hometown of Danville County of Vermilion. He raises and breeds horses and they do trail rides. And I asked him what he thought about this Bill and he said, 'Bill, you have to separate the emotion. I'm never... I'm never very happy when one of my animals becomes ill or old or aged or blind or develops cancer, as animals can do. But I'm... I'm faced with the decision how do I relieve that animal from the suffering that it's going through. Would you be anymore kind if I told you the way we used to do it when they were down and couldn't get up? We would shoot them in the head. And then if we had enough land we would bury them on the land.' Today they're limited, they have to have so many acres of land in order to bury a horse. Otherwise, they have to call somebody to haul it away, for which they pay a pretty hefty fee. And many of those horses end up in a landfill. You know, whether we like it or not we all have a life cycle. The end will come to all living creatures. My wife, when she was a young girl, had her own horse. And you can call her if you'd like. The horse's name was Peaches. She loved to ride that horse. She took our

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granddaughter horseback riding three times last summer. No one loves horses any more than she does. And she told me the same thing that Jerry did, every animal has a life cycle. And if you can't afford to euthanize the animal, and a veterinarian is going to charge you a pretty penny to do that, and you don't have the land... if you're trying to board a horse and you don't have any land, then the question becomes how do you dispose of that sick or disabled animal. I... I think... I think that we have to stop and think about this issue very carefully. It's not easy. We all grew up with Black Beauty and Trigger and Champion. And they evoke warm images. But I beg you to try the best that you can to do what I've had to do in this job, to reach out and talk to people who are in the business of breeding, training, selling, and riding horses. They are in opposition to this Bill for the most part, overwhelming number of people. Let me just tell ya the people that I've contacted. The American Quarter Horse Association opposes, the American Veterinary Medical Association is in opposition, the American Association of Equine Practitioners is in opposition, the Horsemen's Council of Illinois is in opposition, the Hooved Animal Rescue and Protection Society is in opposition, the Animal Welfare Council, the Illinois Farm Bureau and the Mid-America Horse Show Association opposes this Bill. Ladies and Gentlemen, regardless of how you feel about the horse as a magnificent creature... we'll all be watching the Kentucky Derby in... in another four weeks or four and a half weeks. You have to

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try and separate your emotional involvement with that animal and the fact that those animals have a life cycle and what option will be available when that life cycle comes to that point. This plant is operated under a United States Department of Agriculture certificate. Very strict, humane regulations have been implemented for the safe transfer of these animals. When all is said and done, it is simply one option that owners of horses have to face when that animal is old, ill, in poor health and is otherwise suffering. And when all else is done and the primary reason for my opposition to this Bill, stop and think if this Bill should pass, what message you're sending to businesses that have operated in this state that process pork, that process cattle, that process poultry. I had an egg and a sausage patty this morning. If we can, by stroke of a legislative Act, put this plant out of business you will see, at some point, a Bill to tell you that that chicken who laid that egg that I had this morning was not treated humanely, therefore we should disallow that. The sausage patty that I had came from a hog farm, I'm sure. And if you can put this plant out of business by legislative action after it's operated legally in this state for 17 years because you may not like the service that it performs, then I would daresay that a lot of other plants could be in danger of being eliminated by legislative action. I know some of you feel very strongly about this Bill. I felt very strongly about having to make the decision three years ago to euthanize my dog that I had

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had for 18 years, a dog that I brought onto this House Floor back in the early '90s and would sit under my desk. A dog that traveled with me around the state and was probably, as I've said before on this House Floor, if you want a true friend in this business... if you want to be in politics and you want a true friend you better get a dog or a cat, because that animal's gonna be the only animal that's always happy to see you come home, no matter how you vote on any issue. And the hardest thing I ever had to do was to take that animal to my veterinarian and hold that animal while the veterinarian euthanized an animal that I had loved from the day it was born. But when we euthanized it it was blind, had no control over its bowel, could no longer stand on its hind legs and was in grievous pain. I would've almost rather the veterinarian put the needle in me than in my dog. But that's the cycle of life and that's the way things will work. Don't be swayed by arguments that we will sell and eat horse meat in the State of Illinois. That has been illegal for a number of years and it will remain illegal. Ladies and Gentlemen, this has been a very emotional issue. There have been a lot of mails... a lot of... a lot of e-mail, a lot of phone calls, a lot of letters. Many of them are out of state and I respect their views. All I would ask of them in return is that they respect mine. We set a dangerous precedent when we sit here by our legislative action and decide to put a lawful business out of operation that operates under a United States Department of Agriculture permit and conducts

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a legal and humane business. Now, Ladies and Gentlemen, I urge a 'no' vote. And Mr. Speaker, should the Bill receive the requisite number for passage, I would request a verification."

Speaker Turner: "The Gentleman from McLean n, Representative Brady, for what reason do you rise?"

Brady: "Will the Sponsor yield, Mr. Speaker?"

Speaker Turner: "He indicates he will."

Brady: "Representative, just a couple points of clarification for myself. Nu... number one, this particular plant in question is certified by the Department of Agriculture, is it not?"

Molaro: "I... I don't know if they've been recertified. They were. I don't know if... remember, they're not up and running now. And this Bill is not plant specific. So I... I wouldn't know... as far as today... if you asked me today do they have their proper licensing, I wouldn't know."

Brady: "And... to me it boils down to humane treatment as the issue here, from what I've... what I can cipher from all this."

Molaro: "Well, now that's... I was gonna wait 'til I close but since you brought it up. Representative Sacia talked about the human... never... when I talked to any Member in this chamber nor when I talked to any member of the press did I talk about humane or inhumane treatments. I mean, I've never been to the plant so..."

Brady: "Okay."

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Molaro: "...I mean, I hear stories from both sides. I don't know what's true or untrue. But that's not the part of the Bill. The way the animals are treated, you know, it isn't part of this Bill, nor never has been part of this Bill. So, when someone comes up and says humane treatment of this animal has anything to do with this Bill, I don't know what they're talking about because that has nothing to do with this Bill."

Brady: "And you yourself have not toured this plant when it was in operation, right?"

Molaro: "Right."

Brady: "Okay."

Molaro: "I... I'd go not but it's not... they invited me but it's not up and working so I wouldn't know."

Brady: "Okay. Al... also it's my understanding, and I don't know if you can tell me if this is factual or not, but in... in talking to veterinarians and others that are... are certainly more educated in this area I'm told that there... the by-products after a horse is, in this particular case, disposed of, that that is actually used for food for other animals in the zoos throughout the State of Illinois. Do you have any knowledge of that?"

Molaro: "Yeah, I..."

Brady: "Or any... or any zoo for that fact?"

Molaro: "I'm told that's... that's not done a lot now... now, it used to be, just like we used to eat horse meat 50 years ago. Most of it's for either medical research or... they do still make glue out of the hooves... hooves, or whatever that

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word is, goes to show you how much I know about that. And there are some other by-products that come from the horses, that's correct."

Brady: "And... and whether or not the individual owner, with this Bill or without this Bill, whether it's Texas or whether it would be Illinois or wherever, nobody's going to put a horse through a processing plant unless the owner of that horse wishes to do so. Is that correct?"

Molaro: "Yeah. I mean, unless somebody steals the horse."

Brady: "Right."

Molaro: "But no, most horses... most of them are there because either the owner sold them at auction and they don't know they were going there or... but, yes, they were relinquished freely. That's correct."

Brady: "Thank you very much."

Speaker Turner: "The Gentleman from Lee, Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker. I call for previous question."

Speaker Turner: "The Gentleman moves the previous question. All those in favor say 'aye'; those say 'no'. In the opinion of the Chair, the 'ayes' have it. And the previous question is put. The Gentleman from Cook, Representative Molaro to close."

Molaro: "Well, I'll do that but I... I gotta look at a ruling of the Chair. I don't know how many... there was an... there was a... a request for a verification. And the problem is I'm just being told that some COWL Members went to the

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Governor's Office. They haven't left yet. Okay, good. Good. Then we'll close."

Speaker Turner: "They're still here."

Molaro: "Great. Terrific. I do wanna... I do have to, unfortunately... only take a few minutes... want to talk about some of the things that were said real quick. Remember, this has nothing to do with how they were treated. Other Representatives came up and said that I don't believe in this Bill or... I don't know how it was put, deep down. Well, deep down I do believe in this Bill. But let me show you how simple the Bill is. In 49 states, including Illinois, today there are no slaughter houses for horses for human consumption. None. We have no problem getting rid of our horses by either injection or by hitting them over the head... however they get rid of them, we have no problem rendering plants. There are no problems, whatsoever, in 49 states. So that even to suggest that if this plant doesn't open we don't know what we're gonna do with our horses, 49 states have been doing just very, very well without this plant opening. This is how simple this Bill is. It's this simple, in the State of Illinois it's illegal to slaughter a horse and sell the meat here. We revere horses. Horses, as we speak today, are in Afghanistan. We have Special Forces on the back of horses right now fighting in our wars. Murals out in this hallway speak of horses, on horseback. Every single major infrastructure project prior to 1950, horses helped build. Horses are pets, horses are human farming, horses are show

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horses, thoroughbreds are... are horses. We use horses... they are revered, just like cows are over in India. Now, all we did was, in Illinois, say we revere them, we hold them higher, and we're not gonna sell their meat and we're not gonna consume it in our state. And I think it's ridiculous and I think it's almost rude and unconscionable that what we're gonna do is we're gonna allow one foreign-owned plant to come in and say, 'Here's what we'll do. We're gonna chop 'em up and we're gonna slaughter 'em.' But Sir, you can't do that, that's illegal. Oh, no, we're gonna send the meat over there. I don't think we should stand for these horses serving us... born and bred to serve us and then at the end of their lives we're gonna chop 'em up and serve 'em as food for the French and the Belgium. I just don't think that makes any sense. The way we've done this state, they're revered, they're in a special category. Let's keep 'em in a special category. Real quickly, all those groups that were saying against it, I could read a hundred groups that are for it. You all know it. You all got the e-mail, you know how many groups are for this. There's a... there's a dishonesty and a disingenuousness to say I'm for keeping it illegal to eat meat... horse meat in this state because we revere horses. But you know what I believe in, let's quietly chop 'em up and send them overseas. That's dishonest, it's unconscionable, and it's disingenuous. I don't know if we... what we would say if someone said let's open up a plant to butcher dogs so we could send it over to North Korea because they like it. I think that would be

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dishonest. So, we have to stop this now. Right now, in Illinois, if you're not a food animal you don't... you have to pay taxes. So, all the feed and everything that you buy for horses you pay sales tax. If this Bill doesn't pass, the State of Illinois will lose money. This is to save jobs in Illinois and it's to save... so, now that I see women are leaving... that's the only reason I'm stopping. Otherwise, I could go on forever. I will... so, we'll stop and I'll urge an 'aye' vote. Thank you."

Speaker Turner: "Would you... would you care to close, Representative? The question is, 'Shall Senate Bill 1921 pass?' All those in favor should say 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. The Gentleman from Cook, Representative Molaro."

Molaro: "I would move to put this Bill on Postponed Consideration."

Speaker Turner: "The Gentleman asks leave to have the Bill post... put on Postponed Consideration. Leave is granted. On page 17 of the Calendar we have House Bill 4067. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4067, a Bill for an Act concerning minors. Third Reading of this Bill."

Speaker Turner: "The Gentleman from Boone, Representative Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Hopefully, this will not be as contentious as the

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last Bill. 4067 is a simple Bill, we pas... we passed it last year by 107 votes. It simply says, we know that it's illegal to buy or sell tobacco. This would simply make it illegal to possess tobacco. That's what we do with hard drugs and we also do with liquor. So, it just brings consistency. I'd be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4067 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 voting 'aye', 0 'noes', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from DuPage, Representative Biggins, for what reason do you rise?"

Biggins: "Well, thank you, Mr. Speaker. I am looking around the chamber and I'm a little concerned. I wondered if there's something that happened... was there a Motion that certain people would leave the chamber... all save one... is there a fire or... someplace... not in another part of the Capitol these days? Is there something I should be afraid of now for myself and my... my... it seems to be male colleagues that are here, but a few brave, hearty souls from the other gender? But..."

Speaker Turner: "Do you own a horse?"

Biggins: "Can you give... any... any advice to the Members from your Chair?"

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Speaker Turner: "Do you own a horse?"

Biggins: "Just wanna make sure we're all safe here and not missing a special party. But..."

Speaker Turner: "I... I think we're..."

Biggins: "...we have... can we maybe direct our questions that we have to our esteemed Majority Leader over there and thank her for staying and keeping us... a pipeline to reality? Thank you very much."

Speaker Turner: "On page 19 of the Calendar we have House Bill 4788. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4788, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Aguilar: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I present to you 4... House Bill 4788 which is designed to protect our schoolchildren. It's... it enhances the felony charges on anybody recruiting young children to street gang. It's an excellent Bill. It's designed to protect our children and make schools a safe zone for them and a friendly environment. I ask for your 'aye' vote. Thank you very much."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4788 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the

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Order of Third Reading, page 17, we have House Bill 3985.
Representative Molaro. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3985, a Bill for an Act concerning
property. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Cook, Representative
Molaro."

Molaro: "Thank you, Mr. Speaker. This is not a recall of the
previous Bill, this is a brand new Bill. Basically, all
this Bill is is... it needed codification. When you go to a
tax sale what happens is people bid on what they want to
pay for these taxes and they bid a current or a... an
interest rate that they're willing to pay and the lowest
bid is accepted. In Cook County there was a question, that
if two people yell out 12 percent at the same time, the
auctioneer didn't know whether or not they had authority to
say, 'Okay, I'm going to give it to you. Okay, I'm...'. So,
simultaneous bids he would say, 'Well, you know I don't
know what to do, so I'm not accepting either bid.' This
gives the auctioneer the authority to say, 'I'm going to
accept your bid and allow the other person to go lower.'
And the Bill passed out of committee 9-0, so I would ask
for a favorable roll call."

Speaker Turner: "The esteemed Majority Leader, Representative
Currie."

Currie: "Thank you, Speaker. Would the Sponsor yield to a
question please?"

Speaker Turner: "He indicates he will."

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Currie: "My analysis says the Cook County Treasurer is in support of this Bill. It was my understanding that the Cook County Treasurer opposes this Bill. Can you help me out?"

Molaro: "Well, I... I... well, I don't want... now I know this isn't recorded and nobody's going to hear what I have to say so I'll say it. I'm assuming they oppose it. However, the Cook County Treasurer from up in their office has never come to see me about this Bill or tell me that they were opposed to it and why. But, I keep hearing through the grapevine that they are. So..."

Currie: "Okay. That... just to the Bill. My understanding is the Cook County Treasurer does oppose the Bill. The concern on the part of the treasurer is the possibility of collusion among those who are buying taxes at these sales. And in fact, the company that is the chief proponent of this measure lost a lawsuit trying to make the same point that this Bill would make lost a lawsuit in court and I... it's my understanding although I don't have firsthand information, it's my understanding that the Cook County Treasurer does indeed oppose the Bill on the grounds that it would make for less fairness, less openness in these tax sales. Thank you."

Speaker Turner: "The Gentleman from McHenry, Representative Franks, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

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Franks: "Representative Molaro, I'm reading the Bill and... I know, it's always a scary thought. And what it says, it's been very... the way you've changed the Bill doesn't do much as I'm reading it. It says, 'Property may be forfeited of the State of Illinois only if offered at public sale and not sold for want of bidders unless the property is released from sale by the withdrawal from collection of a special assessment levied thereon'. The only thing you took out is, 'Shall be forfeited to the State of Illinois'. Now, I'm not sure that this language is accomplishing what you're trying to do. It sounds to me that this is a... an interpretation by the treasurer in this... in the way the language is written, it has nothing to do with simultaneous... simultaneous bids or... in the way it's written I don't think it's gonna accomplish the goal you're trying to accomplish."

Molaro: "Is that a question?"

Franks: "Yeah, it is a question."

Molaro: "Okay. Here's what I'm going to say to that. I think you make some sense. However..."

Franks: "Don't tel... however... Yeah right, stop. Okay. Move the previous question."

Molaro: "What... no... no don't move 'em. There... this language does make sense and as I'm looking at it right now... I'm going through my notes. It has something to do with the rule that the treasurer enacted. And this language was brought to LRB and... by the proponents of all the guys who do all the tax sales and obviously they do serve a purpose."

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And they told me this language does in fact accomplish it.
Now..."

Franks: "I... I just don't see how it does. Because there's no... there's nothing here talking about the simultaneous bids. I mean, it sound to me like that's an internal rule that the treasurer department may have. And I presume these are each county treasurer's who have their own rules. I presume they're not uniform."

Molaro: "So, and I... if you're truly standing to say that you see a problem, I mean are you against the Bill?"

Franks: "No. No. I'm just saying clean..."

Molaro: "I want..."

Franks: "...I'm not saying I'm against it, I'm saying this language might not do what you want it to do."

Molaro: "Mr... Mr. Speaker, we want to take the Bill out of the record 'til I can check that out. Can I do that?"

Speaker Turner: "You certainly may."

Molaro: "Thank you."

Speaker Turner: "That will be taken out of the record. On page 19 of the Calendar we have House Bill 4856. The Gentleman from Cook, Representative Morrow. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4856, a Bill for an Act concerning disclosures of utility services to be provided by landlords. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Cook, Representative Morrow."

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Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4856, as amended, requires that the statement... basically, what this Bill does... it amends the Tenant Utility Payment Disclosure Act that requires a landlord to provide to a prospective tenant a separate statement... a affidavit detailing that any utility service should be paid for by the landlord. What this... we're trying to address is when a landlord is responsible for the utilities and the tenant signs the lease and then later finds out that the landlord's utilities have been cut off or they're in arrearage. This would allow a tenant before she sign... he or she signs the lease to know to find out if the landlord's utilities are on and are they current. I'll be glad to answer any questions on House Bill 4856."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4856 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 20 of the Calendar we have House Bill 6845. Representative McGuire. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6845, a Bill for an Act concerning long term care. Third Reading of this House Bill."

McGuire: "Thank you, Mr. Speaker. Ladies and Gentlemen, I have House Bill 6845, the long term care Bill. 6845 was

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developed as a result of the Speaker's summit on senior services long term care that held many meetings across the state. And some of the people who testified in some of these meetings were from the State of Minnesota and the State of Maine who have a very, very similar Bill and that's the result. This Bill is... we hope become law in Illinois. What the Bill does it amends the Nursing Home Care Act to require that all screenings for nursing home admissions must include consultation on other care options that are available. It's also consistent with the recommendation of the Illinois Department on Aging to enhance services available to seniors in the community. Including the establishment of a comprehensive care... comprehensive case coordination to cover all term... long term care option for elderly throughout the state. In the interest of brevity we have a lot of Bills. I would ask if there's any questions and I'll try to answer them. If not, I would appreciate your 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 6845 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 17 of the Calendar we have House Bill 3989. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 3989, a Bill for an Act in relation to firearms. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Whiteside (sic-White), Representative Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3989 is an initiative of the National Rifle Association. And all this Bill does is to... reduces the age of the person that can get a FOID card from the age of 21 to 18. This is more than anything than a common sense Bill. There's a lot of people out there that maybe not vote for a lot of these Bills, but this is one that they could proud of in voting for because at 18 in today's society you are considered an adult. You can get married, you can serve our country and fight for our freedoms. We can send out veterans over there to Iraq, to Afghanistan and they can operate multi-million dollar planes, tanks, assault rifles. But yet, when they come back to the states they can't even sign for their own FOID card without a legal parental consent. When they get married they don't need parental consent. When they go out and try to sign for their own contracts they don't need parental consent. So, why should they need parental consent on a FOID card? So, with that, if you have any questions I'd be glad to answer them."

Speaker Turner: "The Gentleman from Fayette, Representative Stephens."

Stephens: "I'm not sure why there would... why there would be any opposition to this Bill, but just in case there is I'd like

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to help put it into perspective. You know, when I was... when I was coming of age some... sometime ago we were involved in the... in a little conflict in Vietnam. And there was a lot of controversy about that because we could be drafted at age 18, we could join at age 17. I saw a few American boys killed in action and they were 18 years old. But, back in 1960's and 70's they couldn't even vote. You were old enough to die for your country, but you couldn't vote. Now, we've become a little more enlightened and along the way we corr... we corrected that inequity. If you were old enough to die for your country, you should at least be able to vote. Now, I would suggest that there are some other inequities and the Representative is right minded in making sure that we correct this inequity. And that is, if you're old enough to carry a rifle in harm's way for your country then you ought to be able carry a weapon to go hunting or to use... other recreational purposes here in the State of Illinois. So, Representative, because I've been there, because I've had a son at age 17 who joined the United States Military Academy and is today, by the way, proudly serving in Iraq, who ought to have at the age of 18 been able to take care of business on his own because we expect that of our 18 year olds still today. I... I rise in strong support of your Bill. This is not just an NRA gun issue, this is about fairness, about what is right in America and it's an endorsement of all that we hold dear. I... I appreciate what you're doing and I rise in strong support. Urge an 'aye' vote."

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Speaker Turner: "The Gentleman from Cook, Representative Osterman, for what reason do you rise?"

Osterman: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Osterman: "Representative Phelps, you and I have talked about this Bill previously and I appreciate you having answered some questions and having the... the proponents help me with some of this language. But, I have two simple questions. One is, currently under State Law 18 year olds, 19 year olds, 20 year olds are able to get a FOID card?"

Phelps: "Correct."

Osterman: "Okay."

Phelps: "With parental consent."

Osterman: "With parental consent which means that the parent signs off on the FOID application."

Phelps: "Right."

Osterman: "Secondly, currently as well as in the future, this Bill would allow 18, 19, 20 year olds if it was passed to get a FOID card and purchase semiautomatic weapons?"

Phelps: "And, Representative, yes, that's true because me being a duck hunter and a goose hunter, we have shotguns that are semiautomatic cause that's the only that you can use to hunt ducks and geese, semiautomatic shotguns, yes."

Osterman: "You hunt ducks and geese with semi-automatic weapons?"

Phelps: "Semi-automatic shotguns, absolutely. Three and a half gauge..."

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Osterman: "I would hope your success rate at shooting those would be a lot better with the semiautomatic than it would with... with a rifle shot."

Phelps: "That's... and that's what mainly all your shotguns are today."

Osterman: "As the Sponsor and the two... the previous speakers talked about a lot of this is being couched in a way to say that, young men and women that go and serve in the military are not afforded an opportunity to purchase a gun or own a gun. The Sponsor just said that currently 18, 19, 20 year olds are able to get a gun with parental consent. If that is the issue to those people that come back from the military, why are we not lowering the drinking age? Which is something that we in the State of Illinois can choose to do if we want to. Would someone back prefer a beer or a shotgun? Additionally, Representative, handguns, someone who is under 21 is not allowed to own a handgun or possess a handgun, is that correct?"

Phelps: "Right. You have to be 21 to buy a handgun in the State of Illinois, correct."

Osterman: "So, those men and women in the military that are off... that are... that are using side arms in the military that are there now, when they come back they're not allowed to get a handgun?"

Phelps: "That... that's correct, but that might be my next Bill, I'm not for sure."

Osterman: "I was going to ask you if that was next year's Bill? I would figure that. Ladies and Gentlemen of the House, I

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have two objections to this. One is that currently 18 year olds, 19 year olds and 20 years olds are able to get a FOID card and purchase a firearm. A point that I want to make specific to everybody that is here, the few of us that are here, is that the number of people that get those authorizations from 18 to 19 year olds doubles. Now, I want to say that again. Those people whose parents chose to give them the authorization to get a FOID card and then to go out and buy a firearm doubles from 18 to 19 years old. Now, why is that? Is that because someone did well as a freshman and the parents think that now they're able to get a gun? Possibly. I would argue that parents know best and parents might choose to say that my 19 year old or 20 year old is better suited to own a firearm. Each day up in the gallery we have kids from around that State of Illinois that come here and we don't know who they are. We don't know who's best to own a firearm or not own a firearm. I would argue that it... under the system the way it is now, it's not broken. Does it... you know, I don't know that... if the Sponsor's going to give me examples of people that have come to his office or if others are going to get up and say that. But, the system's not broken so why do we need to do this? Secondly, semiautomatic weapons would be included. So, and 18 year old under this Bill would be able to walk in and purchase a semiautomatic weapon now, when the ban is lifted in September, which is very likely to do, will be able to go in and get a semiautomatic weapon with any... without any kind of

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authorization from the parents. I would argue that that is something that we should leave for 18, 19 year olds and have their parents who know them better than we do. I don't think this is sound public policy and I would ask for a 'no' vote. And Mr. Speaker, if this Bill does get a requisite number I would regrettably ask for a verification."

Speaker Turner: "The Gentleman from Jackson, Representative Bost, for what reason do you rise?"

Bost: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, you know, the previous speaker... when we start talking about issues like this and... and we have... we've already brought up that a veteran, a person can serve our country, as the Sponsor said, can fly multimillion dollar planes, can drive tanks, but in the wisdom of the State of Illinois we say, 'Well, you're not mature enough to make a decision on buying a gun that you can use for hunting, for possibly enjoying a sport. That you're old enough and mature enough to, according to most laws, are able to handle.' You know, the previous speaker I know him well and many of you do. He... he handles a softball bat very well. And you know what, that's part of his sport. But you know what, in the wrong hands that softball bat can hurt somebody. You know what, you don't have to go through this whole rigamarole of trying to figure out whether or not you can go purchase that softball bat. It can be used as a weapon..."

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Speaker Turner: "The Gentleman from... excuse me, Representative Bost, the Gentleman from Whiteside (sic-White), Representative Phelps."

Phelps: "Mr. Speaker, can you take this Bill out of the record until we have everybody on the floor?"

Bost: "Oh... Mr. Speaker. Okay that's fine."

Speaker Turner: "The Gentleman asks to take the Bill out of the record. On page 19 of the Calendar we have House Bill 4976. Representative Biggins. Read the... read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4976, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins."

Biggins: "Thank you. Thank you, Mr. Speaker, Lady... make that Ladies and Gentlemen of the House. House Bill 4976 amends the Retail Occupation Tax Act and provides that financial information received by the Department of Revenue may be furnished to non-home rule communities which have successfully passed a non-home rule sales tax. The Chief Executive of the municipality, the Mayor or Village President must request this information and the community must sign an agreement of confidentiality. It's duplicating a law that's currently allowed for larger communities making it available to more communities with similar restrictions on accessibility and availability to the public. I would be happy to answer any questions anybody may have."

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Speaker Turner: "The Gentleman from McHenry, Representative Franks, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Franks: "Representative, why do we need this Bill? I'm not sure I understand it."

Biggins: "The Bill is necessary just to expand the opportunity avail... to make it available for more communities that are currently limited to those communities with different size populations. Same economic opportunity that... are currently available for smaller towns. But it does require them to have approval from their voters even though they don't have the same numbers of population in their town as the larger communities have that currently have this privilege."

Franks: "This was extended then to non-home rule communities?"

Biggins: "Pardon me?"

Franks: "It would extend it to non-home rule communities?"

Biggins: "Yes, it does."

Franks: "My analysis indicates that the Illinois Retail Merchants Association are against it. Could you please tell us why?"

Biggins: "You know, I... I couldn't. I really don't know why they are against the Bill."

Franks: "Did anyone testify in committee on behalf of the Bill?"

Biggins: "Excuse me one second."

Franks: "Sure."

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Biggins: "The notes indicate that they opposed the Bill because they are concerned that municipalities will target specific retailers if the retailers are not generating the amount of sales tax revenue expected by the municipality as from our notes on it."

Franks: "Okay. Did... did anyone testify on behalf of this Bill in committee?"

Biggins: "Well, the Illinois Municipal League did. We do have the witness slips that were submitted from the Village of North Riverside, being one of the communities so affected. Then the Municipal League itself."

Franks: "Okay. Thank you."

Biggins: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 4976 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative... on page 19 of the Calendar we have House Bill 4887. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4887, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins."

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Biggins: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4887 extends the life of... a sunset of a qualified property investment tax credit for businesses, currently due to expire... currently has expired. It will extend its life until 2000... December 31, 2008. Would request an 'aye... be glad to answer any questions and request a favorable vote."

Speaker Turner: "The Lady from Cook, Representative Currie, for what reason do you rise?"

Currie: "Thank you, Speaker and Members of the House. As the only woman present I rise in order to oppose the Bill. This is a measure that would undo work we did last Spring in trying to finish this year's current Illinois State Budget. We decided that the investment tax credit was not in fact bringing jobs into the State of Illinois, instead it was a... a tax that gave unfair business loophole to some corporations. We voted to do away with it. This measure, House Bill 4887, would return it to the tune of at least \$10,000,000 in state revenues, revenues that were not included in the Governor's budget that to the extent they are included. If you want to vote for this you'd better find some spending programs that you are prepared to cut. I know of no business in the State of Illinois that left town after we abolished this tax break, this corporate loophole last May. I don't think there will be any. And I would advise the Members to vote against this measure so that we have a chance to adopt a budget that will enable us to meet our responsibilities to the citizens of Illinois in

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next year's state budget. Please join me in voting 'no' or 'present'."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins to close."

Biggins: "Well, with all due respect to the esteemed Majority Leader, this... this Bill was not part of the budget package from last year. And while it does... will expire shortly it's not a major drain on our state finances at all. And would still request a favorable vote."

Speaker Turner: "The question is, 'Shall House Bill 4887 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 97 voting 'aye', 13 voting 'no' and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Osterman, for what reason do you rise?"

Osterman: "Point of personal privilege, Mr. Speaker. I would ask that the House welcome today the North Park Elementary School that has joined us from Chicago. Give them... some applause."

Speaker Turner: "Welcome to Springfield, North Park. On page 18 of the Calendar we have House Bill 4510. Representative Reitz. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4510, a Bill for an Act concerning boards. Third Reading of this House Bill."

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Reitz: "Thank you, Mr. Speaker. House Bill 4510 amends the Property Tax Code. It essentially takes... makes two changes within the statute. It allows people that serve on elected board of reviews to hold outside employment or public... lucrative public employment except for boards that levy property taxes. The second portion allows people that... that hold other... basically federal employees to serve on university boards. And I'd be happy to answer any questions."

Speaker Turner: "The Gentleman from McHenry, Representative Franks, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Franks: "Representative, could you define 'lucrative' for me?"

Reitz: "Well, that's... that's what's in the statute right now. So, basically, if they get paid."

Franks: "If you get at paid at all."

Reitz: "Yeah."

Franks: "Ok... So, in a nutshell, does this Bill allow people to have two state jobs at the same time?"

Reitz: "No. No, it allows them to have... it would allow them to have a state job or... or any type of other job that... for any public body that doesn't levy property taxes."

Franks: "So, being pai... I guess, it wouldn't have to be state, it could be a municipal employer as well or a county... it could..."

Reitz: "No, it couldn't be... it probably couldn't be municipal because they levy property taxes. It couldn't be... it

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couldn't be a county because they levy... any... the state doesn't levy property taxes so it could be a state job. Yeah, any taxing districts. So, it couldn't be a road district, couldn't be... anyone that levies property taxes and the direc... the difference is the correlation is between their job as Board of Review is tied to property taxes. So, essentially, this wou... the Bill... this defines, redefines the Bill so that they can't hold lucrative employment or they basically can't get paid from anyone that levies property taxes."

Franks: "So, what is the salary on the Board of Review?"

Reitz: "I guess it depends on which... there's only basically two pay, I think there's Cook, St. Clair and where's the other one, there is three."

Franks: "What do they make in Cook County for the Board of Review?"

Reitz: "I don't know. This is my... yes."

Franks: "Is this the..."

Reitz: "I don't know."

Franks: "I think it's \$100,000, but I'm not sure. I'm not sure if it's the same one as... I know we saw some elections recently."

Reitz: "But, there's nothing in this Bill says they, you know, they're going to get paid more, just allows... it just... takes that out. It basically redefines the Bill to where it probably should have been to start with, you know, to prohibit them from working from someone that they have jurisdiction over."

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Franks: "Okay. All right. I... I thank you for answering the questions. And I just would stand in opposition to the Bill. I've... I just want... I hear what you're saying, but I think what it allows is public employees basically to double dip. And philosophically, I've got a problem with that. But, thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Black: "Representative, can you give me any example of a public office that a member of the Board of Review could hold where he or she would not be involved in some entity that levies a real estate tax?"

Reitz: "The state."

Black: "What?"

Reitz: "The state. Or the Federal Government."

Black: "I... I... I question under the Hatch Act whether a federal employee could serve on a Board of Review, that's a political body..."

Reitz: "Well, that's probably true."

Black: "...and I question under the Hatch Act..."

Reitz: "But, there are... there are two that don't levy property taxes, basically."

Black: "But, I... I question whether a federal employee can serve on a university board under the Hatch Act? Have... have... has staff looked into this? The Hatch Act is rather explicit

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in what a federal employee can do in the area... the arena of public service or elected... most university trustees, not in the state anymore, but they used to be elected. And I think the Hatch Act would preclude a federal employee from serving on the university board or holding public office."

Reitz: "I would agree with the holding, you know, I don't... I don't know that as far as the specific of the Hatch Act, but I am at least under the assumption and staff hasn't told us any different that they would be able to serve on a university board."

Black: "What wa... what was the genesis of this Bill? I mean, Bills just don't appear from the cosmos. Somebody... somebody is obviously on a Board of Reviews somewhere who wants to hold elective office."

Reitz: "No, it's not, no..."

Black: "Who's the person? What office do they want to hold?"

Reitz: "The elective office is... the elected office is the Board of Review. Board... this only... this only deals with Board of Reviews that are elected. It allows them to seek employment with... with anyone that doesn't levy property tax, anyone that's not related basically, a public body that's not related to their job of reviewing the assessments for property taxes. This is specifically for... for Board of Reviews that are paid."

Black: "Are you aware of any county board..."

Reitz: "The elected Board of Review."

Black: "Are you aware of any County Board of Review that doesn't receive at least a per diem?"

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Reitz: "According to this, it's an... basically they're... it's any counties over 150,000. So, it's basically it's... just Board of Reviews... actually it's... population of 150,000 but less than 300,000. So basically, it's St. Clair..."

Black: "All right. I served a number of years on a county board and I..."

Reitz: "As did I."

Black: "...for the life of me, I don't recall that any... any County Board of Review would serve for no compensation. Some receive 'X' number of dollars when they're in session, some receive a monthly stipend, some receive a salary, but I'm not aware of any County Board of Review from my years in county government that would receive no compensation. There... there may be some, I... I don't know. Mr... Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, if you look at this Bill very carefully there is nothing that I have more concern about in this state than the property tax system. It is... we are over reliant on property taxes to fund thousands of local governments throughout the state. We have more units of taxing local government than any state in the country. And they all rely on the property tax. I have, as a former county board member, I have serious concerns about this Bill and in all due respect to the Sponsor, I don't intend to vote for it. A member sitting on a Board of Review is where you take a complaint about your property tax. If this person also holds a public office... I don't know of any public office that isn't involved somewhere in the pro... the property tax

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business. If you work for the State of Illinois or hold state office, the Department of Revenue tends to regulate the multiplier that every township and county goes through. And can and does regulate the property tax system to some degree throughout all of the localities and local governments in Illinois. I think this would set you up for an absolute conflict of interest litigation. I don't want anybody in my county who serves on the Board of Review where property tax disputes are supposed to be fairly handled before they are appealed to the Property Tax Appeal Board, to also hold employment for a state university or the State of Illinois. And as I read the Bill, they could not hold public office or hold a job in any unit of local government, township, county, road district, cities, you name it. I... I don't... I don't know of any job that that person could hold in the public sector that they would not somehow be involved or be able to try to be influenced by someone who depends upon a Property Tax Revenue Code. I think this is a dangerous Bill. It will no doubt pass, but I think it is fraught, fraught with dangers of conflict of interest. Putting people who are supposed to be above reproach, review property tax disputes and then they're... they're gainfully employed by some unit of government? Even the State of Illinois has a fiduciary interest in the property tax system. I just... I don't think this is good public policy. And although I have great respect for the Sponsor and probably have voted against his... any Bill that he's had very seldom in his tenure here, I think this is a

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bad public policy to set. I don't think you ought... if you want to serve on the Board of Review, do so for the reasons that most people serve, and that is to review the property tax assessments and rates and evaluation of property and do so in a fair and unbiased manner. If your income... if a majority of your income is dependant upon public employment, I see a potential conflict of interest that will be litigated, I'm sure, in the courts. I cannot in good conscience vote for this Bill. I would urge you to look very carefully at this and vote 'no' or 'present'."

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

Reitz: "Thank you, Mr. Speaker. I appreciate Representative Black's comments. I think there's a misunderstanding on this Bill and I would ask that we pull this out of the record and I will discuss this with him and try to clarify any questions he might have."

Speaker Turner: "The Gentleman asks leave to take the Bill out of the record. Take it out of the record, Mr. Clerk. On page 19 of the Calendar, we have House Bill 4621. Representative Reitz. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4621, a Bill for an Act concerning capital development. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Randolph, Represen..."

Reitz: "Thank you, Mr. Speaker. As with Representative Molaro, I'd hope this one's a lot easier, the second one's always a little easier. This one extends the limit from... right now we have a sunset on the amount that Capital Development

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Board is ab... the assessment fee that they put on projects up to 3 percent. This extends that from 2004 to 2008. And I... and this is on behalf of our... our good friend, the Director of the Capital Development Board. So, be happy to answer any questions."

Speaker Turner: "The Gentleman from Fayette, Representative Stephens, for what reason do you rise?"

Stephens: "Inquiry of the Chair. I wonder if you could tell us if the Brotherhood's going to be going down to the Governor's Office for a picture?"

Speaker Turner: "I... I think once the agenda's complete there will be a meeting in the next..."

Stephens: "The Brotherhood's going to meet today?"

Speaker Turner: "Well, the officers of the fraternity are meeting to set the agenda."

Stephens: "Thank..."

Speaker Turner: "I think once the agenda is set..."

Stephens: "...thank you."

Speaker Turner: "...the meeting..."

Stephens: "It's kind of like a..."

Speaker Turner: "...will be scheduled."

Stephens: "Is that kind of like a Rules Committee meeting?"

Speaker Turner: "Well, Executive Committee, Rules Committee, some of the same. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Yeah, thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

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Black: "Representative, why... why was the fee paid to the Capital Development Board who administer of state construction projects and projects that the state has some money in, why was this ever put in a sunset clause in the first place? Was... were we supposed to review the fee structure or..."

Reitz: "I guess... I don't know the history of it, I'm not even exactly sure when, you know, when this was first initiated. My assumption is as with a lot of things, we like to put sunsets on them as a Legislature so they'll come back every once in awhile..."

Black: "Yeah."

Reitz: "...and... and we'll... and we get to have our say if we want to change anything. But, this is, you know, this one's pretty simple, it just... this is the fees that they use to run the Capital Development Board."

Black: "And I... and I'm... I'm in complete agreement with you. I think sunset clauses are... we don't use them enough. And... but something came into my aging brain. It's... it's... it's odd that this sunset clause needs to be renewed now, when the Governor has suddenly called for all school construction grant programs to be administered by the Capital Development Board rather than ISBE. That means more fees will go to the Capital Development Board, right?"

Reitz: "If that... if those duties go to the Capital Development Board, yes. The more projects, the more fees they'll be able to collect."

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Black: "Ahhh. And where... the fees generated are paid by contractors? Who... who pays these fees to the Capital Development Board? Architects, contractors, who?"

Reitz: "Well, whoever builds the project, basically. So, in this case most of it we're paying ourselves as a state."

Black: "All right."

Reitz: "But it's a fee that... that they collect. It's paid... clarification, it is paid by the contractors, but essentially, if it's a state project, we're simply taking the fees and the Capital Development Board is taking that money."

Black: "All right. And where... where do the fees go? Do you have any idea... well, let me... let me... two part question. Number one, how much money is generated by these fees in a normal year? Number two, where does the money go?"

Reitz: "Fif... 50 per... the answer to your quest... your immediate question is, 50 percent of the... of the monies that... that are collected go into operation of the CDB... 50... 50 percent of all the... this money goes in there, 50 percent of the total operating costs for Capital Development Board for all the duties they do come from these fees. And they're paid by the contractor so, but essentially, I mean, if it's a state project I guess we're simply paying ourselves to do that. But... but if it's other projects that CDB administers, they collect those funds. But, 50 percent of their funds... so th... at least half of their funds come from this to operate the agency."

Black: "Okay. Where does the other half go?"

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Reitz: "Well it, it all... it all goes there. Fif... it... the 50 per... it all goes to operation of CDB, but the total that we collect through these fees is... makes up 50 percent of what it us... what we spend to... or what we basically use to run Capital Development Board."

Black: "Okay."

Reitz: "So, hal... these fees... these fees are... are half of what we use to run the Capital Development Board, the other half, I assume, comes from GRF."

Black: "Well, let... let me... let me rephrase the question. In the last... in this current budget year, did the Governor or Office of Management and Budget sweep any of these fees out of the Capital Development Board budget and put it in the General Revenue Fund?"

Reitz: "Not that I'm aware of, but..."

Black: "Well, how did he..."

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

Black: "...miss that one, he got every other one? It must be because of the due diligence of their Director, Tony Rossi, I would..."

Reitz: "I think that's it..."

Black: "If he was able to hang onto all the money..."

Reitz: "...I think..."

Black: "...it's because they have an outstanding director then."

Reitz: "I think that's what he... that's what he would say and that's what he said his... his tenure and his duties in trying to control the House Chambers have made him a very good negotiator."

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Black: "Would it be fair to say if this Bill doesn't pass, the Capital Development Board would then have to come to the General Revenue Fund for operating dollars?"

Reitz: "They would have to go somewhere in order for Capital Development Board to exist."

Black: "All right."

Reitz: "This generates half of their fees."

Black: "Okay."

Reitz: "They'd have to go somewhere to do this."

Black: "Yeah, I... Representative, I... I appreciate your answering the questions and I think I have a better understanding of the Bill. My only fear is and in this business everything can be a timing issue. I'm a little concerned that perhaps every school construction project will suddenly come out of the Capital Development Board where some, correct me, now I may be wrong, where as a lot of those projects were run by the locals with the oversight of the State Board of Education. Now, if I understand the Governor's capital proposal that is not the way it will be run in the future. So, it would appear to me that the Capital Development Board may be in a position to capture a great deal more revenue than they have in the past. And I'm still not clear on your answer that half of the fees go to operational expenses of the Capital Development Board. But, I... I still have this concern... I don't know where the other half of the fee money goes."

Reitz: "No, they... they... all of the fees go..."

Black: "All of the fees?"

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Reitz: "...to that... and it... and that..."

Black: "Okay."

Reitz: "...that is..."

Black: "Okay."

Reitz: "...that is 50 percent..."

Black: "All right."

Reitz: "...of their operating budget. All of the fees go, the other 50 percent comes up from bond fund money and things of that nature."

Black: "Okay."

Reitz: "But, to answer..."

Black: "Staff... staff..."

Reitz: "...your question..."

Black: "...just told me I... I... I was going down the wrong..."

Reitz: "Yeah."

Black: "path, that all of the money goes to..."

Reitz: "To the Capital Development Board, right."

Black: "...operational expenses of CDB. But, they don't generate enough to cover all of the expenses of the agency."

Reitz: "Right. It... that generates about 50 percent of their costs."

Black: "All right. Fine. Thank you very much, Representative."

Reitz: "And the other... well, and in answering your other quest... the... I don't... there is no... I don't believe... there's no direct correlation between the Governor's proposal on the School Construction Act. The reason this Bill's up is that it expires June 30th of this year."

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Black: "Yeah, I..."

Reitz: "So."

Black: "...I shouldn't insinuate something that I don't know.

It's just I've been around here long enough that my antenna went up that this Bill would suddenly be before us. When I was going through the Capital Budget the other day seeing that some of the functions may be transferred to the Capital Development Board and then lo and behold, I watch television and I saw a familiar and likeable face explaining how this would work and it was none other than the former Clerk of the House..."

Reitz: "Anthony, yeah."

Black: "...Tony Rossi, who I miss every day. And perhaps Tony could call me later on, excuse me, perhaps Mr. Rossi, could call me later on and maybe give me a... a... an even clearer explanation than you have already provided?"

Reitz: "I... I'll see if I can arrange that."

Black: "You're very kind, thank you."

Speaker Turner: "The question is, 'Shall House Bill 4621 pass?'

All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 86 voting 'aye', 27 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 16 of the Calendar we have House Bill 3833. Representative Cultra. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 3833, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Cultra: "Thank you, Mr. Speaker, Members of the House. House Bill 3833 is simply an extension of the Village of Tilton's TIF district for an additional 12 years. All taxing bodies are in agreement. And at this time, I'd answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 3833 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Dunkin, for what reason do you rise?"

Dunkin: "Thank you, Mr. Speaker. I just have a question. I'm trying to figure out, why is it so quiet in here?"

Speaker Turner: "You were not talking. On page 20 of the Calendar, we have House... on page 17 of the Calendar, we have House Bill 4022. Representative Daniels. Read the Bill, Mr. Clerk. Out of the record."

Clerk Mahoney: "House Bill 4022, a Bill for an Act concerning disability services. Third Reading..."

Speaker Turner: "Out of the record."

Clerk Mahoney: "...of this House Bill."

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Speaker Turner: "Out of the record. On page 18 of the Calendar... on page 18 of the Calendar we have House Bill 4271. Representative Leitch. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4271, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The genesis of this Bill is from the Tazewell County States Attorney where... where in Tazewell County there is a federal prison. Unlike many other states when a prisoner has completed federal time, but then is required to go serve other state time in another state, there is not an automatic extradition whereby the correction officials from the other state can meet that prisoner at the federal prison gate and escort them on to their... their next lodging. As a result of that problem, Tazewell County jail houses these inmates and incurs not only a great deal of expense, but a great deal of liability because some of these prisoners are very dangerous people. This Bill remedies that situation and enables other states to handle the prisoners that are required to serve time in their states in a timely fashion and in a convenient fashion. And I would ask for your support."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4271 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 0

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'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 17 of the Calendar we have House Bill 4232. Representative Burke. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4232, a Bill for an Act in relation to health, which may be known as the Colleen O'Sullivan Law. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Cook, Representative Burke."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4232 is a matter that all of us here are familiar with, it is the requirement that devices know as AED's, automatic external defibrillators, be placed in certain locations throughout our society. The Governor at... in last Session offered an Amendatory Veto, made some changes and we had some difficulty with the Senate version in last Session. This... at this point the legislation would require that the device be placed in facilities that serve more than 100 members. It would more narrowly define physical fitness facilities and talking about focusing primarily on cardiovascular exertion. Makes the first offense under the Bill an administrative warning rather than a monetary penalty, extends the deadline for filing an emergency plan with the Department of Health by one year to January 1, 2003, clarifies that home rule units are affected, most notably Chicago, and would create the Physical Fitness Facility Medical Emergency Prepared... Preparedness Fund to place the monies collected from fines

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imposed under the Bill. And these monies would pay the administrative costs for the Department of Public Health administering the law. Be happy to answer any questions."

Speaker Turner: "The Gentleman from Kane, Representative Schmitz, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Schmitz: "Representative Burke, we had a discussion about this Bill a little while ago over at our station. When our... the fire departments go through inspecting buildings and these happen to be in the facilities, are... is the fire department at all responsible for the maintenance of these? Like when they check the extinguishers and those types of items."

Burke: "That is something that when we were discussing the Governor's Veto language I thought would probably be a practical way to handle it in view of the fire departments indeed checking on fire extinguishers and indicating their operability. I thought it would probably be a natural solution for them to include AED's, but at this time they are not under any requirement to make those inspections."

Schmitz: "Who would... who would inspect those then? Would they..."

Burke: "The... the individual operator of the facility where the device is placed. And the manufacturers, each and every one of them have regular criteria for the maintenance and the inspection. And they are basically self-testing devices. So, pretty much there's not... not as urgent a

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concern for these annual inspections as would be the case with fire extinguishers."

Schmitz: "Okay. Thank you."

Speaker Turner: "Seeing no fur... no questions... no further questions, the question is, 'Shall House Bill 4232 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. We'd like to acknowledge the pres... the presence of the President of the Illinois Senate, Senator Emil Jones or President Jones. Welcome to this chamber. On page 17 of the Calendar we have House Bill 4135. Representative Parke. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4135, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Parke: "Thank you, Mr. Speaker. I have a Bill for the Body to consider. People who are sex offenders are... are almost entirely told to stay away from children and these pedophiles know that. Unfortunately, in the State of Illinois some still can engage in the business of photography or video tapes or taking images of children in stores or other things. This Bill simply says that if you are a se... a child sex offender that you cannot take pictures or video tapes or take images of children whether it's at a retail store or it's on the street. They are not

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allowed to do that and they have to stay away from children. And we are pleased to offer that for the consideration of the Body."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4135 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 20 of the Calendar we have Representative Rita on House Bill 6567. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6567, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Cook..."

Rita: "Thank..."

Speaker Turner: "...Representative Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 6567 amends the Highway Code, providing recovery costs for replacement of damaged property. I'd like to add, in committee there was some concerns where IDOT stood, we talked with IDOT, they are neutral on it, they have no problems, it's all been worked out. If there's any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 65...I'm sorry, Representative Black, the Gentleman from Vermilion."

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Black: "Yes, thank you very much, Mr. Speaker. I'll be very brief. Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Black: "Representative, you... you've talked to me. I had some concerns in committee what IDOT's position was on this Bill and you... you've told me that they... they have no position on the Bill. They're not... they're not concerned about the Bill at all?"

Rita: "That's correct."

Black: "Okay."

Rita: "I just talked to... to Bryce, yeah."

Black: "All right. Now, the Bill would allow IDOT as well as the Tollway Authority to seek reimbursement for somebody who drives off a road, knocks down a traffic sign or a locator sign, et cetera. That basically is what you're after, right?"

Rita: "It's... it's initiative from the tollway, I don't believe IDOT's within the Bill. It's just for a tollway initiative. The... they didn't bring up any concerns about that also within our conversation."

Black: "Okay. I... I should have asked you this when we were talking about it and I... excuse me, I forgot to... to ask you. Can IDOT do this if... if somebody damages signs, lights, et cetera? Does IDOT have the authority to seek reimbursement?"

Rita: "It... it... tech... yes, it says 'any state agency'."

Black: "Okay. And it will be based..."

Rita: "With the state."

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Black: "...will be based on replacement cost rather than the depreciated cost, right?"

Rita: "Yes."

Black: "Okay, fine. Thank you..."

Rita: "Replacement cost."

Black: "...very much."

Speaker Turner: "The Gentleman from Knox, Representative Moffitt, for what reason do you rise?"

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

Speaker Turner: "Indicates he will."

Moffitt: "Representative, is... is this just directed at other units of government or could this be directed at individuals, too?"

Rita: "Just the... just the state, state agencies."

Moffitt: "It would not be directed at any individual?"

Rita: "No. Individual? What do you mean individual, like local governments or..."

Moffitt: "No. If an individual caused some damage and it was an accident?"

Rita: "I can't, you know, I can't hear you."

Moffitt: "If an individual caused some damage?"

Rita: "If... if an individual causes the damage, yes."

Moffitt: "Then would they be responsible?"

Rita: "Yes. Their insurance company and/or the person."

Moffitt: "Are we changing what is law now with this..."

Rita: "What... what currently is happening is they take depreciation on some and it's... it's main... it's not on all insurance companies, it's just on to some of the smaller

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ones. What they're doing is depreciating the cost of stuff for instance, a light pole, a sign or other property caused... caused by accident and/or a fault of someone with on the roadways."

Moffitt: "So, under current law would that individual be responsible?"

Rita: "Yes."

Moffitt: "So, we're not changing that policy any?"

Rita: "No. All we're doing is changing that they could have the replacement cost rather than depreciated cost."

Moffitt: "Okay. Thank you for that clarification."

Rita: "Yeah."

Speaker Turner: "Gentleman from DuPage, Representative Meyer, for what reason do you rise?"

Meyer: "Yes, thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Turner: "He indicates he will."

Meyer: "Representative, when you're talking about depreciated cost and I... I... I drive down the highway as we all do, back and forth between here and our homes. And I drive by a... a guardrail that is all dented up, it's just about down the whole thing, then a car comes along and crashes into it, puts additional dents into it. Number one, could that driver or insurance company be charged for the costs of putting those additional dents into that guardrail?"

Rita: "You know what, I brought... I brought this question up to... with the tollway and they said it was just currently to what... the claims that have been coming through. So, if they've been paying out on claims on terms of that

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condition I would imagine, yes, it would be replacement on that."

Meyer: "Well, if... if they're trying to recover from the first accident and now a second accident occurs there, are they going to recover the same amount from both companies? Is there going to be a co-sharing?"

Rita: "I would imagine they'd co-share that. I... I couldn't answer that, how that would work. It would get into technicality on how... who caused it first and which damage was after that."

Meyer: "How is the... how is the costs of that determined?"

Rita: "It would... it would probably just come into the damage that they had caused if there would be a second accident."

Meyer: "If you have a sign that is... because it's been out on the highway for so many years and... and it's starting to fall off and some signs I see are starting to fall off their standards. And... and you would cause damage to the... further damage to that sign, would you be assessed for the repair of the sign even though it was damaged before by the wind and weather?"

Rita: "Well, that... that... that's where it comes into... where this comes into effect. Most insurance companies are paying out the replacement of it. It's just like if you had a home owner's policy and you put on... replacement costs onto your home. And that's with the tollways initiative so that they could replace it and take the burden off the state on... putting on so much state money on some of this stuff."

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Meyer: "And this would have... this recapture of the cost would deal only with real property costs, it would not deal with, if a highway patrolman stopped and helped you if were just having car trouble?"

Rita: "Well, it says... within the thing it says, 'roadway property including road safety equipment and emergency equipment'."

Meyer: "So, if a highway patrolman stops and helped you... helps you because you're having simple car trouble out on the highway, would there be a possibility of a bill being submitted for that?"

Rita: "No. It just goes up to damage onto that."

Meyer: "So, it just does... deals with..."

Rita: "I would... I would say..."

Meyer: "...the property?"

Rita: "...it's just the... Yes."

Meyer: "Okay. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House bas... House Bill 6567 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Kane, Representative Chapa LaVia, what do you... what reason do you rise?"

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Chapa LaVia: "Thank you, Speaker. You look pretty damn good up there. I need to be recorded... I need to be recorded as a 'present' vote for House Bill 4232. Please re... please adjust the records."

Speaker Turner: "The record will so reflect your change in vote. The Gentleman from Fayette, Representative Stephens, for what reason do you rise?"

Stephens: "You see what happens after those meetings?"

Speaker Turner: "On page 17 of the Calendar we have House Bill 4076. Representative Nekritz. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4076, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Nekritz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4076 is a measure that will assist the Attorney General, the State's Attorneys and the Department of Public Aid in pursuing child support cases on behalf of public aid recipients. It addresses the issue of accurately determining the income of a noncustodial parent. Currently, we rely almost completely on the non-custodial parent to fully and accurately disclose their income. In many cases the noncustodial parent is not quite so forthcoming and fails to provide an accurate picture of that income. This Bill requires the Department of Revenue to release tax returns to the noncust... for the noncustodial parent to the States Attorney or the AG's Office solely for the purpose of the child enforcement... child support enforcement case. I think this is an important measure in

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addressing the child support enforcement and collections in this state. And I ask for your support."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4076 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 18 of the Calendar we have House Bill 4393. Read the Bill, Mr. Clerk. Representative Bellock."

Clerk Mahoney: "House Bill 4393, a Bill for an Act concerning professional regulation. Third Reading of this House Bill."

Speaker Turner: "The Lady..."

Bellock: "Thank you very much, Mr. Speaker and the Members of the House. 4393 is a Bill that provides that a private collection agency, (1) may not impose a fee or charge for child support payments collected through the efforts of government agencies, (2) it shall not impose fees for collection of current child support and (3) it requires the Department of Professional Regulation to determine a fee rate between 25 percent and 35 percent for collection agencies in relation to collection on child support arrearages."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4393 pass?' All those in favor should vote

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'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 18 of the Calendar we have Rep... Representative Slone on House Bill 4269. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4269, a Bill for an Act concerning identification. Third Reading of this House Bill."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is an initiative of Secretary of State, Jesse White. It is in response to the events of September 11, 2001 and its purpose is to insure that we are more careful about being certain that our citizens have taken the appropriate precautions in terms of fak... reducing the likelihood of there being fake ID's. It makes it a violation of the Act to possess any materials, hardware or software that is used to make fake ID's. It requires that people surrender foreign state identification cards, licenses or permits before receiving new ones from the State of Illinois. And it tightens the requirements in terms of identification prior to receiving an Illinois driver's license or an Illinois identification card. I'd be happy to answer any questions. I know of no opposition to the Bill."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4269 pass?' All those in favor vote 'aye'; all

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those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 16 of the Calendar we have Representative Edie on House Bill 3978. Read the Bill, Mr. Clerk. It's Eddy, I apologize."

Clerk Mahoney: "House Bill 3978, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Eddy: "Thank you very much, Mr. Speaker. House Bill 3978... House Bill 3978, which appears to be a very popular Bill with this Body, was a... the initiative of a group called the Coalition Against Methamphetamine Abuse in Edgar County, Illinois. This Body and other governing bodies across the state have passed laws that require drug testing for individuals involved in... in various lines that... that require transporting other individuals including school buses, public transit and... and in many cases, folks are becoming very creative in ways that they can avoid a dro... a true drug test. As amended, this Bill would make it illegal to adulterate a drug test with the use of synthetic or any other human substance or product to avoid a true readout of that drug test. And I would ask a favorable vote. I think this is important legislation and closes some loopholes that... that currently exist. And I... I would

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hesitate, but be willing to answer any questions regarding this Bill."

Speaker Turner: "The Gentleman from Champaign, Representative Rose, for what reason do you rise?"

Rose: "Nothing, Mr. Speaker, I learned my lesson in committee on this Bill."

Speaker Turner: "Thank God for the committee process. There any other questions? Seeing no further questions, the question is, 'Shall House Bill 3978 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 0 'presents.' And this Bill, having received the Constitutional Majority, is hereby declared passed. Page 19 of the Calendar we have House Bill 4567. Representative Slone. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4567, a Bill for an Act concerning environmental protection. Third Reading of this House Bill."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is a follow on to an initiative of Attorney General Madigan's from last year. It really simply corrects and oversight in the original legislation. The original legislation had in it some language that would have limited the Attorney General's power to enforce the Bill to a certain Section of the Environmental Protection Act. The... it... the intent of the legislation was to allow

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enforcement of any and all sections of the Environmental Protection Act. And all this Bill does is limit the reference to specific Sections of the Environmental Protection Act in order to enable enforcement of the entire Act. I'd be happy to answer any questions. I'd appreciate your 'aye' votes."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Black: "Representative, this is a... this is a... what I think to be an extreme addition to existing law. What constitutes a willful and knowing violation of any... any act under the EPA Code? An employee..."

Slone: "Mr. Black..."

Black: "...an employee does it and the employee knows that it's wrong, but the chief operating officer had no knowledge of that employee violating the law. Does that constitute knowing and willful... will... willing... oh, the heck with it. Does that constitute willful disregard of the EPA Code?"

Slone: "Mr. Black, this refers to the Procurement Code and it's someone who's found... been found by a court or by the Pollution Control Board of having been willfully violating the law. And that is defined in existing law. The elements that you're referring to are part of the Bill that we passed last year. This Bill is... is much narrower. It does refer to the Bill that we passed last year, but this

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would be with respect to willful or knowing violations of the Procurement Code as defined in that Code."

Black: "Would this cover a sanitary sewage treatment plant? If there was a willing discharge of raw sewage from a sewage treatment plant and that they were found in fact guilty of that? You're telling me that a sanitary treatment facility may be barred under the Procurement Code from doing business in Illinois?"

Slone: "I'm sorry, Mr. Black, barred from the... under the Procurement Code from what? I couldn't hear you."

Black: "The Procurement Code. What... what will the result be if a sanitary sewage treatment plant has a discharge of raw sewage into a stream or river? And they are, in fact, found in violation and willfully and knowingly dumped raw sewage into a stream or river by the Pollution Control Board. What does that sanitary treatment district... what are they then prohibited by your law from doing in the State of Illinois?"

Slone: "I don't think they would be prohibited from doing anything that they're not already prohibited from doing under existing law. It certainly is a viol... would be a violation of the Clean Water Act for them to engage in the scenario that you described and they would be liable for penalties. But, this law has to do with doing business with the State of Illinois and I don't think our sanitary districts would be seeking contracts with the state or anything of that nature. So, it wouldn't apply to them under the Procurement Code."

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Black: "But, they're licensed by the state. They buy chemicals, they're regulated by the state. Would they be... still be able to buy the necessary chemicals and still get the necessary operating permits?"

Slone: "To the best of my knowledge, I don't think this piece of legislation would apply to those entities."

Black: "To the best of your knowledge, but I don't see any specific prohibition in your Bill that says that. Many of these sanitary treatment plants are run by private contractors. And if that private contractor is found in violation it would appear to me that that private contractor could no longer run that sanitary treatment plant."

Slone: "They would be barred from having a procurement contract with the State of Illinois. Again, this would be under the existing law as we passed it last year. The Amendment that we're proposing right now would not address that point at all."

Black: "So, let me go back to my original question. What constitutes a willful and knowing violation of the law?"

Slone: "I'm not sure if I can answer that question for you, Mr. Black, in terms of having that definition. However, it is a legal standard that is widely recognized and widely known and I don't think... I don't think... either this statute... excuse me, either this Bill or the statute we adopted last year addressed that per se because the legal standard is... is known from pre-existing law."

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Black: "Well, let... let... let me... let me take a different tack then. This Bill does broaden the scope and could very well bankrupt one of the largest manufacturing concerns in the State of Illinois that just happens to be headquartered very close to your district, if not in your district. Let me give you a hypothetical. Caterpillar Incorporated is found guilty of dumping a 55 gallon barrel of a toxic chemical, the... they are fined, they are adjudicated to have done so knowing and willingly. The corporation takes immediate action, fires the responsible people, spends \$5,000,000 to clean up the site, pays the fine, throws themselves on the mercy of the EPA and as I read your Bill, doesn't make any difference. They could not sell a tractor, a Caterpillar, an earth mover or a road grader to the State of Illinois or in the State of Illinois for five years. That's the way I interpret your Bill."

Slone: "I don't think that's correct, Mr. Black. I believe that the EPA is required to consider compliance history in terms of granting permits under the... under the legislation that we adopted last year. And they are allowed to consider mitigating factors such as the ones that you mentioned in your hypothetical. So, I don't... I don't think that under the circumstances that you described that Caterpillar would be barred from doing business with the State of Illinois for a five-year period. But, in any case, I should say, that this... that this Bill doesn't really address that point. This is a much narrower one

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than the one we adopted which is now Public Act 93-575, which was adopted last year under Senate Bill 1379."

Black: "Well, let me... let me read the language to you. 'Any person or business found by a court or the Pollution Control Board to have committed a willful or knowing violation of the Environmental Protection Act instead of the current law, which is... pertains to a Section of the Act, shall do business with the State of Illinois or any state agency from the date of the order containing the finding of the violation until five years after that date. So, if Caterpillar chose not to fire the plant manager, but paid all of the cleanup costs, paid the fine and showed the IEPA and the Pollution Control Board that they have taken steps to prevent this from happening again, as I read your Bill, unless you fire any or all the affected employees you cannot do business in the State of Illinois."

Slone: "Mr. Speaker, could we take this Bill out of the record for a few minutes please?"

Speaker Turner: "Take the Bill out of the record. On page 18 of the Calendar we have House Bill 4263. Representative Smith. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4263, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Fulton, Representative Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is an initiative on behalf of the City of Pekin, which would extend the life of the TIF District that

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they currently in the downtown Pekin area. Would extend that life for an additional 12 years. They are currently in the process of some major downtown redevelopment as well as... as extending a TIF district to cover the riverfront. And so many of the projects there will be in coordination with what's already going on in their downtown area. There is no opposition to this. We have letters of support from all of the other taxing bodies who would be affected, most particularly, the two school districts who are in full support of this. I know of no opposition, I'd ask for a favorable roll call."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4263 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 voting 'aye', 0 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Fayette, Representative Stephens, for what reason do you rise?"

Stephens: "Well, thank you, Mr. Speaker. On a more serious note this time. Couple Saturdays ago I was fortunate enough to be in... in Vandalia, Illinois, the site of the Vandalia Correctional Center and we had a few citizens come out for a picture to show their support of the families that would be affected... the over 550 families that would be affected if we made the mistake of closing the Vandalia

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Correctional Center. Thousands of people came out to show their support. It's not just about the families that work there, but it's about the entire community, those who attend the schools and churches and belong to the clubs and man the fire stations and all those others. But I'm very proud to bring to Springfield with us today and to introduce to you, the local leader of the movement to save the Vandalia Correctional Center and some of the supporters and some of the employees of the center itself and in the gallery around us. But most notably, I wanted them all to stand up and I wanted to introduce, Mayor Rick Gottman, the Mayor of the City of Vandalia who is working night and day to save that facility. Thank you Mayor for coming up."

Speaker Turner: "Welcome... welcome to Springfield. Page 18 of the Calendar we have House Bill 4310. Representative Soto. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4310, a Bill for an Act concerning child support. Third Reading of this House Bill."

Speaker Turner: "The Lady from..."

Soto: "Thank you..."

Speaker Turner: "...Cook, Representative Soto."

Soto: "...thank you, Speaker and Members of the House. House Bill 4310 would allow persons who owe child support to have their child support payments automatically deducted from their bank account. In efforts to collected child support from persons who are self-employed or unemployed, therefore ineligible to have their wages... wages deducted. This is a

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form of a... of child support enforcement debit form. It's a voluntary form. And I urge your support."

Speaker Turner: "The Gentleman from McHenry, Representative Franks, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Franks: "Representative, I applaud what you're trying to do here, I have a question, though. Is it... it's my understanding that unemployment benefits are not garnishable? They can't garnish an unemployment benefit? And that's what... this would be an automatic debit?"

Soto: "Automatic... this is... this is a voluntary order. It'll be... this voluntary order will be housed at the Illinois Department of Public Aid. So, if you're a self-employed, noncustodial parent you can go there voluntarily and say, 'I'm self-employed, but I have a savings and checking account. I would like to take this debit form to my bank and have my child support deducted out of my savings or my checking.' It's a simple, voluntary order."

Franks: "It's... it's strictly voluntary."

Soto: "Correct."

Franks: "Okay. I wanted to make sure cause I know you couldn't order it. Thank you."

Soto: "Right."

Franks: "That's a good Bill."

Soto: "Thank you."

Speaker Turner: "Gentleman from Cook, Representative Davis, Will Davis."

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

Speaker Turner: "Indicates she will."

Davis, W.: "Just one question. Is there any mechanism in place that would possibly ensure that the correct amount of money will be taken out of an account? I know it's voluntary and that's fine, but that means somebody on the other end is going to have to input that information. Is there anything to make sure that that's done correctly? And if it's incorrectly done, a relatively easier process for somebody to come and make that correction?"

Soto: "Yes, Representative. We have worked with some groups that were opposed to this at one time, which was the credit union, it was the bankers. So, what we did is we sat with IDPA, the Illinois of Department of Public Aid, with their attorney and they sat down and... that debit form will have the child support language, it will also indicate what amount of child support they're supposed to deduct. And it's going to be authorized and it'll... I mean, it's gonna be very simple, it's going to be very helpful. And it'll be clear what they have to pay. I don't... they will not be overcharged when they have to make that payment or undercharged."

Davis, W.: "Well, I'm sure they won't be undercharged. But, I just want to make sure that, you know, if I was in that position and I agreed to participate in this, which would make it so much easier for me, not a problem, but that the correct amount in terms of what will be deducted will be put in the system so to speak. And make sure that, you

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know, instead of, you know, \$250 it's not \$2,500 or something like that."

Soto: "Right. Well, you know what there... there's going to be lines that say \$250 a month, you know... you know, to the order of the custodial parent."

Davis, W.: "Okay."

Soto: "It's really simple, I think it's very clear. We... we did look at all that."

Davis, W.: "Okay."

Soto: "And we have no opposition on this Bill."

Davis, W.: "Oh, I'm not... I'm not opposing the Bill in anyway. I'm just making sure that that's done correctly."

Soto: "Okay."

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

Soto: "Okay. Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Black: "Representative, I think staff has an... has answered most of my questions, they had to do with something... following up on Representative Davis' remarks. This... your Amendment now makes this a permissive action rather than..."

Soto: "That's correct."

Black: "All right. What are the due process provisions before someone can attach a bank account or an instrument... a

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financial instrument in a bank or financial institutions?
What if it's a joint account?"

Soto: "Okay. Well, this is a voluntary order so if there's a noncustodial parent who is married, it'll be an agreement of the parties. Maybe the non-custodial parent..."

Black: "An..."

Soto: "Go ahead."

Black: "...and... and does the financial institution also have to agree to this or will they be ordered to do this if the parties agree?"

Soto: "This is a voluntary... strictly voluntary. It is up to the noncustodial parent to pick up this form from the Illinois Department of Public Aid. It is a second choice because they can either have it deducted somehow or direct... or voluntarily taken out of their check. This is really simple, I don't think this is a hard Bill. I really, truly don't think that we're going to have any problems with this Bill. This is a great Bill. I think custodial parents are waiting for something like this. This is a great idea. This is... this is an initiative of my 20 years with the child support enforcement division. I think it's an important Bill... piece of legislation. It's going to help a lot of people. And a lot of us here know somebody who needs child support, who needs... and you know what it... we have to continue to try to make child support enforcement easier. And if it... if somebody wants to be responsible and they... and they're self-employed and they have an opportunity to get this debit form and they... like... I

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mention again, voluntary. They can go to IDPA, get that form, take it to their bank, have them deduct whatever the amount is out of their check. It's way easier. Sometimes you're self-employed and you're running around trying to pay everything else to run your business. Sometimes you forget to pay... and this is how... I found... you know, this is how I got the idea. Some peo... it's not that you don't want to be responsible because not every noncustodial parent is a deadbeat person. What it is, is we're trying to make something easier. If it makes it easier and there's another mechanism to try to get child support enforcement, let's do it. It is simple. If we have any problems, which I truly in my heart don't feel that we will, I think this is going to make a lot of families and a lot of children's lives much better."

Black: "Representative, your answer was so long I couldn't remember the question. Now let me make sure I understand you. This is completely permissive?"

Soto: "Correct."

Black: "It has to be worked out between the custodial parent and the non-custodial parent, correct? Both must agree?"

Soto: "No, no, no, Representative Black. If I am the noncustodial parent and child support has been ordered by a judge, I have... I'm self-employed. If I want to go to the Illinois Department of Public Aid and choose to have my child support payment deducted out of my bank account or my checking account, I can do that. There's nothing saying

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that you must, this is voluntary. This is a choice that you have."

Black: "All right. Now, what choice does the non-custodial parent have in this... in this issue?"

Soto: "They..."

Black: "Does the noncustodial parent have the right to say, 'You are not going to get into my bank account?'"

Soto: "Right. That's your choice. Absolutely. Nothing in this Bill says that... nothing in this Bill says that you have to do it."

Black: "Okay. Representative Lyons just clarified it. The noncustodial parent would have to... to agree to this process."

Soto: "Right."

Black: "All right. Now, in the meantime, cause... because I... I share your concern, but I also have hundreds of cases in my office where the entire order of child support wasn't correct. But, be that as it may."

Soto: "I think that could've started when the new state disbursement unit came through."

Black: "All right."

Soto: "Because I was at the child support enforcement division and I found cases where payments were going to a differ... a custodial parent. I handled those cases myself. Believe me, I think and I'm... and I'm very confident that I know child support inside and out. And this is a good Bill. This is a wonderful Bill."

Black: "All..."

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Soto: "I..."

Black: "...all Bills..."

Soto: "...I think that these children, I mean, you know, these women are waiting for this Bill."

Black: "Repre... Representative, I have been told on this floor for nigh onto 19 years all Bills are good Bills. But, there's a speaker whose name escapes me, he's from Chicago, been speaker longer than any speaker in the history, name will come to me. He told me a long time ago, all Bills are good Bills, but no Bill shall pass before it's time. Now..."

Soto: "But, it is time for this Bill."

Black: "And it may well be. Let me just give you a hypothetical. The noncustodial parent has remarried, the spouse gets wind of this, goes to the financial institution, puts the account in her name or his name. Now, what does the financial institution do?"

Soto: "The noncustodial parent is married, that noncustodial parent... okay... and this is not the custodial parent, okay. So, it's the new spouse. You're saying that she disagrees to have this account debited? What can she do?"

Black: "Well, in other words, if the account is in John Doe's name..."

Soto: "Okay."

Black: "...John Doe's new spouse decides, 'I'm not going to be a participant in that, you know it's a joint account.' Very quickly goes down to the financial institution to say, 'Take my husband's name off the account and put it in my

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name. And you are not authorized to take any money out of my account.'"

Soto: "Okay. Representative, now if you have a party... okay... if you have a party that's married, it's both their accounts..."

Black: "I had a party when I was married, yes."

Soto: "...he still has to pay child support... he still has to pay child support, it's still a court order."

Black: "Everyday of my married life..."

Soto: "So, no matter what..."

Black: "...has been a party."

Soto: "...they have to pay... they have to pay that child support. And I'm sure when somebody marries somebody, for the most part, they..."

Black: "Absolutely."

Soto: "...know they have children out of another marriage. Or..."

Black: "I've been married 41 years..."

Soto: "...a paternity case."

Black: "...every day's a party. I'm going to have a party when I go home Friday."

Soto: "Okay."

Black: "You know, it's... here... here... at my age that means a Diet Coke but served in crystal glasses. I... my..."

Soto: "I think you're going to be able to use this Bill in your office."

Black: "...my... my advisor..."

Soto: "I truly do."

Black: "...my advisor on these issues, Representative Lyons, has told me that this is a good Bill, that there are due

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process guards in place and that it has been worked out that the financial institutions, with your Amendment, are no longer in opposition. So, therefore, I'm much older than you, it just takes sometimes... it just takes sometimes a little longer to get me to understand the issue. So..."

Soto: "Thi..."

Black: "...between you and Representative Eileen Lyons and others and the mere sight of Representative Hamos getting up to scold me means that I'm going... I'm going to say on the record, this is a good Bill, I'm going to vote for your Bill and that, yes, the party of the first party of the second party, well they're work it out and your Bill allows that."

Soto: "And it's got your name on it, it's a Bill."

Speaker Turner: "The Lady from Cook, Representative Mulligan, for what reason do you rise? Seeing no further questions, the question is, 'Shall House Bill 4310 pass?' All those in favor should vote 'aye'; all those opposed say 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, I can't get my 'yes' light to go on. And after all of that, my life would be in danger if my 'yes'

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light is not recorded. For some reason it didn't work, where's the electrician?"

Speaker Turner: "We'll find him and the record will so reflect."

Black: "I want the record to reflect very clearly that I pushed my 'yes' switch. I should have been recorded as a 'yes' vote. I would ask you to dump the Roll Call so I could be recorded as a 'yes' vote. At this time in the afternoon, I can't take anymore harrasement from Representative Hamos, Representative Soto, Representative Eileen Lyons. Help me out here, Mr. Speaker. I wanted to vote 'yes'."

Speaker Turner: "The electrician is on his way to your desk."

Black: "Thank you very much."

Speaker Turner: "And the record will reflect your 'yes' vote. Page 17 of the Calendar we have House Bill 3959. Representative Phelps. Read the Bill, Mr. Clerk. 89? It's 3989, I'm sorry."

Clerk Mahoney: "House Bill 3989, a Bill for an Act in relation to firearms. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from White, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We ju... I know I took this Bill out of the record, you've heard some debate already. All this Bill does is reduce the age of a person that can sign for their own FOID card from 21 years old to 18. For a lot of you that don't vote for some of these Bills, this is a good one because our veterans are behind it. There's a lot of people that

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want to keep everything consistent. If you're 18 today... in today's society, you're considered an adult. You can vote, which we all know and understand. You can join our military and you can go in and sign your own contracts, such as a house mortgage and go live on your own. So, I don't see anything wrong with an 18 year old coming back and coming here to the states after they serve our country and fly multimillion dollar aircraft, drive tanks, have assault rifles, protecting our freedoms and when they get back they can't even sign their own FOID card. Now, that's a shame. So, we're wanting to do this. We think it's a great Bill as Representative Black says. And I'd answer any questions that you have."

Speaker Turner: "The Gentleman from Cook, Representative Osterman, for what reason do you rise?"

Osterman: "Thank you, Mr. Speaker. To the Bill. I don't want to beat a dead horse, this has been done already once today."

Speaker Turner: "You don't have to beat 'em."

Osterman: "To the Bill, though. For those colleagues of mine that were not here earlier, I want to point out two facts. One is that semiautomatics... 18 year olds, 19 year olds, 20 year olds, would be able to buy semi-automatics in the State of Illinois without any kind of notification of their parents. You can each make your own policy decision about that. Also, that currently 18, 19, 20 years olds are able to purchase firearms if their parents sign off on that. They are best suited, I think, to make that decision, if

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their 18 year old is able to have a firearm or not. The Sponsor and some of the other proponents spoke about those individuals that serve in the military if they're 18 years old. There are a number of other things you cannot do if you're 18, 19, or 20 years old, enter a casino, drive a school bus, have a CDL in interstate driving, consume alcohol, purchase a handgun. And I would also add, get a elected to the House of Representatives. So, unless we're going to start affording 18, 19, and 20 year olds a lot of these other opportunities I would say that we should defeat this legislation."

Speaker Turner: "The Gentleman from Fayette, Representative Stephens, for what reason do you rise?"

Stephens: "Well, not to belabor the point, but the Gentleman just made a point about other things that 18, 19 and 20 year olds can't do. If you look at each one of those individually there's some sense to that. But, there's no sense in saying that you need parental consent to have... to be able to buy a weapon when you can join the military without parental consent at 18, 19 and 20 and they will give you one. And they will let you shoot and kill or be shot at and killed. That's the whole point here. We're talking about recreational firearms and the ability for a 18, 19 or 20 year old to be able to buy them without having to check with mom and dad. If you can go off and fight a war without mom and dad's permission, you certainly ought to be able to shoot a few ducks on the weekend."

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Speaker Turner: "The Gentleman from Jackson, Representative Bost, for what reason do you rise?"

Bost: "Mr. Speaker, I really think that this day has gone on quite long because I feel like we're doing the same thing over and over and over again."

Speaker Turner: "We could play the tape."

Bost: "Haven't we been here on this Bill before today or... I'd figure we were... there was some kind of speech earlier from each one of the people that were here before, but..."

Speaker Turner: "Including you."

Bost: "Including me, yes. And... and by the way, I was at a point before we were so rudely interrupted the last time."

Speaker Turner: "Do you want to start from there?"

Bost: "Yeah, we're... nice tie by the way, Mr. Speaker. Ladies and Gentlemen, you know, we... we can... we can play around and talk and joke, but the reality is that at 18 years old these people can make their own decisions on guns that they use to hunt with, shoot skeet with. My goodness, if they can serve our country, if they can serve our country they should be able to make the decision on their own to buy ammo for their weapons, to buy guns. This is a simple Bill, it's not going to make... make it where every time you turn around somebody is out there out of control with a firearm. This is sensible legislation. It deserves you 'aye' vote. We've heard the arguments before. I think the... the Sponsor deserves your 'aye'. And I'd appreciate it if you'd give it to him."

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Speaker Turner: "The Lady from Cook, Representative Graham, for what reason do you rise?"

Graham: "Thank you, Mr. Speaker. To the Bill. This Bill is a very dangerous piece of legislation... this is a very dangerous piece of legislation. This average 18 year old cannot make decisions for themselves in terms of what they want to do in school. The drinking age in purchasing alcohol is higher than 18. Gangbangers in my community, if we allowed them to go out and purchase handguns... we let a Bill get out of here the other day, coupled with that Bill, this Bill and that Bill together is going to create a huge situation. It's going to create a bigger... a dangerous situation for us. And... and... and I think that this is a bad piece of legislation. And we need to take in consideration that we leave in two different communities. I'm no trying to take away the rights or... or family tradition of people training their children on how to use handguns at the age of 7 and 8 years old as a family tradition. But, I'm also asking this Body to take in consideration the people who live in communities where this piece of legislation can do more harm than good. More harm than good. We have gangbangers selling drugs, all kinds of things out on the streets that we're trying to create legislation for... to prevent them from doing this, stiffer penalties. And this piece of legislation will go against the grain of everything that we've tried to accomplish up until this point. And you tell us about creating stiffer penalties, but this is... this is just opening up the gate... the flood

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gate for other problems. I'm asking this Body, don't just take your community in consideration, take my community in consideration, the communities that we live in in the City of Chicago where we have random gunfire now. We have drive-by shootings now, we have people dying in the street right now, we have children falling at the... at the hand of stray bullets. I'm asking this Body, I'm pleading with this Body, don't just take your community and your family traditions and vote 'yes' on this Bill. Vote 'no' on this legislation. Take our communities in consideration as well. Please join me in voting 'no' on this piece of legislation. I'm not trying to change your traditions, I'm asking you to consider our communities as well. Please vote 'no' on this legislation."

Speaker Turner: "The Lady from Cook, Representative Mulligan, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Mulligan: "Representative Phelps, I'm going to ask you a couple questions and I don't mean these facetiously. Is there any ulterior motive to this Bill aside from allowing an 18 year old to purchase a gun?"

Phelps: "No, Representative Mulligan, no."

Mulligan: "All right. With all due respect to some of the previous speakers who I've supported today on some issues and I've supported them on other gun issues. I have two sons whose father was deceased when one was 12 and one was 18. They both had had the hunting course, they both

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hunted, their fathers had guns that passed to them, you know, their fathers guns passed to them. But, at that time they didn't need FOID cards, now they do, now they would have. They were used to going with their dad, they were used to hunting, but only one... one was 18 and the other one was 12. And so, they were then in a position of not having a dad, having hunted before, having to either... have me get a FOID card if... if it were that age or my... my father-in-law who would have hunted with them. And so, logically, what we're saying is that in families where that situation occurs those kids can't, when they're of age, buy guns. Also, I will tell for the General... Body that know this, my father was murdered in the City of Chicago by five young men, only one of whom was 18, they were all younger than 18, with a sawed-off 22 that was illegal. Now, you can't tell me that the kids in the city that have the guns, that buy the guns, get them legally. I do not think and I support all kinds of antigun measures, you cannot tell me that the guns that are proliferated in the city that come into my community are purchased legally. You cannot tell me that they go out with a FOID card and buy all these guns and the semi-automatic guns to come into my community or to go into the City of Chicago, where they're illegal to begin with, and shoot people. Why do we constantly argue about all these issues and car... hold people out on roll calls? Earlier today the Bill that... that was voted on about whether someone could defend their own home. It's a lot of oth... other issues. We vote according to how people are

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going to send mail pieces out about us, according to what's happen... what's happening in our communities, not necessarily through common sense because in some times we would just go ahead and do what the Bill says or what we voted that we wouldn't do. In this particular instance, I don't think we're taking into consideration family situations or logic. Logic is, we have 18 year olds who are serving in the military, there are a lot of other people that hunt and have family things, and I don't think this is an illogical thing to ask. Personally, I would like to know, Representative, if there are any statistics that show... and what other states where... where young people can buy a gun at 18. Are there any statistics that show there's any increase in crimes or anything that would make this worse because an 18 year old could have a FOID card?"

Phelps: "Representative, I can get those, I do not have them with me, but I will get those for you."

Mulligan: "What determines in other states what age someone can purchase a gun?"

Phelps: "Just by the... by the Legislature, that I'm aware of, Representative."

Mulligan: "What other states allow 18 year olds to purchase guns?"

Phelps: "I believe Missouri... right around here, I believe it's Missouri and Indiana to name two."

Mulligan: "Are there other states that have no requirement for FOID cards?"

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Phelps: "Actually, we're about the only state that has the FOID card to be honest with ya."

Mulligan: "So, what's the criteria that other states use to allow people to purchase guns?"

Phelps: "As Representative Holbrook says, money, I assume. But, we're the only state that really has the FOID card. And actually those 18 year olds are going to be... if they're going to be able to get guns, which they already have been illegally, with now being 18 they're going to have to go through a background check and it's going to make them more legal."

Mulligan: "You know, this type of a Bill puts me in a quandary and middle of the road people are road kill is what they are. I mean, there's no right and there's no wrong to the answer. I'm sitting here debating how I'm going to vote. Logically, in my own family situation I would certainly support you."

Phelps: "Thank you."

Mulligan: "Logically, you know, when I was in high school and college, you know, my friends and... were going off to Vietnam at a young age and could come back and do that. I have relatives that have moved here from out of state... or gun states that can't understand why their daughter has to have a FOID card to go out and shoot with them."

Phelps: "Right."

Mulligan: "I'm personally very concerned about guns because of my own situation in my family, but we also hunt. This is a really hard Bill for a lot of people, but I don't

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understand why we use every single Bill as an issue and not for common sense."

Phelps: "Thank you."

Mulligan: "I've gotta think about how I'm going to vote for it, but you know, I'm leaning towards voting for it."

Phelps: "Thank you, Representative."

Speaker Turner: "The Gentleman from Lake, Representative Mathias."

Mathias: "Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Mathias: "Just a couple of questions so I understand the effect of this Bill. Today, under present law, if you are, obviously, over 21 years ag... of age, you can get a FOID card without anyone's permission..."

Phelps: "Correct."

Mathias: "...if you meet the statute? This Bill will lower that to 18?"

Phelps: "Correct."

Mathias: "Under today's law is there a separate statute today that allows you to purchase a gun?"

Phelps: "The only way that you can purchase a gun in this state as an 18 year old is with parental consent. But also, too, Representative, you can get a shotgun or a rifle at 10 years old with your parental consent. I'm not raising it... lowering it to 10..."

Mathias: "No, no that's... and that's..."

Phelps: "...I'm lowering it to 18."

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Mathias: "Right. That's the question I'm trying to figure out. In other words, today, if you were 13 you could get a FOID card if your parents signed for you and that allows you to purchase a gun. Is that correct?"

Phelps: "Correct."

Mathias: "So, you... you could be... if your parents signed for you, you could be 10 years old and buy a gun today?"

Phelps: "Correct."

Mathias: "And this just says... really gives you the... that option between 18 and 21?"

Phelps: "I'm just trying to keep... stay consistent, Representative, because 18 in today's society you're considered an adult. Our own government puts guns in our 18 year olds hands. As Representative Stephens says, you can get married, you can go into contract... sign contracts on your own. So, why not... serve our military. So, why not when you come back to the states be able to sign your own FOID card? It's ridiculous."

Mathias: "Thank you for making it at least so I can understand better the... the issue."

Phelps: "Thank..."

Mathias: "Thank you."

Phelps: "Thank you. Thank you, Representative."

Speaker Turner: "The Gentleman from Cook, Representative Dunkin, for what reason do you rise? Representative Phelps to close."

Phelps: "Thank... thank you, Mr. Speaker, Ladies and Gentlemen of the House. You've heard the debate. This is a very

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commonsense issue. Our own government puts guns in our hands when we're 18 to serve our military and protects our freedoms. I urge an 'aye' vote and thank you so much."

Speaker Turner: "The question is, 'Shall House Bill 3989 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 65 voting 'aye', 38 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Osterman, for what reason do you rise?"

Osterman: "When this Bill was previously debated the first go round, I asked for a... a verification. I'd... would ask that that would be extended. Bill was on the record the first time, I asked for a verification when I first spoke. I again would ask that that... the Chair would allow me to do the verification. Sponsor probably has the votes."

Speaker Turner: "That's not the policy, Representative. If you wanted a verification you... as... as... if we were to take that tactic... I mean, you spoke again in debate which would say technically those who spoke the first time..."

Osterman: "There's a lot of things I said the first time that I chose not to in the interest of time. So..."

Speaker Turner: "Representative, that... you're out of order. Representative Hannig in the Chair."

Speaker Hannig: "Committee Reports."

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Clerk Mahoney: "Representative Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on March 25, 2004, reported the same back with the following recommendation/s: 'approved for floor consideration' Amendment #2 to House Bill 3821; Amendment #1 to House Bill 3918; Amendment #2 to House Bill 3996; Amendment #1 to House Bill 4036; Amendment #2 to House Bill 4092; Amendment #1 and Amendment #2 to House Bill 4116; Amendment #2 to House Bill 4132; Amendment #1 to House Bill 4180; Amendment #1 to House Bill 4265; Amendment #1 to House Bill 4280; Amendment #1 to House Bill 4283; Amendment #1 to House Bill 4318; Amendment #2 to House Bill 4346; Amendment #2 to House Bill 4361; Amendment #2 to House Bill 4400; Amendment #2 to House Bill 4572; Amendment #2 and 3 to House Bill 4650; Amendment #1 to House Bill 4688; Amendment #2 to House Bill 4716; Amendment #1 to House Bill 4720; Amendment #2 to House Bill 4837; Amendment #1 to House Bill 4914; Amendment #1 to House Bill 4944; Amendment #2 to House Bill 5025; Amendment #1 to House Bill 5057; Amendment #2 to House Bill 5045; Amendment #1 to House Bill 5067; Amendment #1 to House Bill 5129; Amendment #2 to House Bill 5165; Amendment #1 to House Bill 5197; Amendment #2 to House Bill 5891 and Amendment #2 to House Bill 5925."

Speaker Hannig: "Representative Rose, for what reason do you rise?"

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

Speaker Hannig: "State your point."

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Rose: "Ladies and Gentlemen, many of you will notice I've been wearing a different orange tie every day this week and it's in celebration that tomorrow our University of Illinois, Fighting Illini Men's Basketball Team will, of course, be taking on Duke. I will have a fourth orange tie tomorrow and I would urge anyone who has brought orange to Springfield with them to stand with me in wearing something orange or something to support the University of Illinois tomorrow. Go Illini."

Speaker Hannig: "Representative Colvin, for what reason do you rise?"

Colvin: "Thank you, Mr. Speaker. On House Bill 3989 I'm not sure if my vote was recorded on the board. But, I'd like the record to reflect that I intended to vote 'no' on the Bill."

Speaker Hannig: "The record will reflect your intentions, Representative. Mr. Clerk, would you read House Bill 4022? Excuse me, Representative Mitchell, for what reason do you rise?"

Mitchell, J.: "Thank you, Mr. Speaker. I was just wondering, Representative Rose, made a good point, but many of us live quite far away and since he is the representative of the University of Illinois, I was wondering if... for the... for the benefit of the Body if he would bring us maybe like 118 Fighting Illini hats or jackets or t-shirts or something because it's really a long way to travel home and get something orange. So, I think in all fairness to the Body that Chapin Rose should bring us something so that we can

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celebrate the Fighting Illini's battle with Duke. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Dunkin, for what reason do you rise?"

Dunkin: "Thank you, Mr. Speaker, Members of the House. I'm just calling to remind you of the Illinois State Museum, they're having a big... Where Animals Dance, the Art of Africa. It's an annual exhibit, it's going to be attended by all of the individuals in the museum community. Just come out and support your museums at the state museum tonight from 5 to 7 p.m. It's at Spring and Edwards Street. Thank you."

Speaker Hannig: "Thank you. Mr. Clerk, would you read the Bill, House Bill 4022 please."

Clerk Mahoney: "House Bill 4022, a Bill for an Act concerning disability services. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4022 creates the Community Developmental Disabilities Services Medicaid Trust Fund. Provides that DHS shall reimburse community developmental disability service providers out of the fund from Medicaid reimbursement. There is no fiscal impact directly associated with this legislation. And this is an initiative of the 2004 Do The Right Thing Campaign. And I seek your favorable support."

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Speaker Hannig: "The Gentleman has moved for passage of House Bill 4022. Is there any discussion? The Lady from Cook, Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. Representative Daniels, I was just talking on the phone about your Bill. I have a couple questions for you. You amended this Bill and you have some language in here about the intent of where the money should go if we do this trust fund. Is that correct?"

Daniels: "That is correct."

Feigenholtz: "And... and tell me... give me some of your ideas. What is... what is your intent on some of this... where this money is going?"

Daniels: "Well, you know, I know you and I have had talks about the Olmstead decision and about CILAs community integrated living arrangements as well as home based support. And I certainly would hope that the majority of the monies would go into those services which, of course, provide for choices by residents and by our consumers. So, it would be my intent that much of those funds would go there. However, having said that, let me just say that what the Bill provides is for a pre-admission screening agent, putting together packets, determining eligibility and sharing that information option with the family. The Amendment that you're referring to does in fact give considerable choice to families and awards a funding and crises orientation that they could address. So, in answer

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to your question, of course, I do support the Olmstead decision, CILA funding, as well as home-based support."

Feigenholtz: "Thank you. Ladies and Gentlemen, to the Bill. I stand in support of this Bill because I think that it's time that we in the State of Illinois start looking at alternative settings for people who live with disabilities. I think that there are many, many options that the state because it is so invested in institutional care has... had not been able to fund, but creating this kind of a trust fund... this kind of a revenue stream is going to be an excellent opportunity for us. And I, you know, many of us were just upstairs in the Governor's Office, Representative Daniels, and this was definitely an issue that we brought to the Governor about funding for more community-based support, for more home-based support. Especially, many, many of the issues that had been reported to us by Sheila Romano and the Getting's Report that was delivered to all of our doorsteps. When we take a look at the amount of money that we can save... it only costs us \$9,000 in General Revenue to serve so many people, 1500 people. And we all know that there are many people on the pre-application list who really want this opportunity. And to provide them these opportunities and to find a funding stream and a revenue stream to pay for them is a... a great idea and I applaud Representative Daniels for doing this. And encourage everybody in this chamber to support this effort. Thank you."

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Speaker Hannig: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill as amended. I hope all of you have had a chance to read at least the analysis of this Bill. Last Friday I met in my district office with many community-based organizations and human service providers. They brought up something to me and I... I'm really happy that Representative Daniels has addressed this in Floor Amendment #2. Many of you have not focused on the fact that the Governor has called for a request for proposal to move to a fee-for-service based provider network rather than what we have had as a model in this state for a number of years. Many of the... all of the agencies at... at where... at my office who provide services to people in Vermilion County, say they're willing to do that. Although, they think they have established an audit trail and a performance trail, their fear was one I had not thought of. They said, 'Look, we don't know when these requests for proposals will be accepted. We don't know when the agency will be notified as to whether or not we get funding to provide these services in fiscal '05 that begins July 1.' And as they pointed out and as this Bill addresses, what happens if in August a new agency is given a contract to provide services... all of the client files, all of the experienced personnel, all of the people that families have dealt with for 10, 12, 15 years, may or may not be a part of that process. And if that's the case and

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there is no orderly transition, we're going to create literally chaos in the delivery of services to some of our most vulnerable citizens. And... and I... I can't tell you how important it is that you go home and talk to your service providers because... and I'm not arguing for or against the RFP proposal. What I am saying is that without some kind of funding mechanism and continuity of care, you will be exposing people and families to great risk who do not need or should not be subjected to that risk. This is a commonsense proposal. I urge an 'aye' vote."

Speaker Hannig: "The Lady from Cook, Representative Hamos."

Hamos: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Hamos: "Representative Daniels, I have several questions about this Bill because I think we agree with the previous speaker. However, this Bill goes way beyond what the previous speaker was just indicating was a goal of all of ours which is to make sure that there are adequate services for people with disabilities, developmental disabilities, and to make sure that there's a continuity of care. Now, in your main Bill, what monies would go into this fund?"

Daniels: "Monies that would go into the fund would be Medicaid reimbursement monies. It'd be identical to the Medicaid Reimbursement Trust Fund set up for mental health and whatever money is matched out of the DD facility.. DD dollars would go into it. We estimate some \$360,000,000."

Hamos: "Okay. You know, as I understand, the way that the funding works right now there are about \$500,000,000 of

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monies that go into community-based DD services. About 300 are right now being claimed. Would you take all \$300,000,000 that's coming in for FFP right now and put that into the fund?"

Daniels: "Yes."

Hamos: "And then you would take an additional... now there's an additional \$200,000,000 which is not being claimed right now, that is the goal of the RFP's and the... well, for the fee-for-service process that is the goal. So, you would take money coming in from the \$200,000,000 also?"

Daniels: "Yes."

Hamos: "Okay. Ladies and Gentlemen, I mean this is a... a... an interesting plan, but the \$300,000,000 that's coming in right now, actually goes to support state government. That's a very big hit on state government if we're going to take \$300,000,000 that's being used to provide services across the board and put that into the fund. I think a more measured approach is to take the \$200,000,000 not now being claimed and as the providers develop the fee-for-service program as monies come in there's a strong incentive to put that money into this fund. Now, Representative Daniels, another question, please. Representative Daniels. Amendment #2, what does Amendment #2 mean? Can you explain that?"

Daniels: "Amendment #2 basically covers how the money in the Community Development Disability Services Trust Fund shall be used. And it traces how that would be going through the pre-admission screening agent, putting together packets,

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determining eligibility, sharing the information and options with the family, which would then go into DHS and DD network facilitator who would then award the funding or not, the crisis-orientated decisions. And then the family and individual who works with the pass agency to find providers that receive the services and then the state would pay. It sets out a mechanism in which the individuals would have a choice in the services that they would receive."

Hamos: "If I... if I'm... I'm looking at your Amendment and it says, 'once the individual or legal guardian chooses the desired services, the services are approved and the provision of services is initiated, the department shall make payment.' So, are we putting any limits on this at all or do people..."

Daniels: "Why should."

Hamos: "...just get to select whatever services they want?"

Daniels: "No, the department has to approve it as said in the Amendment."

Hamos: "Okay. Ladies and Gentlemen, currently in the State of Illinois, there's a very important program for DD clients that has really gone unnoticed and underfunded. And it's called the Home-based Support... Support Program. And that program works like this and I think it's an excellent model. However, there's a limit and every family who's in that home-based support program knows that they are to receive three times the SSI amount, about \$1800 a month. And then with... within the constraints of that they can go

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out and shop for services. But, would you be willing, Representative Daniels, to negotiate this so that if this is the model, which is a good model, that we would make sure that there are some limits put on this so it's not just an open-ended new entitlement program that we are creating for the State of Illinois?"

Daniels: "First of all, let me make sure that I clarify a previous answer. The original sums that would be appropriated to the department... to the DD agency would go through the appropriation process. This Bill deals with the Medicaid match. So, it'd be the dollars that come in from the Federal Government for Medicaid match that would be put into the trust fund. As to your question, I think the Amendment is very clear. I think it's clear that there are options for families, that the department has to review that and the department has to act on approval. But, once it's approved, then they shall pay for the services. So, I think we have enough covering. Now, if you want to address in another Bill or one of the vehicle Bills that the Speaker has, fine, I'd be happy to work on that with you. But, I think this Bill is in good form. It basically covers the dollars that we access from the Federal Government on Medicaid match to put those dollars into a DD Trust Fund which would provide services for the disability community. A lot of people have worked on this long and hard. This Bill is a good Bill. It gives choices to families and it helps the DD community substantially."

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Hamos: "Well, Representative Daniels, I also work long and hard on these issues and I never saw this Amendment until a few days ago. And I'm just really trying to clarify that, you know, we all have... share your commitment toward these services, these programs and these people. But, I think the question I'm asking is, when you say in here that the... the services are approved by the Department of Human Services, do you... you do agree, don't you, that the Department of Human Services in determining that approval... through that approval process could actually put limits on this program, could develop the kind of approach that we use in home-based care?"

Daniels: "Sure."

Hamos: "It doesn't have to be that same amount."

Daniels: "Sure."

Hamos: "But, that approach where there's an overall package that has a price tag and everybody knows going into it that there's some limit put on these kinds of programs."

Daniels: "Absolutely. The department has to approve these and they would approve whatever limits are required therein. The... the Bill itself, though, does state very clearly that funds that we Medicaid match in DD would go into the DD Trust Fund. That's the thrust of the Bill. As to the services, you're absolutely right, the department could put some restraint on those services, not open ended. People can't just walk in and say, give me this and then the department has to approve it. It says, once the department does approve it, then those services shall be paid for."

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Hamos: "Okay. Thank you."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 4266?"

Clerk Mahoney: "House Bill 4266, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Davis."

Davis, W.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4266 simply continues what the Governor started last year by adding an additional \$250 to the foundation level per pupil spending for education purposes, which will raise it from 4,810 to \$5,060. This is still yet just a band-aid to the ultimate fix in school funding that we must address at some point. But, this is indeed a help, particularly to schools in my district that benefited tremendously from the last \$250. And they will certainly benefit from this \$250 as will districts throughout the entire State of Illinois. I ask for an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 4266. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, could you read House Bill 4537? Excuse me, Representative Black, for what reason do you rise?"

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

Speaker Hannig: "Yes, state your point."

Black: "Thank you very much. As this Bill just raised the school foundation level, I want to state publicly and I will follow up with a call privately, my absolute dismay at the State Board of Education. Perhaps the Governor was more on target than I was willing to give him credit for, eight weeks ago. It has come to my attention, I've gotten a call from my media and I just talked to a school superintendent in my district back home. The State Board of Education evidently released the financial watch list this morning to the media. But, they did not give any constructive notice to the districts that appear on the financial watch list. It isn't on their web site, it isn't on their informational site. There was no call from the State Board of Education, no communication of any kind. And this puts not only school superintendents, but hard working school board members in a position where they have to respond to media inquiries and they don't even know that they're on the financial watch list. If that's an example after the Governor's scolding of how effective and

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efficient the State Board of Education wants to be, then maybe the Governor was right. And I'll follow this up with a private call. They either get their act together or get out of town."

Speaker Hannig: "We're going to now move to the Order of Second Readings. So, we're going to start with... with Bills that have Amendments that were approved by the Rules Committee or by a committee. Mr. Clerk, would you read House Bill 4963? Okay. Out of the record. 40... Mr. Clerk, read House Bill 4650."

Clerk Mahoney: "House Bill 4650, a Bill for an Act concerning housing. Second Reading of this House Bill. Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Collins, has been approved for consideration."

Speaker Hannig: "Okay. Out of the record, Mr. Clerk. Mr. Clerk, would you read House Bill 4280?"

Clerk Mahoney: "House Bill 4280, a Bill for an Act concerning special assessments. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 has been approved for consideration, offered by Representative Willy... William Davis."

Speaker Hannig: "Representative Davis."

Davis, W.: "Thank you, Mr. Speaker. Amendment #1 to House Bill 4280 addresses the concerns that were raised in committee by the... in Local Government Committee by the Realtors Association. And this Amendment absolutely removes their opposition to the Bill. The Amendment does two things.

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First of all, it clarifies that this measure will only apply to building code violations and not to other village ordinances. And second, it ensures that due process is and will be followed regarding the overdue fines before they can be applied as a special assessment to someone's property taxes. Again, this Amendment addresses the concerns of the Realtors Association and.. and it removes their opposition to this Bill. Thank you."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4688."

Clerk Mahoney: "House Bill 4688, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Colvin, has been approved for consideration."

Speaker Hannig: "Representative Colvin."

Colvin: "Thank you, Mr. Speaker. House Bill 4688 is a Bill that was heard in committee earlier this year and it deals with hard to staff schools across the State of Illinois. It's an incentive program to entice individuals from particular communities where there are hard to staff schools to encourage them to study elementary and secondary education to become highly skilled and qualified teachers

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who are worthy of certification if they make commitments to teach in those schools in those communities where there are... had a lot of hard to staff issues. This Floor Amendment simply changes a lot of technical language with respect to House Bill 4688. It does not change the intent of the Bill. Specifically speaking, it removes language regarding the program becoming a national model and it changes the administrator of this program from the Board of Higher Education to the State Board of Education. It requires that the consortium shall guarantee that support shall be available to an admitted cohort through the cohorts full period of training. This is mostly technical language, it doesn't change what we're trying to do with the Bill. It makes the Bill identical to Senate Bill 1550 which is currently working its way through the Senate. It had no opposition in committee. And we respectfully request that the Amendment be adopted to the Bill."

Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Mahoney: "No further Amendments. All mot... notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 4400?"

Clerk Mahoney: "House Bill 44... House Bill 4400... House Bill 4400, a Bill for an Act concerning taxes. Second Reading of this House Bill. Amendment #1 was adopted in committee."

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Floor Amendment #2, offered by Representative Brauer, has been approved for consideration."

Speaker Hannig: "Representative Brauer."

Brauer: "Thank you, Mr. Speaker. This Amendment just takes care of some concerns that was voiced by staff and there's no opposition."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 5057."

Clerk Mahoney: "House Bill 5057, a Bill for an Act concerning seniors. Second Reading of this House Bill. No Committee Amendments. Amendment... Floor Amendment #1, offered by Representative Feigenholtz, has been approved for consideration."

Speaker Hannig: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. Amendment #1 is actually just some cleanup language that we've been working on. House Bill 5057, the underlying Bill, is a Bill that the Conference of Women Legislators has been working on to reintegrate seniors who are in nursing homes back into the community if they are able to live there and if there is an appropriate setting. I'd be glad to answer any questions."

Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have

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it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 3996."

Clerk Mahoney: "House Bill 3996, a Bill for an Act concerning public health. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Krause, has been approved for consideration."

Speaker Hannig: "Representative Krause."

Krause: "Thank you, Mr. Speaker. First of all, the underlining Bill does provide and would correc... would remove the current ban that prohibits local municipalities from moving forth and determining if they want to enact smoking bans in public places. What the Amendment will do is to provide that only home rule units and non-home municipalities would have the power to consider the adoption of nonsmoking in public places. And I ask for the adoption of the Amendment."

Speaker Hannig: "Is there any discussion? All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4346."

Clerk Mahoney: "House Bill 4346 has been read a second time, previously. No Committee Amendments. Floor Amendment #2,

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offered by Representative Flider, has been approved for consideration."

Speaker Hannig: "Representative Flider."

Flider: "Thank you, Mr. Speaker. The... Amendment #2 to House Bill 4346 is an Amendment that was recommended by the Illinois Farm Bureau. It's noncontroversial in nature and it further tightens up the definition of... of where a vehicle can be parked on a roadway. And also the Amendment contains a technical clarification."

Speaker Hannig: "Is there any discussion? All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Mahoney: "No further Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 3821."

Clerk Mahoney: "House Bill 3821, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. Amendment #1 was approved in committee. Floor Amendment... Floor Amendment #2, offered by Representative Kurtz, has been approved for consideration."

Speaker Hannig: "Representative Kurtz."

Kurtz: "Thank you, Mr. Speaker. This Bill has to do with the boat safety code and it... it... the Amendment deals with definitions and requirements of the U.S. Code."

Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have

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it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 5891."

Clerk Mahoney: "House Bill 5891, a Bill for an Act concerning professional regulation. Second Reading..."

Speaker Hannig: "Mr. Clerk, out of the record at the request of the Sponsor. Representative Jefferson, would you want us to read 4572? Mr. Clerk, would you read that Bill?"

Clerk Mahoney: "House Bill 4572, a Bill for an Act concerning state employee insurance. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Hannig: "Representative Mautino, on the Amendment for Representative Jefferson's Bill."

Mautino: "Thank you. This is the CMS administrative Bill, and I appreciate it coming to the floor. We had a definition of dependants that needed to be changed and clarified. Nothing in the substance of the Bill is changed by this Amendment as far as who would be impacted. And just appreciate the Bill being adopted so we can hear it on Third Reading."

Speaker Hannig: "And on that question, the Gentleman from Vermilion, Representative Black."

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

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Speaker Hannig: "He indicates he'll yield."

Black: "Representative, I don't want to delay the inevitable and I'm not opposed to your Amendment. Let me ask you a question for my personal edification. Are you... have you been made aware by any of your constituents that the Department of Central Management Services removed a number of dependants from insurance coverage 60 some days ago? As I understand it without constructive notice to the employee, without a clear cut method of appeal. And I have a Resolution that's on my priority list that hasn't been call... it's been released from Rules, but hasn't been heard yet. Did anybody call you about that? I've had several calls and had some lengthy conversations with CMS about their behavior on dependant insurance coverage."

Mautino: "Okay. No, I... at this time I haven't had that conversation..."

Black: "Okay."

Mautino: "...with CMS."

Black: "Well, I... I have hopes that we'll get to that House Resolution asking for a study of how many they removed, on what methodology did they use and what appeal process was available to employees. And if you're interested later on I'll share that file with you on the family that had four dependant children, step-children, two were automatically approved and two were removed and it took us three weeks to get it straightened out. And that wasn't the only case. So, at some point maybe the two of us can talk to CMS about what... how they're doing this, what the appeal process is

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and so forth and so on. I don't want to belabor your Amendment, I certainly don't want to belabor..."

Mautino: "No, I... I appreciate"

Black: "...the Bill, but..."

Mautino: "...your bringing that up. As a matter of fact, the change in classification in the underlying Bill does have an impact of 12 children throughout the State of Illinois who have been reclassified now and are receiving the coverage in the title..."

Black: "Okay."

Mautino: "...change. So..."

Black: "Yeah."

Mautino: "...and I'd be happy to discuss that with you and with CMS."

Black: "I would appreciate that. Thank you very much."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Mahoney: "No further Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 4132?"

Clerk Mahoney: "House Bill 4132 has been read a second time previously. No Committee Amendments. Floor Amendment #2, offered by Representative Leitch, has been approved for consideration."

Speaker Hannig: "Representative Leitch."

Leitch: "I'd ask to withdraw Amendment #1, please."

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Speaker Hannig: "Mr. Clerk, what is the status of Amendment #1?"

Clerk Mahoney: "Floor Amendment #1 has been referred to the Rules Committee."

Speaker Hannig: "Okay. So, #1 is... is remained in Rules Committee, Representative Leitch. And so #2..."

Leitch: "Thank you. I just wanted to clarify that. Amendment #2 reflects the agreement that I made in committee to work with all parties including the counties, the realtors and the home builders and the other parties who were interested in the building permit process and it makes those clarifications. And I'd ask that this Amendment be adopted."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 4914?"

Clerk Mahoney: "House Bill 4914 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Joyce, has been approved for consideration."

Speaker Hannig: "Representative Joyce."

Joyce: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 to 49... House Bill 4914 simply clarifies the dates of effective... effect for the Bill, something that was addressed in committee. And I think

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we've addressed the concerns of both the other side of the aisle and the Treasurer's Office. I'd move its adoption."

Speaker Hannig: "Is there any discussion? All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4720."

Clerk Mahoney: "House Bill 40... House Bill 4720, a Bill for an Act in relation to gambling. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Leitch, has been approved for consideration."

Speaker Hannig: "Represen..."

Leitch: "Thank you... thank you, Mr..."

Speaker Hannig: "...Representative Leitch."

Leitch: "I'd like to move adoption of Amendment #2. It makes some technical clarifications in the Bill. And I ask for your approval."

Speaker Hannig: "Representative Leitch, this is Amendment #1. Is that..."

Leitch: "I misspoke, thank you, Mr. Speaker."

Speaker Hannig: "Okay. And you..."

Leitch: "Amendment #1."

Speaker Hannig: "...and you wish this adopted?"

Leitch: "Yes, Sir."

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Speaker Hannig: "Okay. All in favor say 'aye'; opposed 'nay'.
The 'ayes' have it, and the Amendment is adopted. Any
further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill
4036."

Clerk Mahoney: "House Bill 4036, a Bill for an Act concerning
criminal law. Second Reading of this House Bill. No
Committee Amendments. Floor Amendment #1 was appro...
offered by Representative Lang, has been approved for
consideration."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Floor Amendment... Floor
Amendment #1 is an agreement with both sides of the aisle
and staff as to what the limit should be for a felony in a
property damage... criminal trespass to property. The
original Bill had a... a \$1500 threshold, this actually
lowers it to 800. I would ask your support."

Speaker Hannig: "Is there any discussion? All in favor of the
Amendment say 'aye'; opposed 'nay'. The 'ayes' have it.
And the Amendment is adopted. Any further Amendments?"

Clerk Mahoney: "No further Amendments. All notes have been
filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill
4318."

Clerk Mahoney: "House Bill 4318, a Bill for an Act concerning
visitation. Second Reading of this House Bill. No
Committee Amendments. Floor Amendment #1, offered by

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Representative Lindner, has been approved for consideration."

Speaker Hannig: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. The Floor Amendment had some technical cleanups and also at a request by the committee to add a... a portion on modification."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments."

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 5925. Excuse me, Representative Brauer, for what reason do you rise?"

Brauer: "Thank you, Mr. Speaker. I rise on a personal privilege."

Speaker Hannig: "State your point."

Brauer: "I want to recognize the pork producers from around the state, they're here today, they're up in the gallery behind me. And I want to give 'em a Springfield welcome and let everybody... go ahead and give 'em a Springfield welcome."

Speaker Hannig: "Welcome to Springfield. And Mr. Clerk, would you read House Bill 5925?"

Clerk Mahoney: "House Bill 5925, a Bill for an Act concerning insurance. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Hannig: "Representative Mautino."

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Mautino: "Thank you, Mr. Chairman. Floor Amendment 2 was discussed in committee and the substance of that... of the change in here is to add back in Section 2007 of the Adminstra... of the Administrative Code. The LRB had left that out of the draft, so we've... we've discussed that and it's required for individual policies in that section and we needed it for the regulatory functions. So, with this the Bill gets in its form for Third Reading."

Speaker Hannig: "Is there any..."

Mautino: "And appreciate its adoption."

Speaker Hannig: "...any discussion? All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Mahoney: "No further Amendments. But, a budget... a balanced budget note has been requested but not received on this Bill."

Speaker Hannig: "Okay. So, Representative Mautino, there's been a request for some notes that you'll need to comply with. So, that Bill will remain on the Order of Second Reading. Mr... Yes, Representative Mautino?"

Mautino: "Yes, what was the note request?"

Speaker Hannig: "Mr. Clerk."

Clerk Mahoney: "The note request is a balance... balanced budget request for House Bill 5025 (sic-5925)."

Mautino: "Thank you."

Speaker Hannig: "Okay. Mr. Clerk, would you read House Bill 4716?"

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Clerk Mahoney: "House Bill 4716, a Bill for an Act concerning taxes. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Moffitt, has been approved for consideration."

Speaker Hannig: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 becomes the Bill. This is agreed language from both sides of the aisle. It removes all opposition. This is an initiative of the county treasurers. And it would allow app... notice of application for judgement and sale of property due to delinquent taxes to be mailed to the party in whose name the taxes were last assessed or to the current owner of record. No opposition."

Speaker Hannig: "Is there any..."

Moffitt: "Move for adoption."

Speaker Hannig: "...is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4837."

Clerk Mahoney: "House Bill 4837, a Bill for an Act concerning the Department on Aging. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative McGuire, has been approved for consideration."

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Speaker Hannig: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker. Representative Bassi and I are working on this Bill and I'd like to ask that you hold it. We have another Amendment coming and it might take a day or so."

Speaker Hannig: "Okay. So..."

McGuire: "So, I'd like to hold onto 4837 temporarily."

Speaker Hannig: "Out of the record."

McGuire: "Thank you."

Speaker Hannig: "Mr. Clerk, would you read House Bill 4092?"

Clerk Mahoney: "House Bill 4092 has been read a second time previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Ryg, has been approved for consideration."

Speaker Hannig: "Representative Ryg."

Ryg: "Thank you, Mr. Speaker. This is a technical Amendment that was requested by the Department of Human Services regarding the purpose of the Bill which addresses the collection of mental health data for use in future decision making for mental health services."

Speaker Hannig: "Is there any discussion? All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 5067."

Clerk Mahoney: "House Bill 5067, a Bill for Act for concerning counties. Second Reading of this House Bill. No Committee

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Amendments. Floor Amendment #1, offered by Representative Moffitt, has been approved for consideration."

Speaker Hannig: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 adds to the Bill and removes the opposition of metro counties... counties. It tightens up the conditions allowing a property transfer. This was initiated by a little 8 foot strip of property that was sold at tax sale but had been assumed to be a part of a property. And there are a lot of these around the state, it's a small parcel. And it was created... the condition was created by incorrectly recording back in the 1800's. The metro counties wanted it that it could only apply if there is the coun... if the owner is not in violation of any other county ordinance on the adjoining property and the property owner isn't tax delinquent. And so with those conditions met in Amendment 1, there's no opposition."

Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4944."

Clerk Mahoney: "House Bill 4944 has been read a second time previously. No Committee Amendments. Floor #1... Floor Amendment #1, offered by Representative Smith, has been approved for consideration."

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Speaker Hannig: "Representative Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is an Amendment that was requested in the Elementary and Secondary Education Committee after some questioning by Representative Kosel. I don't see her on the floor. But, this would basically guarantee that the pilot program created by this legislation for laptech... laptop technology would be done in pilot school districts spread out throughout the state. There would be a third in Chicago, a third in the suburbs and a third downstate. And again, this is at the request of the committee and a promise I made at the committee hearing."

Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 5165."

Clerk Mahoney: "House Bill 5165, a Bill for an Act concerning public records. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Munson, has been approved for consideration."

Speaker Hannig: "Representative Munson."

Munson: "Thank you, Mr. Speaker. Floor Amendment #2 adds a member from the Department of Employment Security to the task force created by this Bill."

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Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 5197."

Clerk Mahoney: "House Bill 5197, a Bill for an Act concerning reverse mortgage loans. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Smith, has been approved for consideration."

Speaker Hannig: "Representative Smith."

Smith: "Thank you, Mr. Speaker. Again, this is the result of discussion in the committee, Consumer Protection Committee. This Amendment basically is an agreement between the AARP for whom this legislation is an initiative and has been agreed to by the Illinois Bankers and by the Community Bankers. Basically, it... it removes the language that impose... imposes the \$50... or \$50,000 civil penalty and clarifies what is good faith on the part of a potential... or I'm sorry, of a... of the loan maker to a potential borrower."

Speaker Hannig: "Is there any discussion? All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4265."

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Clerk Mahoney: "House Bill 4265, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Poe, has been approved for consideration."

Speaker Hannig: "Representative Poe."

Poe: "Yeah, Mr. Speaker, this is a commitment I made in committee that this Bill would pass only subject to appropriation. So, I'd ask for a favorable vote."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4116."

Clerk Mahoney: "House... House Bill... House Bill 4116, a Bill for an Act in relation to homeless persons. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Younge, has been approved for consideration."

Speaker Hannig: "Okay. Out of the record. Mr. Clerk, read House Bill 5129."

Clerk Mahoney: "House Bill 5129, a Bill for an Act concerning environmental safety. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Sacia, has been approved for consideration."

Speaker Hannig: "Represen..."

Sacia: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 to this particular Bill deals

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with clarification of language making it understandable or I should say, making it easy for the Secretary of State's Office to retrieve the information that's requested in the Bill. It gives them an out if the information is not readily available. Be happy to answer..."

Speaker Hannig: "Is there any discussion? All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, what is the status of House Bill 5130?"

Clerk Mahoney: "House Bill 5130, a Bill for an Act in relation to courts. Third Reading of this House Bill."

Speaker Hannig: "Mr. Clerk, would you return that Bill to the Order of Second Reading at the request of the Sponsor. And Mr. Clerk, what is the status of House Bill 4057?"

Clerk Mahoney: "House... House Bill 4057 is on the Order of Third Reading."

Speaker Hannig: "Return that to the Order of Second Reading at the request of the Sponsor. And Mr. Clerk, what is the status of House Bill 3980?"

Clerk Mahoney: "House Bill 3980 is on the Order of Third Reading."

Speaker Hannig: "Return that to the Order of Second Reading at the request of the Sponsor. And Mr. Clerk, would you read House Bill 4424?"

Clerk Mahoney: "House Bill 4424 is on the Order of Third Reading. House Bill 4424, a Bill for an Act concerning

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sexual assault. Second Reading of this House Bill. Amendment #1 and 2 were adopted in committee. No Floor Amendments. No... no Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 5320?"

Clerk Mahoney: "House Bill 5320, a Bill for an Act in... regarding transportation. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. All notes have been filed."

Speaker Hannig: "That Bill shall remain on the Order of Second Reading. We're going to continue with Bills that are on the Order of Second Reading that need to be moved to the Order of Third Reading. And we'll start with House Bill 6739. Mr. Clerk, would you read that Bill?"

Clerk Mahoney: "House Bill 6739, a Bill for an Act concerning human rights. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 4410?"

Clerk Mahoney: "House Bill 4410, a Bill for an Act concerning professional regulation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 3963, on page 2 of the Calendar?"

Clerk Mahoney: "House... House Bill 3963, a Bill for an Act concerning health. Second Reading of this House Bill.

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 4703?"

Clerk Mahoney: "House Bill 4703, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 4337? Out of the record, Mr. Clerk, at the request of the Sponsor. Mr. Clerk, would you read House Bill 4498?"

Clerk Mahoney: "House Bill 4498, a Bill for an Act concerning municipalities. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 2633."

Clerk Mahoney: "House Bill 2633, a Bill for an Act in relation to municipalities. Second Reading of this House Bill. Amendments #1 and 2 were adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 4127?"

Clerk Mahoney: "House Bill 4127 has been read a second time previously. Amendments #1 and 2 were adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 3850."

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Clerk Mahoney: "House Bill 3850, a Bill for an Act in relation to vehicles..."

Speaker Hannig: "Okay. Out of the record. Mr. Clerk, read House Bill 3869."

Clerk Mahoney: "House Bill 3869, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 6577."

Clerk Mahoney: "House Bill 65..."

Speaker Hannig: "Mr. Clerk, we'll hold that on the Order of Second Reading pending a note. Could you read House Bill 4953?"

Clerk Mahoney: "House Bill 4953, a Bill for an Act concerning health care. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 6906."

Clerk Mahoney: "House Bill 6906, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4894."

Clerk Mahoney: "House Bill 4894, a Bill for an Act concerning public health. Second Reading of this House Bill. No

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Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4975. Okay. Apparently, there's note requests on that so we'll hold it on the Order of Second Reading. Would you read, Mr. Clerk, 4351?"

Clerk Mahoney: "House Bill 4351, a Bill for an Act concerning taxes. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, could you read House Bill 4558? Okay. There's a fiscal... or there's a note request on that Bill so we'll hold that. Mr. Clerk, could you read House Bill 5023?"

Clerk Mahoney: "House Bill 5023, a Bill for an Act concerning economic development. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 6583. Okay. Excuse me, Representative... or excuse me, Mr. Clerk, at the request of the Sponsor we're going to hold House Bill 5023 on the Order of Second Reading. And now would you read House Bill 6583?"

Clerk Mahoney: "House Bill 6583, a Bill for an Act concerning counties. Second Reading of this House..."

Speaker Hannig: "Out... out of the record, Mr. Clerk. Would you read House Bill 4015?"

Clerk Mahoney: "House Bill... House Bill 4015..."

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Speaker Hannig: "Okay. There's been requests for some notes on that Bill, Representative Stephens. House Bill 6954. Read that Bill, Mr. Clerk. Out of the record at the request of the Sponsor. Could you read House Bill 5157, please Mr. Clerk? Out of the record at the request of the Sponsor. And could you read House Bill 4827, Mr. Clerk? Okay. Out of the record, as well, at the request of the Sponsor. Mr. Clerk, would you read House Bill 50... 5014?"

Clerk Mahoney: "House Bill 5014, a Bill for an Act concerning taxes. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 5320."

Clerk Mahoney: "House Bill 5320... House Bill 5320, a Bill for an Act regarding transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4476."

Clerk Mahoney: "House Bill 4476, a Bill for an Act concerning public aid. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4374."

Clerk Mahoney: "House Bill 4374, a Bill for an Act concerning labor relations. Second Reading of this House Bill. No

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4058."

Clerk Mahoney: "House Bill 4058, a Bill for an Act concerning schools. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 6633."

Clerk Mahoney: "House Bill 6633, a Bill for an Act concerning horses. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 6616."

Clerk Mahoney: "House Bill 6616, a Bill for an Act in relation to public employee benefits. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4782."

Clerk Mahoney: "House Bill 4782, a Bill for an Act concerning alcoholic liquor. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 7038."

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Clerk Mahoney: "House Bill 7038, a Bill for an Act concerning human services. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 5175."

Clerk Mahoney: "House Bill 5175, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 5070."

Clerk Mahoney: "House Bill 5070, a Bill for an Act concerning financial regulation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4635."

Clerk Mahoney: "House Bill 4635, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4640."

Clerk Mahoney: "House Bill 4640 has been read a second time previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. On the Order of Third Reading, Mr. Clerk, could you read House Bill 6740?"

Clerk Mahoney: "House Bill 6740, a Bill for an Act concerning the Office of Banks and Real Estate. Third Reading of this House Bill."

Speaker Hannig: "Representative Verschoore."

Verschoore: "Thank you, Mr. Speaker, Ladies and Gentlemen. What this Bill does is amends the Office of Banks and Real Estate Act and requires the Commissioner of Banks and Real Estate to work in cooperation with the Director of Aging to ensure that all financial institutions regulated by the Office of Bank and Real Estate participate fully in... with the Department of Aging Financial Exploitations of the Elderly Intervention Program. Becomes effective immediately. I'd gladly take any questions."

Speaker Hannig: "Gentleman has moved for passage of House Bill 6740. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. 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 question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 5105? Mr. Washington."

Clerk Mahoney: "House Bill 5105, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Washington."

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Washington: "Thank you, Mr. Speaker. Mr. Speaker, this particular legislation, House Bill 5105, it creates the Low Digit License Plates Act and it amends the Illinois Vehicle Code. And it provides for the insurance of license plates numbered 1 thru 999 with no letters and license plates containing a single two or three letters only. It establishes conditions for the insurance of these plates and it provides that the Secretary of State shall adopt rules for implementing the Act. It provides that the new Act does not affect the reassignment and transfer rights of holders of low digit plates under the Illinois Vehicle Code. The genesis of this particular legislation was a response in kind to the controversy and scandal directed to Mr. Scott Fawell on the past administration. As most of my colleagues would know, that was a very turbulent time and it weighted out the integrity of this honorable Body in terms of some, not all, who would participate in making low level license plates available at a cost to the taxpayer and to the integrity of this great Body. So, the wisdom of those who help put this legislation together which I quickly seized the opportunity to bring this to your attention, would close the loophole that was once taken advantage of by Scott Fawell and others to make money, political money, at the expense of the integrity of the State of Illinois. So, what this does, for an example, for those who already own low license plate... low digit plates, they would maintain those plates as usual, undisturbed, unfettered in any kind of form or fashion. If upon the

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death of individuals holding those plates, if they did not assign those plates to be passed down into the family tree, by right those plates would come back and become the property of the State of Illinois to be reissued out in a fair procedure that the everyday person would have access to those plates, and not being handed out as a political gift of some sort at a higher price and put it in to balance tegrity of this Body. I ask for a favorable vote for House Bill 5105. And I'm ready to try to answer any questions that comes about."

Speaker Hannig: "And on that question, Representative Parke."

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

Speaker Hannig: "He indicates he'll yield."

Parke: "Representative, are you aware that there is a large price tag on this... to implement this through the Secretary of State's Office?"

Washington: "Representative, I am aware that there is a price tag. But I'm also aware, Representative, that if you looked at it the Secretary of State under the auspice of the State of Illinois already have the website in place. We're not talking about anything that needs anybody to be hired. We're not talking about other than when those plates become available. And I could leave it up to your own imagination that those who are in possession of low digit plates already, the odds and chance of people not passing 'em down may be one in a million. But if it does occur, the State of Illinois should be in the position as the sole authority over license plates of that kind, with such controversy

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behind them, to be able to put that on this website to let the general public know that that low digit plate is available, but not at the same process and procedure that was done to bring scandal and shame to the State of Illinois. Also, in addition to what you're saying..."

Parke: "Oh, okay. Okay."

Washington: "...let me just add one thing. It's questionable whether the amount given... I tried to find the author, to find the formula and found neither. Thank you."

Parke: "Thank you. Now, why is the Secretary of State's Office opposed to this?"

Washington: "I'm sorry?"

Parke: "Why is the Secretary of State's Office opposed to this?"

Washington: "I think it may be... and I'm thinking, Representative, I can't give you a direct answer 'cause I haven't gotten one. But it's not that I haven't sought out one."

Parke: "Okay."

Washington: "But, I think that..."

Parke: "Okay."

Washington: "...because of the time and maybe just..."

Parke: "Well, Representative..."

Washington: "...a bump in the road..."

Parke: "...if you don't know, that's okay. That's... that's..."

Washington: "Okay."

Parke: "...the right answer, you don't know. That's fine, that's fair."

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Washington: "Okay."

Parke: "Ladies and Gentlemen, to the Bill. Ladies and Gentlemen, there's no doubt that the Sponsor's well intended and he's trying to stomp out corruption wherever it raises its head, but you know, I want you to all think about this. There are a lot of people that have had these license plates in their families for generations, for generations. I can remember when people came to me and said, 'Why can I not renew my license plate? I've had this one and my father had it and all of the sudden I can't renew it.' They were outraged. Now that this has settled down, to go back to them and tell 999 thou... 9,999 people no matter what, no matter how you got it, it doesn't matter how you got that license plate, we, in the General Assembly know what's best for you. You know, Ladies and Gentlemen, I served with Jesse White down here for over 10 years and I find him... and I'm sure the Sponsor agrees, that I find him to be an honest man that's trying to do a good job in that office. And I have confidence in him not doing it the way it was done in the past. The Secretary of State's Office is opposed to this because it is going to cost \$830,000. Ladies and Gentlemen, \$830,000, that's what the Fiscal Note says on this Bill. This is not necessary. I have confidence in the Secretary of State's Office to do it in a fair manner, to continue to work with those people who have had these license plates to make sure that the prestige that comes with these from their family members is maintained. And if there is anybody who gives up their

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license plate that that Secretary of State's Office will allocate that license plate in a respectable manner that's necessa... that will do the job. This Bill just isn't necessary. I know what the Sponsor's trying to do, we all do. But, I'm going to all... I'm going to have confidence in the Secretary of State's Office to do this the right way. At time when every dollar's important, we should not be allocating \$930,000. This is just not a good idea and so I would ask the Body to vote 'no' on this legislation."

Speaker Hannig: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you. Will the Sponsor yield."

Speaker Hannig: "He indicates he'll yield."

Lang: "Representative, the previous speaker made some comments that I didn't quite understand. Maybe I don't understand the Bill, but I'm sure you can help us out. He talked about the transferring of these plates and if they're in a family they should stay in the family and all that, but this... your Bill doesn't take any license plates away from anybody that has them, does it?"

Washington: "No, Sir. The Representative got it all wrong."

Lang: "That's what I thought. So, it doesn't take any plates away from anybody, it doesn't cost us any fees because the people that have the plates still need to pay their fee to keep the vanity plate, correct?"

Washington: "That's correct."

Lang: "And so, who's hurt by the Bill if it passes?"

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Washington: "Well, if we don't close this loophole we may be hurt a second time. You know what they say, first time you may consider it an accident, second time, shame on you."

Lang: "And so, it would be your position that the previous speaker didn't really understand the Bill as well as we do? Would that be correct, Sir?"

Washington: "That's correct."

Lang: "That's what I thought. It's a good Bill, I'll vote for it."

Speaker Hannig: "The Gentleman from Cook, Representative Dunkin."

Dunkin: "Will the speaker yier... yield?"

Speaker Hannig: "He indicates he'll yield."

Dunkin: "Thank you. Mr. Sponsor..."

Speaker Hannig: "He indicates he'll yield."

Dunkin: "...I... would be con... I'm going to go talk with him."

Speaker Hannig: "Are you finished, Representative Dunkin? Okay. The Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "He indicates he'll yield."

Black: "Representative, let me make sure that I understand this Bill. Who administers the license plate program in the State of Illinois?"

Washington: "I'm sorry, Mr. Black?"

Black: "Who... who administers the license plate program and has for the last several years for the State of Illinois?"

Washington: "The Secretary of State's Office, Sir."

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Black: "And the Secretary of State is Jesse White, correct?"

Washington: "Yes, Sir."

Black: "Who served in this Body, had a distinguished career in the Illinois House, a distinguished career, I believe, as Cook County Recorder of Deeds, is that not correct?"

Washington: "I believe so, yes, Sir."

Black: "And is now Secretary of State?"

Washington: "Right."

Black: "Do you find a... do you find anything as a cross pressure in that the person in charge of license plates in this state and has been for the last 5 years and some months, is opposed to the Bill?"

Washington: "Mr. Black, I don't think he's opposed to it. No, I don't think he would be opposed to saving the integrity.. I don't think you can put a price on it."

Black: Well, I... I certainly don't see him as a proponent of the Bill. I would never question Secretary White's integrity. That's your words, not mine. But I don't see that he signed in or anyone representing his office signed in as a proponent of the Bill. I mean, I find it... I find it somewhat inconsistent that a Bill impacting a constitutionally elected officeholders office would not be a proponent of a Bill that has direct impact on his office. I... I'm just trying to understand that situation."

Washington: "Well, Representative, I think that his objection in my understanding is the fact that we're talking about maintaining an Internet listing. I don't think he's opposed to the premise of why this Bill is being enacted.

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I don't... I don't... I don't dare see him opposing protecting the integrity of this state. I don't think those are the issues. But once again, I remind you, if you would put your feet in my shoes right now, I did seek out the author who gave us the fiscal impact and is very questionable whether those numbers are very accurate because no one came forward to say that, 'Hey, we wrote this, we gave this to you. Now, raise your question.' I could not get a human face attached with a number. So, I want to remind you of that and I'm not saying that that means anything in and of itself."

Black: "Now, you're confusing me any... even more, Representative. If I heard what you just said, you are questioning the validity of the Fiscal Note as supplied by Jesse White's office. Now..."

Washington: "Well..."

Black: "...either Jesse White is a man of integrity and credibility and runs a good office or he isn't. Now, you can't have it both ways."

Washington: "Well, I don't want it both ways. He is a man of integrity and I'll be the first one to jump to the front of the line and say that and defend anybody who opposes that. But..."

Black: "And so will I."

Washington: "...in addition to that, Jesse White is not the issue. The integrity of this Body having to experience under Scott Fawell and George Ryan, chief of... who was the Chief Executive Officer, reveal under his administration

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and maybe things on the past administration that a discretion to issue plates was widely abused and it turned into an illegal quid pro that cost all of us, both Democrats and Republican, some... some humility, some damage to that integrity. And to avoid that from happening, this is an opportunity to close that. We already have a website in place. So, all you're talking about doing is taking a plate if it becomes available. We're not talking about robbing anybody to pay Peter or Paul, but to keep the plate in the family. But if the family no longer wants to keep that, we're saying that plate should go where the average everyday citizen should have access to it and not at a cost to the integrity of this Body."

Black: "Well, Representative, you just kind of confirmed what I was afraid of all along. You refuse to acknowledge that Secretary of State Jesse White is not a proponent of this Bill. And when I asked you to explain why and asked you a question about why his office put a cost of almost \$900,000 on this, what answer did you give me? You brought up the name of Scott Fawell or Fawell as I've always pronounced it. So, it... it must be political in nature rather than a Secretary of State good government initiative. By the way, do you know where Scott Fawell is now?"

Washington: "No, Sir, I don't know, Representative."

Black: "He's in prison."

Washington: "Okay. Well, Representative, can I..."

Black: "What if..."

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Washington: "...can I raise a question to you in fairness of the subject matter?"

Washington: "What..."

Black: "I would think that the record would show that you have not always voted for Bills that the Secretary of State has been either the opponent or proponent. So, if the standard's already been set, this is not an issue of anybody's integrity. But this is an issue to challenge this Body how much do we care about what is taking place and how do we close that chapter and move forward under a different kind of system? The everyday person in Illinois should have access to those plates, if they become available. And so, under the Low Digit License Plate Act the Secretary of State will maintain, only maintain, an Internet system that is already in place. Most people in the room who have Internet access know that it is nothing but a simple thing of putting in certain information if it becomes available. They may not never have to use it. But, how do you come up with almost a million dollar cost associated with that? That's not reflected on the Secretary of State, that's somebody in the chain of command that maybe had a bad day with numbers."

Black: "Representative, I'm very proud of my voting record in this chamber, I don't make any apologies for that. And I have tried always to vote as independently as I think the facts of any issue determine how I should vote. And all I'm trying to do to you or with you, is I am trying to determine why the responsible, constitutionally mandated

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officer to handle license plates in the State of Illinois is not in favor of the legislation? That puts up a warning sign to me. There is either something wrong with the Bill, in the drafting of the Bill, in the administration of the Bill or in the cost of the Bill. And I want to focus on the cost of the Bill. Were those cost figures given to someone to file by the Secretary of State?"

Washington: "I don't know, Mr. Black."

Black: "Well, they certainly didn't materialize from thin air, did they? The Fiscal Note says almost \$900,000. Now, where did that figure come from? Did it come from the Department of Revenue?"

Washington: "I... I really don't know, Representative. But, I do know..."

Black: "Well, Representative, there's only one..."

Washington: "...but I do know... but I do know that low digit plates were viewed as a cash cow for political contributions. And more than 200 donors to Ryan's 1994 campaign held low digit plates averaging more than one thousand per plate per donor. And the Fiscal Note is not on your analysis... on our analysis."

Black: "Well, it should be because the Fiscal Note has been filed and it was filed by the Office of the Secretary of State. The estimated fiscal impact is \$832,000... 200... \$832,200 to implement. Annual cost thereafter would be approximately \$100,000 a year. They go on to further say that they would need new equipment, new computers and more staff to implement this website. Nothing happens in State

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Government without the action of people, people cost money, equipment costs money. Now, you tell me how much it's... you're willing to spend so that license plate numbers from 1 to 999 can be reissued upon the death or the recusal of those people who currently hold those numbers."

Washington: "You raising a question to me?"

Black: "Yes. You're the Sponsor of the Bill."

Washington: "Yes, Sir, I know that. And I'm sorry I'm not able to give you an answer on your question."

Black: "So, you... you wouldn't even hazard a guess as to what we should spend to be able to issue 9,998 license plates at an average cost of 78 bucks with a startup cost of \$823,000?"

Washington: "Representative, I'm sorry, I can't answer you. But, I'm hoping... I'm hoping that I'm not wrong about the nature of this Honorable Body to protect itself and defend itself. And I'm hoping that we... whatever that we're willing to pay more than 200 donors did when they paid an average of more than \$1,000 per plate per donor."

Black: "Representative, was there any violation of the law on any of those donors or any of those plates? Was there a violation of the law? Was anybody prosecuted?"

Washington: "I'm sorry?"

Black: "Was anyone prosecuted for these so called donations of these so called low digit plates?"

Washington: " I think Mr. Scott Fawell was."

Black: "What license plate does the widow of Governor Richard Ogilvie has, do you know? What... what... what license plate number does she have?"

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Washington: "No, I don't know. That was in 1973. I don't know."

Black: "Does your staff have a copy of the last Chicago newspaper article that lists every low digit nu... license plate in the State of Illinois? I can get you a copy if you need one. You want to know how many of them on there are Democrats? About half, maybe more. And the bigger the Democrat in Cook County, the lower the license plate. Now, you are telling me those Democrats somehow paid a campaign donation to George Ryan or Scott Fawell to get a low digit license plate? Are you..."

Washington: "Repre..."

Black: "...casting aspersion on Democrat officeholders and politicians in Cook County?"

Washington: "Representative, I'm not trying to point the finger and I was hoping that this is a nonpartisan issue because all..."

Black: "You made it a partisan issue..."

Washington: "...all of our integrity has been... been weighted out on this."

Black: "...you made it a partisan issue when you had to bring up Scott Fawell."

Washington: "I'm sorry..."

Black: "That shows me..."

Washington: "...if that's the party he was in, but I... I..."

Black: "...oh no, no you can't have it both..."

Washington: "Hey, I inherited..."

Black: "...ways, Representative."

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Washington: "...that information. I didn't..."

Black: "You want to make it political..."

Washington: "...create it."

Black: "...you want to make it political, I'll play your game.
I've been playing it longer than you have."

Washington: "No, Sir, I wouldn't dare..."

Black: "Oh, yes, I have."

Washington: "I know you have and I wouldn't..."

Black: "Yeah."

Washington: "...challenge you on that."

Black: "I'm going to tell you something."

Washington: "Yes, Sir."

Black: "You made it political when you and your staff had to
bring up the name of Scott Fawell. Reform, my butt. You
want to make headlines on a political issue. I'll get that
list for you and we'll publicize every Democrat who has a
low license number in the State of Illinois."

Washington: "No, no. Well, would it..."

Black: "What... what's John Stroger's license number, do you
happen to know?"

Washington: "...well, would it... would it be better if I invoke
the name of Dan Walker? Would that... would that make you a
little happier?"

Black: "I didn't bring up Dan..."

Washington: "To balance it out."

Black: "...Walker. I didn't bring up Dan..."

Washington: "Well, I mean..."

Black: "...Walker."

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Washington: "...I wasn't saying it as a party thing."

Black: "I didn't bring up the fact he went to jail."

Washington: "Okay."

Black: "I don't want to bring up Otto Kerner, the fact that he went to jail."

Washington: "No, you didn't bring..."

Black: "I didn't bring up Paul Powell..."

Washington: "...and neither did, I read it in the newspaper..."

Black: "...I didn't bring up Paul Powell, did I?"

Washington: "...like most people did."

Black: "I didn't bring up Paul Powell and the million dollars worth of money in shoe boxes. I didn't bring up the Chicago City Council..."

Washington: "Representative, I read it in the paper just like you did."

Black: "Did I bring up the city council, Representative, of Chicago, half of whom are serving in prison terms? Huh? Did I? You wanna talk about political corruption, let's talk about Chicago."

Speaker Hannig: "Could I... Representative..."

Black: "The only..."

Speaker Hannig: "Representative Black..."

Black: "...the only city council, listen, Mr. Speaker, the only city council that at one time could have a quorum in the federal penitentiary in Terre Haute."

Washington: "Representative..."

Speaker Hannig: "Could I... could I ask..."

Black: "Now, let's talk about..."

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Speaker Hannig: "Represen..."

Black: "...corruption."

Washington: "...Representative, my last comment..."

Speaker Hannig: "No..."

Black: "Let's talk about Scott Fawell."

Washington: "...my last..."

Black: "Let's talk about the City of Chicago. Let's... hey, let's talk about..."

Speaker Hannig: "Representative Black..."

Black: "...the truck leasing program."

Speaker Hannig: "Representative Black..."

Black: "Slow down, Mr. Speaker..."

Speaker Hannig: "Representative Black..."

Black: "...I didn't bring this up. Let's talk about the truck leasing program in Chicago."

Speaker Hannig: "Representative Black, could I ask..."

Black: "Let's talk about the wrought iron fence."

Speaker Hannig: "...could I ask all the Members... could I ask all the Members..."

Black: "Let's talk about the wrought iron fence."

Speaker Hannig: "...of the House to talk to this Bill and the merits of this Bill?"

Black: "Hey, Mr. Speaker, let's talk about the minority business sham in the City of Chicago. Let's talk about the wrought iron fence..."

Washington: "Representative, I'm a Member..."

Black: "...in the City of Chicago."

Washington: "...of the downstate caucus. I live in Waukegan..."

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Black: "You want to talk about scandal..."

Washington: "...not Chicago."

Black: "...let's talk about scandal."

Speaker Hannig: "Representative, I think your time has expired."

Black: "I'm sure there are people..."

Speaker Hannig: "Representative Black, could I... could I ask you..."

Black: "...I'm sure there are people on my side of the aisle..."

Speaker Hannig: "Representative Black..."

Black: "...who will give me as much time as I need."

Speaker Hannig: "I understand, Representative, I said that in jest. But, I'm asking for you and the Sponsor of the Bill, please, and all other speakers, to please confine the remarks to the merits..."

Black: "If he would have confined..."

Speaker Hannig: "...of the Bill."

Black: "...his remarks to the Bill, would've been fine. He had to bring up Scott Fawell. I'll bring up a hundred Democrats."

Speaker Hannig: "Representative..."

Black: "I'll bring up... I'll bring up ten programs in the Sun-Times and the Tribune in the last year that are as crooked as Loop 121 in the City of Chicago. Let's talk about the lease truck program."

Speaker Hannig: "Representative Black, could we ask that you and the Sponsor of the Bill, Representative Washington,

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confine your remarks, both of you and all other speakers, to the merits of this Bill?"

Black: "Mr. Speaker, I didn't bring it up. He's the one who crossed the line and tried to make this a cheap political issue. Not me."

Washington: "I'm sorry you feel like that, Sir, that's not my intent. I hope you accept my apology."

Black: "You're the one who mentioned a disgraced public official who I have no regard for."

Washington: "All right. And I..."

Black: "And you brought up his name."

Washington: "...and you have a right to your opinion. Beauty is in the eye of the beholder."

Black: "Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Black: "If you all want to turn your back on Jesse White and say that Jesse doesn't know how to run a program and that Jesse can't clean it up and that Jesse couldn't take care of business in the Secretary of State's Office, you go right ahead and do that. I have confidence in Jesse White, I have respect for his integrity, I have respect for his ability. That's Jesse White's responsibility and by God, Jesse White can clean it up and he will. And he doesn't need any help from the Lieutenant Governor."

Speaker Hannig: "The Gentleman from Cook, Representative Colvin. Representative Colvin."

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

Speaker Hannig: "He indicates he'll yield."

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Colvin: "I'm just curious to know. Did the Secretary of State make any statements in committee opposing your Bill? Did the Secretary of State's Office testify in committee against your Bill?"

Washington: "No."

Colvin: "So..."

Washington: "No."

Colvin: "...nobody came to committee and testified against the Bill?"

Washington: "No."

Colvin: "And the Bill passed out of committee..."

Washington: "Yes."

Colvin: "...unanimously? And, you know, we call thousands of Bills every year to the floor and whether or not someone is supporting it or opposing it, I don't know if that's the real issue. I guess the question is whether or not the Bill has merit to the individual Members to either vote 'yes' or 'no'. And after sitting here listening to this debate and reading through the Bill, the Bill definitely has merit. Now, this is not to say that Jesse White has not done a tremendous job cleaning up the tarnished image of the Secretary of State's Office. I think he has made tremendous strides in that office and he should be commended for that. But, I do believe still it is the job of the... Jesse White is not going to be the Secretary of State forever. And I think the rule of law is the only thing we can absolutely depend on to deal with problems, not today here in 2004, but in the year 2014 when we don't

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know who will be the Secretary of State. And we have to use that tool, the law, right here in Springfield to make sure that we are, I think, promoting a system of government that's open, fair and honest. That we correct mistakes and put in rules and stopgap measures that will prevent some of the things we've seen before. So, this Bill speaks to some of the problems that existed. And it addresses it the best way possible, I think, and that's through law. Representative Washington, I commend you for supporting this Bill. I could see why some people would be upset with it. I don't think it's a personal attack on the current Secretary of State nor is it an attack on anyone who's ever worked in the Secretary of State's Office. There were things done there that were questionable and we'll leave it at that. But, I think your Bill goes a very long way to making sure some of those questionable things won't happen in the past. I commend you for your effort and I'll support your Bill. Thank you."

Speaker Hannig: "The Lady from Cook, Representative Mulligan."

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

Speaker Hannig: "He indicates he will."

Mulligan: "Representative, I just want to get right back to the money again. I presume you had good intentions when you sponsored the Bill. We all abhor what might have been going on. But you know, first of all, from reading your information on the Bill which I did last night before I looked at the price tag, you made it very clear that it would probably only impact a small number of license plates

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for quite some time. Secondly, I notice that the... you received the Fiscal Note or at least it was filed on the 23rd which was only two days ago. Did you look at that Fiscal Note and then question the Secretary of State's Office why there was a price tag of \$832,000 to first set up and then at least \$92,000 every year... I'm sorry, \$98,000 every year thereafter? Did you question why it would be that much?"

Washington: "Yea, Ma'am."

Mulligan: "And they said, 'Yes, it would be that much.'?"

Washington: "No, Ma'am. Representative, like yourself, I just got it about the same time and when I got it I tried to seek out who was the person responsible for the numbers. And nobody from the Secretary of State's Office and those who represent him would... would provide me with that information. What I was provided was what you were provided, nothing else."

Mulligan: "All right. You sit in Human Service Appropriations, where I'm the Minority Spokesman, and you've listened to some of the budgets already, this is the second year that you've listened. And I would think that in looking at this you might say, 'Well, it's a good idea, we should maybe do it in the future. Hopefully, the Secretary... whoever's the Secretary of State after this has happened once would be super cautious about ever doing it again.' Although, sometimes I wonder how people do that stuff. But, I just want to point out one thing to you and ask that perhaps you take the Bill out of the record and reconsider till you

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find out exactly how much money. We put \$620,000 a year into extra community health care centers, \$832,000 would cost... would fund a lot of Meals on Wheels. The Lead Screening Program costs less than that. Representative Howard just indicated a new HIV program for the African-American community that she'd very much like to have go forward, which is going to cost a certain amount of money. There's only \$250,000 put into the Breast & Cervical Cancer Fund. Payments for Medicaid providers are lower than they should be. I would think that for your district, for my district, for the State of Illinois we could better spend \$832,000 and hope that whoever does this in the future will be honorable and that we called attention to it. But, in this budget year, I would ask you to take the Bill out of the record, to find out how much it really is going to cost and to certainly look at the fact that rather than try to embarrass someone it would be much better to spend the money for the good of the people of the State of Illinois rather than spend it in this way. And it's probably going to impact 50 license plates for the next how many years we don't know. I can think of a lot of ways to spend \$832,000, if we even had it. The problem is, we probably don't even have it and that's very sad to me, because I work all the time with people coming to us saying, 'I've got something we really need to do.' For good things and we can't do it. I think this is not a good Bill, I'm sorry. And I would hope that a lot of people would reconsider and not make it a political fight, but make it

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one of, where is the best place to put the dollars in the State of Illinois. I think if you had seen this Fiscal Note sooner you would have either questioned it or you would have reconsidered what you're doing with the Bill. And I would urge a 'no' vote on this until we have a better way of doing it. Or I would ask you so that we don't go against you on this to remove it from the record until we find out exactly what the real cost is."

Speaker Hannig: "The Gentleman from..."

Washington: "Would you like me to respond to you?"

Mulligan: "Yes. Feel free. I mean, I think there's programs you'd like to see go forward rather than this, wouldn't you? I mean, you've said them in committee I've heard you."

Washington: "And I think you've already gave... given me my response to you in the form of this. The embarrassment has already taken place, that's number one."

Mulligan: "Right."

Washington: "And on the committee that we share and I respect your leadership, I've heard you on more than one occasion be very cost conscience on anything. And I think I've adopted what I've saw you set into motion. And don't... I don't want you to think that I was not cost conscience. But, I want you to be fair in this regard, because I don't accept your proposal as a workable proposal to pull this Bill. But, I want to tell you why. I owe you that. The reason that I don't think it's proper in this case and you've been here much longer than I. But, there was a

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proper time limit as the question from the other side of the aisle came up, the Secretary of State's Office did not uphold nor had any one at any time during the initial deliberation of this piece of legislation. That's number one. Almost 24... and I don't want to lie about anything. If my memory serves me 24 to maybe 48 hours after we got it out of committee, I sought out on a number of occasions the legislative liaison for the Secretary of State's Office to question why was there some resistance and what did it all mean? Because I'm still learning so I had to seek that information out. I was not given in a reasonable time for any legislation of any major concern any response whatsoever. At no time and period. And then when I questioned the amount, being that we already have a website in place, being that we're talking about the number of families who are already in possession of low digit plates. How many realistically and fairly do you think of those families that would not want to carry on the tradition of whoever has those plates? And if there's family that that is not a concern, return those plates so they can become available to others who might want them. That is a fair process. And even with limited knowledge as naive as I am, it doesn't take a lot to understand that you're talking about entering in a small amount of information that could be years apart. And like my colleague said here, it raises the question, 'Who would be the SOS down the line?' And to close a loophole that I think... when I look at the hit that we took as a political family, irrespective of party, it

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dictates to me that this is the right thing to do, to close this chapter, go on with a new administration, a new Governor, hopefully, with some new ideas that's going to make the state restore its integrity and feeling about us as leaders. So, I wouldn't... I couldn't accept the proposal. But, those are the reasons why."

Mulligan: "Representative, I would strongly suggest to you that the Secretary of State would be hard pressed to oppose this Bill because it would not make him look good. Nothing against the Secretary of State. There are many Bills that we vote for on this House Floor because it's going to be a mail piece or it's going to be something else. Crimes that heap on penalties, we haven't gone through the Criminal Code for I don't know how long. We make it very difficult. We just keep voting on it because nobody can vote 'no' without looking bad. So, I would suggest to you..."

Washington: "Hold it, I can't, Representative..."

Mulligan: "...that the Secretary of State could..."

Washington: "...can you get some order in the House? I can't hear what she's saying. Thank you."

Mulligan: "I would suggest to you that the Secretary of State could not openly oppose this just as we don't vote on certain things because it would make you look bad. But, I would also suggest to you that I would take it out and question the \$832,000. How many programs is that going to cut or would be available? This to me is not a good way to spend money. There's a game that's put out for kids in school by one of the Illinois taxpapers... taxpayers

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associations that's called... it's called, 'Whose Cow Is It?' And it gets you out there to put on the budget and you put a big circle and you start carving up the budget as to what you want to spend and what's a priority. To me a priority would be more mon... money in Meals on Wheels, more money for community health centers, more money for HIV-AIDS in the black community. Not \$830,000 for a website that may only generate 50 plates in the next 5 or 10 years. I just can't justify that kind of money and I like to ask for programs or I like to have programs not cut. This to me, you know, if it cost \$20,000, okay, maybe it's a good idea. But, I don't think that we know why it costs that much and I think you should have inquired. And I think it would be the responsible thing to do to take it out of the record and inquire. If you don't want to, then I will vote 'no' because I would prefer to spend \$830,000 another way."

Washington: "Well, you know what, I thank you..."

Speaker Hannig: "Representative Washington..."

Washington: "...but my last comment's I..."

Speaker Hannig: "Representative Washington... Representative Washington, that was not a question, you'll have a chance to close. Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker and Members of this House. The Secretary... the Secretary is going to roll this exact... a very similar plan or program like this out in June. It's called the Pick A Plate Program and it won't cost a dime. He's going to do it via the website on a first come first serve basis. So, what I would ask the Sponsor of this Bill

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if he could wait until tomorrow, maybe next Tuesday or Wednesday when he sits down with the members of his office and they layout the Pick A... Pick A Plate Program, again, that won't cost a red cent, that's going to be administered on the website. They've thought this program through and it's going to be cost... most cost effective. I'm... their working on a more fair and just way to make this uninhibited with any negative. So, I would ask the Sponsor if he could pull this out of the record and sit down with the Secretary of State and even become a part of the program, this exact same program that he's going to roll out in less than a month and a half or two months that won't cost the state a dime. So, if the Sponsor would yield or pull this out of the record until he sits down with the Secretary's Office, I think the State of Illinois would save at least \$900,000. And we would get the same results. Yes, I just got off the ph... I'm... thank you. Mr. Sponsor... did he hear what I said?"

Speaker Hannig: "Representative Washington. Representative Washington, could... could you..."

Washington: "In deference to what has been said, I will pull this Bill for further discussion until we get some further clarity. Thank you."

Speaker Hannig: "Out of the record. Mr. Clerk, would you read House Bill 6841? Representative Black, for what reason do you rise?"

Black: "Yes, Mr. Speaker, an inquiry of the Chair?"

Speaker Hannig: "Yes, state your point."

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Black: "Yes, I would like the record to reflect I intended to vote 'yes' on 5105."

Speaker Hannig: "Mr. Clerk, would you read the Bill please."

Clerk Mahoney: "House Bill 6841, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Bassi. Okay. Out of the record. Mr. Clerk, could you read House Bill 587... 5879."

Clerk Mahoney: "House Bill 5875, a Bill for an Act in relation to business transactions. Third Reading of this House Bill."

Speaker Hannig: "Representative Chapa LaVia."

LaVia: "Thank you, Speaker. This is a technical change just allowing the Physical Fitness Services Act to... instead of being capped at \$2500 a year to charge on membership, now this allows the facilities to go up to \$45,000 (sic-\$4500) per year. And I would request an 'aye' vote."

Speaker Hannig: "The Lady has moved for passage of House Bill 5875. Is there any discussion? The Gentleman from Cook, Representative Parke. Excuse me..."

Parke: "Thank you, I yield to my colleague."

Speaker Hannig: "Okay. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Would the Sponsor yield?"

Speaker Hannig: "She indicates she'll yield."

Black: "Representative, I'm having a hard time understanding this. If I... if I look at this it seems to me... what we usually do is lower the threshold that someone would have

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to pay... there's been a... a... a rather unsavory history of these fitness club memberships. But, if I read this you're saying that the physical... these health clubs may require \$4500 payment rather than \$2500 payment? I... I... I'm having a very difficult time understanding that."

Chapa LaVia: "Well, the last time the State Law was changed was back in 1983 and because the increases of... of living and things like that, what this does is allows clubs to put in amenities like the East Bank Club, which I'm not familiar with but it's from Chicago. It allows them to put into their membership things like personal grooming as far as hair, pedicures, physical trainers that they can allow to have alongside with their membership of this."

Black: "Well, if I have a complaint against a private health club, I think that I signed up under duress or I signed up not understanding the... the impact of the dues, the initiation fee, whatever it is, it... it... it seems like under existing law I could only held to a standard of \$2500, unless I could prove outright fraud, I would assume. But now, you're holding me to a standard... in other words you're letting the club hold the member to a standard of \$4,500 that I could be responsible for."

Chapa LaVia: "No. Now, this allows a club to charge up to that amount. The members are already paying over what they're paying their membership to get these services. Now, what it allows the club to do is give these services for the price of the membership. Like a... you get your back massaged and all the nice things that you... you go in to get

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a nice membership at a very nice club would fall under. Some of the clubs that are higher-end memberships can allow this, they have to say, 'You're my member here, yes you pay \$2500 a year, but you still have to pay for this, this and this and this.'

Black: "Well, the way... the way you're explaining this almost sounds like I'm joining a country club and now they have the right to assess to me an additional \$2,000. \$200 a month."

Chapa LaVia: "No, no, this allows them to... I mean, they can stay at 2500 if they want. This allows them to increase the fee for membership if they... if it's afforded in the sense of if they have the amenities. This doesn't mean that they have to, this just gives them the ability to ask for a membership fee more than 2500 if they're going to give all these other things and include it as a package. My membership at my health club in Aurora is, I think, 435. This doesn't allow them... me to... to put into law that now they can raise it 4500. And it's your choice as a consumer as it is, whether you want to go someplace that's nice and now allows them to put it into the price of their membership."

Black: "Well, my health club only charges a dollar and a half a month."

Chapa LaVia: "You're lucky."

Black: "But, the only thing we have is we have a hundred pound sack of seed corn and a hundred pound sack of fertilizer and you lift those up two or three times. It's not much

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fun, but it's you know, it's better than lifting up the dog, I guess."

Chapa LaVia: "You... you come to Aurora and I'll work out with you."

Black: "I'm still having a problem understanding. If I'm not a member of a health club, but I want to join one and quite frankly, I should, but that's another issue. Can... are they limited by law now to charge me \$2,500 to join?"

Chapa LaVia: "I'm sorry, I didn't hear you, Representative Black."

Black: "If I... if I wanted to go to a health club now and sign up, the health club like you mentioned, where... where I could get a massage, 'cause the only place we can get a massage in my district's in the back in some house trailer, but that's another story."

Chapa LaVia: "Shhh. Shhhh."

Black: "Hey, you guys need to get out of the big city more. If I come up and join your health club, am I reading this to say the maximum they can charge me now to join is 2500?"

Chapa LaVia: "Yes, if they... if... if they have... well, no, not necessarily. It depends on... there's different levels of membership and it depends on what you're buying into. I mean, you have the ability to select whatever plan fits you. This really shouldn't... it shouldn't penalize people that want more services in a membership package. But, there are different levels."

Black: "You know, that... that's where and I'm not... I'm not trying to be... delay or anything else, Representative, this

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is... and I'll listen to debate. This is one I really don't understand. I would assume that if I enter into a contract with a health club and they have new facilities, they have every right to say, 'If you want to access these facilities, you're gonna pay more money.' Are you telling me that under current law they cannot ask me to pay more money..."

Chapa LaVia: "No."

Black: "...for more facilities?"

Chapa LaVia: "No, that... it's kind of confusing and I can understand where you get that. It depends on the membership itself and they're not actually... now... this is not allowing them to raise the membership fees. This is allowing the higher-end boutique facilities to charge the appropriate amount of money to make a profit still."

Black: "I was just... I was just talking with staff. Would this give a health club a statutory right to say, 'Look we're a much better club than we were when your brother joined. If you want to join our club now, it was 2500, but now it's 4500 because we've added a sauna, a whirlpool, a jacuzzi, a better weight room. So, it's more money.' And then I would enter into a contract where I would have to pay \$4,500 a year, whereas if I understand the current statute, they could only get me to sign a contract for \$2,500 a year now."

Chapa LaVia: "All... it's whatever they put into the contract, Representative. Because of the inflation factors and things that have happened since 1983, I mean, gas, look at

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gas. This just allows somebody to come into a club and pay for whatever package they want, what boutique package they want up... and the highest you can charge as a... a club is 4500."

Black: "Well..."

Chapa LaVia: "So, it depends on the... and there... it's not, 'Oh we're gonna... can charge this much now, so I'm going to... I'm going to go out there and take everybody for their money.' It's allowing people that are working hard that... especially in Chicago, to be able to pay people, you know, appropriately for the city costs."

Black: "All right. Let me... let me try a different tact. Why... why is there a physical... let me get the name right... why is there a Physical Fitness Services Act to begin with? What... what was the genesis of the original legislation?"

Chapa LaVia: "I'm sorry?"

Black: "Why... why is there a Physical Fitness Service Act in statute? What precipitated that Act?"

Chapa LaVia: "That was so there couldn't be companies out there, fly-by-night companies, going in and taking advantage of the consumer."

Black: "All right. Then would it be a safe assumption to say because there were consumers being taken advantage of, evidently under that Act at one time, the most exposure that I could incur was \$2,500?"

Chapa LaVia: "Right. No, I think the market can control it. I mean, the... you're not... it's... it's... there too much media nowadays, there's too much television, there's too many

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people that are aware of their rights and what have you. I... I would hope and I don't have any specific examples, that we could actually put places like that out of business that are... are... are not practicing fair..."

Black: "Well, I... and I don't fundamentally disagree with you... I... I think the marketplace... I think the marketplace would be a better way to handle it, which then begs the question, maybe we should repeal the Physical Fitness Services Act and let the marketplace set the rate. Why are we setting this contractual rate by law?"

Chapa LaVia: "Well, it's funny, 'cause in committee some of our Members had said, 'Well, why are we even putting a cap on it?' 'Cause... Okay. You know what, Representative Black, I agree with you. I'm going to pull it and I'm going to amend the Bill for you. Okay?"

Black: "All right. Thank you."

Chapa LaVia: "Thank you."

Speaker Hannig: "Any further discussion? There being none, then the... Oh, out of the rec... out of the record. Mr. Clerk, let's return to the Order of House Bill 6841. And Representative Bassi's recognized on that Bill."

Clerk Mahoney: "House Bill 6841, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Bassi."

Bassi: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that has to do with education. What we are doing is amending the School Code to replace provisions that are outdated and updating them with what is

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currently being done in classrooms. This has to do with character education primarily and it will be talking about making sure that teachers teach trustworthiness, respect, responsibility, fairness, caring and citizenship. There is a group in Washington, D.C., the Congress... the Congressional Conference on Civic Education that is very interested in raising the citizenship issue. It's... there is no known opposition and I would ask for an 'aye' vote."

Speaker Hannig: "Is there any discussion? Representative Lang."

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

Speaker Hannig: "She indicates she'll yield."

Lang: "Representative, you went through that list of things you want teachers to teach?"

Bassi: "Yes, Sir."

Lang: "Is there a curriculum for those things?"

Bassi: "As..."

Lang: "I mean..."

Bassi: "...a matter of fact there is."

Lang: "...well, how does a... how does a 4th grade teacher in the Palatine School District teach trustworthiness? What... what curriculum? Where does she get... or she or he get that information?"

Bassi: "From what's called the Character Counts Youth Ethics Initiative. It's being taught already in most new schools or many of the schools in the state as it stands."

Lang: "And so is every teacher in Illinois going to have to get this book and read it?"

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Bassi: "The teachers in Illinois have already been required to teach honesty, kindness, justice, discipline, respect for others and moral coure...courage."

Lang: "Don't you think that's enough?"

Bassi: "Well, what we're doing is updating it because what they're doing is using the Character Counts Program, which is what we're changing the code to do."

Lang: "There was no opposition to this Bill in committee?"

Bassi: "No, Sir."

Lang: "Is there a Fiscal Note on this, Representative?"

Bassi: "No, Sir. It doesn't cost the state a dime nor does it cost the State Board of Ed a dime, you'll be glad to hear."

Lang: "It doesn't cost a penny, is that what you said?"

Bassi: "That's what I said. And it's already being done in most of the schools. What we're doing is merely updating the... the provisions."

Lang: "I wish I had other questions to ask you. You... this isn't going to take away from other classroom work?"

Bassi: "No, not... because it's already being done in another form. We're updating the code to do what it should be doing."

Lang: "Isn't it going to take away from, you know, the No Child Left Behind Act? I mean, we're not going to be able to teach kids how to pass these tests if we're teaching them about all these other things, are we?"

Bassi: "One more time, Representative?"

Lang: "Never mind, I was just trying to be funny. Thank you, Representative."

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Bassi: "Okay."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. 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 question, there are 110 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4176. Representative Sacia, for what reason do you rise?"

Sacia: "On 6841 I inadvertently hit my 'no' button. I meant to be recorded as a 'yes'."

Speaker Hannig: "And the record will reflect your intentions."

Sacia: "Thank you."

Clerk Mahoney: "House Bill 4176, a Bill for an Act concerning preventive services. Third Reading of this House Bill."

Speaker Hannig: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker and Members of the General Assembly. House Bill 4176 amends the Illinois Act on Aging by providing the Department of Aging vendors of homemaker chores and housekeeping services. Excuse me, Mr. Speaker, I can't hear. My seatmate's making a lot of noise over here. In addition, the Bill mandates that eighty-six cents of the rate increase must go directly towards the increase in homemaker and housekeepers hourly wages. The DHS PA Program and the Department of Aging Homemaker Program are two very similar programs. Homecare workers under both programs perform such tasks as cleaning, cooking, running

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errands and assisting with personal care. Homecare services allow a senior or a person with a disability to remain in their community. But, the wages are dramatically different. In August of 2004, personal assistants will earn \$7.50 an hour and homemakers will average approximately \$6.10 an hour. Illinois is under contract to pay PA's a living wage of \$9.35 in four years, but there is no plan in place for the homemakers. To ensure quality homecare for seniors there needs to be wage parity between the two programs. So, this Bill will create wage parity between the programs in two years by increasing homemakers wages by eighty-six cents a year. This Bill will cost \$15.6 million in GRF and will generate 4,000,000 in federal matched Medicaid funds. Passage of this legislation is necessary to ensure Illinois seniors will have quality choices in their long term care options. This Bill is being supported bipartisanly with over 6 hundred... I mean 60 Sponsors and the Conference of Women Legislators has made this Bill also a member... not a member, but a part of their agenda. I'd be happy to answer any questions."

Speaker Hannig: "The Lady has moved for passage of House Bill 4176. Is there any discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. 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 question, there are 111 voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared

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passed. Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, let the record reflect for the second time today, I've hit my 'yes' button and it doesn't register on the board. I not only intended to vote 4176, I hit the 'yes' switch, second time today it didn't register."

Speaker Hannig: "Thank you, Representative Black. They're going to try to work with your switch. Mr. Clerk, could you read House Bill 4610? Representative Collins. 4610."

Clerk Mahoney: "House... House Bill 4610, a Bill for an Act in relation to minors. Third Reading of this House Bill."

Speaker Hannig: "Representative Collins."

Collins: "Thank you, Mr. Speaker. House Bill 4610, as you can remember, last year we had a combined Bill, but this year we took out... this Bill right here only deals with raising the age... the minimum age from 17 to 18. So, the Bill does exactly the same thing. It amends the Juvenile Court Act of 1987. It raises the age from juvenile court jurisdiction in Illinois by one year from the youth's 17th birthday to 18. This merely brings Illinois in line with the rest of the nation. Thirty-eight other states already set 18 as the age of majority for juvenile court jurisdiction. This Bill does not change any other provisions for try... for trying youth in adult court. So, all we want to do is raise the age from 17 to 18 to bring it in line with the rest of the state... rest of the other states. And I ask for a favorable vote."

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Speaker Hannig: "The... and on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "She indicates she'll yield."

Black: "Representative, it's my understanding that as you amended the Bill that Bill or the Amendment, I'm sorry, does not change the automatic transfer statutes as currently found... found in law. Is that... is that your understanding?"

Collins: "This Bill... the Amendment to the Bill deletes all of that."

Black: "Right."

Collins: "Any changes for the automatic transfer. So, we're not dealing with that. All we're dealing with is the age, age of majority. So, we're going to move it from 17 to 18. That's it."

Black: "Right. The... the Bar Association gave me a sheet of... of violent crimes, if they're committed by a 15 year old such as murder, that's still an automatic transfer even if this Bill becomes law."

Collins: "Right."

Black: "Right. So..."

Collins: "It doesn't change that. It doesn't change any of that."

Black: "...in my... in my opinion, correct me if I'm wrong, in my opinion I would think your Committee Amendment... I don't know that it eliminated the opposition of the sheriff's

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department or the chiefs' of police. But, I think it would have at least mitigated their opposition, would it not? I mean, the... the... the list of proponents is long and very good. And I intend to vote for the Bill. I just... I was just curious as to whether Committee Amendment #1 may have softened the opposition from some of the law enforcement entities?"

Collins: "I don't know why they're opposed to it, in committee they were not opposed. The only body that..."

Black: "Yeah."

Collins: "...put in opposition slip was the... the..."

Black: "Yeah. Well, Representative, I think, I think they might have been opposed prior to the Amendment being adopted. And I... I think it's a good Bill, I intend to vote for it. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Black: "Ladies and Gentlemen of the House. I know these are always difficult Bills for some people to vote on because they're very fearful they will portrayed as somehow soft on juvenile crime and we all know, unfortunately, that juveniles today commit some very serious crimes. But, if you'll look carefully at the Sponsor's Bill and I commend her on her work, this Bill does not change any of the automatic transfer statutes. I have the list here put out by the Illinois Bar Association for... for all of the serious felonies that you could imagine by... and going down as low as 13 years of age. Murder in the course of aggravated criminal sexual assault. A 13 year old would automatically

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be transferred to adult court in that case. She doesn't change that. What she does do is say for the majority of cases, we're going to join 38 other states in a uniform age of 18. I... for the life of me, I can... I don't understand why anybody would be opposed to the Bill. I think it's a commonsense measure. I think she has made a good faith effort to accommodate the concerns of law enforcement officials and those who want to be tough on crime. But, in other instances it gives the Juvenile Court Act a chance to perhaps, I know it doesn't happen very often and I know that juveniles are certainly involved in more violent crimes than they were in my generation 40 years ago. It's a good Bill, I think it makes good sense to join 38 other states and pass the Bill. I intend to vote 'aye', I hope you will as well."

Speaker Hannig: "The Gentleman from Cook, Representative Delgado."

Delgado: "Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Delgado: "I, too, want to join the previous speaker in applauding this piece of legislation. I know that Representative Collins has worked diligently over the last two or three years shaping legislation to try to address juvenile justice. And as the previous speaker stated, I do want to interject and suggest that... the previous speaker said that juveniles... their crimes may be even more. I just like to point out that on the contrary. Juvenile crime... being tough on crime during the '80s was a popular thing

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and in the '90s. But, in the last 7 years juvenile crimes have gone down tremendously. We could enjoy ourselves and not worry about being perceived if you will over the next few years as being soft on juvenile crime. On the contrary, we only have a few high-profile, publicity-type cases that are heinous type crimes created by a family member or a dysfunctional type student. But, I would like to put an asterisk by juveniles and say that most are engaged in education, most are engaged in family practice. The morals and... and their churches and their park districts are all trying find ways to give ch... children a second chance because juveniles are not throw away children. They will come back to our society. They are the ones that we will eventually count on to take care of us as older adults. So, Representative Collins, please add me as a cosponsor. And for those Members who are not into criminal law, you... please, we need to inform you that we don't have to be fearful on being soft on juvenile crime, study the legislation, read our papers. I know we have very intelligent people in this... in this chamber. And we have to continue to help our children move forward in positive steps. And I... we would look for any 'aye' vote on this legislation."

Speaker Hannig: "The Gentleman from Champaign, Representative Rose. The Gentleman from Cook, Representative Molaro."

Molaro: "I... sometimes when you read this analysis you tend to confuse yourself more than you should. When we passed some of these reforms years ago, I always thought it would come

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back to haunt us, especially this mandatory transfer, which I think is terrible. I think it's not done its job. Now, where is that? I know it was in the original Bill, I don't know if it's in the Amendment. And, you know, I... could you tell us... maybe you took it out because maybe then we can pass the Bill, I don't know. But... yeah, that's what you had to do... I'm... that's too bad. Well, it's a good Bill. I... I... I think it could have been a great Bill. But, I guess they're out for good? I guess that's the question I'm asking?"

Collins: "Representative, we... I wanted to pass the whole package..."

Molaro: "Yeah."

Collins: "...but I just couldn't get enough support. So, we're going to constantly work on trying to get the support for the rest of the Bill. But, right now most of the Members seem to agree that this is a beginning step that we can start and at least raising the age from 17 to 18. And maybe next Session we can put in the transfer stuff again."

Molaro: "Okay. Thank you."

Speaker Hannig: "Representative Collins to close."

Collins: "I want to thank the Members of the chamber for working with me on this Bill. I think it's a very good Bill and it just changes the age from 17 to 18 and not a lot of juveniles are going to be affected at this. And it's still... all the other things stay the same and so we just... I just ask for an 'aye' vote. Thank you."

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Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 75 voting 'yes', 37 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 4027. Mr. Clerk, read House Bill 4560."

Clerk Mahoney: "House Bill 4560, a Bill for an Act concerning public health. Second... or Third Reading of this House Bill."

Speaker Hannig: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. House Bill 4560 amends the Poison Control System Act. Provides that to ensure the stability of funding for the Illinois Poison Control System the Department of Public Health and the Illinois Poison Advisory Board must conduct a study to determine the feasibility of establishing a formula that sets state goals for funding the system. And in addition, the department and the board must consider the adoption of a formula funding for that system that establishes a minimum threshold of funding set on a per capita basis. The department and the board must also consider feasibility of implementing a separate source of funding and the study must be completed by December 31st and submitted to the General Assembly. And this would be effective immediately. And I'm open for any questions."

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Speaker Hannig: "The Gentleman has moved for passage of House Bill 4560. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. 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 question, there are 111 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 4086?"

Clerk Mahoney: "House Bill 4086, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Hannig: "Representative Graham."

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We had very lengthy debate on this Bill yesterday. There was questions asked in regard to the responsibility of the Department of Children and Family Services and the task of the Illinois Child Death Review Team. I have here in my hand a manual which everyone in this Body should have received from the Illinois Child Death Review Team that explains... that was enacted into law... was signed into law September 7, 1994, enacted in 1995. It explains the job of the Department of Children and Family Services to receive the death certificates. It explains the flow charts of the procedure. So, if you have this manual you can read it and understand what the Department of Children and Family Services does and the role of the review team as well. And again, I stand behind every word that I said yesterday. That when I talked to the Department of Children and Family

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Services and the person who coordinates that program, again her name is Sherry Barr, who is listed in this manual as a person who is a coordinator of this process. Which would help do her job a little better would be for the reports on exactly how a child died to be accompanied by the death certificate when they receive them. I'll be happy to answer any questions at this time."

Speaker Hannig: "And on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "She indicates she'll yield."

Black: "Representative, I apologize for doing this on the microphone I was in the back and I... I had to rush out when I heard the Bill called. I would ask you to take the Bill out of the record and let me tell you why... until tomorrow and I... and... and you're in the Majority and I'm sure they'll call your Bill tomorrow. I talked with Director Samuels at DCFS on his cell phone as he was in route to Chicago, he asked me or he told me I would... he would like to talk with me tomorrow morning in his Chicago office about this Bill. He is not aware of it and he is the director. He did say that he had been made aware of the Bill, he would like an opportunity to check into a couple of things and would like to talk with me tomorrow morning about the Bill. I promise you that if he tells me that this is something the agency should do or will do or could do or he has no objection, I will not speak on the Bill tomorrow. And you're in the

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Majority, you know you will be able to call it. But, I would like an opportunity to talk to the director of the department, not... not Sherry Barr, she's not the director. And Mr. Samuels was very gracious, but I didn't want to tie him up on his cell phone as he was going back to Chicago. If you'll just let me talk to him tomorrow morning, I will then talk to you personally and I promise you that after that I'm not going to say anything on the Bill. But, I would really like an opportunity for my own education to talk to the director of the department and see if he can give me a little better indication of what he wants to do and how he thinks it might impact his department. So, if you would take it out of the record, I will share with you the first thing in the morning when I talk with him, I'll share what he said and I give you my solemn word I will not speak on the Bill when you bring it up tomorrow."

Graham: "Representative, I gave you my solemn word yesterday that I would clarify any of your questions. And today I have in my hand a manual that describes exactly what the Department of Children and Family Services does. I spoke with the director... the deputy director of the lobbyist, Randy Wells, who is on the side here, who can verify everything that has been said and what they do and what this protocol is for. I do respect you, Representative. I humbly at this point reject your offer to take this out of the record. I've did so... I've done so before. I have before me a manual which you should have received in your office that explains... there's also a flow char... a floor

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char... a flow chart of when a death occurs the coroner's report sends the death certificate and how the process goes about. Now, if you'd like to review this after voting on this Bill, I have before me in my hand that each of you should have received a copy of this manual that already shows you how the process goes. The director you spoke with is new to the Department of Children and Family Services, I respect that he can... could not answer your question at that given time. But, again, Representative, I do respect you, I've taken the Bill out of the record once. But, I do have before me in my hand a manual that explains in great detail when the law was signed into play, September 7, 1994 and enacted in '95. That explains this exact process."

Black: "Okay. Representative, that's certainly your... that's certainly your decision and I respect it, but, you leave me no choice. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Black: "Ladies and Gentlemen of the House, this Governor has asked most of his departments to have directors or liaisons speak with us, not agency employees. Now, that was written in a column this morning in the State Journal Register in a Bernie Schoenberg column. He got a hold of a memo from Department of Human Services in which they were directed to refer all inquires to Springfield. Now, I may differ on that... on that memo and we're going to talk to the director about that memo. But, it's obvious to me that the Governor has either explicitly or complicity said, 'I want this

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administration to talk with one voice and I would prefer that that comes out of the director's office.' I've made a good faith effort to talk to the director, I got him on his cell phone. I didn't want to keep him on his cell phone going back to Chicago and tie up his time and maybe distract him from the important task of driving in traffic. In the... in the... the Lady has the right to move her Bill. I would just say this, I cannot in good conscience vote for this Bill until I can talk to the director of the department. You have all read case study after case study after case study of problems... systemic problems in the Department of Children and Family Services. Ladies and Gentlemen, I think the department should concentrate their resources and staff on those children who are living. How many thousands of foster children did they lose last year? They didn't even know where they were. How many children turn up dead that the last report from a DCFS worker said the child was doing very well in his or her new environment? We need to concentrate on the living. To burden the department with 15 to 20 thousand death certificates a year so that they have to extrapolate from all those death certificates the approximate 16 cases a year where a child has been killed by a backup accident or caught in a power window will burden the existing staff. There are ways for the Lady to get her information with existing resources as a former coroner pointed out yesterday. I wished I'd had the opportunity to talk to the director to see how he felt about this mandate on his

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department. It's his watch, he's responsible for it, not Sherry Barr, who might be the greatest lady in the world and may be absolutely convinced that this is vital and necessary. But, she is not the director. And I think the Governor has made it clear that he wants directors to run these agencies. This may be a good idea. I'm not... I am not here to debate the Lad... the Representative's commitment to this issue. But, I am asking you to remember one thing and I think the Governor touched on it in his budget message. We are asking people to do more with less. And the Department of Children and Family Services has been overburdened, overworked, underpaid and understaffed for too many years. I would think whatever resources they are given in next year's budget should be directed towards delivering family support, delivering case worker support, delivering foster children inspections so that we can protect the children who are living and guarantee their safety. And maybe there is a way later on to go through death certificates, because the Lady only wants information on children who die as a result of automobiles backing over them or being killed in a similar accident or being caught in a power window. I share a concern with that. There are ways to do it without further mandates on a department that is already overworked, overstressed and their performance record in the last few years has not been what they want, has not been what we want and certainly has not been what the children... the children who are living wards of the state deserve from this agency. So, until I can talk to

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the director, get additional information, I cannot in good conscience vote for this mandate on a department that is stretched to its breaking point, and simply, in my opinion, cannot handle additional mandates without additional money or additional staff. I intend to vote 'no'."

Speaker Hannig: "The Gentlemen from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. With all due respect to the previous speaker, first, obviously, DCFS has seen the Bill because they gave us the Fiscal Note. So, to say DCFS hasn't seen the Bill, doesn't understand it, is... it can't possibly be right. Secondly and more importantly, I have spoken to the legislative liaison from DCFS, Mr. Wells, who tells us that they're fine on the Bill. So, I would recommend 'aye' votes."

Speaker Hannig: "Representative Brady. Representative Brady, the Gentleman from McLean, is recognized."

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

Speaker Hannig: "She indicates she'll yield."

Brady: "Representative, I... I'm still struggling a little bit... not a little bit a lot with your legislative intent as this Bill pertains to a death of a young person in the State of Illinois. What is it you are trying to obtain?"

Graham: "Okay. All right, Representative. For the whatever number of time it is, the intent that I ask for is that... in pursuit of trying to get some statistics on finding out how many children were backed over or killed by power windows, I did some research to find out how much... how many children had been killed. Okay. After I was in the process of

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doing the research I found out that the Department of Children and Family Services already gathers statistics on how children die in the State of Illinois. There are 9 Illinois... there are 9 Illinois chil... deaths which... Child Review Teams in the State of Illinois. As I said before, they were legislat... signed into law September 7th of 1994 and enacted in 95. When I spoke with Sherry Barr at the Department of Children and Family Services who is the coordinator of this program along with a young lady by the name of Yvette Reed, they coordinate this program. They said that one of the problems that they had in having the statistics documented clearly was that they had to go and find the death... the reports that were not accompanied by the death certificate. On the death certificate she said if it was stated that a child drowned it did not say how the child had drowned. So, then they would have to go and get police reports, emergency room reports to find out how the child died. So, then upon looking for the reports they would find out that the child either died in a swimming pool, a bathtub or a toilet. So, they said that it would help them find out how clearly... how much... a little clearly how a child died. So, in looking for two statistics that I was looking for, children who were backed up and children who would die... who died from power window incidents, I found out that a detailed report would help the Department of Children and Family Services in a broader range with just... more than just with the two statistics that I was looking for. So, this legislation was then redrafted

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because it initially looked like that I asked the department... at the time it was the Secretary of State that I initially asked to keep track of non-crash, non-collision accidents. So, then when the Secretary of State opposed the legislation, that's how we went further to find out that the Department of Children and Family Services were the people who caught... kept track of how a child died. So, the report came about getting the report. The Department of Children and Family Services said to me that it would help them in great detail to have those reports that is already being done in the first place by the coroners and by the local authorities. These incidence reports are already being drawn up. Instead of them having to use man hours to go and fill out FOIAs to track down every death across that State of Illinois because they would not normally know when a child dies, the coroners have to report the deaths to the Department of Children and Family Services, otherwise, they would not know when a child did die someplace else in the state."

Brady: "Well, Representative, if... if I understand it correctly and I... I just want to try and clearly get your objective here. Everything that you're presently asking for and intend to mandate now under law is available? Is..."

Graham: "Representative, I'll..."

Brady: "...is available?"

Graham: "...Representative, I'll say again, you're right, it is available, but as you pointed out before it's only available through a FOIA, Freedom of Information Act. The

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Department of Children and Family Services saying they don't want to go throughout the state filling out Freedom of Information Acts to get these reports. They just simply want the reports to follow the death certificates to their office. The death certificates are already going to their office, they just want the reports that are already being generated to follow the death certificate to their office. They don't want to have to go back and ask for it. It's easier to already come to your door in the mail when you open it up, already there, versus you have to go to these individual counties, these individual ME's office or coroner's office to fill out those... that information."

Brady: "And so you're... you're going to mandate that the Department of Children and Family Services gets these reports in more detail, autopsy, toxicology, whatever the case may be and provide this to the Child Death Review Teams of the State of Illinois. Is that the intent?"

Graham: "The Child Death Review Team does not review every single death in the State of Illinois. They only review deaths..."

Brady: "I... I..."

Graham: "...that look like there may have been foul play or something went wrong in the death. They do not review... at their discretion they can review any death that they would like to review."

Brady: "I... I understand that. I served on the Child Death Review Team in Central Illinois. What I don't understand is, what information is not presently available. And I..."

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and I... and I'm sorry that I don't see the necessary mandating of records that are there. Whether it's DCFS, Child Death Review Team, any law enforcement agency, anybody else reviewing a child's death can get those records from the coroner's office."

Graham: "The point is, Representative, that they have to go back and get them versus the records showing up automatically as a package. That's the whole point. The information is available, you're correcting in stating that. It's available. But, what they have to do is go back to those various states... various counties and get the information when they... the information can be simply sent along versus them have to pick up the phone or send someone from their department out to those various counties or ME... the coroner's office to get the information. So, I'm just saying it be automatically sent versus you have to go back and ask for the information."

Brady: "And... and you're legislation doesn't specify any particular records in the death investigation that I can see in my... in my analysis of the Bill."

Graham: "No, it didn't. Again, as I said, I initially... when I was looking for this, I was looking for statistics due to back over or power window incidents. But, when I spoke to the Department of Children and Family Services, again, they gave me the example of if they get a report and a child dies due to a drowning, they don't know how a chi... they don't know how he drowned. What they have to do is call and get that information. They have to call and get the

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reports because the reports did not show up with the death certificate. They have to then go out, use their man hours and their time to go and get the report versus when the death certificate shows up, it shows up with a package of having the report already included in it."

Brady: "So..."

Graham: "I'm not asking anyone else to any additional paperwork that doesn't already exist."

Brady: "...so... so what you're intent is then is to have all the records sent whether a review team wants certain aspects of it or not, have the county of occurrence develop all those, produce all those and then send them. Is that... that's your intent, Representative? Okay. I'm not... I'm... to the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill, Representative."

Brady: "I... I certainly have respect for my colleague that's presenting this Bill. But Ladies and Gentlemen, I have to tell you from my experience those documents are not only available now, are easily accessible for a review team, for the Department of Children and Family Services, any other law enforcement agency investigating the death. It is quite burdensome to send large quantities of documents that a team may not even want. And so I would just caution you before you make your vote that we're passing this on to the county of occurrence to produce and dop... duplicate these records, even in some cases if they're not mandate... or not wanted. What I would just caution you to do is that to know before you make your vote, as well intended as the

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Sponsor is with this legislation, the records are there and are available upon request. The death certificate issue, I'm not even doing there because I just don't agree with the Sponsor of the Bill. And I... I believe she's short-sighted on her information. I simply asked... and I will be voting 'no' on the Bill."

Speaker Hannig: "Representative Daniels."

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House. Representative Black is the Floor Leader on the Republican side of the aisle. He is the one that speaks for this side. Rarely does he ask a Member to take a Bill out of the record as he did in this case, so he could talk to the Director of DCSS... DCFS, not some liaison or other people that we cannot speak to because of rules of this administration. I can't imagine a single Republican supporting this Bill until his request is honored and this Bill could be called tomorrow. So, I support Representative Black in his request. Intend to vote against this Bill until it's honored."

Speaker Hannig: "Rep... Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise to back up what Bill Black did. There's a good reason for this folks. We're not on a deadline day, we don't have to consider this Bill tonight, we've got a whole week where we can come back to it when we find out what's really going on. The problem we have down is here is unintended consequences. And so... if we vote on something and then next week we find out that there was a

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big snag with the Bill, then we've got to go and correct what we did today and we've all taken a bad vote. Let's not make a bad vote here tonight. Let's take the Bill out of the record, avoid the unintended consequences, come back to it another time. Representative Black has already committed that he won't speak on the Bill. Many of us will vote for the Bill, some may not want to vote for the Bill. But, the point is, we don't need to be doing this right here, right now."

Speaker Hannig: "Representative Black, you've spoken in debate, for what reason do you rise?"

Black: "Mr. Speaker, my name was mentioned in debate and I'll make this very quick. I have much respect for the Gentleman on the other side of the aisle that somehow indicated that I said DCFS was not aware of this Bill, I said no such thing. And he knows it. And I have great respect for him. What I would like to say is this, the Sponsor continually refers to the Department of Children and Family Services said, the Department of Children and Family Services believe. That is an exaggeration. A... an employee of the department has said. She has talked to an employee of the Department of Children and Family Services. All I asked for was an opportunity to talk to the director. Only the director and the Governor as I understand this administration and I think I do, can speak for the department. And I just wanted a chance to make sure we were all on the same page. I'm sorry it's come to this, but I feel compelled if you will accept my Motion, if not

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perhaps another Member on my side of the aisle will so move. Should this get the requisite number of votes, I will request a verification."

Speaker Hannig: "Thank you, Representative Black. And if you... she should receive the requisite amount of votes we'll certainly recognize you for that purpose. Representative Graham to close."

Graham: "First of all, Mr. Speaker, I did say that I spoke to a staff member, but I spoke to the Deputy Director of Legislative Affairs, Randy Wells, as well and talked to him in great detail about this legislation. But, if it... if it pleases this Body for me to pull this out of the record once again... I would like a commitment from this Body, once they review this manual that all of them should have received, that the details is in this manual. This was released, you should have received it. The details are here. None of which what I have said has been exaggerated. I am a Representative of my word as well. I was not elected to shame this Body nor myself. So, I will pull this Bill out of the record once again. But, I would like a commitment from the Members of this Body to vote... vote the merits of this Bill. You have all received this documentation. This is all sent to your office. So, with all due respect, Mr. Speaker, I'll pull the rec... the Bill from the record."

Speaker Hannig: "Okay. Out of the record at the request of the Sponsor. Mr... Mr. Clerk, would you read House Bill 3883 for Representative Lou Jones? Okay. Out of the record at the

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request of the Sponsor. Mr. Clerk, read House Bill 4452 for Representative Kelly."

Clerk Mahoney: "House Bill 4452, a Bill for an Act concerning special districts. Third Reading of this House Bill."

Speaker Hannig: "Representative Kelly."

Kelly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4452 amends the Metropolitan Water Reclamation District by enlarging the Metropolitan Water Reclamation District strictly in the Village of Madison. It also rectifies an oversight of property that the MWRD has been servicing for five years, but has received no fees because it was never annexed into the village. I ask for any 'aye' vote to correct this."

Speaker Hannig: "The Lady has moved for passage of House Bill 4452. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 65 voting 'yes', 45 voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 6574?"

Clerk Mahoney: "House Bill 6574, a Bill for an Act concerning freedom of information. Third Reading of this House Bill."

Speaker Hannig: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. House Bill 6574 is an initiative of the University of Illinois and I'm sure that

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all public universities and colleges stand to benefit from this Bill. What this Bill does is it exempts student e-mail addresses from our state's Freedom of Information Act. The Act language specifically states it is not the intent of that law to provide personal information so that corporations and individuals can make a profit. FOIA already exempts students' names, addresses and phone numbers for this purpose. This Bill is to keep FOIA current to include the modern tool of e-mail addresses. Right now, under FOIA, a corporate profiteer can request all of the e-mail addresses of an Illinois college. And that college would be required under this law to provide that list. Then this person can turn around and sell the list to any number of individuals or companies. A college that gets a request like this has to spend time and money putting a list together, then the school turns around and spends time and money on trying to prevent e-mail spams and viruses from getting into the system. During testimony before committee, the University of Illinois claimed that they spend between 1 and 5 million dollars on preventing e-mail spam every year. If we pass this Bill into law we can save our universities millions of dollars. And this is a time when that's des... universities desperately need every penny that they can get."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 2633?"

Clerk Mahoney: "House Bill 2633 is on the Order of Third Reading."

Speaker Hannig: "Would you return that to the Order of Second Reading at the request of the Sponsor? The Chair wishes to advise those who thought to the contrary that we will be here Monday. So, you need to make plans to be here Monday. Now at this time, Representative Currie the Majority Leader... Representative Wait, for what reason do you rise?"

Wait: "Thank you, Mr. Speaker. I'd like to have the record reflect that on 3989 my button didn't work and had it worked I would have voted 'yes'. Thank you."

Speaker Hannig: "Okay. The record will reflect... will reflect your intentions. Representative McKeon, for what reason do you rise?"

McKeon: "Thank you, Mr. Speaker. As the Members of the Labor Committee may have noticed that we have 9 a.m. meeting. I've assured a couple of the Members that we will start promptly at 9 so they can get to other committees to present Bills. Please note the fact that we are not meeting at our regular room, but meeting in 122B at 9 a.m. sharp. Thank you, Mr. Speaker."

Speaker Hannig: "Yeah. And just... the Chair would like to make the Members aware that this memo has been passed around concerning the meetings of committees. So, now at this

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time, allowing perfunctory time for the Clerk, Representative Currie moves that the House stand adjourned until tomorrow, Friday the 26th at the hour of 10 a.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the House stands adjourned."

Clerk Mahoney: "The House Perfunctory Session will now come to order. On the Order of First Reading of Senate Bills. Senate Bill... Senate Bill 2133, offered by Representative Kelly, a Bill for an Act concerning elections. Senate Bill 2148, offered by Representative Nekritz, a Bill for an Act concerning tobacco. Senate Bill 2164, offered by Representative Franks, a Bill for an Act in relation to vehicles. Senate Bill 2201, offered by Representative Colvin, a Bill for an Act concerning forensic laboratory oversight. Senate Bill 2320, offered by Representative Winters, a Bill for an Act concerning utilities. Senate Bill 2329, offered by Representative McKeon, a Bill for an Act in relation to housing. Senate Bill 2372, offered by Representative Reitz, a Bill for an Act concerning agriculture. Senate Bill 2379, offered by Representative Miller, a Bill for an Act concerning product safety. Senate Bill 2399, offered by Representative Reitz, a Bill for an Act in relation to wildlife. Senate Bill 2441, offered by Representative Capparelli, a Bill for an Act in relation to taxation. Senate Bill 2447, offered by Representative Lang, a Bill for an Act concerning minors. Senate Bill 2457, offered by Representative Pritchard, a Bill for an Act concerning wildlife. Senate Bill 2496,

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offered by Representative Feigenholtz, a Bill for an Act concerning adoption. Representative Slone, Chairperson from the Committee on Appropriations-Higher Education, to which the following measure/s was/were referred, action taken on Thursday, March 25, 2004, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 6442, House Bill 6446, House Bill 6458 and House Bill 7071. Agreed List #1 is House Bill 6443, House Bill 6444, House Bill 6445, House Bill 6447, House Bill 6448, House Bill 6449, House Bill 6450, House Bill 6451, House Bill 6452, House Bill 6453, House Bill 6454, House Bill 6455, House Bill 6456, House Bill 6457, House Bill 6459, House Bill 6472, House Bill 6495, House Bill 7072, House Bill 7073, House Bill 7074, House Bill 7075, House Bill 7076, House Bill 7077, House Bill 7078, House Bill 7079, House Bill 7080, House Bill 7081, House Bill 7082, House Bill 7083, and House Bill 7168. Senate Bills-First Readings. Senate Bill 2103, offered by Representative Hoffman, a Bill for an Act concerning state finances. Senate Bill 2106, offered by Representative Dugan, a Bill for an Act in relation to the transfer of real property. Senate Bill 2108, offered by Representative Saviano, a Bill for an Act concerning accounting. Senate Bill 2109, offered by Representative Saviano, a Bill for an Act concerning accounting. Senate Bill 2115, offered by Representative Delgado, a Bill for an Act with regard to schools. Senate Bill 2124, offered by Representative Hamos, a Bill for an Act in relation to driving offenses. Senate Bill 2134,

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offered by Representative Delgado, a Bill for an Act in relation to criminal law. Senate Bill 2135, offered by Representative Davis, Monique, a Bill for an Act relating to schools. Senate Bill 2158, offered by Representative Mathias, a Bill for an Act concerning taxes. Senate Bill 2163, offered by Representative Phelps, a Bill for an Act in relation to firearms. Senate Bill 2165, offered by Representative Bradley, John, a Bill for an Act concerning criminal law. Senate Bill 2176, offered by Representative Lang, a Bill for an Act concerning business transactions. Senate Bill 2177, offered by Representative Reitz, a Bill for an Act concerning taxation. Senate Bill 2180, offered by Representative Miller, a Bill for an Act in relation to airports. Introduction of House Bills-First Reading. House Bill 7287, offered by Representative Millner, a Bill for an Act concerning criminal law. House Bill 7288, offered by Representative Madigan, a Bill for an Act concerning appropriations. There being no further business, the House Perfunctory Session will stand adjourned."