

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Lyons: "The House will come to order. Members should be at their desks. Members and guests are asked to please refrain from starting their laptops and turn off all cell phones, pagers, BlackBerrys and rise for the invocation and Pledge of Allegiance. We'll be led today in prayer by the Reverend Joe Meyer who is the Pastor of the First Assembly of God in Marengo, Illinois. Pastor Meyer is the guest of Representative Jack Franks."

Reverend Meyer: "Thank you. Let's pray. Heavenly Father, we just come to You in Jesus' name and we thank You... I thank You so much for the blessing that I have, God, to pray Your blessing upon, Lord, these Representatives today. We just totally and absolutely need You and Your help every day of our lives. And Father, as we look, we know from history that tomorrow, April 27, is... is the birth date of Ulysses S. Grant, the 18th President of the United States, who has... still has a residence that is his house in Galena. And God, we... I agree, Lord, from history what he said when he said, 'Hold fast to the Bible as the sheet anchor of your liberties. Write its precepts in your hearts, and practice them in your lives. To the influence of this Book are we indebted for all the progress made in true civilization, and to this we must look as our guide in the future. Righteousness exalteth... exalteth a nation, but sin is a reproach to any people.' And God, we just thank You, Lord, for these truths to our hearts today. Lord, that it's righteousness that exalts the nation. And Father, in light of all that has happened in these past weeks at Virginia Tech, we are reminded of our need for You and how our hearts

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

can go awry and how we can go in different directions. Father, I just pray, God, Your blessing upon, Lord, this legislation. Therefore, as Your servant in the authority in the name of Jesus, I pray, God, that You will do incredible things here this... this afternoon. God, that You will bless these Legislators, God, that You will bless these Representatives, Lord, with Your presence today. I, pray, God, that Your blessing, Lord, will help them, Lord, through all the difficult agendas. Lord, the agendas that we need, God, is Your righteousness. And I pray, Lord God, that You will just bless, Lord, those and it's in Your name I pray that You'll bless, Lord, those that are hurting here today. God, I pray that You'll touch those that are... that need healing in their bodies. I pray, Father, that You'll touch those that perhaps are hurting in their marriages. I pray, God, that You'll touch those, God, in Your name, God, that You'll just bless those and do incredible things, God, that they'll know, God, Your love for them and, God, that we know, Lord, that it's You that exalts this nation. Lord, and we know, God, from Your word that that this nation will come and go, but Lord, Your nation, God, Your kingdom will never perish. Lord, we look to You and our dependence is upon You. I'm only a man. I'm only flesh and I cannot do these things, but I pray, God, that You'll bless, Lord, my prayer this morning... this afternoon and, God, Your blessing upon, Lord, this... these Your public servants, God. I thank You for each and every one of them. I fear You, Lord, amongst... over any man, or any person and, God, I bless and I pray, God, Lord, Your blessing upon, Lord, these people.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

And God, that we would know, Lord, that's it's righteousness as Ulys... Ulysses S. Grant penned. It's righteousness that will exalt our nation. Help, us Oh God, as a nation. Help us as a state. Help the legislation, Lord, to be the righteousness that exalts this nation. Bless these people, Oh God, may they know that You are the answer and, God, that You are the hope of our nation. We just look to You and, God, we ask all these things in Jesus' precious name. Amen."

Speaker Lyons: "We'll be led today in the Pledge by Representative Sandy Cole."

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

Speaker Lyons: "Roll Call for Attendance. Representative Bost."

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

Speaker Lyons: "Leader Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative Patterson is excused today."

Speaker Lyons: "116 Members voting 'present,' the quorum is present, and we will go about the state's business of the Illinois House of Legis... Representatives. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Molaro, Chairperson for the Committee on Judiciary-Criminal Law to which the following measures were referred, action taken on April 26, 2007, reported the same back with the following

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

recommendations: 'recommends be adopted' is Floor Amendment #1 to House Bill 2859. Representative May, Chairperson from the Committee on the Environmental Health to which the following measures were referred, action taken on April 26, 2007, reported the same back with the following recommendations: 'do pass Short Debate' is Senate Bill 500. Representative Holbrook, Chairperson from the Committee on Environment & Energy to which the following measures were referred, action taken on April 26, 2007, reported the same back with the following recommendations: 'recommends be adopted' is Floor Amendment #1 to House Bill 3671. Representative Gordon, Chairperson from the Committee on Smart Growth & Regional Planning to which the following measures were referred, action taken on April 26, 2007, reported the same back with the following recommendations: 'recommends be adopted' Floor Amendment #1 to House Bill 2473. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education to which the following measures were referred, action taken on April 26, 2007, reported the following back with the following recommendations: 'recommends be adopted' Floor Amendment #1 to House Bill 3361. Representative McCarthy, Chairperson from the Committee on Higher Education to which the following measures were referred, action taken on April 26, 2007, reported the following back with the following recommendations: 'recommends be adopted' Floor Amendment #1 to House Bill 2201, and Floor Amendment #1 to House Bill 2194. Representative Scully, Chairperson from the Committee on Electric Utility Oversight to which the following

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

measures were referred, action taken on April 26, 2007, reported back the same back with the following recommendations: 'do pass as amended Standard Debate' is Senate Bill 1592."

Speaker Lyons: "The Chair recognizes Representative Rose. For what reason do you rise?"

Rose: "Thank you, Mr. Speaker. I think we have a Resolution, 289 to be read. It's previously... there we go."

Speaker Lyons: "Mr. Clerk, Resolution 289."

Clerk Bolin: "House Resolution 289, offered by Representative Rose.

WHEREAS, The members of the Illinois House of Representatives are pleased to honor Louis Hencken, President of Eastern Illinois University, on his retirement; and

WHEREAS, Louis Hencken began his career in student affairs at EIU as a graduate assistant and advanced through the housing ranks as a counselor and both assistant and associate director prior to being selected as Director of Housing in 1975; he continued as Director until 1989, when he was named Associate Vice President for Student Affairs at EIU; his duties expanded once more in 1992, when he was named Vice President of Student Affairs at EIU; and

WHEREAS, In 1996-97 he served as interim Director of Athletics when the EIU Panthers were the Ohio Valley Conference All-Sports Champion; he also served as an NCAA football official and was assigned to five NCAA playoff games, including the 1989 NCAA Division III National Championship game; and

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

WHEREAS, On August 1, 2001, Louis Hencken was named President of Eastern Illinois University, where he has worked tirelessly to enhance Eastern Illinois University's reputation and quality; and

WHEREAS, Louis Hencken has been a strong advocate for EIU with the State government leadership, improved the University's image within Illinois, aggressively increased private giving, promoted improvements in academic support services, and enhanced the quality of student life; he has also been involved in University community work with affirmative action, undergraduate education, minority student recruitment and administrative appointments; and

WHEREAS, Louis Hencken has been an active member of his community, having served as a director and chair of the Sarah Bush Lincoln Health Center Board of Directors and a director of Credit Union 1; he has also served on Coles Together, Coles Connected, and the Charleston Area Chamber of Commerce; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Louis Hencken on his retirement and wish him continued good success in the future; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Louis Hencken."

Speaker Lyons: "Representative Chapin Rose."

Rose: "Thank you, Ladies and Gentlemen, if I could have your attention. Many of your students from your districts have attended Eastern Illinois University. We have here today President Lou Hencken, who has for over thirty (30) years

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

now given himself... given of himself tirelessly to that institution and to the students of this state. Lou, and his wife, Mrs. Hencken, I can't... I have to call her Mrs. Hencken, because she was my high school teacher, are deeply embedded in our community, in Charleston, in Coles County, and she taught for many years. The effect of this duo on students statewide cannot really be counted, in fact, it is funny because as I stood up to do this, my seatmate, Representative Reboletti, looks at me and says, 'Lou was director of housing when I was a student at Eastern.' And right here Dennis Reboletti... And Lou, I want to say thank you on behalf of the Members of the General Assembly and behalf of the people of the State of Illinois for the years that you've given Eastern and to the students of this state. And with that, I'd like all of us to thank Lou. I think Representative McCarthy and Representative Miller may be saying something as well. So..."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Kevin McCarthy."

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I do want to stand and with great pride to join Representative Rose in saluting President Hencken for his fine service to our state. Many of us have children from our area who attend Eastern Illinois University and the last couple of years working directly with President Hencken as the chairman of Higher Education. I just want to thank him for his fine service for welcoming our students down to Eastern and for taking such wonderful care of them. We are sorry to lose you, but we know you'll be around there to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

help us if any problem does come up and hopefully you'll be there to help mentor the successor as president of EIU. But congratulations on a great career and stick around 'cause we need... still need some assistance in the future."

Speaker Lyons: "Representative Bob Flider."

Flider: "Thank you, Mr. Speaker. I stand with great pride to talk about my experiences at Eastern and the leadership of Mr. Lou Hencken who is retiring. And my career at Eastern, I'm going to date myself here, but began in 1975 and that was the year Lou began in 1975. And last year I had a daughter who graduated from Eastern and the one thing that's synonymous with Eastern during the time frame that I'm aware of... Eastern and the excellent service that that institution's provided is... is Lou Hencken and Lou has been a common thread in the success of Eastern throughout... for many, many years. He himself is an institution and Lou I just want to congratulate you and very proud to say that I know you for your career and when they made you president, you know, I, boy, I, you know, just... just heartily congratulated that moment because you really deserved it. You gave your career to Eastern; you gave your best to that institution. I think Eastern is much better for your years of service. So, thank you, once again and oh, by the way, my youngest daughter appears to be headed to Eastern next year as well. So, Lou, thanks to you, you know, you've given everybody, you know, really a sense of pride at that institution and because of you it's going to continue. Thank you."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Lyons: "The Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Thank you very much, Mr. Speaker. I just very quickly want to add my congratulations, Lou, as well. I don't want to refer to you as a dinosaur but, you know, for someone who in a single institution dedicates, you know, over... since 1975, that's just unheard of in this day and age. For that type of loyalty, that longevity to any one institution, you're kind of a old school and I appreciate that very much. Charleston, that community, Eastern Illinois University has benefited from that dedication, and I just want to add my... my appreciation to... to the previous speakers and wish you the very best."

Speaker Lyons: "The Gentleman from Cook, Representative David Miller."

Miller: "Thank you, Mr. Speaker. I just want to join in, in a chorus of congratulation... congratulating Lou Hencken as he moves on with his career. I first heard about Eastern Illinois growing up where the state championship for track and field would occur and it's sort of come to me as full circle finally meeting the president of the university and interacting with him in the Appropriation of Higher Education Committee. President Hencken has been extremely responsive to the needs of the Committee Members, I think all would agree, but just to the General Assembly and most importantly to students and the parents of a fine institution. He has prepared the institution for the 21st century and those challenges that are faced ahead not just at his school, Eastern Illinois, but in higher education

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

altogether and in the state. I just want to add my congratulations and best wishes to you, President."

Speaker Lyons: "Representative Kevin Joyce."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, feel compelled to stand and recognize President Lou Hencken, but I do have a number of constituents that attend Eastern Illinois and I can tell you that what amazes me about Lou is anytime someone came down for a orientation or an open house and went on a tour, I can tell you that on more than a dozen occasions someone from my district has said, 'Yeah and the president of the university joined me on the tour', and that's what's so impressive. The office, he took seriously, but never himself, and I think that today we congratulate him, but we also suffer a great loss. And Lou, the best of luck in... in your future endeavors and please stay engaged."

Speaker Lyons: "The Gentleman from Cook, Representative Will Davis."

Davis, W.: "Thank you, Mr. Speaker. I also want to rise in support of the Gentleman's Resolution and also to extend my congratulations to President Hencken for a very long career and the time that he served as president of the university. Certainly, I think one of the greatest things that he ever did was to hire his Director of Admissions, Miss Brenda Major, who is a young lady who I've know over the years and she actually recruited me out of high school to attend Southern Illinois University, and her career has now led her to be the Director of Admissions at Eastern Illinois University. And I've had the pleasure over the last two (2)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

years of traveling down to the university and being a speaker at a program in which they brought down prospective students or those students who have been admitted to the university hoping to convince them to start their collegiate careers at Eastern Illinois University. And those are the types of things that our institutions needs to be doing, these programs were for minority students to bring them down, to encourage them and to say, hey, if you come here, this is the type of education that you'll get. And to be allowed to be able to do that, the Admissions Department to be able to do that, is a true sign of... of leadership which begins in the president's office. So Lou, we'll miss you. Good luck to you in the rest of your career and everything that you're going to be doing. And hopefully, you'll still be engaged in the broader higher education debate here in the State of Illinois. So thank you very much and God bless you."

Speaker Lyons: "The Gentleman from DuPage, Representative Reboletti."

Reboletti: "Thank you, Mr. Speaker. I also rise to thank President Hecken. My... mine is more personal as a... as somebody who attended Eastern as an undergraduate and graduate student. I take great pride in being an alum and that education helped me to go to law school and to... and to make it to the... the General Assembly and I have many students in my district that attend and are very proud to go there and the school continues to evolve as the times change. And I'd like to thank him for his leadership and

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

look forward to supporting Eastern in the future. Thank you, Mr. President."

Speaker Lyons: "Representative Chapin Rose."

Rose: "Ladies and Gentlemen, thank you. And as we close I just want to say for the record in my opinion there is no finer president than Lou Hencken. I think, frankly, comes from the fact that he is out of student affairs. He has throughout his tenure kept his eye on the ball, which is the student. And if you would just join me now in giving him a special thanks. He won't run off of into the sunset very far, as he's about to trade in the title of president for professor. But if we could say a big thank you to Lou Hencken."

Speaker Lyons: "Clerk, House Bill 1847. Representative Phelps. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1847, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman... Representative Phelps, there's an Amendment on this Bill you need to put on. Do you need to put it back to the Second Reading?"

Phelps: "Yes. I'd like to adopt the Amendment, Mr. Speaker."

Speaker Lyons: "We need to roll it back to the Second... roll that Bill back to the Second Reading, Mr. Clerk."

Clerk Mahoney: "House Bill 1847, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Amendment #1, offered by Representative Phelps, has been approved for consideration."

Speaker Lyons: "Representative Phelps."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. All this Amendment does is it's cleanup language from the State Board of Education. And ask for its adoption."

Speaker Lyons: "Anyone seeking any recognition? Seeing none, the question is, 'Should the Amendment be adopted?' All those in figufy... signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Resolution is adopted. Mr. Clerk, anything further? Is it... The Amendment is adopted. Mr. Clerk, anything further?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Lyons: "Third Reading. The Clerk... Representative Molaro has House Bill 1319. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1319, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Bob Molaro."

Molaro: "Thank you, Mr. Speaker. They're a pretty straightforward Bill in Illinois when you have a contract for residential. The seller provides title insurance for the buyer and the buyer provides title insurance for the mortgage broker or their bank. All this codifies... this codifies existing tradition that we have in Illinois that the person who pays for it, in this case, the seller, gets to choose and the buyer who pays for their mortgage company gets to choose. And this is a stop where they might in other states, there is bundling where, as to provide the loan, the lender may say you have to use our title insurance or you must use this and it interferes with contracts. All

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

the title companies are for this, real estate industry's for this, and there is now no known opposition. And we'd ask for your 'aye' vote."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should House Bill 1319 pass?' All those in favor should signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Sara Feigenholtz. Mr. Clerk, take the record. On this Bill, there are 118... 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Poe has House Bill 3218. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3218, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Sangamon, Representative Poe."

Poe: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3218 requires the Internet gaming service providers to provide a method of a game cancellation. I'd ask for a favorable vote."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should House Bill 3218 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Ramey has

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

House Bill 472. Representative Ramey. Representative Ramey, ready to go? Read the Bill, Mr... House Bill 472. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 472, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Representative Ramey."

Ramey: "Thank you, Mr. Speaker. House Bill 472 is a request for a TIF extension for the vill... City of West Chicago. They're requesting an additional twelve (12) years. All taxing bodies have sent a letter in support of this extension. I ask for an 'aye' vote."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should House Bill 472 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Berrios. Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 2 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Verschoore has House Bill 1470. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1470, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lyons: "Mr. Clerk, take that Bill out of the record. Mr. Clerk, Representative Washington has House Bill 656. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 656, a Bill for an Act concerning transportation. Third Reading of this House Bill."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Lyons: "The Chair recognizes the Gentleman from Lake, Representative Ed Washington."

Washington: "Thank you, Mr. Speaker. Mr. Speaker, this is a very, very, simple, friendly consumer Bill, and what it does it says that if a person is driving and has a visible small violation, equipment violation, of their vehicle, such as a broken out taillight or maybe the headlight has went out or some small infraction that they're stopped for that if they, once they get cited for that, that if they show within thirty (30) days or a reasonable amount of enough time, that they will take care of that violation, it would not become a part of their record and they will not be charged based on the fact that they took care of that situation before it became a bigger problem. And I ask for favorable support on that Bill. And this is... Oh, I'm sorry. This is a Bill that myself and my colleague on the other side of the aisle put together, Chapin Rose."

Speaker Lyons: "Any discussion? The Chair recognizes the Gentleman from Champaign, Representative Chapin Rose."

Rose: "Thank you, Mr. Speaker. Thank you, to my colleague, Mr. Washington. This is about safety. Would we rather have people fix their cars or... or pay a fine? I submit that we'd rather have our people fix their cars. And I appreciate the Gentleman for bringing this forward. And I would ask everyone to consider it favorably. Thank you."

Speaker Lyons: "Representative Washington to close. The question is..."

Washington: "Yes, Sir, I do close."

Speaker Lyons: "...quiet... No, to close."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Washington: "I would ask for a favorable vote. Thank you, Mr. Speaker."

Speaker Lyons: "The question is, 'Should House Bill 656 pass?' All those in favor signify by saying 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, 116 Members are voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Reis has House Bill 3666. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3666, a Bill for an Act concerning renewable fuels. Third Reading of this House Bill."

Speaker Lyons: "Representative Reis."

Reis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3666 increases the cap on grants for the Renewable Fuels Development Program for the construction of ethanol and biodiesel plants from twenty million (\$20,000,000) to twenty-five million (\$25,000,000). I'd ask for your favorable support. Thank you."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should House Bill 3666 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bost? Mike Bost? Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

passed. Mr. Clerk, Representative Chapin Rose has House Bill 2036. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2036, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Champaign, Chapin Rose."

Rose: "Thank you, Mr. Speaker, Ladies and Gentlemen. This a TIF district extension. Not unlike the TIF district extensions we do here, I hesitate to say routinely, but quite often these days, it's for Villa Grove in my district. All the applicable taxing bodies and five (5) others are in support; school district, county, Parkland College, they're all in favor of it. And this would be used to complete a subdivision which then would bring property taxes back online for those... those areas. So, this is exactly like many of the other TIF districts we've done in the last couple of days and weeks except that it's for this town of Villa Grove. So, I'd ask for its favorable consideration. Thank you."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should House Bill 2036 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, 114 Members vote 'yes', 2 vote 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Sacia has House Bill 1406. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1406, a Bill for an Act concerning regulation. Third Reading of this House Bill."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Lyons: "Chair recognizes the Gentleman from Winnebago, Representative Jim Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, as one of two licensed auctioneers in the Illinois General Assembly, you need to know that we are a very closely regulated group. Among our requirements is that every two years we must renew our license. Every two years we must undergo twelve hours of continuing education. What the Bill simply does is extends the year from 2009 for the next extension to the year 2010, to make it expire on even numbered years, so that it's consistent with other licensing... other auctioneers licensed throughout the nation. That is the first thing and the other thing is to allow us to take all twelve (12) hours in one day, where currently, we have to split it up for a two-day period. There may be a question about the... extending it a year if there would be an additional cost, and yes, there will, but the Department of Regulation can do that by rule. I'd be glad to answer any questions."

Speaker Lyons: "The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "He indicates he will."

Black: "Hey, Representative Sacia, I've got one question, will you give me two, I've got one question give me two give three, give four, give me five, give me six, give me one, up one question, up one question, up sold for one question. Oh! And the winner is, Representative Jim Sacia. Seriously Representative Sacia, would you say this is a great Bill?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Sacia: "That's the reason he's not a licensed auctioneer. (auctioneer call) Twenty-five dollar (\$25) bid now, now thirty (\$30), would you give me thirty dollar (\$30) bid, and now five (5), give me five (5), give me thirty-five dollar (\$35) bid and now a forty (40), would you give me forty dollar (\$40) bid, I got thirty-five dollar (\$35) bid, and now a forty (40). Forty dollar (\$40) bid, and now a forty-five (45), would you give me forty-five dollar (\$45) bid, and now a fifty (50), give me fifty (50), would you give me fifty dollar (\$50) bill? Last call, all in, sold it to the Gentleman from Vermilion for forty dollars (\$40), Mr. Black. Next item. Hooooooooooooooooo."

Black: Thank you very much. However, I have Committee Amendment #1, if it is accepted, that would make me a licensed auctioneer. If Committee Amendment #1 is not on the Bill, I'm going to give it back to you. I sold it."

Speaker Lyons: "Now that you have everyone's undivided attention, Representative Sacia to close."

Sacia: "I think enough has been said."

Speaker Lyons: "The question is, 'Should House Bill 1406 pass?' All those in favor signify by saying 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hassert. Representative Hassert. Representative Hassert, want to be recorded on this? Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Clerk, Representative Yarbrough has House Bill 315. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 315, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "Mr. Clerk, take that Bill out of the record on request of the Sponsor. Mr. Clerk, Representative Wyvetter Younge has House Bill 1878. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1878, a Bill for an Act in relation to homeless persons. Third Reading of this House Bill."

Speaker Lyons: "The Chair to recognize the Lady from St. Clair, Representative Wyvetter Younge."

Younge: "Thank you, Mr. Speaker and Members of the House. House Bill 1878 creates the... a Bill of Rights for the homeless and guarantees homeless persons' rights in certain particular areas. It guarantees that the right to live in any community in Illinois that a person can afford to live, to choose a type of living arrangements that meets local regulations without harassment. The right to employment and training opportunities that match a person's interests and abilities; the right to the emergency medical health services in any health care facility doing business in Illinois; the right to manage one's own finances regardless of living arrangements; the right not to be coerced in reference to taking medicine; the right to receive and sign any check, voucher or warrant issued in the person's name before it goes to a landlord; the right to vote cannot be denied based on a person's residence; the right to receive public services and accommodations that are offered and made available to any other person; the right to confidentiality

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

of records. The Department Human Rights is given the responsibility of enforcing these rights and the Department of Commerce and Economic Opportunity establishes eligibility under this Bill for housing assistance. Proponents of this Bill are the National Alliance of Mentally Ill in Illinois and the National Community Mental Health Council."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Durkin."

Durkin: "Parliamentary inquiry?"

Speaker Lyons: "State your inquiry, Representative."

Durkin: "Based on what I've heard, I believe that this would perhaps preempt Home Rule and also municipal ordinances. I would like to see whether or not this will require 71 votes for passage. And while you are making that decision, can I ask questions of the Sponsor?"

Speaker Lyons: "We'll find out that for you, Representative Durkin, and proceed with your questions."

Durkin: "Representative Younge, there's a number of municipalities that have ordinances which prohibit individuals from sleeping in the parks and in the streets or the alleyways. Will this legislation preempt those local municipal ordinances?"

Younge: "I don't think so. I think that this is a Bill of Rights, privileges for the homeless and I don't think it would preempt local ordinances."

Durkin: "Because I think they call 'em like vagrancy statutes and I mean, those have been around for a number of years. But I think municipalities should have the ability to at least enforce those things to keep the streets safe and

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

ensure that while these... it's unfortunate the plight of a number of these individuals, but the way I read it, I think that they would be given some type of status because of their unfortunate situation that the municipalities could not discriminate against them, with respect to their housing, and a number of these individuals are homeless. They don't have housing and their homes are the streets and the parks. I'm not quite sure if I accept that response and I think that that does cause an issue for a number of us over here and also on your side who believe that the municipalities should have the ability to put reasonable restrictions on... you know, the use and of our parks and also our streets."

Younge: "Well, I think the purpose of this Bill of Rights is to see that the homeless are treated fairly. And each case has to be taken and decided. But this sets the standard for fair treatment for these human beings, who are left..."

Durkin: "I guess the inquiry I have... I'm sorry. The inquiry I have, which I think is still being deliberated, is whether this is going to disrupt local ordinances. Do you believe... and again, I think maybe you answered this already. Will this preempt the City of Chicago's ordinances which prohibit people from sleeping on the streets and in the parks? I look at it as a way in which it will because we're giving them, homeless people, we're giving them a Bill of Rights which says you cannot discriminate them based on their housing and their housing is in the streets and is in the parkway. I think that's more of a district... a question which I asked which doesn't require a response. I think I'm

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

more interested in what the parliamentarian, whether or not he has a opinion on whether this does preempt Home Rule and whether it will require a Supermajority vote?"

Speaker Lyons: "Representative Durkin, the parliamentarian will address your concern."

Parliamentarian Ellis: "Representative Durkin, on behalf of the Speaker in response to your inquiry, there is no Home Rule preemption language in this Bill. Under the precedent of the Illinois Supreme Court, legislation cannot preempt Home Rule, absent explicit authority to do so. There is no such language, there's is no Home Rule preemption. So, it would require 60 votes."

Speaker Lyons: "Representative Durkin."

Durkin: "Again, may I direct this back to the parliamentarian? If we are going to be affording a... the status to homeless individual that they cannot be discriminated on based on their... cannot be discriminated on under their housing... through housing... that or their housing status, their housing status is that they live... these people live in streets and parkways and if there is a local ordinance which prohibits individuals from sleeping in the parks after 10:00 at night 'til 6:00 in the morning or from congregating in there, how does it not preempt Home Rule? If it doesn't state so in the statute, but we are explicitly giving them the ability... the status of... giving them a preferred status which will prohibit the discriminatory acts of municipalities which would be the ordinances that prohibit the sleeping on the streets and the parks?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Parliamentarian Ellis: "Representative, under Illinois Supreme Court precedent, a Home Rule ordinance would not be preempted by this legislation."

Durkin: "Okay. Well, thank you very much, Mr. Ellis, you've been trained well. I appreciate your comments."

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

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in full support of the Lady's Bill. I believe that her intentions are for the rest of this state to recognize that homeless people are being asked out of various places because they're homeless. They're not being provided the services that they need because they're homeless. Some of the housing opportunities in places that they can go into to apply for housing... they're not given the proper recognition because they're... because of their appearance and those other things. The legislation states, that it says, 'to live in a community in Illinois that a person can afford to live in, to choose the type of living arrangements that meets local regulations without harassment or interference.' So she's not saying that just excuse them because they're homeless and they're sleeping on park benches. There are some homeless people who are on a fixed income and use shelter facilities as their mailing addresses. But they feel because they're not being treated friendly they don't go and seek the services that they can seek at these various agencies, because people feel they smell or whatever the situation is. They would rather deal with them on another occasion. So I would, I stand in full

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

support of the Lady's Bill. She's not giving them a pass, she's saying that they shouldn't be discriminated on because they're homeless, simply. Thank you."

Speaker Lyons: "The Chair recognizes Representative Washington. Representative Washington, seeking recognition on this Bill? We've had two (2) people speak in favor of the Bill. You'll be a third that's in favor of the Bill?"

Washington: "Yes."

Speaker Lyons: "Okay."

Washington: "Yes, thank you... thank you, Mr. Chairman. To the... will the Sponsor yield?"

Speaker Lyons: "Indicates she will."

Washington: "Ms. Younge, can you... can you tell me, what was the premise of you putting together this particular legislation?"

Younge: "Homeless people are treated poorly in Illinois and I think it is important for the General Assembly to set a standard of conduct for our society. And so a Bill of Rights for the homeless is... has been developed to meet those goals."

Washington: "Yes, Ma'am. Okay. To the Bill. Mr. Speaker, I concur with the intention of the Sponsor. And I just want to say that if people who live in Illinois, whether they legal or illegal, if they cannot come to this Body for a just playing field then I think that says a lot about what we do here. And to a lot of degree this is the last vestige of hope... where people hope that there is enough people from different backgrounds here to know what it is meant by when it is says, 'the poor will always be with us.' But if

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

you've not done it unto the least of these, I think you know the rest of the story. But I'm saying that this restored the integrity of people who have fallen upon hard times and give them a free choices based on what they can afford, without going into communities where they're being maligned or harassed. Because I know it's a problem, epidemic in some parts of the State of Illinois, when it comes to housing. Some communities feel their community just too good to house certain income level. And I urge an 'aye' support for this Bill."

Speaker Lyons: "We've had three (3) people speak in favor of the Bill, and one (1) person with questions. Representative Jefferson, we've already had three (3) speakers speak in favor of the... of the... of the Bill. Do you have a question? We've had the three (3) speakers on Standard Debate, so thank you. Representative Wyvetter Younge to close."

Younge: "I ask for your support for the homeless."

Speaker Lyons: "The question is, 'Should House Bill 1878 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Winters? David? Representative Dave Winters, you want to be recorded on this Bill? Mr. Clerk, take the record. On this Bill, there are 77 Members voting 'yes', 38 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Schock has House Bill 699. Read the Bill, Mr. Clerk."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Clerk Mahoney: "House Bill 699, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Gentleman from Peoria, Representative Aaron Schock."

Schock: "Thank you, Mr. Speaker. House Bill 699 amends a Bill that we passed last year, giving nine (9) counties in the state the ability to consolidate their stormwater management activities. My county, Peoria County, approached me and would like to be included in this legislation and House Bill 699 simply does that. I'd urge a 'yes' vote and be happy to answer any questions."

Speaker Lyons: "Anyone seeking recognition? Seeing none, the question is, 'Should House Bill 699 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Keith Sommer? Mr. Clerk, take the record. On this Bill, there are 104 Members voting 'yes', 12 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Yarbrough, for what purpose do you seek recognition?"

Yarbrough: "Point of personal privilege, Mr. Speaker."

Speaker Lyons: "Please proceed, Representative."

Yarbrough: "Visiting with us today, the chairman of the Illinois Black Chamber of Commerce, Larry Ivy (sic-Ivory) and his contingency. Please give them a warm, Springfield welcome."

Speaker Lyons: "Welcome to Springfield. Enjoy your day. Representative Washington, for what purpose do you seek recognition?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Washington: "Yes, personal privilege."

Speaker Lyons: "Please proceed, Representative."

Washington: "Mr. Speaker, also in the chambers, from the Lake County area, is the first head of the first Black Chamber of Commerce in Lake County, Arthur Gass. Would you join me in giving him applause and welcoming him to the chambers. Thank you."

Speaker Lyons: "Welcome to Springfield. Enjoy your day. Mr. Clerk, Representative Sommer has House Bill 1875. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1875, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Tazewell, Representative Keith Sommer."

Sommer: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. House Bill 1875 amends the Vehicle Code in regard to what's defined as 'neighborhood electric vehicles.' These are electric vehicles that are allowed to operate in municipalities by the affirmative vote of that municipality. This amends the code which allows that vehicle to cross a state highway at two (2) locations: either a controlled traffic signal, or a four-way stop. The State Police, initially, were in opposition of this Bill in committee. After further discussion with them, they declined to Amendment... to provide an Amendment and submitted to me their concurrence. Well, I'll just put it in their language. They've conducted further review and have chosen to change their position from opposition to neutral. So, this would

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

allow individuals to use these vehicles only to cross the state highway, but not to transport on the state highway."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should House Bill 1875 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dunn? Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Will Davis has House Bill 2307. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2307, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Will Davis."

Davis, W.: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, House Bill 2307 is a TIF extension Bill for the Village of Riverdale to extend their current TIF an additional twelve (12) years. We have letters of support from all the interested parties. And I ask for your support."

Speaker Lyons: "Are there any questions? Seeing none, the question is, 'Should House Bill 2307 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 2 Members voting 'no'. This Bill, having received the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 2315. Representative John Bradley. Take that Bill out of the record. Mr. Clerk, Representative Rich Bradley has House Bill 1231. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1231, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lyons: "Chair recognizes the Gentleman from Cook, Representative Rich Bradley."

Bradley, R.: "Thank you, Mr. Speaker and Members of the House. On 1231, Representative Molaro has worked extensively on the issue. He's had similar Bills in the past, and he will do the honors of the presentation of 1231."

Speaker Lyons: "Representative Molaro."

Molaro: "Thank you, Mr. Speaker. Hopefully, if there's questions we can answer them. I want to make sure that, you know, when it comes to pensions, there's always confusion. I just want to make sure that everybody understands. This Bill is straightforward. There's been a similar Bill that we've passed every two (2) to three (3) years. We've passed about four (4) of these, this will be the fifth. And very simply, here's what it does. In the Teachers' Retirement System of Illinois, which is the downstate teachers, we have a TRIP Program and the TRIP Program pays for retirees' health insurance. In Chicago there is no TRIP Program, and what they do in Chicago is... they have their eight or nine billion (8,000,000,000 or 9,000,000,000), whatever it may be, and they come up every two (2) or three (3) years and they say, 'We could spend up to thirty million (30,000,000),

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

forty-five million (45,000,000), sixty-five million (65,000,000) of our own money for retirees' health insurance.' So, basically, what it does, if the health insurance for all their retirees is, say, ninety million (90,000,000), and by law right now we can only pay up to sixty-five million (65,000,000), then the Pension Fund pays 60 percent, the retirees pay 40 percent. As the cost of health insurance goes up, each and every time that happens, they come down here and ask for permission to spend more of their own money, not state money, not city money, not employer money, their own money in the fund. So this way, it doesn't go where the retirees go from 40 percent to 60 percent and they would not have health insurance. So, this is no state money, no city money, nobody's money but the retirees themselves and it gives them permission to spend ten million (10,000,000) more for their health insurance. That's all the Bill does."

Speaker Lyons: "The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "He indicates he will."

Eddy: "Representative, can you kind of recap again why this is necessary? What is the cause for the additional money that's required to be appropriated for this item?"

Speaker Lyons: "Representative Molaro, response."

Molaro: "Thank you... thank you for that question 'cause it's got to be asked and it's got to be answered. I'm going to try to make this as clear as I can 'cause it's a difficult

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

question. In... for state employees, Roger, for state employees, the employer pays for the health insurance of retirees. So, when me and you retire, the state pays for it, not the pension system. Okay? For retired teachers, downstate teachers, Rog, the Pension Fund pays nothing. It's paid through the TRIP Program. Okay? The way the Chicago Teachers' Retirement System set this up years and years ago, and you know how difficult that is to change it the Board of Education, the employer, pays nothing for the retirees' health insurance just like the school boards pay nothing for the school retirement. So here's what they did. Here's what they agreed to years and years ago. They agreed to that a percentage would be paid for by the Pension Fund, and a percentage be paid for by the retirees. Their... their actuaries came up and said when you talk about a percentage, we don't know what that means and it could become a constitutional guarantee. So, what they said was the best thing to do was say give a dollar amount that the Pension Fund will pay. So, the dollar amount thirty (30) years ago, twenty (20) years ago, was like ten million (10,000,000). And the retirees then, would pay three (3,000,000) or four million (4,000,000), whatever the difference is. Well, as years go by, they have come down here and said ten million (10,000,000) went to twenty (20,000,000), thirty-five (35,000,000), forty (40,000,000), now they're up to sixty-five million (65,000,000) and the retirees pay about twenty million (20,000,000) total. And it works out to about a 70/30 blend, Roger. Right? So, now all this Bill does is that if we don't give them permission, Roger, it's at sixty-

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

five (65,000,000), if we don't give them permission to go to seventy-five (75,000,000), right? And we don't pass this Bill, then it's going to wind up being a 50/50 blend and the retirees will have to pay almost double what they're paying now."

Eddy: "Okay. So, how much... how many total State of Illinois's dollars would be appropriated in order to accomplish that... feat?"

Molaro: "None. None. They have ten billion dollars (\$10,000,000,000) now that sits in the fund. Sixty-five million (65,000,000) of that ten billion (10,000,000,000) this year, will go towards health insurance. If we pass this bill, seventy-five million (75,000,000) of their ten billion (10,000,000,000) will go towards health insurance. An additional ten million (10,000,000) of the fund that's already there, that's already exists, will go to health insurance."

Eddy: "Where did the money in that fund come from?"

Molaro: "Okay. Over the years... of the ten billion dollars (\$10,000,000,000) right, nine billion nine hundred and ninety-seven million (9,997,000,000) came from the taxpayers of Chicago, the school teachers of Chicago, the Board of Education. Right? Over the years... all right... when we would give about a billion dollars (\$1,000,000,000) to TRS, for about five (5), or seven (7), or eight (8) years, the State of Illinois gave anywhere from ten million (10,000,000) to eighty million (80,000,000) to the Teachers' Retirement System of the City of Chicago. And that's an appropriation that is made in the budget each and every year. There is no

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

mandate to give anything. It has always been a goal. Last year, as a matter of fact, they gave nothing. They gave it to the school board and the school board gave money. So the point is this year, whether we pass this or not, Roger, whether we do anything, has nothing whatsoever to do with whatever appropriation we give when the five (5) Leaders meet."

Eddy: "Okay. Another question, did... how does... relate this, if you could, to the... what used to be a nickel levy that was allowed for the support of this retirement system that is no longer available."

Molaro: "You mean... you're talking about from the City of Chicago tax levy?"

Eddy: "Yes. Yes."

Molaro: "Well, the City of Chicago, still, if you'll look at your tax bill, it still appears there somewhere. What they did was, when it was 95 percent, 98 percent funded, what they basically did is they'd say let's still collect the tax, but if we're above 90 percent, the school board would use that money, that would normally go to the... Board of Ed... would go to the Pension Fund and the school board used it for..."

Speaker Lyons: Representative Eddy, your time has expired. If you could conclude your remarks in the next 1 minute or so, we'd appreciate it."

Eddy: Thank you very much, Mr. Speaker. Representative, this is obviously a complicated issue and it's a difficult one for a lot of Members to understand because it involves supporting retired teachers with health insurance benefits in a manner

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

that is kind of unique to the system that exists in the City of Chicago. And it's been affected over the years by a number of things that have happened. One of the things that happened was, there used to be a dedicated levy for the purpose of retirement that has... that was eliminated. And I talked to my friends that are associated with the Chicago Teachers Union and they're concerned... they said if that levy wouldn't have ever been taken away, this type of situation wouldn't have been necessary. Now, I know it's very, very difficult and somewhat complicated and I'm going to listen to the rest of the debate on this and hopefully some additional questions will come, but it concerns me that we're looking at this as a piecemeal, or one part, when we're talking about pension issues that are going to be coming down later. And I know that we've tried to hold all those things off and it kind of concerns me we're doing it all at once but I'll listen to the rest of the debate on this issue."

Speaker Lyons: "Representative Molaro to close."

Molaro: "Well, thank you. This is... you know, this spending that we're talking about, I'll be as clear as I can, has nothing to do with state money, county money, it's their own money. They have ten billion (\$10,000,000,000) there. They're asking if they can use ten million (\$10,000,000) of their ten billion (\$10,000,000,000) so the retirees won't lose their health insurance, won't decide, hey, if I go from three hundred (300) to six hundred (600) I can't afford it and give up their prescription, gives up their drug coverage. It just doesn't make sense. And I just have to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

say for a third time, Mr. Speaker, no state money, no taxpayer money, no employer money, whatsoever. This is all done in-house and all it lets us do is go from them spending an additional ten million (\$10,000,000) of ten billion dollars (\$10,000,000,000). We have passed this type of legislation five (5) times in the past. We could wait 'til the end but then we'd have retirees all over this state, and by the way, most retired teachers don't live in Chicago, they actually live in most suburban districts. They would be losing sleep overnight, canceling their insurance; it just wouldn't be the right thing to do. And we ask for, myself and Representative Bradley, ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 1231 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk... Representative Eddy. Take the record. On this Bill, there are 63 Members voting 'yes', 52 Members voting 'no', 1 person voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Susana Mendoza. For what purpose do you seek recognition?"

Mendoza: "Thank you, Mr. Speaker. I had been listed as voting 'no' on the prior speaker's Bill and I wanted to be listed as voting 'yes', please."

Speaker Lyons: "The Journal will so report, Representative. Mr. Clerk, Representative Chapa LaVia has House Bill 2179. Read the Bill, Mr. Clerk."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Clerk Mahoney: "House Bill 2179, a Bill for an Act concerning veterans. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Lady from Kane, Representative Linda Chapa LaVia."

Chapa LaVia: "...the Amendment. Thank you, Speaker and Members of the House. The Department of Veterans' Affairs, what we're going to do is amend the Act by requiring the department to conduct a new program aimed to identify treating and preventing suicide among Illinois veterans due to post-traumatic stress. We've been in discussion with the department. We have a meeting on May the 3 or 4, to work out some negotiations how we're going to unfold this. The current law, right now, is veterans who are honorably discharged from the military have the ability to visit a medical facility of the United States Veterans' Health Administration in most major urban centers, but there are doctors at local hospitals and clinics who work through the VHA that can treat veterans to give them needed medical treatment for major surgery or operations. The veterans must travel to one of the medical facilities of the VHA that are spread throughout the state. Some veterans, if applicable, also receive medical assistance from Medicaid. Also, the Illinois Department of Health Care and Family Services currently administer the veterans care program. The program serves veterans ages nineteen (19) to sixty-four (64) with no health insurance for at least six (6) months, who are eligible for your VA health care. Income limits apply, would vary county to county, and income limits vary widely by county but are generally around 400 percent FPL

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

annual for an individual. The program that we're trying to unfold is... what we're finding, especially with returning veterans in the National Guard and Reserve, is that we're finding a higher rate of attempts of suicide and of suicide happening because we're not getting to these individuals quick enough to help them for whatever reason. And we're going to be doing a task force coming up for next year that Repre... I mean, Senator Demuzio is sponsoring in the House, one of the Bills that came out of here... I mean, the Senate... one of the Bills that came out of here, to see all the programs that we are lacking. But this definitely will fill a void and I'm excited about this piece of legislation and I'll take any questions."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan."

Mulligan: "It's a wonderful day. Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lyons: "She indicates she will."

Mulligan: "Representative, I understand this Bill is not subject to appropriation?"

Chapa LaVia: "It's not subject to appropriation 'cause we're going to be working with the Director of Veterans' Affairs, Director Tammy Duckworth. Because of the Bill that we put in place and the one that you added in the more structured outline of where the money can go from the scratch-off ticket. A portion of this could be covered under the post-traumatic stress element of how money can be awarded. However, the meeting that we're having is... we're going to see how detailed we want to put together a program 'cause

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

currently right now, the way I have it is, that we would... within 72 hours of deployment, that we would give the serviceman or woman the outline on what to look for, just in case she has post-traumatic stress, and things of that nature. But we haven't come to where what it's going to look like on paper. So, it could be a very expensive program or it could be very inexpensive and serve the purpose of actually educating our servicemen and women on what to look for."

Mulligan: "So, excuse me, but I missed the beginning of the discussion of your Bill. Is this more an informational program and the actual cost of treatment would be covered by the Federal Government?"

Chapa LaVia: "Well, what it is... it creates and administers a suicide prevention program for veterans. And we're saying, within this Bill, it has to be operational within a hundred (100) days after the effective date of this Bill. But the program itself is educational and awareness programs for veterans, their families, health care and mental health professionals, and the public; focusing and recognizing the signs, symptoms, and behavior patterns of those at risk of committing suicide, or suffering from post-traumatic stress disorder."

Mulligan: "So, who do you envision as providing the services? Would it be local mental health providers or would they have to go through some type of a veterans' program, which would mean maybe additional training for local people or someone that would work with us or do you envision it as a training program?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Chapa LaVia: "Well... Okay. Well, as it is, it will also... it'll provide psychiatrists, psychology, and other appropriate mental health care services to veterans at risk. Referral services to appropriate mental health care services and in cases of post-traumatic stress disorder, and any other services the director deems appropriate for addressing and reducing suicide and post-traumatic distress order. So, there will be a program in there where we do send referrals so the individual can get the services."

Mulligan: "I'm... I'm not... I very much would like to support your Bill, only I do appropriations and that in the area of the health care for veterans. So, my concern over this is the actual cost. Also, the other concern I have is the lottery has cut back the game by not printing as many tickets and changing the front of the tickets so it isn't as patriotic. My feeling is they're doing that in anticipation of lessening statutory obligations in order to lease it, because anybody that leases it would have to abide by the statutory obligations which I think is inappropriate, and I think we're trying to address that. The goal is to get as much money in that program... in those prog... in the lotteries so that would be there."

Chapa LaVia: "I agree with your comments there and..."

Mulligan: "But I... I would just... I'm just wondering who... who would be in charge and I'm impressed with the new director so I think she would be organized to do this, but I'm just wondering, who would be the one that would seek whether we get federal funding for the actual treatment, how it would actually handle this? I would see it as partly the state's

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

issue would be information to the returning servicemen and training of health care... mental health care providers on recognizing and treatment and then finding out who is available currently."

Chapa LaVia: "Right. And these are some of the issues that we'll be talking about in the meeting and I would love, especially with your expertise as far as your appropriation background, if you would like to be a part of those discussions. I don't know if you were asked to, I thought that we had asked if you'd be there, but the... first off, the director would be in charge of how this comes out. The Department of Veterans' Affairs would disseminate the information regarding the suicide prevention programs established to the redeployed members of the Illinois National Guard within..."

Mulligan: "All right. And then my last question to you is, do you see this happening even if we don't pass any new tax plans outside the Governor's or as this would just be part of the budget, period, no matter what we... what other things we pass?"

Chapa LaVia: "I think the commitment is there to get it done. And I also think..."

Speaker Lyons: "Representative Mulligan, your time has expired so she'll finish answering the question and..."

Mulligan: "Right. If she answers it, this is my last question."

Chapa LaVia: "Thank you. I think the commitment is there from this new director and us as a Body, the Veterans' Affairs Committee, of making sure this gets done. But into what this turns into, how elaborate we make it, how much money we

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

need to spend on it, is still negotiable. And I would love to have you at the table next week; I'll make sure you get the information, but something will be done. Like I said, whether it's an information briefing which I have attended throughout this state, when the family members are told about what to expect when your family member comes back and all the things that look like post-traumatic stress because there's not one, and you know this, it's not one key factor to set off somebody to suicide that has post-traumatic stress. It comes in all different forms and it can come at any different year in their life. But we're definitely getting the information to the families on what to look for and suspect that this might happen to that member of their family. So, we don't know how it's going to... what we'd like it... that it would be the Cadillac, but if we have to have a small car just to get the word out, it still does an effective job. So, I thank you for your questioning."

Mulligan: "All right. I'd be happy to help you with that."

Chapa LaVia: "Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from DeKalb, Representative Bob Pritchard."

Pritchard: "Yes, Mr. Speaker. I just rise to a point of personal privilege. You want to do it later? I'll do it later."

Speaker Lyons: "Representative Pritchard for a point of personal privilege. Go ahead, Representative."

Pritchard: "On the last vote I meant to vote 'positive' instead of 'negative' on 1231."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Lyons: "The record will so... the Journal will so reflect.
The Chair recognizes the Gentleman from Cook, Representative
Al Riley. Representative Riley."

Riley: "Will the speaker (sic-Sponsor) please yield?"

Speaker Lyons: "She indicates she will."

Riley: "Representative, I just have a few questions of
clarification. This is a Bill regarding all veterans
regardless of when they were released from active duty or..."

Chapa LaVia: "Well... what..."

Riley: "...current."

Chapa LaVia: "...it does... when they're redeployed the members of
the National Guard within 72 hours of their deployment will
receive some kind of informational, either a pamphlet or be
lectured by somebody on things that they need to watch for,
just in case they feel a certain way, or they would start
becoming depressed and what have you. As I was discussing
with the last speaker, and if you'd like to be involved
also, because I know you are a veteran and you're very much
in tune with what's going on right now in this country and
how many things are happening with post-traumatic stress.
And one-third of everybody coming back has it. That it can
develop into an amazing program, which will be very costly,
or it could be something very simple but still get across
what we need to do in combination with vet care, if the
soldier doesn't have the ability to collect. But under
these premises, it's just for National Guard and Reserve at
this point. It hasn't been expanded by that because what
we're figuring as a state, that's what we can control. We
can't control those on active service duty in the United

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

States services. We can only control what we can control here and that's National Guard and Reserve."

Riley: "Well, another question. I know back during the Vietnam era, although some people might say that it wasn't enough, but certainly, before release there was counseling. You know, provided by the active service before you were released, you know, back on the block as they used to euphemistically say. You've been on active duty certainly, you know, much more current than I have, is there still that kind of counseling that goes on before soldiers are released back to their units?"

Chapa LaVia: "If they're active duty, yes. And they go back, the go... they get detoxed, if you will. They go from soldier to civilian, and you know, the things that our soldiers see, no one should see. But they see it and they're not... some don't have the mental capacity to control that or when something might trigger them being at that scene again throughout. But... So, at the federal level, yes, there are programs. But here in the state level, and that's part of our task force and what we're going to be reviewing of where our gaps are and what we're not providing to our soldiers in this state that are National Guards men and women and Reservists, is that sometime when the Federal Government's done with our Reservists and National Guard, they throw 'em back to their base here in Illinois for a weekend and then send 'em back home."

Riley: "Right."

Chapa LaVia: "After they've seen the worst, horrendous things a human being should see, and expect them to be okay. There's

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

quite a few documented cases that show where we lose maybe two (2) members to a battalion over there and they come back and we lose six (6), seven (7), eight (8). 'cause the people aren't handling the pressures. And, you should know, and you do know this 'cause you were in a theatre, is that people look at you differently, they act differently towards you. You don't know how to act yourself because you're a different person in whatever that means. So, I see it as a huge ...huge gap of services that we're not providing to our National Guard and Reservists. And it's just going to cost a lot of money down the line of helping the families that are broken because we're not fixing it on the front end which would be some information that we can give them on what to look for, and the families, when they come back, that we take 'em through psychological detox from a soldier to civilian so they can survive. And there's no, you know, there's no suicide attempts, there's no alcohol abuse, drug abuse, there's no killing, there's no homelessness that we all could also control if we had these programs. So, I'm pretty excited about it."

Riley: "Thank you."

Chapa La Via: "Thank you."

Riley: "Mr. Speaker, to the Bill."

Speaker Lyons: "To the Bill."

Riley: "I think this is a good Bill. I also think that Representative Chapa LaVia is addressing, unfortunately, some problems that I think should be addressed by active duty... by the active duty components of the Department of the Army or wherever else these soldiers are a part of, the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

National Guard or Reserve. And I think this is a good Bill and I think it really deals with some of the psychological issues that people are faced with. I mean, after all, you can be in an active duty theatre one day and within two (2) or three (3) weeks, you know, be back home and that's a heck of transition to make. So, I think this is a good Bill and I stand in support of it."

Speaker Lyons: "Representative Chapa LaVia to close."

Chapa LaVia: "I would like to go through a couple of stats, just so it gets really embedded in our General Assembly here about post-traumatic stress syndrome. Facts are, according to a 2005 VA study of one hundred and sixty-eight thousand, five hundred twenty-eight (168,528) Iraqi Veterans, 20 percent were diagnosed with psychological disorders, including one thousand, six hundred forty-one (1,641) with post-traumatic stress. In a VA study in 2006, almost twelve thousand, five hundred (12,500) of nearly two hundred and forty-five thousand (245,000) veterans visited VA counseling centers for readjustment problems and symptoms of post-traumatic stress. I can go on and on about the statistics that are happening to our veterans and our servicemen and women of the state, but we really need to take care of this problem. We already are ten (10) years behind the eightball on what we need to provide them once they get back into our community and especially our National Guard and our Reserves. And I would appreciate to be honored if everybody in the House would like to be added as a cosponsor. Thank you."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Lyons: "The question is, 'Should House Bill 2179 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Rich Bradley? Representative Bradley, to be recorded? Mr. Clerk, take the record. On this Bill, there's 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Durkin, for what purpose do you seek recognition?"

Durkin: "Yes, Mr. Speaker, previously we had passed out of the House, House Bill 1231. I would like to be recorded as a 'yes' vote."

Speaker Lyons: "The Journal will so reflect, Representative. Clerk, we have House Bill 3091, Representative Jim Meyer. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3091, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from DuPage, Representative Jim Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3091 is a Bill that, I believe, I've been around to most of you to talk personally about. It's a Bill that is very tightly crafted. Quite honestly, it's set to address a parking problem that we have in the downtown section of a community I represent... in Naperville. We have a unique community there and it has several business districts, several restaurant districts in it and the downtown area is in the area that encompasses forty-one (41)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

of these restaurants along with a destination type of tourist attraction called The River Walk. In that area, there is a very drastic shortage of parking and this Bill seeks to, in that area alone which is a defined geographic area, impose... or allow the village or the city government to impose a food and beverage tax on the restaurants. It would also provide that three-quarters or 75 percent of the restaurants on which the tax would be imposed would have to sign a letter of agreement that they would like to have that tax system used to provide for parking. The proceeds could only be used for parking and there is a sunset on it, we anticipated twenty (20), twenty-five-years to do the bonds and build it out and to pay for it. And it has a twenty-five-year sunset just like a normal TIF district would have. I'm not suggesting that this is a TIF district, but it does tie in a sunset with it. We've tried to tighten it down. This is being asked by the Downtown Restaurants Association, who is soliciting me to sponsor this along with the Chamber of Commerce in the City of Naperville."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should House Bill 3091 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Burke, Ford, Will Davis, Representative Golar? Mr. Clerk... Representative Golar. ...take the record. On this Bill, there are 81 Members voting 'yes', 35 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Is Representative John Bradley in the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

chamber? Mr. Clerk, Representative Colvin has House Bill 1662. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1662, a Bill for an Act concerning children. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Marlow Colvin."

Colvin: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I have for your consideration House Bill 1662. House Bill 1662 has a very simple premise with a very powerful purpose. The Bill simply would convene a task force for the purpose of reviewing and making recommendations about children's savings account programs and options to create a strategic implementation plan to create a savings account at the birth for every child in Illinois. It is a task force to convene bankers, business people, community activists, educators, and of course, government professionals to come together and discuss the feasibility of doing as such. And one of the primary reasons for doing so is that the national personal savings rate in the United States of America for the second year in a row remains below zero in terms of American saving, which means we have a negative savings ratio with respect to our earnings. The last time it was two (2) years in a row was during the Great Depression. A lot of the reasons we see so many people not saving, not banking, is a result of a lot of financial unsophistication with respect to financial literacy issues. It's imperative that we start at the beginning, at the beginning of life, if you will, dealing with the issue of helping children understand the value of money, the value of saving, what it

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

means to save for a house or for your education, or just learning how to balance a checkbook. A lot of these are lost arts and also what has contributed to a lot of problems we see in the predatory lending markets and payday loans and car title loans with respect to unprecedented access to so many financial instruments today. The Bill costs the state no money, simply a task force to convene to discuss the best way of doing this. I ask for an 'aye' vote and be happy to answer any questions."

Speaker Lyons: "Any discussion regarding House Bill 1662? Seeing none, the question is, 'Should House Bill 1662 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Flowers? Representative Phelps? Mr. Clerk, take the record. On this Bill, there's 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Clerk, Representative Monique Davis has House Bill 232. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 232, a Bill for an Act concerning education. Third Reading of this House Bill."

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

Davis, M.: "Thank you, Mr. Speaker. House Bill 232 was a Bill that originally was established to abolish a virtual high school in Chicago, but after working with a number of organizations and concerned people, we have reduced that legislation to be a task force. The task force will be made

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

up of many members who are from the higher education, members... a teacher or administrator from the virtual school itself, the Governor will make appointments, the Speaker of the House, the Minority Leaders in both Houses. And we think that... we don't have any opposition. And we urge an 'aye' vote."

Speaker Lyons: "The Chair recognizes the Gentleman from Lee, Representative Jerry Mitchell."

Mitchell J.: "Thank you, Mr. Speaker. I rise in support of the Lady's Bill. Representative Davis worked very hard on this particular piece of legislation and it has come a long way from its original beginning. I think we'll find out some very good and very interesting information as that task force comes back to us with their recommendations and I wholeheartedly support the Lady's efforts. Thank you, Mr. Speaker."

Speaker Lyons: "No one else seeking recognition, Representative Davis to close."

Davis, M.: "We would just ask for an 'aye' vote. Thank you, Mr. Speaker."

Speaker Lyons: "The question is, 'Should House Bill 232 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Cultra? Durkin? Mr. Clerk, take the record. On this Bill, there are 112 Members voting 'yes', 4 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "Representative Hannig is in the Chair. Representative Sullivan, you have House Bill 3165. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3165, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Hannig: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill is in regard to Child Labor Law. What is happening is, the Department of Labor is... guidelines have said that kids under sixteen (16) can't work in environments that have blood, according to the law. We're changing that to say 'human blood'. This is an initiative of the Illinois State Veterinary Medical Association. By putting 'human' before the word 'blood and blood products' will allow kids that can go and work at veterinary clinics as opposed to other places. Thank you."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? 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? Representative Bassi, Durkin, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dugan, you have House Bill 2044. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2044, a Bill for an Act concerning transportation. Third Reading of this House Bill."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "The Lady from Kankakee, Representative Dugan."

Dugan: "Thank you, Speaker and Members of the House. House Bill 2044 addresses an issue that a constituent brought to me who was a disabled veteran. He also qualifies for our circuit breaker program. And we all know in the circuit breaker program, you receive license plates for a reduced cost. It seemed as though, because he did receive already a license plate free of charge because he is a disabled veteran, he then was not able to... his wife then was not able to get the license plate through the circuit breaker cost, even though they qualified for it, because somewhere in the wording of the circuit breaker it didn't include and didn't address this situation. So, this just corrects it to say that a veteran, of course, receives a license plate, but what this does is also say if they qualify for circuit breaker they should also be allowed to have the circuit breaker price for their spouse's car because they qualify for that anyway and not be penalized because they're a disabled veteran. I'll answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? 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 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Golar, you have House Bill 1398. Out of the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

record. Representative Feigenholtz, you have House Bill 3446. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3446, a Bill for an Act concerning public health. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. Did we have an Amendment pending for this Bill?"

Speaker Hannig: "Clerk, what is the status of the Amendments on this Bill?"

Clerk Mahoney: "Floor Amendment #1 was referred to the Rules Committee."

Speaker Hannig: "Do you wish to move it back?"

Feigenholtz: "Could you roll it back to Second for the Amendment?"

Speaker Hannig: "Yes. So, Mr. Clerk, return this to the Order of Second Reading at the request of the Sponsor. Representative Tryon, you have House Bill 3728. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3728, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from McHenry, Representative Tryon."

Tryon: "Thank you, Mr. Speaker and Members of the House. House Bill 3728 makes an Amendment to our statutes that set certain a date that the EPA will have an NPDES permit process in place for single-family dwelling units that discharge treated wastewater effluent to waters of our state. We have had a lot of discussion about what were we

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

going to do with these types of systems. What has happened, in 1986 IDPH allowed systems to be installed that was in conflict with the U.S. laws that require an NPDES permit to be... in place in order to allow these discharges. They were under the interpretation these discharges were exempt, they were not. Now, Illinois has one hundred seventy thousand (170,000) of these discharges. This Bill does not require anybody that has already installed one of these systems to do any testing, it doesn't require anybody that has installed one of these systems to do any monitoring. This Bill doesn't affect anybody that has one of these systems. What this Bill does do is, it says that there's a date certain that if we don't have a permit in place that we will stop issuing these types of systems in conflict with our Federal Law. I don't think it is a justifiable practice to allow citizens to put a septic system in that discharges that would require a NPDES permit and then years later go and tell them they have to get a permit that may cost then up to five hundred (\$500) a year in order to monitor it. So this will, in fact, put us a date certain when we will have a permit process in place. Currently, there is a lawsuit or a notice of intent to file a lawsuit in Federal Court against IEPA. If we were to lose this lawsuit, this means that we may, in fact, lose our delegation agreement with USEPA to administer our clean water program. If we can't administer our clean water program, we can't issue permits to our sewage treatment plants to do sewer extensions, to enlarge their plants. All of that activity would have to be regulated by the USEPA. I don't think any of us want's to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

be put in that position. This is, I think, a reasonable solution to get the parties to sit down and work together and come up with an NPDES permit. This is an agreed language change, this Amendment that will... is agreed between EPA and IEPA. And I would answer any questions."

Speaker Hannig: "This is on the Order of Short Debate and in response, the Gentleman from Crawford, Representative Eddy."

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

Speaker Hannig: "He indicates he'll yield."

Eddy: "Representative, in practical terms, if the date comes and goes that you would no longer allow the systems to be put in without a permit, if those systems did not discharge effluent into a navigable water of the United States, a water of commerce or a tributary to a water of commerce, would a permit be required under your legislation if the system did not discharge into those described bodies of water?"

Tryon: "If it does not discharge into waters of the state then it will not require a permit."

Eddy: "Okay. So yesterday or the day before, whenever we ran the legislation that stated those terms, your intent then is with this legislation to require anyone who puts this system in after this date certain, January 1 of '09, they would have to get a permit. But they only have to get that permit if that sys... or the discharge is into the described waters."

Tryon: "This piece of legislation doesn't require anybody to get a permit. This piece of legislation says if we don't have a permitting program in place, we are not going to continue to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

issue permit to construct discharges to waters of the state."

Eddy: "Okay. So, what would happen after that date if there wasn't a permitting system in place to someone who had to put in a system in a rural area? What options would they have without the types of system that discharge effluence?"

Tryon: "Representative Eddy, there are several options for subsurface disposal for treated wastewater effluent. We are one of the few states that allow this type of system. Southern Indiana doesn't allow this system, if you look at the... at the..."

Eddy: "What types of... what types of systems are available? That was my question."

Tryon: "Well, it depends on the geologic conditions of the site, if there's raised filter beds, there's peat filters, there's evapotranspiration beds. There's a lot of different type of technology that will be available to individuals who have to replace or put in a new septic system if this day comes and goes and we don't have a permit system and those systems won't have a cost associated with them for maintenance as much as the surface discharging system does."

Eddy: "What about the cost of the initial installation of that type of system as compared to the types of system that would not be allowed to be permitted any longer based on this..."

Tryon: "Some of tha... some of those systems could cost more and the average cost of an instillation for a surface discharging system can be five thousand dollars (\$5,000), if you have a system that is a raised filter bed, it could be as much as eight thousand dollars (\$8,000)."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Eddy: "Okay. So, the initial cost could be substantially more for the rural homeowner, however, your argument is that the maintenance would be less because the type of system that would be put in."

Tryon: "That's correct and there's also subsurface systems that I don't feel would cost anymore than the discharging system."

Eddy: "Okay. What about the installers, Representative, of the systems? If... if... is there any... anything in this legislation that would require the installers to be responsible in any way for the maintenance, the ongoing maintenance and operation of these systems?"

Tryon: "Not in this piece of legislation. This legislation just says if we don't have a NPDES permit by January 1, 2009, then we're going to stop issuing permits to construct discharges that are in violation of the Federal Law."

Eddy: "Okay. And your definition of in violation of the Federal Law is if they dump effluent into, or discharge is a better word, effluent into, a body of water that's considered to be a navigable waterway, a water of commerce or tributary to a navigable waterway of the U.S., that's... those are the systems that you would say cannot be put in."

Tryon: "That's correct."

Eddy: "Okay. Thank you."

Speaker Hannig: "We're going to put this on Standard Debate, Representative Tryon, there seems to be some interest amongst Members on... particularly your side of the aisle. But Representative Reis, you're recognized for 5 minutes."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

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

Speaker Hannig: "He indicates he'll yield."

Reis: "Representative, we've had a lot of discussions about this. You know how much of a large issue this would be for southern Illinois and we still, I guess, agree to disagree about the soil types in southern Illinois. But your Bill says that you will be required to get a permit after 2009, right?"

Tryon: "No."

Reis: "For surface discharge."

Tryon: "This Bill says if we don't have a permitting system by January 1, 2009, we're going to stop issuing permits to construct discharges that discharge to waters of the state."

Reis: "Okay."

Tryon: "This doesn't require anybody to get a permit."

Reis: "So, this time comes and we don't have a permitting process, this is where we agree to disagree, subsurface discharges just do not work in southern Illinois. Our tight, clay soils, without a lot of expense, just do not work. And then with this permitting process, say it is in place, there's a lot of discussion or debate about the testing procedures, how the tests are conducted, how much those are going to cost. A lot of different issues and then we get to the interpretation of the Illinois EPA which is still subject to a lot of different opinions. And I guess where I'm going with this is, is why do we need to do this now? Why don't we let this work its way through the courts or whatever it has to do before we go and set a... sunset date

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

out here that may not be achievable? I mean, we don't even know what kind of systems are going to be approved to be installed. Is it going to be the manufacturer of a system that donates the most to a campaigns, maybe we took care of that the day before yesterday with pay-to-play, I don't know. But there are so many unanswered questions with this and I know you're not affecting with this legislation anybody that has a system that's currently installed, but I still think there are so many unanswered questions as to the testing, the type of system that would be installed and things like that, just the interpretation of the whole rule. So..."

Tryon: "Well, Representative Reis, you've asked about three (3) questions. I'll answer the first one."

Reis: "Okay."

Tryon: "Tight, clay soils in southern Illinois aren't much different than tight, clay soils in southern Indiana. They're not much different than the tight, clay soils that we have in northern Illinois. There are options available for subsurface disposal for on-site wastewater systems that don't have on going maintenance costs as much as these systems that other states put in and have put in for years. We have some of that technology in our code. I believe our Septic Code would have to be amended to include new technology that's available. The second question you had is what's the rush to do this? As I said, there's been a notice of intent filed to sue IEPA for lack of enforcement of the Clean Water Act. This happened in Indiana, a judge ruled against Indiana and they lost their delegation

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

agreement for the Clean Water Program if they did not immediately impose restrictions on different types of discharges than the one we're talking about. But we could lose our delegation agreement for the Clean Water Act. That's not something in my area or any of the suburbs or anybody that lives in any city that's serviced by a sewage treatment plant would want to see done. If we lost the ability to administer that program it would be at grave cost to the citizens of Illinois."

Reis: "Do you have any sub... or surface discharge systems in your area?"

Tryon: "I do not."

Reis: "Okay. Go ahead with your final answer. My point is, is I think that we're putting the cart before the horse with this legislation. The actual interpretation of the law has not been decided yet in Illinois. I know the lawsuits are out there, well, you know, let them sue; they threatened this in other states as well. This is going to be a very large impact on southern Illinois. Even if they do come up with a system as you say might work, the costs for those are extreme and I think we should wait for things to iron out before we set an arbitrary final date that things have to happen so far in advance. Thank you."

Speaker Hannig: "We've had two (2) in response and one (1) in support. And Representative Watson, you're recognized for 5 minutes."

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

Speaker Hannig: "He indicates he'll yield."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Watson: "Representative Tryon, what is the... the genesis of the Bill? You said that we were threatened with a lawsuit?"

Tryon: "We have a notice of intent to file a lawsuit by the Environmental Law and Policy Center against IEPA that was filed, I believe, it's almost two (2) years ago and they have agreed not to proceed with that lawsuit as long as we're working on obtaining an NPDES permit for these types of discharges."

Watson: "So, I'd have two (2) questions. One is, do you think anytime someone threatens to sue the State of Illinois we should pass legislation to address that?"

Tryon: "Well, Representative Watson, I think we should take this intent to sue very serious because we are, in fact, not enforcing and upholding the Federal Law, that is clear."

Watson: "Is it in your opinion that... the organization that brought the lawsuit forth... do they... what is their opinion on any surface discharge systems?"

Tryon: "Well, their intent to... I don't know what their opinion is on any surface discharge systems."

Watson: "In other words, is any level of surface discharge acceptable to that organization?"

Tryon: "I think that they're concerned about the discharges that discharge to the waters of the state. That's what they have outlined in their letter of intent to file suit."

Watson: "And how would they define... do... does... is there a surface discharge according to Section 12 of the Environmental Protection Act that that is permissible. That does not eventually, according to this Act and according to that organization, not end up in the navigable waterways?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Tryon: "This references the Clean Water Act's definition of 'waters of the United States.'"

Watson: "Correct."

Tryon: "And if it meets that criteria..."

Watson: "What is that criteria?"

Tryon: "That criteria is waters that are used for commerce, waters that have been used in the past in commerce, waters that are used in the futures of commerce, tributaries, intermittence water streams... that drain to waters of the United States."

Watson: "So, is there a discharge that does not eventually affect that?"

Tryon: "I believe if there's a discharge that does not... that discharges on somebody's property, does not discharge off of somebody's property, does not discharge into a drainage way, I don't think those discharges have to obtain the permit."

Watson: "Who would make that determination?"

Tryon: "Well, that would be covered under the general NPDES permit that IEPA would be... have approved by U.S. EPA. And I think that permit would look similar to the seven (7) or eight (8) other states that allow these types of discharges. And would probably be consistent language as what... what we see nationally."

Watson: "So, what will happen... if your Bill passes, what will happen to all those individuals that have an... already have a system installed?"

Tryon: "Nothing."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Watson: "You have no intention of coming with further legislation that would make them address a permit or an inspection process?"

Tryon: "Representative, I'm very sympathetic to somebody that has put this system in. I believe that it was disingenuous on Illinois Department of Public's Health standpoint to allow these systems to go in without getting a legal opinion or an opinion from U.S. EPA if they were exempt from the Clean Water Act when, in fact, they weren't. And I think they have been allowed to put in a system and now are being told they have to comply with this new law, I think that's wrong."

Watson: "So... The answer to the question is, do you..."

Tryon: "This Bill doesn't require anybody to have..."

Watson: "Do you... Should this Bill pass, my question is, do you intend to bring forth further legislation to demand inspections of those systems that are already..."

Tryon: "I do not intend to bring further legislation if this Bill passes."

Watson: "Thank you. Ladies and Gentlemen, to the Bill. I understand the sincerity of the Sponsor and his commitment to... to his cause here, but I do think this would put an undue burden at a horrible time. If you look at the utility rates, the fuel prices, we're going to ask some of these individuals to address, to add this expense to them would be challenging to say the least. And there are several, several opponents including the Department of Public Health to this legislation and I would ask for a 'no' vote. Thank you."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "We've had three (3) in response and one (1) in support. So the rules would provide two (2) additional speakers in support. Representative Leitch, would you like to speak in support?"

Leitch: "No, I rise to strongly oppose and to..."

Speaker Hannig: "Representative..."

Leitch: "...hope that all the Members listen very carefully to Representative Watson because this is overreach of considerable extent and has tremendous concern because of the lack of clarity in the definitions and the inability to define, get definitions and the bureaucratic overreach is of tremendous concern to many throughout this state. And I strongly would urge a 'no' vote. And if it passes, I would ask for a verification."

Speaker Hannig: "Okay. So, you are within your rights, Representative Leitch, to ask for a verification. Representative Tryon, you're recognized to close."

Tryon: "Thank you. I would like to first point out that this Amendment is an Amendment that was worked out between IDPH and IEPA and it is agreed language. And I want every Member of the House of Representatives to know that this issue has been worked on for the last ten (10) years and there has not been an agreement. And in the last ten-year period we have put in an additional seventy thousand systems (70,000). An additional seventy thousand (70,000) families and homes have put in a system and at some point in time in the future may be asked to bear the cost of maintaining an NPDES permit program. I have a letter here from a lady here in southern Illinois who says she just can't afford to maintain that

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

system and that cost. In the end, she may have to maintain that system in compliance with the law. I don't think it's right to continue to allow citizens of this state to put these types of systems in, number 1) without them knowing that they may, in fact, someday be required to get a NPDES permit and number 2) subject them to a potential future enforcement action. This Bill doesn't do anything to raise the cost on anybody that's already has one (1) of these systems. This doesn't say anybody that has a system has to get a permit. What this Bill says is that if we don't have a permitting system, if we don't have a way for our citizens to comply, then we're going to stop the practice of issuing these types of construction permits to construct this type of system. I think anybody would be sympathetic with a person that had thought they put a septic system in compliance with the code and then some years later finds out they didn't. That's wrong and we should stop putting our citizens in harm's way. I would say this isn't about an environmental cause, this is about saving our ability to administer our Clean Water Program, to administer permits for our sewage treatment plants and to be responsible Legislators by directing IDPH and IEPA to sit down and once and for all get a permitting system so that we can comply with the Federal Law. And that simply is beginning January 2009, if we don't have an NPDES permit system then, we're not going to have these types of programs. Indiana doesn't have this program, Michigan doesn't have this program, Kentucky doesn't have this program. Illinois has this program. Iowa has a program that has a permitting system.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Missouri has a program that has a permitting system. North Carolina has a program that has a permitting system. Pennsylvania has a program that has a permitting system, but here in Illinois we have no permitting system. And all we need to do is come to an agreement on what needs to be in a permit before 2009 and we'll be in compliance with the Federal Law and we'll be able to maintain our delegation agreement for the Clean Water Program. I strongly urge an 'aye' vote on this and I would hope that you would vote 'yes' so that at least by 2009, if we don't have a permitting system, we won't continue to put our citizens in harm's way. Thank you."

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. Okay. There's been a request for a verification by Representative Leitch. Representative Leitch... Representative Leitch, do you persist in your request for a verification? It's... Okay. The Gentleman has requested a verification. So, I'd ask the staff to return or to go to the back of the chamber. I'd ask the Members to be in their seats. And Mr. Clerk, would you read the names of those voting in the affirmative."

Clerk Mahoney: "The following Members voting in the affirmative are: Acevedo, Bassi, Beaubien, Bellock, Berrios, Boland, Richard Bradley, Brosnahan, Burke, Coladipietro, Cole, Collins, Colvin, Coulson, Cross, Currie, Will Davis, Durkin, Feigenholtz, Flowers, Ford, Fortner, Franks, Fritchey,

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Froehlich, Graham, Granberg, Hamos, Harris, Hassert, Hoffman, Holbrook, Howard, Joyce, Lang, Lindner, Joe Lyons, Mathias, Mautino, May, McCarthy, McAuliffe, McGuire, Mendoza, Meyer, Miller, Molaro, Mulligan, Munson, Nekritz, Osmond, Osterman, Pihos, Reboletti, Riley, Rita, Ryg, Saviano, Scully, Soto, Tryon, Turner, Verschoore, Washington, Winters, Yarbrough, Younge, and Mr. Speaker."

Speaker Hannig: "Okay. So, Representative Leitch, do you have any questions of those voting in the affirmative?"

Leitch: "Representative Joyce."

Speaker Hannig: "Representative Joyce. Is the Gentleman in the chamber? Okay. He is in the rear of the chamber."

Leitch: "Representative Verschoore."

Speaker Hannig: "Representative Pat Verschoore. Is the Gentleman in the chamber? Mr. Clerk, how is he recorded?"

Clerk Mahoney: "Representative Verschoore is voting in the affirmative."

Speaker Hannig: "Remove him."

Leitch: "Representative Acevedo."

Speaker Hannig: "Representative Acevedo. Is the Gentleman in the chamber? Mr. Clerk, how is Representative Acevedo recorded?"

Clerk Mahoney: "Representative Acevedo is voting in the affirmative."

Speaker Hannig: "Remove him."

Leitch: "Representative Mautino."

Speaker Hannig: "Representative Mautino. The Gentleman's on the Republican side of the aisle."

Leitch: "Representative Flowers."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "Representative Flowers. Is the Lady... The Lady is at the rear of the chamber."

Leitch: "Representative Saviano."

Speaker Hannig: "Representative Saviano is over by Representative Black."

Leitch: "Representative Feigenholtz."

Speaker Hannig: "Representative Feigenholtz is over... she is right there. She's hiding by Representative Hoffman."

Leitch: "Representative Mike Smith."

Speaker Hannig: "Representative Mike Smith. Is the Gentleman in the chamber? How is Representative... Okay. Representative Smith is in the rear of the chamber. And Representative Acevedo has returned to the chamber. So, Mr. Clerk, restore him."

Leitch: "That's all, thanks."

Speaker Hannig: "Okay. On this question, there are 67 voting 'yes' and 48 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, I think they forgot two (2) or three (3) people. I suppose I'm out of order and too late now? Representative Levin, Representative Lee Preston, Representative Bruce Richmond, they're all here? All right. Okay."

Speaker Hannig: "Are those lights automatically on your list, Representative?"

Black: "Those used to be great for..."

Speaker Hannig: "Automatic."

Black: "...in the good old days, when we did verification."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "Mr. Clerk, on House Supplemental Calendar #1 is House... is Senate Bill 1592. Would you read the Bill, please."

Clerk Mahoney: "Senate Bill 1592, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. Amendment #1 lost in committee. Amendment #2 was adopted to the Bill. Second Reading of this Senate Bill. No committee No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. And Mr. Clerk, read Senate Bill 500."

Clerk Mahoney: "Senate Bill 500, a Bill for an Act concerning public health. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Moffitt, for what reason do you rise?"

Moffitt: "I rise to a point of personal privilege, Mr. Speaker."

Speaker Hannig: "State your point."

Moffitt: "I'd like for the chamber to join me in recognizing someone today. We say we're all family when we are down here, and that's true. We celebrate each other's high points in life. One of our Members received a phone call about 2:00 this morning indicating he was a grandfather again for the fourth time. Would you please join me in congratulating Sid Mathias on his fourth grandchild born."

Speaker Hannig: "And Representative Golar, for what reason do you rise?"

Golar: "Yes, Mr. Speaker, I would like the record to reflect that House Bill 3728, I would like to be a 'yes'."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "The record will reflect your intentions."

Golar: "Thank you."

Speaker Hannig: "Representative Granberg, for what reason do you rise?"

Granberg: "Thank you, Mr. Speaker, for a point of personal privilege, please."

Speaker Hannig: "State your point."

Granberg: "Let me introduce in the gallery, the children of people of the Governor's staff, including the kids of Jessica Pickens and Joe Handley. Would the kids up there wave at everybody. They're here for Parent's Day?"

Speaker Hannig: "If I could have your attention for a moment. The Chair has been advised that there will be caucuses for both the Democratic and Republican side of the aisle. We're going to stand at recess for a few moments. The Democrats are going to caucus in Room 114, our regular room and the Republicans will caucus in Room 118, their regular room. So the House will stand at recess."

Speaker Hannig: "The House will be in order. Members will be in their seats. On the Order of House Bills-Third Reading, we have House Bill 758. Representative Osterman. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 758, a Bill for an Act concerning public safety. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Osterman."

Osterman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 758 requires background checks on person-to-person handgun sales in our state. Similar to gun show

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

loophole legislation, this legislation will require an individual selling a handgun to call State Police and have a background check conducted on the purchaser prior to the sale of a handgun. Currently, these background checks conducted by State Police take a matter of minutes and on an annual basis in our state over 925 criminals, domestic abusers, gangbangers and others who should not own a gun are stopped by buying a gun because of the background checks. Background checks work. I want to stress that this legislation only deals with handguns, not shotguns, not rifles. A large number of guns each year are used in crimes that can be traced to person-to-person sales. This legislation will help keep handguns out of the hands of criminals. In a recent poll conducted in our state, 80 percent of respondents strongly favor this legislation, 10 percent somewhat favor this legislation. That's over 90 percent of respondents. This is commonsense legislation that will help keep criminals from getting handguns and I would ask for everyone's support on this legislation. I would be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. We're going to remove it and put it on the Order of Standard Debate. And on that question, the Gentleman from Jackson, Representative Bost."

Bost: "Yes, Mr. Speaker. Is there a way we could just put this on total Debate? Because I think it's a big enough issue."

Speaker Hannig: "Representative..."

Bost: "First off, the... speaker said that... And to the Bill. To the Bill."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "To the Bill."

Bost: "I don't need to ask questions. He and I can... you know, and let me tell you that he and I are great friends away from this issue. I respect him tremendously; I just totally disagree with him. It says that... he's made the statement that this will keep from criminals from having guns. No other state that continues to pass these laws have proven out that fact at all. Matter of fact, what we have here is, is once again an opportunity for something to be put in place where those people who are legal law-abiding citizens, trading or selling guns back and forth, which is once again that's where we may differ. I believe is my right as long as I haven't went out and committed a crime that would justify me not having my Second Amendment right. That I should be able to sell, trade, guns and if I have a gun it's not the government's business if I do properly handle that gun, don't use it in a crime. It's not your business, it's not our business. Stay out of my life. Government should not come into law-abiding citizen's houses and tell them what they can do on this issue. Folks, this has got to stop. This... this stuff, you know, we in southern Illinois and it shouldn't be just southern Illinois, it should be anywhere. If I haven't went out and committed a crime if I trade with another person on a gun or a car, or a bicycle or a baseball bat, because sometimes a baseball bat's been used in crime, should we register every baseball bat? Should we make sure that if a baseball bat is traded or a baseball bat is sold from one individual to another, we should probably register that baseball bat. We should let people know that

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

we traded that. Folks, this is government going too far again. There has been no evidence to the statement that if we do this it will take guns out of the hands of criminals and it's going to reduce crime. Once again, and you've heard it time and time again on this issue, criminals are criminals. We already... they are already criminals if they have guns. But they're... we are one of the few states that has a FOID card and if you will get the State Police to not be pressured and talk to them away from... and some of them will be very vocal anyway... They will admit that our FOID cards do nothing. We... we don't stop crime. If that was the case and that was how the FOID card was sold, we were going to be able to stop crime and reduce crime rate and... But yet, we still have a tremendous crime rate and where is the crime rate the worst? In the city that has banned guns completely. Folks, this is a lot bigger issue than guns. This is a case where we've got to stop going down this path of government constantly coming into law-abiding citizen's homes and telling them what they can and can't do. We register guns whenever they're bought and purchased at gun dealers. We shouldn't start down this path. And Mr. Speaker, if this does get the required number of votes, I would ask for a verification."

Speaker Hannig: "Representative Phelps."

Phelps: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. Representative Osterman, is it true that this requires... Say, I want to go out and shoot with

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Representative Bill Black, and we're out there in the country shooting cans or bottles and if I loan him a gun doesn't that... he require that I do a background check on him?"

Osterman: "If you sold... if you sold..."

Phelps: "Another one another..."

Osterman: "If you sold him a gun."

Phelps: "Not loaning or transferring, only sold. And I think the Bill says that transfer or if I loan him, I would have to acquire another background check. Is that true?"

Osterman: "It's a very good question, Representative Phelps, and I'm glad you brought it up. The definition 'transfer' is very frequent in the FOID Act and in the Criminal Code when it comes to transferring or selling firearms. And transfer is, the definition of 'transfer' as exists today would remain. And I would say that the standard practice, if you and Representative Black were going out and hunting, that whatever exists today would exist after we pass this legislation. So, if you were to sell Representative Black a gun or give him a gun permanently, it would happen exactly the way it does today. You would have to go through the steps that you would have to do today. The only difference would be that you would have to go through an instant criminal background check. If you are going together and you're loaning him a gun for the weekend, I would say that under current law and future law that this would be silent on that. This is permanent transfers and I would suggest that transferring a firearm is a definition that is in the law today and would be the same."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Phelps: "Okay. So..."

Osterman: "The only addition... the only additional step whether it's a permanent transfer or sale is to go through the instant criminal background check, which again, I will say, is good public policy and works."

Phelps: "Okay. And we'll talk about the FOID card here in a minute, but... So now, can I give Representative Black a gun? Can I just give him a gun 'cause there's no gun title, so can I just give him a gun?"

Osterman: "If you were to give him a gun, I would suggest to you it's the same today as it would be after this legislation passed. If you permanently give to him the firearm, that would be I would think State Police would say is a transfer and you should have to go through the steps that you're required to today, which today would be a three-day waiting period and keeping a copy of the transaction. Under this step, it would be to go through the instant criminal background check if you were to give him a gun. Today there are laws in place and procedures in place that are the statutes that we work by. All we're doing is asking for an additional background check to be done which happens in a matter of minutes."

Phelps: "So... Let me give you another question, Representative Osterman. Am I right in saying that this Bill creates a new tax on private gun owners?"

Osterman: "You are right in saying that background checks that are done at licensed dealers, background checks that are done at gun shows, background checks that stop almost a thousand (1,000) people a year, cost two dollars (\$2.00) by

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

the State of Illinois that State Police charges. Those would be required under this legislation. You call it a new tax... and I've got the handout from the NRA, Representative, with some other fictional points on here that I'd be happy to get to if they come up or I'll address them otherwise... but there would be a charge that State Police would require to conduct the background check. Same as a licensed dealer when someone goes to buy a gun at a store, same as if they go through a gun show."

Phelps: "To the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

Phelps: "House Bill 758, I think is very redundant. We're doing this now in what is called FOID card. When you're a legal gun owner you applied for a FOID card, there is a background check done on you. There's no need for another background check on this. House Bill 758 is designed to cause more red tape, increase the waiting periods, and stop private legal gun sales. I ask for a 'no' vote."

Speaker Hannig: "Representative Stephens."

Stephens: "Thank you. Will the Gentleman yield?"

Speaker Hannig: "He indicates he'll yield."

Stephens: "The... if I want to sell my neighbor, the lady who lives in the house next to us, one of my pistols, do I understand your legislation correctly that we have to go to a gun dealer to make that transaction?"

Osterman: "Absolutely not."

Stephens: "What do we do?"

Osterman: "What you would do is a couple things. First, what you would have to do, Representative, for your next door

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

neighbor, the lady next door to you, have her show your valid... her valid FOID card to you. You would have to keep a transaction of that. You would then have to wait seventy-two (72)..."

Stephens: "I have to keep a transaction similar to the current..."

Osterman: "I'm walking... I'm walking through..."

Stephens: "I understand, but is it similar... is it a log book similar to the current dealership?"

Osterman: "If you'd let me finish, I'll answer your question. It's similar... so today and how we will implement this differently. She shows you the FOID card. You keep... you write down the transaction that's specified in the law as to what you is required in the receipt. Okay. You're then supposed to keep that firearm from your next door neighbor for seventy-two hours. The only additional step that we will have you do different than you do today, Representative Stephens, is pick up the phone and call State Police and ask the State Police to do a background check on her and then release the firearm. After the wait..."

Stephens: "Wouldn't she have already had a background check?"

Osterman: "...after the waiting period."

Stephens: "Wouldn't she already have had a background check?"

Osterman: "Representative Stephens, your next door neighbor, similar to the almost a thousand (1000) individuals that had FOID cards that were turned away because they violated some law on the books, would have a FOID card and if she had something in her background that would prevent her from getting a firearm, like mental illness, that would prevent

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

her and the background check, State Police would tell you, Representative Stephens, not to sell the firearm."

Stephens: "So, you're asking us to vote for this very important Bill that changes public policy based on a supposition that my next door neighbor is crazy?"

Osterman: "Representative, I..."

Stephens: "You just said I was one in a thousand (1,000) chance, or she's one of only a thousand (1,000) in the state that has been... violated some mental health ordinance. How do you enforce that?"

Osterman: "I'm simply..."

Stephens: "How do you enforce this?"

Osterman: "I'm simply pointing out to you, Representative Stephens, that background checks today stop people from buying firearms."

Stephens: "If I sell this weapon to my neighbor or I give it to her as a permanent gift and I don't follow your statute if this becomes a statutory change, what is the enforcement procedure?"

Osterman: "It's a Class A misdemeanor."

Stephens: "Then will I be arrested or will she?"

Osterman: "Both of you would be liable under different..."

Stephens: "We would both be arrested?"

Osterman: "Well..."

Stephens: "Or subject to arrest."

Osterman: "Both of you would be liable under certain things. If, Representative Stephens, she was not eligible to own a firearm in our state, then she would be liable for illegally

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

purchasing a firearm. If you did not follow this procedure it would be a Class A misdemeanor."

Stephens: "Well, I think you've made our argument for us, Representative. I have all the respect for you in the world."

Osterman: "I know."

Stephens: "But you are really heading down the wrong path again. And let me... let us help you save you from yourself. The problem here is you're trying to make criminals out of perfectly law-abiding citizens. You know, one of the former Representatives on your side of the aisle referred to just going out... and this is what we do. We go out, we take our handguns out into the countryside up against a hill in a very safe area and we shoot cans and bottles. And my neighbor lady wants to do that, and you know what, she's not a criminal and neither am I. And nothing in our action, me selling or giving her a handgun for permanent use is... there's nothing innately wrong with that. And you are assuming that there is something innately wrong with that."

Osterman: "I'm not making..."

Stephens: "That's where you're wrong, Representative. We are by definition law-abiding citizens. And you're whether intentionally or not, you are turning us or trying to turn us, our very simple and innocent actions, into criminal activity. That's not who and what we are. That's not who and what our ancestors are and that's not who and what our grandchildren are. You know what, they have a right to have and honestly own and operate a handgun. They just do. You should spend your time and energies in, Representative, with

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

all due respect, in chasing after the bad guys, not the good guys."

Speaker Hannig: "We had three (3) speak in opposition and one (1) in support. The rule book provides that two (2) additional speakers could rise in support. Representative Currie, would you like to speak in support?"

Currie: "Thank you, Speaker and Members of the House. A little more heat than is necessary on this simple and straightforward proposition. Today, if you buy a gun at a gun shop, if you buy a gun at a gun show, there is a requirement first that you have a Illinois Firearm Owners Identification card and second, that you subject yourself and pass a criminal background check. There are some people who buy their handguns privately. Those people have to have a Firearm Owners Identification card, but today they do not need to undergo the criminal background check. Law enforcement tells us that a thousand (1,000) people who have FOID cards nevertheless fail the criminal background check when they buy at a gun shop, when they buy at a gun show. It's suggested that we wait until somebody who should not have bought this gun but bought it privately, we should wait until they commit a criminal act before we do anything about it. To me that's lunacy. Far better to protect the public before there is carnage, before there is mayhem at a school, in the streets, or in a home. We don't know what number of people buying a handgun privately might fail the criminal background check, but for that instant criminal background check, but for the few seconds and the two bucks it takes, I would say we owe it to the citizens of Illinois to see to it

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

that we do not allow that gun in the first place to fall into the wrong hands. The only sensible vote on House Bill 758 is a resounding 'yes'."

Speaker Hannig: "The rules now would provide that one (1) additional speaker could rise in support of the Bill. Representative Sacia, would you like to speak in support?"

Sacia: "I'd like to ask for unlimited debate on this issue, Sir. It's extremely controversial and I'd like to ask for that."

Speaker Hannig: "If that's the wish, Representative, we certainly can grant that. I guess my only question is, do you think we're changing any votes? But proceed, Representative. Proceed, Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Representative Osterman, I've only been here five (5) years. I know you've been here sometime longer. My question of you is why every one of those five (5) years Chicago comes here and wishes to impose its will on the rest of us on Illinois?"

Osterman: "Representative Sacia, I know you were busy working on other legislation last year, but I believe last year I don't know that legislation like this was proposed, but..."

Sacia: "Granted."

Osterman: "...I will say to you, Representative Sacia, that this is not just an issue for the City of Chicago. And I think that the board and the votes on this Bill will reflect that. I think that cities and towns across our state are seeing increased gun violence. And I think Representative, this is good public policy and I think that the votes on this, hopefully, at the end of the day are going to reflect a diverse cross section of our state."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Sacia: "I respectfully disagree with you, Representative, and you know, that's a philosophical thing. One of the comments you made earlier is you made reference, though you didn't specify any, you referred some... of some fictional points of the NRA. I would like to share with you following the tragic situation a week and a half ago at Virginia Tech. Governor, I'm sorry, Mayor Daley was on WGN stating that there are more regulations on beekeepers and on cosmetologists in the State of Illinois than there is on gun dealers. Sir, all due respect to the Governor... not the Governor, the mayor, I get them mixed up... is that, Sir, is a crock and for him to say that is absolutely wrong. If a person wants to commit a crime and create all kinds of havoc, here's something from the Austin American Statesmen and... this was a year ago in March 5, 2006, ironically my birth date. A graduate student in a automobile plowed into ten (10) people, critically injuring all of them, intentionally because he wanted to create a terrorist act or he was a sick individual. The point is, Sir, there isn't a person in this Body that doesn't know guns don't kill people, people kill people and you're going to get the job done if you are so inclined. Those of us that truly believe in the Second Amendment, how it was proposed, how it stands today, how we want to treat it today, want to be left alone. We don't want Chicago to continually tell us what is right and what is wrong. I just can't get over the fact that we constantly get Bills. Nobody tries to tell Indiana what they should do or Wisconsin, but Chicago wants to tell the downstaters. And I submit to you the vast number of

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

downstaters, this isn't a Republican issue, this isn't a Democrat issue. Representative Phelps just spoke in opposition and there are many downstaters, Democrats and Republicans alike, who adamantly oppose the insulting charges of Chicago gun Bills and that's how they are very often referred to. Why can't... if Chicago wants to have these limitations, if Cook County wants these limitations, if they want to include DuPage, whatever, that's fine, but why must we continually do it in the entire state?"

Osterman: "Representative, a couple things. You referenced dealer licensing, that will be another Bill later that we can talk about and I'm happy to talk on that when the opportunity comes. The truth of the matter is, Representative, that Mayor Daley is not here today to decide this issue. You are here today to decide this issue and I am here and the rest of the 118 Members of this Body are here and hopefully, the Senate. The only people that are with us today, Representative, is the people of the State of Illinois that are watching what we do. And they are listening to the arguments pro and con on this and they're also understanding the violence caused by handguns in their communities. I'll tell you who also is watching and in support of this legislation, Representative, and that's law enforcement. The state FOP is in support of this legislation, the Illinois Chiefs of Police are in support of this legislation. There's a lot of people in support of this legislation. This is not something that is negative, I would say, for legal law-abiding citizens. When I've had

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

opportunities to talk to people that have been waiting to see my colleague..."

Speaker Hannig: "Representative Sacia, your time is expired. Could you bring your remarks to a close?"

Sacia: "I will, Sir. I will and thank you for that opportunity. Representative Osterman, one final comment in closing. I submit to you statistically states that have the right to carry... and far more freedoms with weapons than we do, have a far lower crime rate than the great State of Illinois and I will simply close with the following comment and as I've already alluded to it. If Cook County wants to do a certain thing, that's their prerogative, leave the downstators alone. We don't want to be included in that. We don't think that that's good policy. We honestly believe, the vast majority of us, that guns don't kill people, people kill people. I ask for a 'no' vote."

Speaker Hannig: "The Gentleman from Williamson, Representative Bradley."

Bradley, J.: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Bradley, J.: "Representative Osterman, what are you really trying to do here?"

Osterman: "What I'm really trying to do with the legislation, this piece of legislation focused on handgun background sales or background checks, I hope it will do what the current background check system does and that is prevent criminals or those that shouldn't own firearms from buying a handgun. That's what I want to do."

Bradley, J.: "Is this... are there any exceptions to your Bill?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Osterman: "The exceptions are family members and those I think through a court order that are required to transfer a firearm."

Bradley, J.: "What family members?"

Osterman: "Spouses..."

Bradley, J.: "Parents and child..."

Osterman: "Spouses, parents, child, grandparent and grandchild."

Bradley, J.: "So, I hunted my whole life with my uncles and they gave me a gun, they'd have to do a background check on me?"

Osterman: "Is he loaning you the gun for the weekend when you go out shooting?"

Bradley, J.: "No, he gave me... he gives me a gun, he'd have to do a background check on me."

Osterman: "Under the current law, the way it is written, yes."

Bradley, J.: "So, my cousins, of which I have many, being from Southern Illinois and I give them a gun or they give me a gun, we got to do a background check on each other."

Osterman: "I would say two (2) things to that, Representative, and..."

Bradley, J.: "A yes or no, Representative."

Osterman: "I think if you let me answer your question you might be surprised by my answer."

Bradley, J.: "Okay."

Osterman: "Okay. The first thing is that under the current law today and you would know this if you and your cousins and uncles exchange handguns or guns that... that there's paperwork that's required on a permanent transfer. You know that, being a lawyer and someone who knows the law very well. The other part of that is that you bring up, I would

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

say, a good point and I will say that we have a long process on this legislation; we have another Body to deal with in the Senate. And on the issue of family members, that is something I will talk to the Senate Sponsor about."

Bradley, J.: "What about... is this just blood relatives or is this adopted, stepsister, stepbrothers..."

Osterman: "I think if you had an adopted child..."

Bradley, J.: "Is this your biological mother, your biological father, your stepdad, your stepmom, your stepcousin, your cousin three (3) times removed? All these people you got to go do a background check on? What is this, 1984, Big Brother? To the Bill. I stand in strong opposition to this Bill. We need common sense in this chamber, not stuff like this."

Speaker Hannig: "The Gentleman from Vermilion, Representative Black. Representative Black, you're recognized for 5 minutes."

Black: "I'm sorry, Mr. Speaker, my apologies. Will the Sponsor yield?"

Speaker Hannig: "He indicates he will."

Black: "First of all, let me get my thoughts in order. A parliamentary inquiry, Mr. Speaker."

Speaker Hannig: "State your request, Representative."

Black: "It seems to me even though it isn't referenced in the Bill, that this clearly would preempt any Home Rule ordinance. Since it appears rather obvious that it does preempt Home Rule by any unit of government, county or city, would it require Majority vote or Supermajority vote? And you can get back to me on that, if you would."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "Okay."

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

Speaker Hannig: "He indicates he'll yield."

Black: "Representative, I'm trying to... trying to get what's left of my mind around this transfer. I have read the Bill; it does exclude transfers between father and son or daughter, parent child, grandparent child, the spouse, et cetera. But under current law, let's see if I'm right. I think I'm right, you correct me if I'm wrong. Under current law, if I want to sell a handgun or a concealable weapon to my nephew, that's not covered right? I mean, I didn't see any reference to nephews and nieces."

Osterman: "That's correct."

Black: "Okay. Now, he is a much younger person and he might want a gun that belonged to my father, his grandfather. So, I agree to sell him the gun. As I understand current law, I must make a copy of his FOID card and keep that on file so that I know where the gun is, correct?"

Osterman: "Correct."

Black: "But I do not currently have to call the Illinois State Police and request that my nephew... that they run a background check on my nephew?"

Osterman: "Correct."

Black: "Okay."

Osterman: "You, also, Representative Black, if I may, with your nephew you're supposed to under current law keep that firearm from him for seventy-two (72) hours as a waiting period. And that would still be under current law with this background check."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Black: "Yeah, I'm not sure how many private sales keep that distance, but you're right, that is current law. The director of the State Police, and I have this secondhand, in an appropriation committee testified that criminal background checks were requiring so much of his agency's time that they were running six (6) to eight (8) weeks behind. They were trying to catch up to four (4) weeks. Now, is an online ID check the same as a criminal background check, if I'm hiring a school bus driver for example? Or is there a completely different database search?"

Osterman: "It's an online database search and I will tell you that my understanding of the background check, the FTIP system with State Police that there is not a backlog. If there is a backlog and this is talking with State Police today, it is in the processing of the FOID applications. And my understanding is that there's other legislation that is working its way through the chamber to try and generate some more funding for the FOID card system. My understanding is that State Police, currently when they're able, will try to assign staff that will help process the FOID applications from the FTIP."

Black: "All right. But what I've been told by Members of the appropriation committee is that the director of the State Police said, 'I currently have a six-to eight-week backlog on criminal background checks.' What I'm trying to understand..."

Osterman: "I think that with the background checks..."

Black: "...if you're hiring a school bus driver or a teacher, is that different than a gun purchaser ID check?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Osterman: "Yes. My understanding is that the... historically and present practice today is that those background checks take a matter of minutes to be conducted."

Black: "Okay."

Osterman: "The only time that they take time is if there is something that needs further investigation and they need to clarify that."

Black: "Okay. I just want to give you a hypothetical. I've been attempting for some time to purchase M1 Garand rifle, the World War II military weapon that our soldiers used during World War II. And it has a simply a sentimental value to me it's what my uncle carried during the war, it's what my father carried... was issued and carried and they're becoming collectors' items. And I am trying... in the preliminary negotiation, trying to purchase one from a private individual, a veteran. Now, it's my understanding if your Bill becomes law I can still purchase the M1 or the .45 caliber sidearm which was standard issue during the war which I would also like to acquire as a collector a piece of military memorabilia. Now, if I purchase the .45 caliber semi-automatic standard military issue during World War II, he could not sell me that collectible without running a criminal background check on me, correct?"

Osterman: "If he's a private seller..."

Black: "He is a private seller."

Osterman: "...then he would do... he would conduct a background check on you."

Black: "Okay."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Osterman: "Let me say this, though... I and I don't know if antique firearms are exempt from current law if... if antique..."

Speaker Hannig: "Representative Black, your time has expired. Would you bring your remarks to a close."

Black: "Yeah. I'll certainly try, Mr. Speaker and thank you for your indulgence. Harry... or excuse me, Representative, I'm still having trouble with two (2) things and maybe you could address it and if you don't care to, my time is up. I'm having difficulty understanding whether this private seller has to take the information to a federally licensed firearm dealer or the private seller can, in fact, dial up the Illinois State Police. And my last question, if you could answer it as well, the Bill repeatedly mentions a transfer. Now, upon my death hopefully some years out, but who knows. Upon my death, I may, if I get these military collectibles I will probably leave those to one of the grandkids. Now, is that a transfer? And 'cause I'm dead, but I... in a codicil to my will how's that to be handled? I'm transferring personal property that would happen to be a concealable firearm, a military World War II collectible, after my death. Does the estate have to deal with this background check or how's that going to be handled?"

Osterman: "First thing's, they're going to be waiting a long time for those guns. I think that the second exemption would deal with the court order, so if a... if your estate went to probate and your will said this, I'm not a lawyer, that would be a court order. I think, Representative Black, the issue of family was brought up pretty eloquently by

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Representative Bradley and I pledge to talk to him more about that and talk to you. I want to make specific one important point on your first question. The underlying Bill as it first submitted made the seller and the purchaser go to a federally licensed dealer. Amendment 1, which is the Bill now, streamlines that and lets you pick up the phone and do that and I think that that's the way it should go to expedite the sale for law-abiding citizens."

Black: "Okay. And then, again..."

Speaker Hannig: "Representative..."

Black: "...if we can talk further, because my estate certainly isn't going to go to probate. I... you know, my surviving spouse would probably write about three checks and that would take care of that. But if I had given instructions in my will to hand down certain collectibles to my grandchildren then and I'm not in probate, that, you know, at some point that's got to be worked out because the surviving spouse is going to say, well, now wait a minute, he wanted me to give this collectible to his grandson and let him know that his great-grandfather used a weapon like this in World War II, you know, do we have to do the background check on my grandchild, things of that nature?"

Osterman: "The grandson is exempt. Your grandson would be exempt under the current law that we're voting on."

Black: "All right.:"

Osterman: "The grandson is exempt."

Black: "Okay. All right. Thank you."

Speaker Hannig: "Representative Black, the parliamentarian's prepared for his ruling."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Parliamentarian Ellis: "Representative Black, on behalf of the Speaker in response to your inquiry, House Bill 758 does not explicitly preempt Home Rule. Under the Illinois Constitution and Supreme Court Precedent the General Assembly cannot preempt Home Rule unless it does so explicitly in the language of the statute. Therefore, House Bill 758 requires 60 votes."

Speaker Hannig: "Representative Black."

Black: "I ask... may I ask the parliamentarian one additional question, then?"

Speaker Hannig: "Proceed."

Black: "If a Home Rule entity, a city, sees this Bill and wants to pass an ordinance that if this transfer takes place within their city limits, no such dial up is required. Would the Home Rule ordinance then take precedent over the State Law?"

Parliamentarian Ellis: "Representative, a Home Rule municipality's ordinance cannot be preempted by this statute."

Black: "Ahh."

Parliamentarian Ellis: "I can't speak to specific hypotheticals."

Black: "Okay."

Parliamentarian Ellis: "I think that would be irresponsible of me to do, but I can tell you as a matter of constitutional law and Supreme Court precedent, a Home Rule municipality cannot be preempted by a statute of the General Assembly unless it specifically preempts Home Rule and it does not in this case."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Black: "Okay. I'm glad to know that. Thank you very much."

Speaker Hannig: "Representative Molaro, you're next on the list."

Molaro: "Thank you, Mr. Speaker. I'm probably going to lose my honorary membership here in the Democratic downstate catfish row but, I got to tell you, it's really a cultural issue and if we can get by the cultural issue maybe we could understand. I went and visited a friend downstate. He had guns in his house and he had his niece shooting a gun outside and went to the gun show and I got to tell you when I was in his house and went by the gun show I thought I was doing something illegal. That's how foreign handguns and just being out in the open are to me. And so I could see why some of the... I don't want to call them downstate, rural, that would be wrong, but some of the people who grew up in a gun culture must think that Harry's got two (2) heads and he's saying, what are you doing to us, what are you talking about? You're taking away something that is so near and dear to us and so simple and so just out there, you know, what are you missing? Now, if we keep it on that cultural level we're obviously never going to change anybody's mind. So, the only way we could do it is to look at the Bill. So I have to ask the question of the Sponsor if he'll yield. Will you yield? Okay, here's what I'm looking at, you put it... it's on line 20 of your Bill which your Bill is only about two sentences long, no matter of all that stuff. So, I got to ask you, it's in the gun show stuff and it says if I'm a nonlicensed guy, say myself, and I meet you at a gun show and I want to sell you my gun, it says I must before

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

selling or transferring a firearm request the Department of State Police to conduct a background check, right? Okay. Now, don't give me a long answer, Harry, I'm going to lose my time. How long does that background check take? How long does that take? Well, Mr. Speaker, paying attention up there? Oh, I'm talking over here."

Osterman: "Background checks take a matter of minutes and State Police..."

Molaro: "Okay. Good, thank you, Harry. So, they take a matter of minutes, the man said minutes. So, here's what I got to ask, forget the stuff about granddaughters and grandsons and nephews. Okay? You got him there. I guess you should be able to give your grandson a gun or your... not your grandson, your cousin and Bradley's cousins. I guess you should be able to give your cousin one without going through it. But that's not what he is trying to say. Here's what he is trying to say, when you put in a local downstate newspaper, call me up at 618-482 I got a .357 magnum that's a terrific gun, it's worth about five hundred (500). I'll sell it for two-fifty (250). And some guy comes over to his house that he has never seen, never met and says here's the two hundred and fifty bucks. I want the gun. All we're saying is give him the gun but wait 5 minutes. Call up the State Police. Make sure he's not some knucklehead who has... who is... has all kinds of records be in his background, that he's not some nut that doesn't have a FOID card. Take 5 minutes. You get the background check, the State Police says write this number down, 216407. The guy has a FOID card and he's okay. Now you send the five hundred (500) and you transfer the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

gun. What's so bad about waiting the 5 minutes? I don't get it. I understand I don't get the culture. I understand that I don't know maybe what guns are, but what all Harry's asking for is to wait 5 minutes. Do the check and do it. Now if you get up and start talking about your great-nephew, you win. I got to give you that. Your great-nephew should get it. The man says right here on the floor, he'll exempt all of John Bradley's cousins. But we're still going to have after we exempt every possible cousin, we're still going to be asking can you just take 3 minutes before you give him the gun and he gives you the money? He doesn't want to stop anything. A private individual should be able to transfer and sell his gun to another private individual. All this Bill asks is give us 5 minutes to check with the State Police to make sure he's not a knucklehead. Now, that makes sense to me and I think we should vote 'yes'."

Speaker Hannig: "Representative Kosel. Representative Kosel, did you wish to speak? No? Representative Reitz. Representative Reitz, did you wish to speak on this Bill?"

Reitz: "Yes, I do. Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Reitz: "Harry, I had a couple of questions. One (1) is, I guess, following up on one (1) of the previous speakers and the ruling from the Chair is it, for legislative intent, is it your intent that this would not apply to cities that are Home Rule if they have a gun shop and they have a local gun owner that they're comfortable with that is going to do all the appropriate background checks. Is it your intent that they could pass a law that would overrule this... a Home Rule

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

law... ordinance? Or would you rather just have it apply to Home Rule? It doesn't matter to me either way."

Osterman: "This is a statewide policy, Representative."

Reitz: "Excuse me. Sorry, I was interrupted."

Osterman: "I said that this is a... would be a statewide policy which... statewide law."

Reitz: "I was just kind of wanting clarification, based on the rule of the Chair. Would this apply to Home Rule communities?"

Osterman: "It would apply, Representative, everywhere in the State of Illinois."

Reitz: "Including Home Rule communities? So, if a Home Rule community wanted to pass an ordinance that said they wouldn't... they didn't want this law applicable to their local gun dealers, it's your intent, with this legislation, that it would apply to them?"

Osterman: "Representative, I think that the ruling of the Chair was clear. And I think that I'm trying to be clear to say that this Act that we're voting on would be the policy of the State of Illinois."

Reitz: "And I'm just trying to further clarify it. Is the answer yes or no that this would apply to Home Rule communities?"

Osterman: "Representative, if a Home Rule community, which under current powers that they have, pass the law withdrawing them from this they would have had that presently under current statute as they could under any law, as well as when we pass this legislation."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Reitz: "Okay. Thank you. And the question, as far as doing a background check, can you as... can a private citizen just call up if they're transferring guns and ask for a background check?"

Osterman: "State Police says they do with the gun show loophole legislation would in a very public way working with groups like yours and the NRA and State Rifle Association make the rules very, very clear about the steps. If someone goes on their Web site, State Police's Web site, they get a FOID application and it clearly lines out what they have to do to transfer a firearm. I would expect that they would make that information public so that people would know the rules that they would have to abide by and conform with the law of the state."

Reitz: "So, in the case of a transfer, would you not agree it would be a little more cumbersome than a 5 minute check?"

Osterman: "I don't think it would be more cumbersome, because I think a point that Representative Molaro failed to mention is that there's a three-day waiting period. So, if you were to sell your seatmate a gun, a handgun, under present law you're required to wait three (3) days before you physically transfer that firearm. So, wait an additional 5 minutes in that three (3) days, I don't think is a burden at all."

Reitz: "Okay. And is it a guarantee... I mean, I'm trying to figure out why we need this if we already have the FOID card. If you have a current FOID card, they have done a background check on you... they... you're a... you have the legal right within the State of Illinois under the procedures we

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

have set up to transfer and own a firearm, why do we need an additional step?"

Osterman: "We need an additional step because there are tens of thousands of transactions that deal with individual sellers and individuals that are buying handguns. Handguns are... the weapon of choice along with semi-automatic weapons of gangs and criminals and having that extra... under current law right now over... almost a thousand (1,000) people are stopped with FOID cards on an annual basis. How many of those people that go to... that don't go to a gun store find a... through an ad in the newspaper find someone to sell them a gun and averts the background check. How many of those criminals have got... there are studies done by ATF and others that point to a person to..."

Speaker Hannig: "Representative Reitz, your time has expired. Could you bring your remarks to a close?"

Reitz: "Thank you, Representative. To the Bill. I think we've said it before, I'm not sure we're going to change any votes here. We just wanted to clarify exactly what this Bill does. We have enough safeguards in there. I appreciate the concern in a problem that the people in the City of Chicago and a lot of urban areas have with guns, but as what was stated earlier the guns don't cause the problems. We need to find a way to get at the people that are using the guns in an illegal manner not... and not the guns."

Speaker Hannig: "Representative Kosel."

Kosel: "Thank you, Mr. Speaker. I'd like to yield my 5 minutes to Mike Bost."

Speaker Hannig: "Representative Bost."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Bost: "Thank you, Mr. Speaker. Ladies and Gentlemen, listen to the debate that has happened here. Now, the Sponsor, maybe on purpose maybe not, I don't think he did it on purpose. But one speaker was quite confused 'cause he said it's going to take 5 minutes. Now, it's not going to take 5 minutes. The State Police really haven't put this thing in place where they can make this call, so we don't know how long it's going to take. Secondly, the Sponsor has also said that transfer is described somewhere else in the statutes, yet we've had staff looking and it's found nowhere. Nowhere does it describe what a transfer is, so all we can do is go on what the definition of transfer. I just transferred my glass case to David Leitch. Now, that's a transfer; that's the way that happens. Now, I'm in the field; I'm hunting. I look at my son and I say, here, go ahead and take my weapon, use it to hunt with today. I'm in violation. I've got a good friend, I know who that person is. I try to hand that gun off to them; I'm in violation. Once again, as the debate has gone on you can see the consistencies... inconsistencies in the debate. This is not clear even to the point that he says well, we'll work on that in the Senate. No, let's work on this now. Let's hold it up. I prefer that the Sponsor took it out of the record and said wait, let's answer these. He'll probably never get my support, but if you, as individuals, are saying yeah, maybe we should look at this. At least hold it up now 'til we come up with some language that will answer the questions that we have. This is very risky. And... Mr. Speaker, I think we've debated this for quite some time but we must

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

realize what this language is doing. Let's make wise decisions. If you're not for... if you're very much in support of gun control, even if you are, at least make sure the language is right. This language is not right. I think we've seen it in the inconsistencies that keep being talked about. Many people that have spoke have spoke on things that they didn't understand. It's not a 5 minute call. The initial call may be 5 minutes, but that's not what's going to happen. It's not going to be 5 minutes; it's going to be three (3) days. It may be more than three (3) days. It all depends on how the State Police implement this program. I just encourage a 'no' vote, a 'present' vote, if you'd like that. Let's keep it here and let's keep discussing it if the Senate... or if the Sponsor will not take it out of the record."

Speaker Hannig: "Representative Osterman to close."

Osterman: "I'll answer first, no, but I want to thank the last speaker for starting the debate and ending the debate and helping make my points. The issue of transfer, everywhere in the FOID statute is the word transfer. If separate from this issue, him and I and the downstate caucus and anyone else that's interested wants to define transfer, more than happy to, but the NRA and everyone else that's been under the laws that exist today deals with transfer. These aren't loans, no one has been arrested and convicted for loaning someone a gun. Transfers are permanent transfers, but we'll work on that if you want to. But I really want to focus on his opening remarks and that dealt with public policy. His public policy was that he wanted people out of the homes.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

This does not affect someone's ability to sell a firearm or buy a firearm. I want to repeat that. It does not affect in a negative way their ability to buy or sell a firearm. But it's the public policy of the State of Illinois and it should be the public policy of the State of Illinois is that who the guns are sold to. We don't want guns sold to criminals; we don't want guns sold to gangbangers or domestic abusers. That should be everybody's issue on this floor. That's what we're trying to do with requiring the background checks. It's on handguns; it's not on rifles. It's our public policy to protect the people of Illinois. Ladies and Gentlemen, this is reasonable. If this saves one life it's worth it. And I ask for an 'aye' vote."

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? Have all voted who wish? Have all voted who wish? Representative Dunkin, Franks, Meyer and Turner, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. Representative, do you request Postponed?"

Osterman: "Yes, I do."

Speaker Hannig: "Okay. So, we'll put this on the Order of Postponed Consideration. Mr. Clerk, read House Bill 796."

Clerk Bolin: "House Bill 796, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Graham."

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have before you House Bill 796, requires gun dealers to be licensed with the State Police. This

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

legislation is badly needed and you guys are very much familiar with it. And I'll try to answer any questions at this time."

Speaker Hannig: "The Lady has moved for the passage of House Bill 796. We're going to put this on Standard Debate. And Representative Bost, you're recognized for (5) minutes."

Bost: "On the order of gun control... Will the Sponsor yield?"

Speaker Hannig: "She indicates she'll yield."

Bost: "It... according to our analysis and I'm looking through the text here as quickly as I possibly can on the actual changes. This requires that all handguns sold are going to be registered with the State Police, correct?"

Graham: "Correct."

Bost: "All hand guns sold will be registered with the State Police."

Graham: "Correct"

Bost: "What is your long-term intent?"

Graham: "Well, the long-term intent, Representative, is to curb the crime and things that are happening in our area. We found that there's been an exorbitant amount of guns that have been used in crimes by gun dealers who have turned an eye, turned away from what was really going on and selling guns to people who shouldn't have them."

Bost: "Okay. My question is, would you personally prefer that there were no handguns?"

Graham: "Representative, no, I'm not here to say that. What I'm here for and I heard some of your comments earlier about mind our own business, we're trying to mind our own business by saving..."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Bost: "No, you're trying to mind mine."

Graham: "No. Well..."

Bost: "You're trying to mind mine and my people, because earlier in the conversation also on this floor what a person said was is that this should be for all people and all people for support it. Well, let me tell ya, you're talking about your district, I'm going to tell you about mine. My people, the people that I represent, believe very strongly in the ability to own something regardless of what it is and keep government out of their lives. As long as what they own they do not use in a manner that is illegal, whether it's a heinous crime of rape, murder, armed robbery whatever that is, they want their possessions to be theirs and left alone by government."

Graham: "Representative, every law that we have made in this state that applies to criminals applies to the criminal. If you are a law-abiding citizen this piece of legislation would not affect any law-abiding citizen."

Bost: "It doesn't, it doesn't affect them? Okay."

Graham: "It would not affect them if their gun has not been used in a crime."

Bost: "Okay. Representative, okay. So only criminals have to register their guns is what you just said."

Graham: "No. Representative, you know what I said. You asked me earlier was all piece of legislation..."

Bost: "You're right and I do know what you said and if you want we'll play the transcripts back."

Graham: "Yes. Right."

Bost: "Because what you just said was..."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Graham: "I did say that."

Bost: "...this will affect no one who is a law-abiding citizen. I am a law-abiding citizen. There are many law-abiding citizens on this floor who actually own handguns. It will affect me because now you're going to know as the government what I possess. You're going to know I have something in my home that may be at sometime in the future you're going to be able to come in as the government and take away from me."

Graham: "Representative, that's not the intention of this legislation. The Intent..."

Bost: "No, but it's the..."

Graham: "Everything we do has some probable something, something out there that people can contort and make it be whatever it is. So, as the young man who did in Virginia Tech felt like he was being prosecuted. He felt like he was being beat down by his student colleagues, but was that the truth? Maybe no, we don't know what state of mind that young man was in. But I'm telling you that this piece of legislation actually deals with registering handguns and we would like to be able to try..."

Bost: "Representative, you just told me this Bill does not affect law-abiding citizens. But please admit that. It does affect law-abiding citizens. You, as a..."

Graham: "Not in a way that... not in a way that you're trying to say."

Bost: "No, no."

Graham: "You're saying that is down the line we would like to take something from you and that..."

Bost: "What I was saying..."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Graham: "I wouldn't even support... I would not support legislation that would take handguns from law-abiding citizens. I would not support that."

Bost: "Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Bost: "The statement was it does not affect law-abiding citizens. Yes, it does. And it also affects law abiding citizens in the fact that it's a three hundred dollar (\$300) new fee that's also in the Bill. Ladies and Gentlemen, we weren't for the Bill that was here... brought before us before this one, we shouldn't be for this Bill as well. This comes into our homes. It says that we're going to have to register every handgun and it does affect law-abiding citizens. Please listen closely to the debate. I adamantly ask for a 'no' vote."

Speaker Hannig: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Hannig: "Indicates she'll yield."

Stephens: "Representative, does this Bill create any new fees?"

Graham: "Yes, it does."

Stephens: "Would those fees be able to be swept by the Governor?"

Graham: "No, Representative, I guess if the State Police found no use for them, but to create what needs to be handled with this those fees would be used to support the State Police."

Stephens: "So, do the fees go into the General Revenue Fund or do they go into a special fund?"

Graham: "They are going to be paid to the State Police, Representative."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Stephens: "And where do they go from there?"

Graham: "I didn't track the dollars. I can find out for you."

Stephens: "Representative, it's your legislation. It creates a new fee, surely you know where that money goes. Okay. Well, let's assume that you don't know. What wrong is currently occurring on a daily basis in Illinois that this is going to cure?"

Graham: "Representative, we have gun violence quite a bit in the City of Chicago. I know that..."

Stephens: "Well, but wait a minute. These guns that you're talking about in the City of Chicago are banned, banned from existence in the City of Chicago."

Graham: "Absolutely. So why are they there?"

Stephens: "So, this won't... this won't... That is not a wrong. What is the wrong that is occurring today in Illinois that this is going to cure? It certainly won't stop gun violence in Chicago, you can't own a gun in the City of Chicago."

Graham: "In the city..."

Stephens: "So, it wouldn't affect the City of Chicago per se."

Graham: "In the City of Chicago area less than 1 percent of gun dealers, that's about sixty-five (65) gun dealer, are responsible for 48 percent of all guns used in Chicago crimes. So, with licenses being... with gun dealers being licensed with the State Police, there are currently twenty-eight (28) federal inspectors and they have to inspect nearly three thousand (3000) gun dealers in the State of Illinois."

Stephens: "No, Representative, my question was, what is the wrong that is occurring today in Illinois?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Graham: "I just told you, Representative."

Stephens: "No, you started rambling about some people... 52 percent..."

Graham: "One percent of gun dealers, that's about sixty-five (65) gun dealers... sixty-five (65) gun dealers who guns are... guns are being traced back to them of crimes that have been committed in the Chicago area."

Stephens: "And these were guns that were sold legally or illegally?"

Graham: "These were guns that were sold..."

Stephens: "Legally."

Graham: "That we feel that were sold to gangbangers in coordination with..."

Stephens: "Were they sold legally?"

Graham: "...their... You know what, I don't know 'cause I wasn't there when the guns were sold."

Stephens: "Well, then how were they traced back to that dealer?"

Graham: "Representative."

Stephens: "Were they stolen or were they sold?"

Graham: "Some of them could have been."

Stephens: "Oh, so you're talking about some guns now..."

Graham: "Some of them could have been."

Stephens: "...you're saying, were probably stolen..."

Graham: "Yeah, could have been."

Stephens: "...from a gun dealer and you're saying it was the gun dealer's fault."

Graham: "Yeah."

Stephens: "And then if we make gun dealers out of everybody then that's going to fix what? Is that going to stop the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

criminal from breaking into the gun dealer and stealing the gun? Here we go again. To the Bill, Mr. Speaker. Here we go again, we're missing the entire point. We're trying to make criminals out of perfectly law-abiding citizens. And Representative, with all due respect, that's why we just can't understand the motive behind introduction of legislation such as this. You just admitted that a gun dealer in the Chicagoland area is having guns stolen from them, traced back to them after they've been used in a crime, and then you invoke that as evidence as to why I should support your legislation. Absolutely ridiculous, Ladies and Gentlemen. Again, all we're talking about is why try to make criminals out of perfectly law-abiding, innocent citizens of the State of Illinois. It's wrong. It's a wrong concept. We want to work with you to stop gun violence. We want to work with you to increase education about the safe use of handguns and other weapons. This is not the road that we should be traveling to accomplish those ends. I respectfully request a 'no' vote."

Speaker Hannig: "We've had one (1) in support and two (2) in opposition. Representative Eddy, do you rise in support or in opposition?"

Eddy: "Opposition."

Speaker Hannig: "Okay, proceed."

Eddy: "Representative... or excuse me. Mr. Speaker, I would like to also ask that if this measure gets the requisite number of votes that there be a verification of the affirmative."

Speaker Hannig: "The Chair acknowledges and we will do so."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Eddy: "Thank you. Would the Sponsor yield for a question or two?"

Speaker Hannig: "She indicates she'll yield."

Eddy: "Representative, I have a community in my district called Altamont, Illinois."

Graham: "I can't hear, Mr. Speaker."

Eddy: "Representative, I have a community in my district in Altamont, Illinois, and in that community a gentleman makes these wooden gun stock handles. They're hand carved. They're laser, they're very beautiful, there's embedded wood. Now, question for you has to do with some definitions in your Bill. My understanding is that a handgun dealer based on the number two (2) item in your Bill states that anyone engaged in the business of repairing concealable firearms or making or fitting special barrels, stocks, or trigger mechanisms. These are stocks. This person just custom makes wooden stock pieces that go on guns. Under your Bill, this person, a law-abiding citizen who has a special talent, would all of a sudden overnight become a criminal. That's what the Bill says. Is that accurate?"

Graham: "Representative, it seems like he may have to. Yes."

Eddy: "Okay. So, here's someone who has a craft, someone who can... doesn't sell the gun, he just carves into wood some customized stock pieces for a gun."

Graham: "Would he have to handle that gun to customize the stock?"

Eddy: "Sure, he's got to measure, got to customize it, absolutely."

Graham: "Then he would, yeah."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Eddy: "But the point is and I think the point that we're trying to make, there are tremendous number of situations that are possible in the way your Bill is worded where we're making... we're making criminals out of law-abiding citizens, whether your intention is to do that or not, that's what happens and that's one instance. And I'm not trying to be overly critical of your Bill, I'm just saying this is a very, very difficult thing not to do whenever we begin to try and do something along these lines because..."

Graham: "Representative, I appreciate your concern but today or since we started Session, no one has brought that issue to me so I appreciate your concern, so further we can probably discuss it later down the line."

Eddy: "Okay. Well, I appreciate that. I'm just pointing out one potential issue here. I think there are several others with the definitions and because of that I'm going to vote 'no' on the Bill and I'm going to urge a 'no' vote because this type of issue has lots of problems with it. That's just simply one. And I would urge the Body to vote 'no' until those unintended consequences at least are ironed out of this Bill. Now, I would support any legislation that had a true effect on the cause. There's nothing in this Bill, there's nothing in this Bill that gets to the root of what the problem is. There are things in this Bill that I see will cause unintended consequences, but if someone is intent on murdering someone else, a gun is an inanimate object that they use to do the crime. The gun is not the villain, the person who's using the gun is. And if I thought for 1 minute legislation by... by just passing legislation all of a

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

sudden we wouldn't have people killing people with guns, but that's not what happens. In fact, data shows, real statistical data shows, that when we try to do that we actually make it harder on law-abiding citizens who are trying to use guns for perfectly lawful purposes. Representative, I respect the situation you're in. I hope we can come up with some way to solve some of those problems but I respectfully say this is not it. And I urge a 'no' vote."

Speaker Hannig: "We've had three speak in opposition and one in support. The rules would provide two additional speakers in support. Representative Washington, are you in support? Okay. So, you have 5 minutes."

Washington: "Will the Sponsor yield?"

Speaker Hannig: "She indicates she'll yield."

Washington: "I just want to say to the Sponsor, you know, kudos to you for getting tired of seeing and reading the number of tragedies that take place in the urban centers in particular as it relates to guns. But I want to go back to the opposite side because I'm somewhat... I'm somewhat 100 percent, but I'm not there in terms of what my colleague say here on the other side. Why isn't that... the other Gentleman said he would support something if it was a true effect on the cause. Then where had... why you have not presented legislation that addresses the cause that would give you a fair hearing for what your issues are and also consider the other person? Why haven't you done that? But then the other part of it is like this. This is an issue, to me, similar to the same issue of crack cocaine and powder

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

cocaine. All of it's cocaine, but yet people in the urban areas who evidently use more crack cocaine, assumingly get longer sentences than those who use just powder cocaine. Where the same thing now with Ms. Graham getting tired of seeing the violence and the people being struck down. Now, maybe what's good for the goose is not necessarily good for the gander, when you look at the methadone problem compared to the crack problem and now maybe the chicken will come home to roost. So, I'm saying it's a thin line, but it's almost like a... something hypocritical that why won't we do it that way. Then my last question to the Sponsor, Deborah, I got a question. Isn't it that possible to craft legislation that would do the same thing that you want it to do but that would exclude some of the downstate communities who are not experiencing the level of violence and yet allowing them to choose legislation that is more beneficial to the way of life in comparison? Is that possible to draft it that way?"

Graham: "You know what, I would have been more than happy to do that to save lives in my community, but I understand that in order to do that the legislation has to be a statewide piece of legislation."

Washington: "So, there's no way we can draft legislation where it's pertaining to just Chicago or urban centers? Well, can we have an opt-in legislation for those municipalities and areas who want to go in versus those who don't want to opt-in? Can we craft it like that?"

Graham: "Representative, it has to be a statewide measure."

Washington: "Thank you. Thank you, Representative."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "So, under the rules of debate, we've had two in support and three already, the full contingent, in opposition. Does anyone wish to stand in support? One additional speaker? Then we'll have Representative Graham to close."

Graham: "Thank you, Mr. Speaker. Again, I know that this is a hot topic for this Body. I understand the issues with my downstate colleagues, I really do. But we got... we need you to understand that we live in totally two different environments. That the environment that we live in... Siretha White was playing at her birthday party and was shot down. We have had numerous occasions where things have happened out of our control, where we came here to the Legislature seeking support. I also want to give you just a little bit of information. A survey that was taken by the UCAN Teens. A survey in 2006, eleven hundred (1100) teens across the state ages twelve (12) to nineteen (19) show that 44 percent knew someone who had been shot. But what's more scary, one-fifth, 22 percent more knew more than one person that had been shot. Nearly 64 percent agreed that government officials don't admit that gun violence is a problem. Fifty five percent think that government don't even understand the realities of gun violence for teens. Eighty-four percent agree that handguns should be childproof. If teddy bears and medicine bottles have regulations, why don't guns? The study also found that Latin and African-American teens are the most impacted by guns. Nearly 65 percent of African-American teens and 60 percent of Latino teens agree with this statement, I know

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

someone who's been shot, compared to 38 percent of white teens. Forty-eight percent of African-American teens and more than 43 percent of Latino teens agree that they fear one day that they will be shot compared to 38 percent of white teens. I think that this Body on a number of occasions has sent messages to our teenagers across this state stating we don't care about gun violence. And some of the arguments that we come up with on the floor sometimes really surprises me. We encompass a whole lot of arguments to derail what the subject is. I would ask this Body, if we could create legislation that would just affect my community I would do that just so I wouldn't have to come down here and beg and plead my colleagues to help me save teenagers lives in my community. If I could do anything in my power to help to come down here... to avoid coming down here to ask you for your help I would do that. I would urge a 'yes' vote on this piece of legislation."

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? Have all voted who wish? Have all voted who wish? Representative Chapa LaVia. Mr. Clerk, take the record. Representative Graham, do you wish Postponed?"

Graham: "Yes."

Speaker Hannig: "Okay. So, we'll put this on the Order of Postponed Consideration. Mr. Clerk, read House Bill 317."

Clerk Bolin: "House Bill 317, a Bill for an Act concerning abortions. Third Reading of this House Bill."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "Representative Fritchey, Representative Fritchey."

Fritchey: "Thank you, Speaker and Members of the Body. Ladies and Gentlemen, we're going to have a long debate about this Bill probably and the reality is that the debate will likely not change a single vote one way or the other. This is an important issue however you may feel about it. This is not an issue about a woman's right to choose in Illinois, this is an issue about what is appropriate in those circumstances when a minor finds herself pregnant and is trying to figure out how to handle that pregnancy. Speaker, Speaker, I can't yell over everybody. Ladies and Gentlemen, if you would just indulge me briefly, please. There has been a lot of lobbying going on around this Bill. There's been a lot of phone calls, a lot of e-mails, a lot of persuasion, a lot of threats, political and otherwise. What's unfortunate is I believe that many people in this chamber have not read this Bill. In 1995, before the majority of people in this chamber got here, the Illinois House passed a parental notification law in Illinois. Due to a Federal Court injunction that law was never enforced. What we are trying to do is simply amend this Bill. Ladies and Gentlemen, when I first filed 317, a number of the opponents raised a number of legitimate concerns about what was in the Bill. In response to those concerns I dramatically amended House Bill 317 and what remains before this Body today, the differences between the 1995 law and these Amendments to the law are not large, but they are largely important. Essentially, the Bill does a couple of things. To the category of an adult

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

family member it adds aunts and uncles as an individual that a girl can go to. More significantly, rather than just providing a judicial bypass, it would allow a girl to go seek consultation from a physician, an advanced practice nurse, a social worker, or a psychologist, none of whom can be affiliated with an abortion provider. A couple years back, the opponents of this Bill tried to pass legislation requiring what they called informed consent. If a girl under this Act were to go and have consultation from a medical professional she would be required to get informed consent and go through a host of questions with that provider about her decision whether to carry the pregnancy to term, put the baby up for adoption, or seek an abortion. Were a girl under the '95 law or under this Bill to go before a judge, that judge would simply make the determination of whether the girl was mature enough to make a decision and whether or not it would be in her best interest to go to an adult family member. I believe that if a young girl finds herself in a difficult situation involving a medical issue that I am more comfortable with her getting advice in a doctor's office than in a judge's chambers. That is essentially what this Bill does. I know there's going to be a lot of questions. In the interest of the Body's time, I will stop right now and try to answer questions and handle the debate accordingly. Thank you."

Speaker Hannig: "The Chair would hope we could keep this on the Order of Standard Debate and have three (3) on each side and then go to a Roll Call. So, with that thought in mind, Representative Stephens, you're recognized for 5 minutes.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

No? Did you wish to yield to someone? To Representative Reis? Representative Reis, do you wish to speak?"

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

Speaker Hannig: "He indicates he'll yield."

Reis: "Representative, you and I come from very different districts and like you said, what we say today may not change most people's mind, but I think there are a few people here that need to know everything that's in this Bill. While I don't agree with it, I think you've made some changes that are good but there's still a lot of things that I think people need to know. You've taken out clergy, is that right?"

Fritchey: "I did and, Representative, when I... if I could answer the question, please. I took clergy out. When I had put it in the Bill originally..."

Reis: "Representative, I got a lot of questions. You took clergy out."

Fritchey: "Representative..."

Reis: "You took out siblings."

Fritchey: "I promise you if you're not going to let me answer your questions, I'm not going to answer your questions."

Reis: "That's simply yes or no."

Fritchey: "Take your... It's not a simple yes or no, Representative."

Reis: "Counselors are still in. Is that... you answer me that question."

Fritchey: "The definition of 'medical professionals' was greatly reduced to now solely include physicians, advanced practice nurses, psychologists and social workers."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Reis: "And there's also provisions that those people cannot have financial ties to the actual facility that would do the abortion, is that correct?"

Fritchey: "That's correct because under the original legislation' as I had filed it, it would have been feasible for a girl to go to the abortion provider himself or herself and have that count as consultation, and opponents to the Bill said, you know what, this renders this Bill meaningless. And I listened to them and I said, you know what, that's a very valid point. And so I'm going to try to address that point and I think I did address that point."

Reis: "Well, and that's my concern with the term 'counselor', you're leaving the decision up to the young girl to make that decision. Do I want to go here and talk to my parents or another adult, aunt, or uncle or do I want to go this way and talk to a counselor? You're leaving that decision up to the minor, is that not correct?"

Fritchey: "Under the 1995 law, should it ever be put into effect, the girl has the option of going to an adult family member or if she chooses not to, on her own volition, she can go to a judge. I have..."

Reis: "That's true, but you're going with the counselor now."

Fritchey: "I am now saying that she can go to a judge or to a physician, advanced practice nurse, psychologist or social worker, correct."

Reis: "Okay. A couple of references here. Are you familiar with the U.S. Supreme Court ruling in March of 2005, that said that we cannot put minors... we cannot sentence them to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

the death penalty because they cannot make sound moral judgments."

Fritchey: "If that were your interpretation, Sir, the judicial bypass provision in the 1995 law would be struck down along with the underlying law. The Supreme Court has directly acknowledged that for a sufficient bypass law to pass constitutional muster that a girl needs to be provided with either judicial bypass or another means, another alternative means. The U.S. Supreme Court opinion in no way conflicts with this legislation."

Reis: "This was about the ruling on death penalties that you cannot issue a death penalty to a minor and Kennedy made the decision because minors can't make sound moral lifelong decisions. Second, and there's a Bill last year that said you can't go to a tanning bed if you're under 18 without parental consent. We voted last year and I think you voted against this, lowering the age from 21 to 18 to get a tattoo for making a lifelong decision. Just yesterday we voted to raise the juvenile age from 17 to 18. I think you voted for that. So, my... I guess my question is, is if we're letting this minor who wants to seek an abortion make this lifelong decision, why is it okay in this particular situation with your legislation, but it's not with other Bills that you've voted for?"

Fritchey: "Representative, I do not know of a single girl that died from getting an illegal tan."

Reis: "Why did you vote for it, though?"

Fritchey: "Representative, if you want to equate a girl going to a tanning parlor or getting medical advice for a medical

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

procedure, those are two different things. You may not like... you do not like the fact that a woman has a right to choose in Illinois..."

Reis: "No, no, no, that's a different discussion."

Fritchey: "Sir. No, Sir, no..."

Reis: "This is about consulting adults, the parents."

Fritchey: "No, you have tried to equate the two and I'm going to tell you why it's an offensive equation."

Reis: "It's not."

Fritchey: "A woman has the right to make this choice in Illinois."

Reis: "We're talking about minors."

Fritchey: "The right the 1995... Representative, we can go back and forth or we can see who can speak over the other the loudest, I prefer that we go back and forth. I let you ask your question, let me give my response. The issue here under the 1995 law which ironically many people in this chamber that were here then opposed and are now trying to sanctify. Under the 1995..."

Speaker Hannig: "Representative Reis, your time has expired. Could you bring your remarks to a close?"

Reis: "Can I use my 5 minutes now?"

Speaker Hannig: "Representative, we would like to try to give some other people a chance to speak on the Bill."

Reis: "I still got more, Sir. If you would..., this is a"

Speaker Hannig: "No, Representative, you're on Representative Stephens's time right now, so if this..."

Reis: "Could I get my 5 minutes, I've hit my button?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "We'll put you back on the list, but it's a long list. Representative Froehlich, you're recognized for 5 minutes."

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

Speaker Hannig: "He indicates he'll yield."

Froehlich: "Representative Fritchey, I know you've put a lot of hard work in on this Bill and you made a lot of good changes. A couple of questions, though, about your Bill as amended. Are you repealing the severability provision from the 1995 law?"

Fritchey: "There is no need for a severability provision in this law anymore. There's no portion of this law that can be construed as unconstitutional. The only remaining constitutional infirmity was the lack of rules to be implemented for judicial bypass procedure. As you are aware, that is presently being... sought to be lifted by the Attorney General. So, one of two things happen, Sir, either this entire Bill in its entirety is constitutional or the underlying 1995 law is unconstitutional."

Froehlich: "But you're making some changes in this '95 Act..."

Fritchey: "the change..."

Froehlich: "...like the counselor. I mean, couldn't that be subject to court challenge?"

Fritchey: "No, Sir it could not. The Supreme Court has said that one of the options that has to be made to... available to a girl is judicial bypass or an alternative means. The only changes that remain in this Bill are the adding of an aunt and uncle under the definition of 'adult family member', the construction of the age of a minor is eighteen (18), and the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

ability for her to seek medical consultation. None of those factors raise a constitutional question anymore."

Froehlich: "All right. So you're pretty confident opponents of the '95 Act will not be going back to court again to try and find the grounds to stop it and have it overturned?"

Fritchey: "I'm exceedingly confident that nothing in this legislation raises a constitutional issue."

Froehlich: "Okay. Another thing that your Bill does, on page 26 of it, you're deleting some of the language from the '95 Act and I'm just curious why you're deleting for example, a sentence, 'the General Assembly finds that notification of a family member is in the best interest of a unemancipated minor. And the General Assembly's purpose in enacting this law is to further and protect the best interest of unemancipated minors.' That's the bottom of page 26, the top of 27. Another sentence on page 27 you're eliminating, 'parental consultation is usually in the best interest of the minor and it is desirable since the capacity to become pregnant and the capacity for mature judgment concerning the wisdom of an abortion are not necessarily related.' I'm just wondering what it is about those sentences that you find, you know, sufficiently undesirable that you want to pull them out of the existing law?"

Fritchey: "Well, I think what I would guide you to is the language that took its place and mind you the Section you are referring to is legislative findings and purpose and what I've in respond... put in there is that the involvement of a responsible and caring adult in an unemancipated minor's decision about her pregnancy can facilitate quality

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

decision making. Also, that an adult family member can help guide un-emancipated minor in making such health care decisions. When circumstances preclude the involvement of an adult family member, it's the intent to create an alternative procedure that will ensure counseling and guidance as to all the minor's options. Representative, I appreciate you to know why I'm bringing this point up and while we differ on this, I think you recognize my sincerity on this issue."

Froehlich: "Yes."

Fritchey: "First and fore most, all of us are united in hoping that we do not find a situation in which a minor finds herself pregnant. Secondly, I would hope in that situation as a Legislator, as a parent of a young daughter, that that daughter would have the ability to go to her mother or father. And in the overwhelming number of cases she does in fact go to that parent, but when she does not, there is usually a very, very compelling reason. And the definition and the crux of this issue is when she finds herself in such a situation where she cannot go to a parent, what options do we want to leave that girl? Do we want her to go into a courtroom before a judge that has never seen her?"

Froehlich: "Right."

Fritchey: "Do we want her to go to a doctor to give her medical advice."

Froehlich: "I understand."

Fritchey: "I trust the doctor before I trust the judge."

Froehlich: "One last question. Now, you've said several times, Representative, this is designed for girls who can't go to a

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

parent. Can you explain the difference between a girl who can't go and one who doesn't want to go because of embarrassment because of disappointing the parent?"

Fritchey: "Yes."

Froehlich: "And why would you always leave that distinction to the accurate judgment of a fourteen or fifteen year old?"

Fritchey: "Excellent question, excellent question. On one hand you can have the girl who cannot go to her parents for fear of being physically beaten. You can have the girl that cannot..."

Speaker Hannig: "Representative, your time is expired. Why don't we let Representative Fritchey finish answering the question and then we'll..."

Fritchey: "You can have the girl that cannot go to her parents for fear of being kicked out of the house. You cannot have the girl that cannot go to her father because of an incest case. On the other hand, you have a case of a girl who does not want to go to her parents because she does not want to embarrass them. There was a girl named Becky Bell in Indiana who was just that kind of girl. Becky, by her parent's account was an all-American girl she found herself pregnant... she didn't find herself pregnant, she got pregnant and she was ashamed and she was so ashamed and embarrassed to tell her parents that, under Indiana's law where she would have been required to go to her parents, she could not bring herself to do that. Becky Bell instead then, because she could not comply with Indiana's law, went and got an illegal abortion and died. Becky Bells parents have become advocates in this country against such laws because it's not

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

only bad girls that got themselves pregnant that are trying to find an easy way out, its good girls that cannot bring themselves to their parents that are desperately seeking for another viable alternative. So, you're right, there is a difference. But both differences, I think, lead to the need for a rational and reasonable alternative and that's what I'm trying to present today. Thank you."

Speaker Hannig: "Representative Lang, you have 5 minutes."

Lang: "Thank you. Mr. Speaker, Ladies and Gentlemen, I rise in support of the Bill. You know, some of the arguments I suppose on both sides of this issue, I don't mean both sides of the aisle because there are Members on both sides of the aisle on both sides of the issue. I refer to both sides of the issue. Some of the arguments are predictable. I'm pretty sure that most people on this floor know how they're going to vote. We could probably do without all of the debate, but of course we need to say, what we need to say. You know, I guess, I'll probably repeat what I said the last time we had a debate on a similar Bill. The whole world is not like a sitcom, the whole world is not Father Knows Best the whole world is not what we would like it to be. I've gotten some e-mail from some well-meaning constituents, some of them might have been my constituents, some of them may have been your constituents, but nevertheless, I got the e-mails. People are talking about how we would hope that kids would go to their parents. Well, of course we would. And they talk about how we would hope that families would be close-knit enough to be able to deal with these situations and of course we would. But the truth is, that not every

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

family is that kind of family. The truth is, that not every child has the ability to go to a parent and get the kind of advice and counseling that they need. And the truth is, that not every young lady who is a minor that becomes pregnant is one that has the ability to have these kinds of conversations with a parent and must have an opportunity to go elsewhere. Some of you will say, well, the judicial bypass is available. But Ladies and Gentlemen, I... you can't really think if you want to be against the Bill be against, it and if you want to take a political posture against it, that's fine. But the rationalization that says, oh, they can go get a judicial bypass, it's ludicrous. In some of the smaller towns in Illinois and many of you that are... against this Bill are from some of those towns, everybody knows everybody. You expect a fourteen-year-old to go get a judicial bypass, to walk into the courthouse past the clerk who might be their neighbor and a bailiff that might be their neighbor and a judge that might be their neighbor and other litigants in a courtroom that might be their neighbor and go into that courtroom as a young person and speak up, take the oath, and say all these things about what they have done to their personal life? Come on, that isn't going to happen and what we're going to do is send these young ladies to places that we don't want them to go. None of us, whether we're for the Bill or against the Bill, want these young ladies to have to go get medical procedures that are done in an unsanitary, unclean and dangerous way. We hear stories all the time about these young ladies who are hurt, killed, or injured for life from back-alley abortionists.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Do we really want to turn back the clock, do we really want to send those young ladies there, all because we think these young ladies ought to go see their parents? We all say... I've heard some on the floor say, well, if it was my daughter I would surely give her all the support and love she needs and expect her to come and see me. And we would quietly and rationally reason this through together and take care of our young daughter's needs. We know that we would do that, but we also know if we're to be honest about this situation that not every parent in Illinois would do that. In fact, we know that there is... area significant number of parents, a significant number of family units that would not provide that support, that would not provide that love, that would not provide the cooperation it takes to make a rational decision about whether the young woman would or would not proceed to get an abortion. So, we can talk about Father Knows Best and fantasy land and what we would like the world to be, but this Bill is a Bill about practical life. This Bill recognizes that life is not always what we want it to be. This Bill recognizes that we need to go beyond politics and beyond political ideology and talk about these young ladies, who today really need our help. I would urge 'aye' votes."

Speaker Hannig: "We've now had two (2) on each side and the Chair would suggest if we have one (1) more on each side we could then close. So, Representative Mulligan, you would be next. Would you like to rise in support or in opposition?"

Mulligan: "I'm rising in support."

Speaker Hannig: "So proceed, you have 5 minutes."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Mulligan: "Thank you, Mr. Speaker. To the Bill. Probably no one in this Body is going to change their mind over this debate. And we know that the majority of young women will probably go and tell a parent, although in some instances that will never happen. The young woman who doesn't want her parents to be ashamed of her may not go to a parent. She may then go to one of these other people who in most instances will probably talk to her and say, come on, let's go talk to your mom or your dad.' But then we go to the other extreme. The other extreme is where there's no one there to help them. The abuser is in their own home. I used to do a blind survey when I would go out and speak to high school government classes. The survey was conducted on a three-by-five card with no one putting their name on the card and I would ask questions such as, 'Do you think there's gang activity in your school? Are you worried about that?' One of the questions I would ask is, 'How do you feel about parental notification?' In several instances, the worst answer would come back, 'I would never tell someone at home. I have someone abusing me at home.' And since there was no one there to sign their name and no way I could say anything, I would walk out of there with my heart in my mouth hoping that that young girl was protected in some way. The high rise in homelessness among young teens has to do with drug abuse of parents, not necessarily drug abuse of themselves. Teen pregnancy, a lot of issues that we do not logically help in our state the way we should with the most amount of money. I think it is really irresponsible for people on the other side of this Bill to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

characterize any of us as pro-abortion or that some of the entities involved here do not counsel adoption or the best way for a young women to handle a situation like that. That's not where we're going with this. What we want to do is protect young women. We want to protect them from abusers, we want to protect them from going the wrong place if they do seek an abortion. We want to make sure they have all the options that are most important to handle a situation like this in the best way. These issues are only going to get hotter. I think my biggest concern over what's going on sometimes in the General Assemblies and in Congress is that when we can't solve the problem of how are we going to do education funding or how are we going to provide health care, we fall back on guns, gay rights and abortion. Isn't it always abortion that will cause this big hassle? Isn't it a way for a lobbyist to raise money? Isn't it a way for things to happen? The bottom line, when the high school cheerleader gets pregnant, the football star doesn't pay for it. The high school cheerleader does. When it's young women, it's young women's bodies who may lose and may not be fertile after this if they go to the wrong person. It's young women who are afraid to tell their parents for fear of divorcing them. It's young women who are afraid to go home and have... tell a parent because mom's boyfriend is the one that's doing the abusing and mom may side with him. These are the issues we're trying to get around. What we're trying to do basically is protect young women, some of them very young, some of them a little older. The issues here are not, will she have an abortion. The issue is who will

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

protect her. If you vote for this Bill I think we are protecting her. As a parent and as a grandparent, I would hope that my children would always have felt free to come to me, that a sibling would feel free to come to me. And that I hope my granddaughters will certainly appreciate the fact that I would always be there to talk to them and say, 'First, go to mom or dad.' I think that's the important issue in a Bill like this. The important issue is protect the young women, protect them from the people that don't want them to be protected, protect them from the people that would abuse them, protect them from the fact that perhaps what they do may not be the right decision. It's not to ensure that they have an abortion. It's not to ensure that something bad or good happens, it's just to make sure that there is a safety network out there to protect them. And that women have a choice of some kind in their life over what happens with their bodies and what happens as they move forward into their future. I think this is one of the most important Bills that we will debate. Please vote 'aye'."

Speaker Hannig: "So the rules would provide for one additional speaker in opposition. Seeking recognition, is Representative Rose, Representative Bradley and Representative Reis. Is there any direction for the Chair? Want Representative Reis to finish? Is that okay, Representative Rose and Bradley?"

Reis: "Mr. Speaker, parliamentary."

Speaker Hannig: "Yes."

Reis: "This is overturning a decision that was passed 12 years ago that's been mothballed up for 12 years. Can we have a

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

little leeway in allowing a few more speakers on this issue?"

Speaker Hannig: "We can stay as long as everyone wishes, Representative, I'm just trying to accommodate the Members. So, Representative Rose, you'll be recognized for 5 minutes."

Rose: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Hannig: "He indicates he'll yield."

Rose: "Representative, tell me about the Trojan horse in this Bill. I believe there's a provision that repeals the severability clause in the underlying Act. Is that not correct?"

Fritchey: "I've already answered that question."

Rose: "Okay. To the Bill, then. This exposes the true intent of this Bill. The fact that it would repeal the severability clause in the underlying law while at the same time inserting a poison pill into this Act ensures and in fact exposes what the intent is and that's to destroy the underlying Act. And I hope everybody in this room understands that. Thank you, Mr. Speaker."

Speaker Hannig: "Is there any further discussion? Representative Bradley."

Bradley, J.: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Bradley, J.: "Representative, are you for parental notice?"

Fritchey: "I believe that a young girl should first and foremost go to her parents whenever that's a viable opportunity."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Bradley, J.: "So, when this original Bill was passed were you for parental notice?"

Fritchey: "I wasn't here then."

Bradley, J.: "Have you traditionally been for parental notice?"

Fritchey: "We've never had an enforceable parental notice law in Illinois."

Bradley, J.: "I didn't hear that, Representative, I'm sorry."

Fritchey: "We've never had a enforceable parental notice law in Illinois and last time there was an attempt to put one before this Body was House Bill 1900 several years ago filed by Representative Terry Parke at the time. And I, in fact, was able to successfully, with the majority of this Body, amend that Bill and help get it moved forward."

Bradley, J.: "We've never had an enforceable parental notice Bill in this state."

Fritchey: "That's correct."

Bradley, J.: "Which meant that those Bills were not able to withstand court challenge. Which means that those Bills were not able to withstand court challenge."

Fritchey: "No, no, the one that is... the one that... the law that this seeks to amend has been enjoined as you are well aware by the Federal Court. It was enjoined on the basis that rules were not in place to safeguard a young woman's ability to wind her way through the court system whether that was down in Marion or whether that was in Chicago. Those rules have now been promulgated by the Supreme Court."

Bradley, J.: "So it was not up..."

Fritchey: "The ...the attor... the attor... Well, it was not struck down; it was enjoined from enforcement."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Bradley, J.: "Right."

Fritchey: "With the understanding that once sufficient rules were put in place that it could be enforced. The Attorney General has taken the position now..."

Bradley, J.: "Right."

Fritchey: "...before the Federal Court that sufficient rules are in place and that the law should be enforced, which is why I am seeking to actually amend this law. Well, here, before I go on, let me find out where you want to go."

Bradley, J.: "So... so, when you take just in broad abstract terms, when you take the severability clause, out of a Bill and there's no severability clause, then the Bill stands... the law stands or the law fails completely, correct?"

Fritchey: "Well, the... the..."

Bradley, J.: "If the court struck down any portion of this language, if the court found any portion of this Bill to be unconstitutional, to not be enforceable, et cetera, then the entire Bill... the entire law and the entire parental notification for the State of Illinois would be repealed by virtue of that ruling by eliminating severability."

Fritchey: "Let me answer two things. One of which will require you to take me at face value personally and that is this, from the bottom of my heart, there has never been a discretion or an intention of using the removal of the severability clause in any way to weaken the underlying law. John, I give you my word and commitment on that. If there is a question about constitutional infirmity in this law, it is a question about the rules enforcement provision that is currently there before the Supreme... before the Federal

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Court. Should the Federal Court deem those rules not to be sufficient, then whether or not this Bill were to pass the underlying law would then go back to an injunction and be unenforceable. Nothing that I have added, as I tried to address to the Gentleman from Schaumburg, nothing that I have added in this legislation raises constitutional questions."

Bradley, J.: "Well, so, Representative, the white-haired Representative who sits next to me, whose name I won't mention so he can't talk..."

Fritchey: "Wise Move."

Bradley, J.: "...tells me never to question someone's motives and that's not my intention. But under the law, if this Bill, any part of it were deemed unconstitutional, if any part of it were struck down by a court, it would strike down the entire Bill, the entire law, and there would be no parental notification under this law, correct?"

Fritchey: "John, you're my vice-chair person..."

Bradley, J.: "I'm not saying that's your intention, but that would be the result."

Fritchey: "No, there is nothing in the Bill that raises a constitutional question. While I was starting... I was going to compliment you, just let me finish."

Bradley: "That's you and my opinion. You don't know that a court will do that."

Fritchey: "No, no, no, no. No, here's what I was about to say. I respect your abilities and you respect mine. I'm not saying that it is your intention to do this, just as you're not questioning my motives, I'm not questioning yours. What

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

I'm saying is I submit that I believe that that issue is a red herring..."

Speaker Hannig: "Representative Bradley, your time has expired.

Why don't we let Representative Fritchey finish answering the question."

Fritchey: "Let me repeat my statement to the Representative and to everybody in this Body. There is nothing in the Bill that does not already exist in the '95 law that would create any constitutional question. If there is a constitutional question it exists in the existing '95 law that is present before the Federal Court. I will stand before every last one of you today and tell you I have not been part of any conversation, discussion, thought process, that there was an ulterior motive to the severability.. to remove the severability clause. The only thought that I had in that was that there was no longer a need because the only remaining question is being addressed by the Federal Courts as we speak. The addition of additional adult family members, the provision of allowing a girl to go to a doctor as a means of alternative notice or in lieu of notice, does not raise a constitutional question in my opinion. I respect you for asking it; I've tried my sincerest to answer it fully. We can disagree, but I think if you and I were to sit down and have a constitutional discussion on this we'd come out on the same page. Thank you."

Speaker Hannig: "Representative Ryg, 5 minutes."

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

Speaker Hannig: "He indicates he'll yield."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Ryg: "Thank you. Representative, in previous discussion there's been talk about a young woman who may not be able to go to her parents for whatever reason and if she is able to go to another caring adult or qualified professional under this legislation, what happens when she goes to that person?"

Fritchey: "That's a great question. Ladies and Gentlemen, I implore you to get by the politics. I implore you to get by the emotionally charged issue of abortion. That's not what this Bill is about. This Bill is about what happens if she can't go to an adult family member. Under the 1995 law that is being held in such high regard by some of you, she goes to a judge and the judge simply has to determine she's mature enough to make a decision and it's not in her best interest to talk to a family member. What I am saying is let's give her the option to go to a medical professional. And Representative, to answer your question, when she goes to the medical professional they just don't look at her and say, yeah, is she mature enough or not. The Bill spells out they have to talk to her. Have you thought about involving your parents? The judge doesn't have to do that. They have to explain to her that she's not being coerced... coerced one way or the other. She has to be told about alternatives to an abortion. Keeping the child, putting the child up for an adoption; the judge doesn't have to do any of that with her. They have to explain to her that she can change her mind at any time up to the procedure. The judge doesn't have to explain that to her. They have to give her the opportunity to ask questions about pregnancy, abortion, childcare, adoption, the judge has to do none of that. They have to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

give her information and referral for additional information about abortion, and childcare, and adoption. The judge has to do none of that. You want a young girl to understand what situation she's getting herself into by having an abortion or not having abortion, letting her consult with a medical professional to tell her what she is getting herself into. It's not only the right thing to do, it's the compassionate thing to do, not sending her into a judge's chambers. I hope that answers your question."

Ryg: "Thank you. And to the Bill. I would just suggest that for those of us who really care about reducing abortions, that protecting a woman's choice and it's so ironic that we talk about interference in someone's life by how we regulate the opportunities to buy and sell guns. That choice is really about having adequate information and the support from someone when you're too young to perhaps have the life experience needed to make this important decision. So, I would suggest that this legislation would actually provide a girl the support she needs, with all the information she needs to make a decision and... this legislation could actually achieve what we're all seeking. And that would be that abortion would be safe, legal, and in some cases, and in a lot of cases, hopefully, rare. Thank you."

Speaker Hannig: "Representative Molaro, you have 5 minutes."

Molaro: "Hopefully, it won't be that long. I wasn't going to get up, but you just said something, Representative... the Sponsor that I do have to ask. Would you yield for a question?"

Speaker Hannig: "Indicates he'll yield."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Molaro: "All right. Let me preface this by saying, if it comes to actually making sure that no one has these backroom or go to butchers and these girls are dying, I mean, who could be against that? Nobody is for that. But I got to tell you... you know I have three daughters, thank God they're a little older now. Not much older than fourteen, fifteen, or sixteen. And you know, they turn fourteen, fifteen and sixteen and I actually now understand what an exorcism is used for because somehow someone invaded these three girls during that fourteen to seventeen-year-old, they weren't the same girl. And I got to tell you, you know, I am pro-choice, have never voted anything else, but I did vote for the parental notification, not parental consent 'cause I don't think we have the right... that they have to come and get my consent. They're sixteen years old. But I thought if you are fifteen years old and you are having an abortion and it is my daughter then I think my... when she goes to a doctor that the doctor maybe should call me or my wife up and say, I am going to notify you that tomorrow or in 48 hours I am going to perform this procedure on your fifteen-year-old daughter. I couldn't stop it, I don't believe I should be able to stop it. I don't believe I should be able to go to court or do anything, but I thought I should notify because of two things. First of all, I am her father, dammit and I should know about it. Second of all, if she got an abortion and I never knew about it, she gets depressed afterwards, I would have... I wouldn't even know that. So I thought it's important that I should know about it. And a question I think was asked by one of the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Representatives on the other side of the aisle. They said, 'What's the difference between can't and won't?' And then you brought up the example about incest and all of that. Well, in judicial bypass, a judge would stand there and say the father beat you, the father's incest and go through all the things of why a parent should not be notified. And I agree with that, but just to say she's embarrassed. So my fifteen-year-old daughter is embarrassed to talk to her parents. So therefore, she could go see a counselor and I don't have to be notified 'cause my daughter might be embarrassed to tell me. Now, if that's what the Bill does then I sort of have to be against the Bill. And the way you are explaining it, Representative, is that if my daughter goes to a counselor and she feels embarrassed to come to me and my wife and tell us that she doesn't want to talk to us about this abortion and she feels that she would be embarrassed. Now, if you are going to go through all this incest stuff, then you're going to lose me. I just want to know if she goes there and says I'm not worried about my father beating me or my mother, I'm just embarrassed, so I'd rather talk to a counselor than to talk to my mother and father. So this counselor is going to say, okay, after doing everything she can to talk her into seeing the parent's, my daughter's still going to say, no. So, she then could get... talk to this counselor and wait the 48 hours, get the abortion and I'm not notified? And then she gets the abortion and it is 4 months later and she is depressed and I don't even know why and her mother doesn't even know why and that's help for me and my fifteen-year-old

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

daughter? I just got to tell you, in that personal instant... and if you are going to answer the question and I hope you go to that personal instance, and the issues and the facts that I gave you and nothing else, do you feel it's right that I should not know about this?"

Fritchey: "It... I appreciate the way that you put the question. I appreciate the sincerity in the question. I... I think it's tragic that there is ever a circumstance where a girl can't go to her parent. Under the..."

Molaro: "Okay. There you go with that can't."

Fritchey: "Listen here."

Molaro: "Okay."

Fritchey: "That I think it is tragic that a girl does not go to her parents."

Molaro: "Right."

Fritchey: "Under the 1995 law the judge simply makes two determinations. The judge determines that the minor is sufficiently mature and well enough informed to make the decision and that notification is not in the best interest. It doesn't set forth standards. So, I... I..."

Molaro: "Does the counselor still have to do that? Does a counselor have to make that determination that it's not in the best interest 'cause if the judge says, no, I feel it is in the best interest, then I get notified. But if the counselor just stands there, what can the counselor tell my daughter, it's not in your best interest go talk to your parents?"

Fritchey: "I think the best way I can answer it is this, to the extent that is an infirmity in the Bill, it is an infirmity

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

in the underlying law that you supported. One of the major concerns that was raised by opponents of the Bill back in 1995 was... you know what... they're going to find and ID all the pro-choice judges who are simply..."

Speaker Hannig: "Representative Molaro, your 5 minutes have expired. So, Representative Fritchey, would you briefly finish your answer."

Fritchey: "Well, the concern was that they were going to find pro-choice judges that were simply going to rubber stamp all of these and again it really comes down to I have an unease and I don't mean any disrespect to the judges. But I have an unease. Judge are human, they're going to carry their human frailties one way or the other on this issues. They may... you may catch the judge on a bad day, you may have a judge with a crowded docket. You may have a judge that says, 'I'm never going to give bypass.' You may have a judge that says, 'I'm always going to do this, I don't care.' To the extent that that is a problem, it is a problem. The greater problem is a societal one, but that's one we can't legislate around. So, all I can try to do is say, if we can't address the greater problem, what can we do to try to be realistic and rational in a situation that none of us are comfortable with, none of us are comfortable with the thought that a fourteen-year-old girl is going to go... is going to be pregnant, let alone is going to go somewhere else for advice on this issues. But the reality is, under the '95 law, she can. The reality is under this law she could, but she would have the opportunity to hopefully get

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

some medical guidance. I appreciate the question, though.
Thank you."

Speaker Hannig: "Representative Reis, you're recognized for 5
minutes."

Reis: "Thank you, Mr. Speaker. And appreciate your indulgement
in this... allowing extra debate. To the Bill. We all know
what's goin' here. The Parental Notification Act passed
twelve (12) years ago as I said. And those who are against
it didn't like it, they managed to put brick on it for
twelve (12) years and now that that judicial activism is
running out, they want to change the Bill and water it down
to allow... as the previous Representative just said,
counseling by anybody but the parents. Then my question is,
why? Why didn't we try to change this during the last
twelve (12) years? We didn't have to because it was held
under a court order. But now that that's done they want to
change the Bill. You know, and what's wrong with having
parental involvement in one of the most important decisions
that a young girl might make in her entire lifetime. I
mean, a teacher can't give an aspirin to a minor, a sixteen
year-old can't go to an R-rated movie, a seventeen year-old
can't get their ears pierced or even... go to a tanning bed.
You know, give me a break. This requires not only parental
involvement during the decision, but forever. And people
have made the comment, well, you know, the counselor is
going to be there for them and they're going to help them
through this, but what about five (5) years from now, or ten
(10) years from now, or twenty (20) years from now, when
they need help and support? They need help and support for

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

a decision they made while they were too young. And I just want to remind people that, you know, this issue, 70-plus percent of the people think that there should be parental involvement in a decision like this. The U.S. Supreme Court ruling and as I said... indicated that minors can't make a good decision. And make no mistake about it, this is a huge decision, not only at the time of the decision to have the abortion, but on down the road, as I said. And you know, there's a lot of pressure from the lobbyists, the PACS, rumors that big money is going to be spent on people going against this. And you know, what I say, go ahead. You know, show people really what they're for, how extreme this Bill is, but you know the State of Illinois is smarter than that. And I just want to again mention that the Sponsor and various other people have voted for Bills that don't allow minors to make decisions like this, much less important decisions with less lifelong ramifications than this. So let's be consistent with our voting. The General Assembly voted for this Bill 12 years ago. The Governor signed the Bill. Thirty-four (34) other states have this type of requirement. Everybody in the Midwest. So I urge you to vote against this Bill. Let parents be parents, give them a chance to participate in the most important decision that a young girl might make. Counselors may be needed, but I think this Bill gives a young minor the decision to take the easy way out, not go home and tell their parents, when they can go to a counselor that... while they may do all the things that this Bill says, they're not going to be... there on down the road for that young girl and let the parents make this

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

decision with them. And one last thing, Mr. Speaker, I would like to request that if this measure gets the required 60 votes that we do a verification of the vote. Thank you."

Speaker Hannig: "Okay. And you certainly will be recognized for that purpose. Representative Scully, you have five 5 minutes."

Scully: "Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Scully: "Ladies and Gentlemen, a few minutes ago Representative Molaro rose up and gave some analogies... that was his perspective as a father of three teenage daughters. Well, I am going to give a slightly different perspective, I am the father of three girls in their twenties. And if one of my daughters had an abortion in the past 10 years, I had no right to know. There was no law that required my daughters to notify me. The Sponsor talked about the concept that... where a family... where a daughter wouldn't notify her parents, that there is something dysfunctional about that family. That's nonsense. My three daughters are intelligent, independent, strong-willed women. I don't assume that they would notify me. Quite frankly, I assume that once they had made their decision, they would then proceed in a straight line to carry out their decision. I am not confident, and I am... I have great relationship with my daughters. They are very good friends of mine, they are much better friends with my wife. But I don't think there's anything dysfunctional about a family where a daughter would choose to not notify her parents for a wide variety of reasons. I am a strong supporter of parental notification,

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

as a father I think I had the right to know, because without knowledge I have no ability to help her, and it is my duty to help her. Thank you."

Speaker Hannig: "Representative Black, you have 5 minutes.

Okay. Representative Miller, you have 5 minutes."

Miller: "Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Miller: "I just want to... I support this Bill. As in this debate, we talk about abortion or pro-choice and pro-life and I don't think that's what this is about and wanted to make sure Members focus on that point. It's very easy to get sidetracked into other things. But unfortunately, all of us don't have stable homes or did not grow up in a stable homes. We know children from unstable environment who need protection. And to simplify this as a Bill for ear piercing or tongue splitting or a numerous other things it is just really... not onus, not responsible to this piece of legislation. It's simply apples and oranges. As a health care provider, as a doctor, I support this legislation and I urge the Members... the General Assembly to, too."

Speaker Hannig: "Representative Fritchey, you're recognized to close."

Fritchey: "Ladies and Gentlemen, I appreciate the debate today. I've got to make a brief comment. I have been here 11 years. The process of this Bill getting to this point has been the worst experience that I have had since I have been here. The threats that I've endured, the threats that my staff has endured, is something that has no place in this. I respect the fact that people disagree on this issue. I

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

don't respect the fact that people have lied about it. I don't respect the misinformation. I don't respect the hate that has spewed from both sides candidly. As much as some people would like this to be, this is not a referendum on abortion. It is a referendum on protecting the health and safety of young women. Nobody is comfortable with a young girl finding herself pregnant. Nobody is comfortable with the thought that she can't go to her parents. But the question is, are we going to force that young girl to go into the chambers of a judge, who she has never seen or will never see again, or in addition to that will we give her the opportunity to go seek medical counseling about all of her options? This is not inherently a pro-choice Bill, Ladies and Gentlemen. Last fall on the East Coast a young girl let her parents know that she was pregnant. The response of these compassionate parents was to bind her and gag her and throw her in the back of a car and kidnap her to drag her across state lines to force her to get an abortion. She escaped from the car and called the police and the parents were arrested. Before I was a State Representative I was and am a father. Any of you that have spoken to me know that our young daughter is the center of my life. God forbid she would find herself in this situation, God forbid for some reason she felt that she could not come to her mother or I. I can't envision that for the life of me happ... that happening, but heaven help all of us if it did. But if that did happen I would want to know that she would be able to get advice and counseling to protect her health and safety. This Bill is about the daughters of Illinois, not the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

daughters with good families, not every family are the Cleavers and the Cosbys. It's about the daughters and families that have no choice but to go somewhere else and where we're going to force them to go. Opponents of this legislation and related Bills have referred to Illinois as a dumping ground for young girls seeking abortion because they come in from surrounding states or guess what, Ladies and Gentlemen, those surrounding states have notice laws that solely have judicial bypass, and if judicial bypass worked, they wouldn't be coming to Illinois. They come to Illinois because judicial bypass as the only alternative, doesn't work. It is a calculated attempt to prevent girls from getting abortions. This is not a calculated attempt to allow girls to get an abortion. It is a calculated attempt to allow girls to get the advice they need to make a decision. Please don't think that you're voting about the woman's right to choose. You're voting about whether or not you care about the health and safety of young girls. No more or no less. Thank you all."

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? Have all voted who wish? Have all voted who wish? Representative Acevedo, do you wish to be recorded? Mr. Clerk, take the record. Representative Fritchey, do you request Postponed? It's your call. Postponed?"

Fritchey: "I want a Roll Call, Speaker."

Speaker Hannig: "Okay. So on this question, there are 55 voting 'yes', and 62 voting 'no' and the Bill fails. We're going to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

move for a time to the Order of House Bills-Second Reading where we know that there are Amendments pending. So I would suggest that the Members be prepared to offer their Amendments so that we can move the Bills to Third. And then later we'll come back to Third Reading this evening. Mr. Clerk, would you read the Rules Report."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on April 26, 2007, reported the same back with the following recommendations: 'approved for floor consideration' is Amendment #2 to House Bill 818, Amendment #3 to House Bill 1021, Amendment #1 to House Bill 1050, Amendment #3 to House Bill 1294, Amendment #1 to House Bill 1496, Amendment #2 to House Bill 1557, Amendment #2 to House Bill 1622, Amendment #2 to House Bill 1728, Amendment #1 to House Bill 1797, Amendment #3 to House Bill 2734 and Amendment #2 to House Bill 3649. On a subsequent report, Amendment #1 to House Bill 988 was approved for consideration."

Speaker Hannig: "Representative Joyce, you have House Bill 818 and it's... the Amendment's been approved by the Rules Committee. Would you like us to read that? The Rules Committee has recently approved a House Amendment #2. So Mr. Clerk, read the Bill. House Bill 818. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 818, a Bill for an Act concerning regulations. Second Reading of this House Bill. Amendment

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

#1 was adopted in committee. Floor Amendment #2, offered by Representative Joyce, has been approved for consideration."

Speaker Hannig: "Representative Joyce."

Joyce: "Yes. Mr. Speaker, Ladies and Gentlemen of the House, House Amendment #2 simply exempts out firms and industrial parks from complying with the underlying Bill."

Speaker Hannig: "The Gentleman moves for the adoption of Floor Amendment #2. All in favor say 'aye'... Excuse me. Representative Schmitz, do you rise on the Amendment?"

Schmitz: "I have... Speaker, I have one (1) quick question for the Sponsor on the Amendment."

Speaker Hannig: "Yes, the Gentleman will yield."

Schmitz: "This would just exempt manufacturing and the other... but it would still keep residential included in the underlying Bill?"

Joyce: "That's correct and I actually... Yes, that's correct."

Schmitz: "I am just... if I could follow up with that. Just the genesis of why we would say that either we can do the installations or we can't, but now we want to remove a certain proportion of the... because of the safety issue but it's okay to do it in a manufacturing industrial commercial environment but it's not okay to do it in a residential?"

Joyce: "The intent of this was from the committee and it was those retail electric suppliers who use their own electric distribution facilities. So that's why they're being exempted out. It's their own that they control forever."

Schmitz: "They generate their own or they have their own...?"

Joyce: "They have their own distribution facility on-site, so that's... that's why. And they're..."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Schmitz: "All right. I'll save my questions for when we get to hear it Third, Representative. Thank you."

Speaker Hannig: "All in favor of the Amendment say 'aye; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Mahoney: "Floor Amendment #3 was filed today but has not been recommended for consideration. There was also notes requested on this Bill."

Speaker Hannig: "So, we'll have to hold this on the Order of Second Reading. Representative Howard, you have House Bill 1021. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1021, a Bill for an Act concerning finance. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Howard, has been approved for consideration."

Speaker Hannig: "Representative Howard."

Howard: "House Amendment #3, Mr. Speaker, replaces the previous retirement set forth in House Amendment #1 that this Bill pertains to vendors in a current contract with the municipality of five hundred thousand (500,000) or more population, thereby limiting the pool of vendors that may avoid the competitive bidding process in these situations."

Speaker Hannig: "Is there any discussion? Then 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. All notes have been filed."

Speaker Hannig: "Third Reading. Representative Collins, you have House Bill 1050. Mr. Clerk, read the Bill."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Clerk Mahoney: "House Bill 1050, a Bill for an Act concerning courts has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Collins, has been approved for consideration."

Speaker Hannig: "Representative Collins on the Amendment."

Collins: "Yes. I would like to adopt Amendment #1 to House Bill 1050. This is an Amendment that the sheriffs have offered so they will be neutral on the Bill."

Speaker Hannig: "Is there any discussion? Then all in favor of the Lady's Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Mahoney: "No further Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Representative Howard, you have House Bill 1294. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1294, a Bill for an Act concerning criminal law has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments #2 and #3, offered by Representative Howard, have both been approved for consideration."

Speaker Hannig: "So, Amendments #2 and #3, Representative, what's your intention on Amendment #2?"

Howard: "I will table Amendment #2."

Speaker Hannig: "So the Lady withdraws Amendment #2 and what's your intentions on Amendment #3? Do you wish to adopt it? Okay."

Howard: "Mr. Speaker, I'd like to make a correction. I'd like to Motion do adopt Amendment #2."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "So we'll move back to Amendment #2. The Lady moves that we reconsider the vote and we'll use the Attendance Roll Call. The vote is reconsidered and now Amendment #2."

Howard: "Amendment #2 is a gut and replace Amendment that retains the original intent of the underlying Bill while further restricting those eligible for the benefits of expanded certificates of good conduct. This Amendment retains the provisions added by Amendment #1 which specifies that a certificate of good conduct does not relieve any offender of an employment-related prohibition that would prevent his or her employment by the Department of Corrections."

Speaker Hannig: "Is there any discussion? Then all in favor of the Lady's Amendment say 'aye; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. And now, on Amendment #3, Representative Howard."

Howard: "Amendment #3 amends the employer immunity section of #2 to provide an exception for cases of willful and wanton misconduct. This type of exception is commonly found in immunity provisions. Will..."

Speaker Hannig: "The Lady moves to adopt Amendment #3. All in favor 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. Representative Granberg, you have House Bill 1496. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1496, a Bill for an Act concerning State Government. Second Reading of this House Bill. No

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Committee Amendments. Floor Amendment #1, offered by Representative Granberg, has been approved for consideration."

Speaker Hannig: "Representative Granberg on the Amendment."

Granberg: "Thank you. The Amendment is adopted at the request of the Department of Commerce and Economic Opportunity. I have fulfilled my commitment that I made in committee. It simply provides subject to appropriation and defines responsibilities of the program to be included under DCEO. I would move for its adoption."

Speaker Hannig: "Is there any discussion? Then all in favor of the Gentleman's Motion to adopt 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. Representative Acevedo on House Bill 1557. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1557, a Bill for an Act concerning criminal law has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Acevedo, has been approved for consideration."

Speaker Hannig: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment... I ask for adoption of House Amendment #1. Provides that the limitations on the award of good conduct credit to no more than seven 7.5 days good conduct credit for each of the prisoner's sentence of imprisonment applies to only gunrunning, Class X felony

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

money laundering, the Class X felony of drug violations. Be happy to answer any questions."

Speaker Hannig: "The Gentlemen moves for the adoption of Floor Amendment #2. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Mahoney: "No further Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Representative Beaubien on House Bill 1622. The Amendment is out of Rules, Representative. Amendment #2. Okay. So he wishes to take it out of the record. Representative Joyce on House Bill 1728. Representative Joyce. Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1728, a Bill for an Act concerning regulation has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Joyce, has been approved for consideration."

Speaker Hannig: "Representative Joyce."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 to House Bill 1728 is an agreement with the department... two departments with AFSCME, with the industry. And what it does is it gets after getting permanent background checks into one system that the department will develop and maintain over time. And once someone is a health care worker who has a background check, that has access to the information of any resident within a nursing home, they will be in that system forever. And when

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

they go and maybe le... there's a huge turnover within the different nursing homes right now, and some say that it's 100 percent turnover, but once they're in the system, once they're in the computer of the department, they will be in that system forever and they don't have to have the... each time they get hired by a new company, they don't have to go through that background check. I ask for the adoption and would be happy to ask any questions."

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. Representative Osterman, you have House Bill 1797. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1797, a Bill for an Act concerning property has been read a second time, previously. Amendment #1, offered by Representative Osterman, has been approved for consideration."

Speaker Hannig: "Representative Osterman."

Osterman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #1 deals with condo conversions and requires that and if... landlords that do not provide notice on a condo conversion to tenants, there are certain penalties that tenants would be able to get access to. And I ask for an 'aye' vote."

Speaker Hannig: "Is there any discussion? Then all in favor of the Gentleman's Motion to adopt the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Jefferies, you have House Bill 2734. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2734, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 1, 2, and 3 have been approved for consideration."

Speaker Hannig: "So Representative Jefferies, what's your intention on Amendment #1?"

Jefferies: "Thank you, Mr. Speaker and Members of the House. This Amendment for House Bill 2734, I'm asking for adoption for the Amendment for #2."

Speaker Hannig: "This is actually Amendment #1."

Jefferies: "And to adopt all three."

Speaker Hannig: "Do you wish to adopt all three?"

Jefferies: "Yes."

Speaker Hannig: "Okay. So, on Amendment #1 the Represen..."

Jefferies: "Number 3."

Speaker Hannig: "Do you wish to adopt all, 1, 2 and 3. Just#3."

Jefferies: "The third one."

Speaker Hannig: "Okay."

Jefferies: "The third one."

Speaker Hannig: "Okay. Representative Molaro is shown as the Sponsor of Amendments #1 and 2. Did you wish to withdraw those, Representative? The Lady advises us, Representative Molaro, that she only wishes to go with Amendment #3. So the Gentleman... Representative Molaro withdraws Amendments 1 and 2. And now, Mr. Clerk, the Lady wishes to present Amendment

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

#3. So Representative Jefferies on Amendment #3. Please present it and then we'll adopt it."

Jefferies: "Thank you, Mr. Speaker and Members of the House. This is a Smart Act Bill... and it calls for the creation of nationwide drug schools... statewide drug schools. This Amendment makes the program subject to appropriations."

Speaker Hannig: "And on the Amendment, 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, does Floor Amendment #3 become the Bill or add to the Bill?"

Jefferies: "This becomes the Bill."

Black: "Okay. And I see that Amendment #3 changes the funding mechanism. Could you tell me how the funding mechanism is changed?"

Jefferies: "This would make... this would make it subject to appropriations."

Black: "All right. So there's no..."

Jefferies: "Instead of through grants."

Black: "Okay. So there's no actual appropriation, and I assume then that removes the Department of Human Service's opposition to the Bill, since there's no actual expenditure required in your Bill."

Jefferies: "The Amendment #3 has been negotiated with the House... with the other Department of Human Services."

Black: "All right, I understand that. They have removed their opposition."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Jefferies: "Yes."

Black: "I assumed they've removed the opposition because you made it subject to appropriation, rather than some other kind of funding mechanism. Correct?"

Jefferies: "That's correct."

Black: "Okay. Thank you very much."

Speaker Hannig: "All in favor of the Lady's 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. Representative Biggins, you have House Bill 3649. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3649, a Bill for an Act concerning gaming. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Biggins, has been approved for consideration."

Speaker Hannig: "Representative Biggins."

Biggins: "Yes. Thank you, Mr. Chairman. I... I am talking with Representative Dunn has... put the light on him. He now owns this Bill."

Speaker Hannig: "I'm sorry, Representative Biggins, what was your request?"

Biggins: "Well, the Bill has been... taken over by Representative Dunn."

Speaker Hannig: "So Representative Dunn will present the Amendment? Representative Dunn. Oh, who would... who would..."

Dunn: "Thank you, Mr. Speaker. I am now the Chief Sponsor of the Bill. I do not wish to adopt the Amendment. I wish to

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

move the Bill to Third as it is without the adoption of this Amendment."

Speaker Hannig: "So... so, you wish to with... for us to withdraw the Amendment?"

Dunn: "Withdraw the Amendment, then move the Bill to the Third."

Speaker Hannig: "Okay. So, the Amendment is withdrawn. Are there any further Amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Brosnahan, you have House Bill 1798. Would you like us to read that Bill? No, it's on Second Reading. We'd like to move it to Third. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1798, a Bill for an Act concerning civil law has been read a second time, previously. No Committee Amendments. Floor Amendment #1 was adopted by the Body. All notes have been filed."

Speaker Hannig: "Third Reading. Representative Bradley, you have you have House Bill 1956. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1956, a Bill for an Act concerning criminal law has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative John Bradley, has been approved for consideration."

Speaker Hannig: "Representative Bradley."

Bradley, J.: "Thank you, Mr. Speaker. This is a pilot program for down in our area. It's an agreement worked out between the Attorney General's Office, the Illinois Retail Merchants and other interested pharmaceuticals. Ask that it be adopted."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "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. Representative Crespo, you have House Bill 876. You wish us to read that on Second? Mr. Clerk, read the Bill."

Clerk Mahoney: House Bill 876, a Bill for an Act concerning regulation has been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. All notes have been filed."

Speaker Hannig: "Do you wish to move it to Third? Okay. I'm advised there's an Amendment in Rules Committee. So I don't know what your intentions are, Representative Crespo."

Crespo: "We want to move it and remove the Amendment."

Speaker Hannig: "Do you want to move it without the Amendment?"

Crespo: "Without the Amendment. Correct."

Speaker Hannig: "Okay. So, Third Reading. Representative Verschoore on House Bill 3382. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3382, a Bill for an Act concerning offenders. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Representative Howard, you have House Bill 2184. Mr. Clerk... Do you wish us to read the Bill, Representative? 2184. Representative Howard, shall we read 2184 on Second? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2184, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Amendments. Floor Amendment #1 failed on the floor. No Motions filed."

Speaker Hannig: "Okay. So, this will be out of the record at the request of the Sponsor. Representative Molaro on House Bill 1696. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1696, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Molaro, has been approved for consideration."

Speaker Hannig: "Representative Molaro, would you like to present the Amendment?"

Molaro: "Oh, yeah. Oh. I forgot about this. Thank you for your indulgence, Mr. Speaker, that is very nice of you. Yeah, well, we changed what the Bill talked about that you had to tell the State Police. Now we were in committee and someone says, oh, can it just be the local police? So I said State Police or local police. So it's a small... small 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. Representative Hoffman, you have House Bill 928. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 928, a Bill for an Act concerning employment. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 1 and 3 have both been approved for consideration, offered by Representative Hoffman."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "Amendments 1 and 3, Representative. What's your intentions on Amendment #1?"

Hoffman: "I would like to adopt Amendment #1."

Speaker Hannig: "Why don't you explain Amendment #1, and we'll proceed."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 indicates that with regard to the Workers' Compensation Act, basically for firefighters and emergency medical technicians, that a presumption would be a rebuttable presumption and provides for a rebuttable presumption if the diseases or conditions which would be either blood borne pathogens, lung or respiratory diseases, heart or vascular diseases, et cetera, that are listed in the Bill were present, there would be a rebuttable presumption that this happened on the job."

Speaker Hannig: "All in favor of the Gentleman's Amendment say 'aye; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. And on Amendment #3, Representative Hoffman."

Hoffman: "Amendment #3 further clarifies Amendment #1 by saying that the rebuttable presumption only applies to provisions described in the Bill and not to other subsections and will not apply to items such as retirement or disability decisions."

Speaker Hannig: "All in favor of the adoption 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."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "Third Reading. Representative Coulson, you have House Bill 693. Representative Coulson, 693. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 693, a Bill for an Act concerning education has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have been both been approved for consideration, offered by Representative Coulson."

Speaker Hannig: "So, Representative Coulson, you have Amendments 2 and 3. You have Amendments 2 and 3. What is your intentions on Amendment #2? You have Amendments 2 and 3 pending."

Coulson: "Mr. Speaker, let's move that back to... keep it on Second and take it out of the record. I'm sorry."

Speaker Hannig: "Just hold it? Okay. We'll hold it on Second. Out of the record. Representative Flider on House Bill 2020. Representative Flider. Out of the record. Representative Flowers on House Bill 1338. Do you wish us to read that? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1338, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Flowers, has been approved for consideration."

Speaker Hannig: "Representative Flowers on the Amendment."

Flowers: "Thank you, Mr. Speaker. Amendment #1 would merely limit it to Chicago."

Speaker Hannig: "Is there any discussion? Then all in favor say 'aye; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Ramey on House Bill 3341. Shall we read that Bill, on Second? I'm sorry. Did you wish us to read this, Representative? So, out of the record. Representative Saviano on House Bill 2995. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2995, a Bill for an Act concerning safety. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. Floor Amendment #1 just adds to the counties of Kankakee, Grundy, Kendall, DeKalb, Boone, Winnebago, and Ogle to the underlying law which allows commercial sites to be fueled by open fueling on construction sites. And I'd ask it be adopted."

Speaker Hannig: "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. And Representative Saviano, you have House Bill 2926. Do you wish us to read that Bill? Out of the record. Representative Joyce on House Bill 1040. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1040, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "Third Reading, Mr. Clerk. And Mr. Clerk, Representative Saviano has asked us to return to House Bill 2926. So are there any Amendments?"

Clerk Mahoney: "House Bill 2926, a Bill for an Act concerning revenue. Second Reading of this House Bill. Floor Amendment #1 has been referred to committee. No Floor Amendments have been approved for consideration."

Speaker Hannig: "So, Representative Saviano, again, I'm... Yeah. Okay. So, out of the record. Representative Harris on House Bill 1826. Do you wish us to read that? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1826, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Just to move that to Third then, Representative? Third Reading. Third Reading. Representative Brosnahan on 1798. Do you wish us to read that Bill? Out of the record. Representative Molaro, you have House Bill 1696. Excuse me, we've already moved that Bill. Representative Jakobsson on House Bill 1453. Do you wish us to read that Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1453, a Bill for an Act concerning insurance. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Jakobsson, has been approved for consideration."

Speaker Hannig: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. This Bill, in general, addresses and requires a group health plan to disclose

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

summary health information to the plan sponsor and the Amendment says that if a sponsor... the sponsor with 50 (fifty) or more employees. And so I would like to have the second... this Amendment put on there."

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 notes have been filed."

Speaker Hannig: "Third Reading. Representative Jefferson, you have House Bill 1141. Do you wish us to read that Bill, on Second? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1141, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Jakobsson, has been approved for consideration."

Speaker Hannig: "Representative Jefferson on the Amendment."

Jefferson: "Number 2."

Speaker Hannig: "Representative Jakobsson?"

Jefferson: "Move to adopt Floor Amendment #2."

Speaker Hannig: "I'm sorry. Jefferson on the Amendment."

Jefferson: "Move to adopt Floor Amendment #2, Mr. Speaker."

Speaker Hannig: "Is there any discussion? Then 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. All notes have been filed."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "Third Reading. Representative Joyce, you have House Bill 1727. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1727, a Bill for an Act concerning local government has been read a second time, previously. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Joyce, was adopted to the Bill. Floor Amendment #5, offered by Representative Joyce, has been approved for consideration."

Speaker Hannig: "Representative Joyce on Amendment #5."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 5 simply removes the penalty and fines provision of the Bill. I'd ask for its adoption and would be happy to ask answer questions."

Speaker Hannig: "Is there any discussion? Then 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. All notes have been filed."

Speaker Hannig: "Third Reading. And Representative Joyce, you have House Bill 818. Excuse me, we did that one, previously. So that's out of the record. Representative Flider, do you wish us to read House Bill 2020? Out of the record. Representative Mautino, you have House Bill 380. 380. It's on Second. Should we move it to Third? Mr. Clerk, why don't you read the Bill a second time and hold it."

Clerk Mahoney: "House Bill 380, a Bill for an Act concerning revenue. Second Reading of this House Bill. Amendment #1

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "So, Representative Mautino, you wish us to hold the Bill on Second, is that correct? Okay. We'll hold it on Second. Representative McCarthy on House Bill 2632. Out of the record. Representative Phelps on House Bill 1847. Mr. Clerk, on House Bill 1847, do we have any Amendments? What's the status of the Amendments?"

Clerk Mahoney: "House Bill 1847's on the Order of Third Reading. An Amendment was adopted to the Bill."

Speaker Hannig: "Okay. Okay. I'm sorry, Representative Phelps."

Phelps: "That's fine."

Speaker Hannig: "That Bill moved earlier. Representative Smith on House 2006. Do you wish us to move that to Third? Representative Smith? He's out of the record. Okay. Representative Saviano, you have House Bill 126 on Second Reading. 126. Did you wish us to read that, Representative? So, read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 126, a Bill for an Act concerning regulation has been read a second time, previously. No Committee Amendments. Floor Amendment #1 was adopted to the Bill. All... no notes have been re... All notes have been filed."

Speaker Hannig: "So, Representative, do you wish us to move this to Third?"

Saviano: "Mmm mmm."

Speaker Hannig: "Okay. So, Third Reading. Representative Coladipietro, you have House Bill 3767. Out of the record."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Representative Coulson, you have House Bill 3764. Do you wish us to read that? Representative Coulson? Okay. Do you wish us to read the Bill? Okay. Read the Bill, Mr. Clerk."

Coulson: "House Bill 3764, a Bill for an Act concerning government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Munson, you have House Bill 3416. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3416, a Bill for an Act concerning criminal law has been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration."

Speaker Hannig: "Okay. Representative, the Clerk advises me there's an Amendment in Rules. Did you want to go without the Amendment or do you want to wait for the Amendment?"

Coulson: "No, I need the Amendment."

Speaker Hannig: "Okay. So, we will wait for the Amendment. So that's out of the record. Representative Reboletti on House Bill 3662. Out of the record. Representative Osmond on House Bill 3441. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3441, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "Okay. So again, I'm advised that there's a Floor Amendment in Rules, Representative."

Osmond: "We've withdrawn that Amendment."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "So, you just want to... okay."

Osmond: "Thank you."

Speaker Hannig: "So, Mr. Clerk, Third Reading. Representative Hamos on House Bill 1331. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1331, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. And Representative Lindner on House Bill 1104. Representative Lindner."

Lindner: "It's on. Oh, sorry."

Speaker Hannig: "Okay. On Amendment #1."

Clerk Mahoney: "House Bill 110..."

Lindner: "My microphone wouldn't work, Mr. Mapes."

Speaker Hannig: "Let's have the Clerk read the Bill."

Clerk Mahoney: "House Bill 1104, a Bill for an Act concerning forest preserve districts has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lindner, has been approved for consideration."

Speaker Hannig: "Representative Lindner."

Lindner: "Thank you. This is an Amendment requested by the committee that just says that any land so disconnected shall be deemed to be included within the municipality for contiguity purposes only."

Speaker Hannig: "Is there any discussion? Then 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."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "Third Reading. Representative Reitz on House Bill 282. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 282, a Bill for an Act concerning revenue has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Reitz, has been approved for consideration."

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you. House Amendment 1 just clarifies language in a subsequent section on the Bill dealing with serving property tax notices."

Speaker Hannig: "Is there any discussion? Then 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. Representative Eddy on House Bill 1651. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1651, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. And Representative Poe on 2194. House Bill 2194. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2194, 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, Ladies and Gentlemen of the House. This portion is the SIU Management Act and this has not been

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

updated since the 1970s. And it's just time to update the laws on the SIU School of Medicine."

Speaker Hannig: "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. Representative Miller, you have House Bill 1723. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1723, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. All notes have been filed."

Speaker Hannig: "Apparently, there's an Amendment in Rules, I'm advised. Do you want to move it without the Amendment?"

Miller: "No. We're going to table that Amend... Amendment #2."

Speaker Hannig: "So, you just... she want to move the Bill to Third?"

Miller: "Just move it... just move the Bill up to Third. Thanks."

Speaker Hannig: "Yeah. So, we'll move the Bill... we'll move the Bill to Third. Third Reading, Mr. Clerk. And Representative Smith, you have House Bill 2006. Do you wish to read that Bill on Second? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2006, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Smith, has been approved for consideration."

Speaker Hannig: "On the Amendment, Representative Smith."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Smith: "Thank you, Mr. Speaker. This Amendment would simply change the effective date of the Bill, it was a drafting error. It would add the effective date of July 1, 2007."

Speaker Hannig: "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. Representative John Bradley, you have House Bill 2315. Out of the record. Representative Cross, we're going to move to the Order of Third Readings now. And Representative Cross, you have House Bill 1346. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1346, a Bill for an Act concerning courts. Third Reading of this House Bill."

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. This is a Bill for a relatively simple concept in Kendall County. We... think you heard the other day is the second-fastest growing county in the country. I have introduced this Bill and I'm working with Senator Holmes in the other chamber to add one additional judgeship for just Kendall County. It'd be a circuits... circuit judgeship, a resident spot. And I am not aware of any opposition. I'd appreciate an 'aye' vote."

Speaker Hannig: "This on the Order of Short Debate. Does any one stand in response? 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 117 voting 'yes' and

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Arroyo on House Bill 3434. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3434, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: Representative Arroyo."

Arroyo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill asks the State of... Department of Revenue to study what it will take to put TIF information on individual property tax bills. Illinois has almost one thousand (1,000) TIF districts statewide. This is a statewide issue as to us of this financial tool grows. This needs current information and also grows to clear... to clear up any misinformation. This Bill passed out of Revenue Committee with a unanimous vote and I know that there's no opponents to this Bill. Thank you for your consideration. I would ask for a favorable vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Representative Moffitt."

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

Speaker Hannig: "He indicates he'll yield."

Moffitt: "Representative... I... did you say there are no opponents?"

Arroyo: "Yes. I don't know of any."

Moffitt: "I was under the impression that initially there were some opponents. Have those been removed or something done that they're no longer? At one time weren't county treasurers opposed, or am I... is that not correct?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Arroyo: "Okay. Yes, I think... No, I'm not sure if it changed or not."

Moffitt: "So, are they still opposed?"

Arroyo: "This burden... This is no burden on them, but this doesn't impose... no... burden on the treasurers office at all, that I'm aware of."

Moffitt: "But are they opponents?"

Arroyo: "Are they opposed? I think so."

Moffitt: "So. There are opponents, then?"

Arroyo: "Yes."

Moffitt: "Are there any others?"

Arroyo: "I think that would be it."

Moffitt: "At one point, county assessment officials were opposed. Have they removed their opposition?"

Arroyo: "No, they're not. I don't see that on the Bill, Sir. Yes."

Moffitt: "Do you know why the treasurers were opposed? I'm just curious. I'm just... when I saw... I thought there was some opposition, I wondered what it was for."

Arroyo: "I believe this is... probably what they worried about is, if it's going to cost anything or it is no burden to them, I guess. This is just a study to see if we can put it on the tax bill. I have a copy in one hand and it's only one line at Williamson County. And I don't know why their opposition to the Bill would be. It doesn't state what it is."

Moffitt: "This actual Bill does not cause any added expense. It's just a study."

Arroyo: "Absolutely."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Moffitt: "Okay. Thank you and I appreciate that clarification, because in effect there are still opponents. But I... but your legislation would cause there to be a study that will then be reported back."

Arroyo: "Yes."

Moffitt: "Thank you."

Speaker Hannig: "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 give you some advice and I mean this in well-intentioned advice. Never get up on the House Floor and say that a Bill has no opponents, when in fact the Bill has two (2) very powerful opponents. And you might have, you know, didn't... you didn't see that, or you misspoke. I don't think there was any intent to cover it up, but you have to be very careful what you say on the House Floor. And I'd like to follow up on that. The county treasurers, some of their people that I have talked to said that one of the reasons for their opposition was that tax bills already contain a great deal of information. And some would argue too much information for the taxpayer to understand. I'm not sure I agree with that, but also they had opposition that if they were required to send out this additional information on the TIF, they weren't sure that the informational sheet would fit in the return envelope that they use. And they were concerned that they would either have to do a separate mailer or change their entire

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

mailing automated process to include this. Now, let's see if we can clear that up. As you are presenting the Bill, there is no requirement that the county treasurers and the assessors send out any information, but the Bill doesn't go this far at this time, correct?"

Arroyo: "We're just trying to make a determination..."

Black: "Okay."

Arroyo: "...if it's feasible."

Black: "All right. And I think if the study shows that you are on the right track, then I think the county treasurers and the people in the property tax end of county government will probably want to work with you on the size of the insert, whether or not it fits into their automated printing and mailing system. But I have your word that this Bill does not require them to do anything. It requires the Department of Revenue to conduct a study on the impact of tax increment financing. Correct?"

Arroyo: "Absolutely."

Black: "Okay."

Arroyo: "It's just a study."

Black: "Thank you very much."

Speaker Hannig: Any further discussion? Representative Arroyo to close."

Arroyo: "I ask for a favorable vote. Thank you, Members of the House."

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? Have all voted who wish? Have all voted who wish? Representative Bassi, Beaubien, Durkin,

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Meyer, Schmitz, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 70 voting 'yes' and 46 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Phelps, you have House Bill 988. Representative Phelps. Out of the record. Representative Crespo on House Bill 1434. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1434, a Bill for an Act concerning education. Third Reading of this House Bill. "

Speaker Hannig: "The Gentleman from Cook County, Representative Crespo."

Crespo: "Thank you Speaker, Members of the House. House Bill 1434 allows Harper College to implement a pilot program to offer two bachelor degrees: one in Public Safety/Homeland Security and the other one is IT management. These programs were identified has a need by local employers and local fire and police departments. And I'll real quickly I will read the list of the supporters as well as the folks that told us they need these bachelor degrees. And they are the North Suburban Association of Chiefs of Police, the Illinois Council Police Local 7, the Hoffman Estates Police Department, the Palatine Police Department, the Des Plaines Police Department, the Illinois Fire Chiefs Association, the Hoffman Estates Fire Department, the Palatine Rural Fire Department, as well. We also have some businesses in the area that have asked for these bachelor programs and our support of this Bill as well, and they are: the Corporate Headquarters of Square D located in Palatine, Kimbell Hill

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Homes, Automatic Mechanical Services in Arlington Heights, Northrop Grumman in Rolling Meadows, Northwest Community Healthcare in Arlington Heights, St. Alexius Hospital, the Alexian Brothers Medical Center, Good Shepherd Hospital, and the Illinois Hospital Association. In addition to those folks, we also have the Cook County College Teachers Union Local 1600 in support with the businesses of Wheeling and Hoffman Estates, the City Colleges of Chicago and the Hoffman Estates Chamber of Commerce. The key points I need to make with this Bill are number 1) it does not cost taxpayers nor the state a penny to implement the pilot program. It sunsets after 4 years once it is implemented, which basically means if this Bill passes or when it does pass it will take Harper College approximately 2 years to get accredited. After that, you'll apply the... the 4 years of the pilot program, that takes us to the year 2013. Finally, the public universities do have the right of first refusal. I first became interested in this Bill when Representative Susan Bassi brought it up in the 94th Assembly. Back then, it included a nursing program. My wife being a nurse, I understand that there is a dire need to have more nurses out there. Northern Illinois University stepped in, they did use the right of first refusal and they now actually offer the nursing program at Harper College. I'll be more than happy to answer any questions."

Speaker Hannig: "This is on the Order of Standard Debate.

Representative Bost, you're recognized for 5 minutes."

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

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "He indicates he'll yield."

Bost: "Representative, what do you feel the... the... The committee feels that the... it's easy for me to say isn't it? Enjoying the day, I'm sorry. What do you feel the obligation or the mission of the community college should be?"

Crespo: "Well, I think, number 1) their core of competency has been to offer associate degrees. They have been doing that for 40 years. Their mission also is to meet the needs of the residents in the district that they serve. And I think in 40 years, Representative, those needs have changed a whole lot, including family dynamics. You have two-income families nowadays compared to forty (40) years ago. And I think that's basically their mission."

Bost: "Well, I believe that it is... and has been and you know, I've been a longtime standing Member of the Higher Education Committee and it has always been pretty well the policy of this Body and the first creation of our community colleges is that they would not go on to the 4-year degrees, that it would be that stepping-off point or a place where we can train people in a quick manner for retraining and that's always been the purpose. And maybe you can answer this and probably not, because it was probably decided away from you. Can you tell me why this was assigned to Local Government and not Higher Education Committee?"

Crespo: "Well, actually, when I came with the Bill, Representative, I saw this really as a local issue. We're not asking to offer this pilot program to all the colleges or community colleges in the State of Illinois. The board of trustees at Harper College almost unanimously voted for

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

this thing and that's why to me it made sense to me to take it to Local Government."

Bost: "And well, and I'd have to disagree. I believe this is a Higher Education issue, but that's okay. It did go to Local Government. There is a certain person on this floor that he and I agree quite often on issues, but I think we're going to disagree on this one. He's probably going to speak in support of it, by the look of the board. But I think that this Bill is doing exactly what we, in this Body, have been trying to say that we... it's going down a path that we said we weren't going to go down and that's allowing our community colleges to offer a 4-year degree. Have you... has anyone ever tried to work with a local or a college that's nearby one of the major state universities, possibly, that would be able to offer this, rather than going to a community college to offer this program?"

Crespo: "Well, the standing of Harper has been, since this was first brought up in the 94th Assembly, is to welcome any 4-year institutions to go in and meet the needs that have been stated by the people in the district. That's how and why NIU came in and that's why they're offering the... the nursing program. And Harper has gone on record saying that they're so open to that. If there's a 4-year institution willing to come in and meet the needs of the local district, they're willing to let them in and do that."

Bost: "Well, I... I believe it's something that we should let a 4-year institution do and not a community college. I don't think it's the bright... right thing to do. I believe we are starting down a path here that we, as a Body, for many years

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

have said, okay, this is not and should not be the position and the job of our local community colleges, this should be left to our higher universities. I do stand in opposition of the Bill. I hope that people will look at this Bill and understand it was given to Local Government. Shouldn't we have trusted the Higher Education Committee to handle this better? It has before, and it has shot this Bill down. Now we kind of went a roundabout way to get it here to the floor. I hope it receives all 'no' votes. Obviously, probably not, won't receive all of them. But I think this should be defeated. Thank you, Representative."

Speaker Hannig: "So we have had one (1) speak in favor now and one (1) in opposition. Representative Black, you're recognized for 5 minutes."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I take a little different viewpoint than the previous speaker, having been employed by a community college for some 10 years. I don't recall and cannot find in the record any indication that the General Assembly ever or never intended for community colleges to offer 4 year degrees. I... I think if you go back it wasn't discussed because no one thought we would get in the situation that we are. Twelve states already do this and I'm going to tell you here and now this is going to happen in Illinois. It may not happen now, it may not happen in my lifetime, but this is going to happen in Illinois. We have an outstanding community college system. No community college in this state wants to get in the business of awarding baccalaureate degrees in every conceivable program.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

That is not what this is about. They know what their role is, the 4 year colleges know what their role is and the Board of Higher Education knows what both of their roles are. However, some things have changed since the Community College Act was passed many, many years ago. All of you say that education is your number one priority. Well, here's a chance to prove it. Lifelong learning was just a buzzword 25 years ago. It was something that educational professionals talked about that nobody knew exactly what it meant. They thought it meant that as you got older you'd go back and take a flower decorating class, an upholstery class, hobby classes, if you will. But what has happened with the tremendous change in the way jobs are created and maintained today, the day of working one job 40 years, retiring with a gold watch and a dinner, those days are gone. You're going to have to change careers four (4), five (5), six (6) seven (7) times in your life and what happens is that many of these jobs are technical in nature. And I think the letter from the Illinois Fire Chiefs Association in support of Harper's plan gets to the very base of this... of this issue. Where can a thirty-five-year-old individual go to try and earn a baccalaureate degree in Public Safety Administration or Homeland Security? The University of Illinois, Southern Illinois, can't find it in their catalog. These kinds of classes that Harper wants to use and the community college in Danville wanted 4 or 5 years ago to offer a baccalaureate in... degree in nursing because we weren't able to meet the local demand for nurses, it's what I characterize generally as low-enrollment, high-cost

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

programs. The enrollment is generally so low that the 4-year colleges cannot afford to come up with a baccalaureate program in some of these technical fields. Now, if... I agree with Representative Bost in that many up, up until the last couple of years we had interlocking agreements with our 4-year colleges and our community colleges. My wife got her degree in elementary and secondary education through Danville Area Community College and a cooperative program with Danville... Eastern Illinois University. But EIU's classes were offered on the Danville Area Community College Campus. Now what has happened is that because we have not fully funded the universities they can no longer afford to send out their professors to these community colleges, so you've got to go to the community college. Well... excuse me... You have to go to the 4-year university. These people who are transitioning into new lines of work, generally cannot commute 40 or 50 or 60 miles to a 4-year college. And I can tell you, these 4-year universities, and I've talked to many of the presidents and chancellors, said that we really don't know what to do with a 45-year-old woman who has been laid off or downsized from three (3) factory jobs and comes to us and says I want to become a nurse and I want a baccalaureate degree in nursing. That can't afford to live on campus. They can't afford to commute to campus 3, 4, 5 days a week. Here's your opportunity to say once and for all, education is my number one priority. These programs are not going to be competing in..."

Speaker Hannig: "Representative, your time has expired. Could you bring your remarks to a close?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Black: "I... I will, thank you. I join with the Sponsor simply because I think... I don't think we should raise any scare tactics. No community college can afford nor want to compete with the University of Illinois or any of our state, public, or private colleges. What they do want to do and what we have charged them with doing is the lifelong learning, the skills retraining, the jobs retraining, going back to school in your community to get new skills to get new jobs. And as the president of the Illinois Fire Chiefs Association said, 'Harper's pilot program will expand the fire education opportunities and law enforcement opportunities and allow these first responders to receive the training they need to keep our communities safe and advance their careers. And as we get into an evermore competitive society and world, whether we like it or not, community colleges are going to play a role in technical education that lead to a bachelor's degree and I don't think any of them would be adverse to interlocking agreements with 4-year universities, but on occasion the 4-year university either can't do it because we're underfunding them, or they don't think the enrollment would justify their participation. These will be very limited baccalaureate degrees, generally offered to people who cannot afford to go to the University of Illinois because of their age and their family obligations and what have you. The community college system in Illinois is the last best hope for people who need to upgrade their skills and upgrade their training and enter a job market that is completely different than it was 20 or 25 years ago. I stand in strong support of the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Gentleman's Bill. It has happened and is working well in 12 other states and I firmly believe it will happen in Illinois, maybe not in the next year or two and maybe not in the next five, but at some point, because of the dynamics of this fast-changing job market, there will be limited and I mean very limited occasions where a community college will receive permission from this Body and the Board of Higher Education to start and have a baccalaureate degree program primarily in technical classes. And the beauty of the community college system, they won't keep this baccalaureate degree program forever. When they meet community needs, they'll drop that program and they'll pick up another. I've seen this work in Arizona and it's working very well. I urge support."

Speaker Hannig: "Representative..."

Black: "I urge an 'aye' vote."

Speaker Hannig: "Okay. So, we've now had two in support and one in opposition. Representative Stephens, which side would you like to speak on?"

Stephens: "I would like to speak in opposition."

Speaker Hannig: "Proceed."

Stephens: "With all due respect to the Gentleman from Vermilion, that was the most convoluted debate I've heard in many years. I... I... ya know what, we're going to have a pilot program but then we heard all the reasons why we need it statewide and how it's going to work in Danville and southern Illinois and south eastern Illinois and around the state. We heard that's it... it's only going to be invoked when it's really needed and it's going to be... they are going

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

to close the programs once they get them started because there's going to be a need for another technical degree. If it's the quest of knowledge that we're after, the community colleges serve a very a good purpose here in Illinois and if it's a quest for knowledge in technical information, they stand there ready today at various community colleges around... or area colleges around the state to provide that knowledge. But what we're talking about here is not a quest for knowledge or information, it's a quest for a 4-year degree. And I would suggest to you that if you want to destroy the area colleges, of what we used to know as the community colleges, this is the first step in their destruction. Because what's going to happens is we're not going to have enough resources to properly fund 4-year programs in every nook and corner in the State of Illinois. So what we need to do today is do the responsible thing, make a long-term commitment to the... to community colleges, to area colleges, to ensure their viability is to continue them on the mission that they're currently on. And to divert them from their mission is to lead to their ultimate destruction. We're creating a problem where there is almost no need, almost no need. Is a need there? Yes. Is it a little bit difficult to get that 4-year degree outside the community college system? Yes, it might be. But that's no reason to change a historic program that has served the state so well. Mr. Speaker, I rise in opposition to the Bill and seek a verification should it get the requisite number of votes."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Speaker Hannig: "Okay. So, Representative Stephens has asked for a verification and will be recognized for that purpose if it's needed. So, Representative Pritchard is recognized and which side would you like to speak on, Representative?"

Pritchard: "I'd be speaking in opposition, Mr. Speaker."

Speaker Hannig: "Okay. So you have 5 minutes."

Pritchard: "Would the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Pritchard: "Representative, can you help us understand? What is the need that Harper College is trying to fill that they're asking for a baccalaureate degree?"

Crespo: "Well, number 1), Representative, they did conduct an independent survey several years ago of twelve hundred (1200) residents in the northwest suburbs and they found out that over 66 percent of the Harper district residents indicated a very strong need for Harper College to offer selected bachelor's degrees. Only 5 percent, again only 5 percent of those surveyed said that there was no need. That coupled with the fact that as a former trustee in Hoffman Estates, I worked very closely with our police department and our fire department. We have a great deputy Fire Chief, John Mayor, who's had an associate degree for over 10 years, family man has three kids, he does not have the time to go beyond the Harper area."

Pritchard: "So in other words, you have specific degrees that you're looking for? Correct?"

Crespo: "Correct."

Pritchard: "Is one of those nursing?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Crespo: "The nursing program was introduced last time in the 94th Assembly and the 4-year institutions do have the right of first refusal."

Pritchard: "So, Northern Illinois University is providing that program on the Harper campus. Correct?"

Crespo: "That's correct."

Pritchard: "So, you also said there's a need for technology. Is there not a program at Hoffman Estates, some seven miles away from Harper campus, that's offering that program through Northern Illinois University?"

Crespo: "You know, Representative, that's a very good question, that is the same question I had, because Northern Illinois University does sit in Hoffman Estates. I know the board members and I did take a look at the program they offered at NIU and I'll read this to you. It's a program that's based on industrial technology. And it's pretty much... it only concentrates mostly on higher level industrial applications and would..."

Pritchard: "So, why doesn't Harper College work with Northern to provide whatever needs that you're looking for?"

Crespo: "Sir, we... we have... they have offered... they have extended that offer to NIU and NIU hasn't stepped in. NIU, I'll tell you furthermore, because you probably have that in your records there, they do offer a Homeland Security/Public Safety."

Pritchard: "Correct. And they've already started advertising for students in the Harper College campus."

Crespo: "But you know... but you know what, Representative, it's a certificate, it is not a bachelor's degree and I think you

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

know as well as I know and many of us know, an associate degree which is a good program, don't get me wrong, does go a long way, but nowadays most employers are asking for a bachelor's degree. And the employers in my district are pretty much telling us the same thing. We don't need an associate's degree, we need a bachelor's degree to make sure these folks can operate in the industry."

Pritchard: "Mr. Speaker, to the Bill. Ladies and Gentlemen, Harper College is in the coverage area of Northern Illinois University who has bent over backwards to provide the needs on the campus or very near the campus of Harper College. It's been very difficult for Northern to work with Harper because they seem to have a vision that they want to have a 4-year degree. Mr. Black, when he was speaking, said sometimes 4-year universities don't work with community colleges. That's not been the case in this particular situation. Northern has been trying to provide that. They're currently working with over twelve different universities in this state on a Homeland Security degree that can be accomplished at any one of those campuses and also online. I think it's a very innovative program of cooperation and we should not necessarily move into an area that the Board of Higher Education and the Community College Board thinks is a bad idea and that's in this particular situation where you have a good cooperative relationship to go ahead and start a new 4-year program. There really has not been a lot of thought about what's going to happen to these students if they start a program and then at the end of this trial period they discontinue the 4-year program.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Nothing has been done to take care of the long-term needs of students that may start this program. So, I would ask for your concern about the future of the students as well as the program that we already have where there's good cooperation with a 4-year university and not look at this as a place to start the pilot program that we may want to do. I urge a 'no' vote on this issue."

Speaker Hannig: "The rules of Standard Debate provide for one (1) additional speaker in support. So Representative Lang, are you in support?"

Lang: "Yes, Sir."

Speaker Hannig: "Okay. So, you have 5 minutes."

Lang: "Thank you. I rise in support of the Gentleman's Bill. You know, Ladies and Gentlemen, I am a very strong supporter of our 4-year universities. I'm a very strong supporter of the programs they provide and I spend a lot of time, as many of you do, on the floor trying to find them more money, more professors, better opportunities and more scholarship money, et cetera, et cetera. And I think it's great that we have Legislators standing on the floor defending the university system as we have it. But I find it curious actually that when you look at the opponents and proponents on our analysis, we see that all the opponents are the 4-year universities. Now, Ladies and Gentlemen, you know, I don't know that the university system is a place where we ought to foster that kind of competition between and amongst them. The community college system in our state is great. We have one of the best community college systems in America right here in the State of Illinois and how fortunate we are. We

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

have some of the greatest 4-year universities in America right here in our state and fortunate we are. But some of the rhetoric here is starting to sound like we're pitting some against the other. We have a huge university and community college system in this state and it ought to be used as such. We ought not to be pitting one against the other and to talk about the Gentleman's Bill in a way that makes it sound like he's trying to steal something away from our major universities is just silliness. The Gentleman, if you take a look at this Bill carefully, has simply a pilot program to try a couple of opportunities for a 4-year degree at Harper College. What's the big deal? A couple of chances. Perhaps the major universities in our state, and I'm a graduate of the University of Illinois, a proud graduate, perhaps they'll find out that this ends up being good for them. Perhaps we'll find out as a Body that this is good for the educational system of our state. What are we afraid of? The Gentleman's not proposing that every community college in the state get to have a 4-year program on everything we could possibly teach in our state. He wants a small pilot program to test it out in one (1) community college. What's the big deal? It's a small Bill. The Gentleman represents the area where the college is. He's representing his constituents, but all of us or at least many of us have constituents that go to Harper College and the Gentleman is simply asking to give this college a chance to experiment. Isn't that what our university system and our community college system ought to be about in the first place? Experimenting to have the best possible

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

education we can have. So Ladies and Gentlemen, the Gentleman's got a good Bill. I'm a strong defender of the University of Illinois and other universities in our state, but they're simply wrong here. We should not allow them to convince us to make this a competitive program. We have a responsibility to allow everyone in the State of Illinois that wishes to avail themselves of a college education the opportunity to do that. That's what the Gentleman's trying to do, a small pilot program. Why don't we give him a chance to do it and after he does it, if he comes back in a few years and asks to expand it, then we can ask him questions like, well how is it working? Has it diminished our major universities, our larger universities? Those would be legitimate questions but not today. For today, it's a small pilot program to help people go to college. Isn't that what we ought to be about here? I would urge 'aye' votes."

Speaker Hannig: "Under the rules of debate, we've now had 3 on each side, and Representative Crespo, you're recognized to close."

Crespo: "Well, thank you, Speaker. And I want to thank all of the Representatives who spoke to the... to this Bill. I have a lot of respect for all of you. I want to clarify a couple of things. Number 1) if for 1 second I thought that Harper College had intentions of becoming a 4-year institution I would have not taken this Bill. They're very good at what they do. They serve my community well. I also have Elgin Community College serving my district as well. They need to continue doing what they do. All they're

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

asking us is to let them try a pilot program. Folks, we all care about the 4-year institutions. Many of us have benefited from it, many of us went through those schools or we're paying a zillion dollars in tuition for our kids. We want to take care of our 4-year institutions. However, we also have an obligation to take care of the needs of the district that we represent. And folks, at the end of the day if I have to choose between the two, I'm going to represent the folks in my district. Especially, especially in this case, I'm not taking anything away from the 4-year institutions. That discussion will take place in the year 2013 only, only if this pilot proves to be successful. If not, it's a moot point. Yes, and on this note, the Illinois Community College Board had a task force several years ago. And there have been several task forces in the last 5 or 6 years but no action. The task force from the Illinois Community College, if I read verbatim that state, 'the consideration of any approach involving expanded degree granting authority for community college should be undertaken only in specific instances where it would meet a clearly identified unmet need.. unmet work force need that exists in the college district and is in keeping with the college mission of serving this community.' And that's exactly what we're trying to do here. So again, I appreciate all the comments and I'm hoping to get enough 'aye' votes here today. Thank you."

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? Have all voted who wish? Have all

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

voted who wish? Have all voted who wish? Representative Brauer, do you wish to be recorded? Mr. Clerk, take the record. Representative Stephens, do you persist in the verification request? Okay. So the Gentleman withdraws his request for a verification. And on this question, there are 69 voting 'yes', 48 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1958."

Clerk Bolin: "House Bill 1958, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1958 is a Bill that I think I've spoken to almost every single individual in this chamber about the cell phone lemon law. Very simple concept, what it would require is that upon the third time that a customer has to either have their phone repaired or exchanged as a result of a problem with the actual cellular phone and not a problem caused by the actual customer, that the individual at that point would have an option of after a third, frustrating episode of a phone that does not work, be able to exit their contract if they're fed up, without having to pay a penalty or stay within their service provider if they're happy with the service provider but just very unhappy with that particular unit of phone. And have the option of either upgrading or downgrading. If they upgrade they would be responsible for paying the difference in the upgrade and if they downgrade they would be credited the difference in the upgrade... in the downgrade... in the cost of that downgrade. I

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

think it's a very, very good step in terms of protecting the customer and the consumer. And I would strongly advocate for an 'aye' vote but would be happy to answer any questions that you may have."

Speaker Hannig: "This is on the Order of Short Debate. And on that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I appreciate the time that the Sponsor has spent with me and I know she's worked very, very hard and very diligently on this issue. I rise, however, in opposition. There are a number of concerns that I have with this Bill not among the least of which is that the Federal Communications Commission clearly does not allow any rate regulation in any way, shape, or form by the states. There are at least three ways that I think this will get challenged in the court. It invents a new network performance-based 25 dollar (\$25) refund obligation for all wireless plans. It requires wireless services providers to provide new telephones to customers without renewal of their service contracts, pursuant to their term. And the legislation thus requires providers to maintain rates different from those that would be charged if the providers were left to follow the terms of the existing contracts. Let me give you a legal cite so your staff can look it up, it's a Federal Court case 47 U.S.C. Section 332(c). The case was Cellco Partnership v. Hatch, where the Federal Courts ruled that these kinds of changes could not be made. I... Let me just throw the notes away. Ladies and Gentlemen of the House, why do you think we have more cell phones in

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

use in the State of Illinois than we have landlines? Now that's a proven fact; AT&T, all of the providers will tell you for the first time ever in the history, the State of Illinois has more wireless cellular phones and PDAs than we have landlines. This technology has grown. When I came down here twenty-one (21) years ago there weren't any cell phones. I don't know how we got along, but we did. Why is that explosion? Because we tend not to regulate that industry as tightly as we regulated the landlines for years. I can change contracts. I can buy new phones. I can upgrade, they're cheap. I can get more minutes. In fact, I don't know why I keep a landline in my house. We don't use it that much anymore. I think the only reason we use it is it has an answering machine. Once you start regulating the wireless industry, which I think the feds will preempt this Bill, then you're not going to get that kind of competition. The people won't go out there and offer you a really nice deal on a phone, yes, because they're going to sign you up for a two-year contract. They'll begin to back off. They'll begin to change the terms. You won't be able to get a thousand (1,000) minutes for this price. Regulation requires that the companies adjust to a changing marketplace. Now, Ladies and Gentlemen, when all is said and done, my concerns with this Bill are the same as it would have been when Firestone tires were having problems years ago. And the Firestone tire, for whatever the reason, would seem to blow out and it would cause rollover accidents. Well, the Firestone tire was on whatever car manufacturer made the car because they'd go out for bids and

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Firestone got the bid to supply tires for the new cars. To me, this Bill is a first cousin to say, well, because the Firestone tires, something was wrong with them, I'm going to sue General Motors. You shouldn't have put this tire on your car. So, since it blew out and damaged my car, I want a new car. No, you get a new tire. You don't get a new car. And that little bit of regulatory burden closed the Firestone plant in Decatur, Illinois, and cost well over a thousand (1,000) jobs. This is not going to get to that level. I understand that. I think, the marketplace offers you current remedies. Now maybe it's because I come from a smaller town, but when I had a cell phone that didn't work I took it back to the person who sold it to me and the contract and I said, 'the phone doesn't work.' He went in the back room and got another phone. He programmed it. He did all the checks. It worked fine; I walked out the door in 15 to 20 minutes with a brand new phone. Now, I know some of you in bigger cities, it isn't that simple. And I know the owner of the store. But I think this is an overreaction to what may be a software problem or a glitch in how your cell phone interacts with software and personal computers. I don't think it's a cell phone..."

Speaker Hannig: "Representative Black, your 5 minutes have expired. Could you bring your remarks to a close, please?"

Black: "Mr. Speaker, I apologize. I was really trying to finish under 5 minutes. For all of the frustration that the Sponsor has had with this Bill or this issue, and I've talked to her and I have no doubts that she's had a tremendous amount of frustration and there are others in the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

chamber who I'm sure have had difficulties as well. My fear is you have a dynamic, fast-changing, highly technological instrument doing things that we didn't even dream of two (2) years ago, let alone five (5). If you start to put the regulatory bug on them, if you start down that road, they will pull back on what they offer. They'll pull back on their promotions. They'll pull back on their cheaper rates, and we'll get into what we got into with the landline. And that's now a dinosaur, whereas thirty (30) years ago your the landline phone was an absolute marvel. I think this is an overreaction to a problem that could be handled through mediation or arbitration and I really believe that should this Bill become law and I have a hunch that it might, we're going to rue the day a year or two from now when we find that we can no longer get the deals, the prices, the number of objects, because the firms will begin to pull back. This Bill should deserve your consideration and I urge a 'no' vote."

Speaker Hannig: "Representative Dunn."

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

Speaker Hannig: "She indicates she'll yield."

Dunn: "Susana, when you first brought this Bill to committee it contained some fines and dollar penalties, is that still on the Bill?"

Mendoza: "No, I went ahead and removed that at the request of the committee."

Dunn: "And did you work with the wireless companies to try to make the Bill a little bit better and a little bit tighter and still address...?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Mendoza: "I did. As a matter of fact, I... the language that is part of the Amendment that deals with clarifying what constitutes customer fault. For example, a broken display, water damage, things that an agent could see are obviously not issues that arose with that particular unit, but something that the customer caused to happen. We clearly added an Amendment... I should say I added an Amendment that I received the language directly from Verizon, made no changes to that language and incorporated it into the Bill, even though the committee didn't ask me to do that. I thought it was important if we could make the Bill better by making it clearer and protecting also the business from not having to deal with issues of... I don't want to make my customer feel at fault even though I know they are. I think it was important to clarify that language, and that's why I added that Amendment that I received directly from the industry. Nonetheless, they're still opposed."

Dunn: "Representative Mendoza, thank you for answering my questions and thank you for bringing this Bill forward. To the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

Dunn: "I rise in support of the Lady's legislation. This is not a bad business Bill. This does not create an undue burden on the wireless phone providers. There is no expense to the wireless phone providers, other than perhaps a customer can get out of their contract. They can walk away, but only after the service provider three (3) times fails to provide them with a product that works. It's that simple. The service provider has three (3) opportunities to provide a

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

product that works, and if they don't, the consumer can walk away. The previous speaker spoke... he said that he had a problem with a cell phone. He went to the store, he knew the owner and it was promptly fixed. My guess is that that's what's going to occur the overwhelming majority of the time. This Bill is not going to affect the overwhelming majority of contracts out there for people with their cell phones. This is for the rare occasion where multiple times the service provider does not fix the problem and that is a small minority. And I tell you I am a part of that small minority. I'll share a story with you, an experience that I had with a service provider... a wireless telephone service provider. I did enter a contract. I called up the service provider on the phone. They mailed me a phone and I signed up for a two year service contract. The phone arrived and lo and behold, it didn't work. I couldn't call anybody. Then I called up the service provider. I spoke to them. Their name was on the phone. They had me send back the phone to them. Then they sent me a second phone. And again, the same problem, second phone doesn't work. Then the service provider says that is the manufacturer, our service is good in your area. There is something wrong with the phone. We'll try again, we will send you a third phone. So, I got three (3) phones from the service provider and again my third phone didn't work. I don't know why... one... one company is pointing the finger at another company, I don't know. I just called the one (1) service provider. They sent me the phone and the system... it just never worked. And I couldn't... they would not let me out of that contract.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

It took about six (6) weeks to get my three (3) phones, going back and forth, working with the service provider. And that's too long. I had a thirty-day window to cancel my contract. And I was working with the service provider to correct the problem... went beyond the thirty (30) days and the service provider would not cancel the contract, after forty-five (45) days of going back and forth. They were very aggressive in pursuing me for payment of that contract, that I had a phone in the desk drawer that I could never use and I had to go out and sign up with another service provider, get another contract that I was paying. They just would not let me out of my contract. And they were very aggressive about pursuing, but they never provided me with a phone that worked. Now, the Lady's legislation addresses that exact situation. I worked with the service provider. They had three (3) opportunities to correct the problem. They were unable. I could not wait for them any longer. And plain and simple, I had to go out and get another service provider who provided me with a phone that worked. So, I support the Lady's legislation. There is no... this is not bad for business. There is no expense to the service provider. It simply allows a consumer to get out of a contract when they have not been provided with a working product. And the service provider has three (3) times, three (3) chances to make it right. And I think that's more than enough. So, I would urge a 'yes' vote, and thank you for bringing this forward."

Speaker Hannig: "Any further discussion? Representative Durkin."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Durkin: "Will the Sponsor yield?"

Speaker Hannig: "Indicates she'll yield."

Durkin: "Representative Mendoza, what is the significance of three (3) events that you have under this which will allow you to opt out of the contract?"

Mendoza: Thank you for the question. My theory on it is that when this happens to you one time, it can... I think anyone reasonably would say, well, you know, maybe I just got a unlucky phone or this particular phone doesn't work. Not a big deal. You're more than willing as a customer to go through the process of troubleshooting it, taking it back to the dealer if necessary, having them troubleshoot it, and once it's verified that you have a problem with the phone and it needs to be returned or replaced, you need to say, well, okay, I will wait my three (3) or four (4) days to get my new phone. And this happens, these things happen. The second time this happens to you, though, within your contract period, now, as a customer you're starting to get pretty frustrated. But even then I thought, well, two (2) times may still not be enough to have to legislate this. But upon on a third time, I think it's like anything else, you know, three strikes you're out. If you have ever been through this situation as Representative Dunn has and other Members that I've talked to in this chamber, including myself and you don't go through any shortcut methods like calling up a lobbyist, for example, who could probably fix our problem in 5 minutes. If you're a regular citizen or resident in the State of Illinois, you're going to have to go through the regular channels, and those channels at

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

times, mean hours at a time wasted, and also driving to and from a location to drop off your phone, not to mention several days of waiting periods before you get a new phone. So, I think upon a third time it's egregious enough.

Durkin: "All right. All right. I understand, you know, we... I've got 5 minutes. So, all right. Who is the contract with? The consumer's contract is with the manufacturer or is it with the Verizon, the Cingular, or the retailer?"

Mendoza: "The contract is with the provider."

Dunn: "The provider? Meaning the contract's with the Verizons..."

Mendoza: "Yeah, for example, Verizon, T-Mobile, Cingular. You name it."

Durkin: "And they don't manufacture the telephones, though, do they?"

Mendoza: "They do not, but they serve as an agent to that manufacturer."

Durkin: "Well, what if the fault is with the manufacturing of the phone? Are you holding the... are you saying that we are going to hold the retailer responsible for the manufacturing of the phone?"

Mendoza: "Yes. If you go to Best Buy and buy a TV and it's broken, you don't return it to Samsung or Toshiba. You take it back to Best Buy and they settle the issue for you. It's the exact same scenario here. You enter into a contract with the provider for that phone and the service, so both should work."

Durkin: "Is that... is the... that policy with... Best Buy by statute or is that by internal policies with Best Buy?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Mendoza: "Well, that's the policy for the entire retail industry and if... again..."

Durkin: "Well, that's internal. That is not something which we dictate, the Federal Government, nor the State Governments dictate. Correct?"

Mendoza: "But currently... you do take your phone back to your provider. You don't go directly to Nokia, or Samsung, or Motorola. You go directly to the provider and then they deal with their contract that they have with the provider... with the manufacturer. They return that faulty product to the manufacturer and the manufacturer then reimburses them for a product that's no good. So they don't lose money. And you take it up directly with the people that you signed the contract with."

Durkin: "So, as far as I'm concerned, that the experience with the other retailers, like Best Buy is just an industry standard. And I think you... generally, you can replace a phone. I think a lot of times the Verizons, Cingular will replace your phone if you do have problems. But let me get into another question. What is the length of the contract that a consumer has with the provider?"

Mendoza: "Excuse me, what was your ques...?"

Durkin: "Is... What is the length of the contract that the consumer can..."

Mendoza: "Typically, two (2) years."

Durkin: "And I am not trying to be wise guy or trying to be funny, but how is that determined? Is that set by the feds or is that set by the state? Or is that..."

Mendoza: "No, that's set by the provider."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Durkin: "Okay."

Mendoza: "So, you can enter into a two-year contract or whatever it is that they're offering."

Durkin: "Okay. Now, assuming that this passes and is signed by the Governor, what would be the effective date of the legislation? Would it be immediate? Would it be prospective? There is a reason... good reason why I am asking that question."

Mendoza: "I don't think I stipulated that. So, I would assume it would take effect on January 1 of the following year."

Durkin: "Okay. So on January 1. Would this apply to contracts which are in existence, that are still in existence, that carry over to January?"

Mendoza: "No..."

Durkin: "Or it's going to be applied to contracts which are prospective after the first of the year?"

Mendoza: "New contracts. It's stipulated in the Bill. If when you enter in a new contract, that's... I believe the language of the Bill. Yeah. The retail sale of the wireless cell phone."

Durkin: "All right. Well, I... I'm not quite sure if I read that, but I... Let me just ask a few more questions. Do you... let's just use the example, replacement on three (3) or more occasions. I mean these cell phones are very complicated these days. And there's a lot of people who do not understand them. And... I think that both of us know who we're talking about; I'm one of them. But the fact is if I don't understand that phone and after two (2) or three (3)

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

days I just give up, and I bring it back, does that count as... one (1), as my replacement?"

Mendoza: "No, it would not, because before you can say that your phone's not working, they troubleshoot it for you. So, if it's an issue of you not understanding the phone, you would be made aware of that or an issue of you not understanding the software..."

Speaker Hannig: "Representative, your time has expired. So, we'll let the Lady answer... finish answering the question. Will you finish answering the question?"

Mendoza: "Thank you, Sir. Yes, if it's an issue of not understanding the software or just not having a full grasp of how that works, they would let you know through the troubleshooting that it's not a problem with the phone, but you just haven't figured out how to properly work it. That would not count."

Speaker Hannig: "Representative, your time has expired."

Durkin: "Her time has expired. She has had about 4 minutes of talking. I have had less than 1 minute of questions. Now, just give... give me a few more moments. I just have a few more quick..."

Speaker Hannig: "How many more questions do you have, Representative?"

Durkin: "No more than two."

Speaker Hannig: "Okay, proceed."

Durkin: "But that in itself is... I don't see where that's written into this Bill. And I think that we're going to have a number of situations which people are going to come in and I think they are going to defeat the intent of what you're

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

trying to do just because they don't like their phone. And... I'm sorry, I just don't see it."

Mendoza: "I clarified that. I clarified that in the Amendment that the Verizon industry representatives gave me themselves. So..."

Durkin: "I don't read that. But anyway... the issue now, I am going to play lawyer here with you for one second. Now, we are interfering with the contractual rights between the provider and also the consumer. Now, this is very simple and I brought this to your attention yesterday and somebody would pop up and they'll have a response. But right here... under the U.S. Constitution, 'no state shall pass any law impairing the obligation of contracts.' Our State Constitution, 'no law impairing the obligation of contracts shall be passed.' How does your Bill comply or does it... how does this... these two comments which I read to you out of the U.S. and the State Constitution, how does that relate to what you're asking me... us to do?"

Mendoza: "Well, I am not an attorney, Representative, unlike you, unfortunately, but... or some might say fortunately, right? But..."

Durkin: "Well, it's pretty sim... but the language is pretty simple."

Mendoza: "But I would say that..."

Durkin: "When I said, that we are not allowed to impair the rights of contracts. What we're doing is that we're saying that contractual..."

Mendoza: "Right, but we're talking about the right of the consumer to have relief, when the people who are in the

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

contract are not meeting their obligation to that contract. So, at that point we do have..."

Durkin: "What... That's the wrong answer. So, the only point... reason I have to bring this up is that, you know, if this does pass... assume that... I mean certainly these people will... the Verizons, the Cingulars are going to be very... I think, active in trying to defeat this legislation. But I can see you're way here off the bat. I mean, we don't generally want to get into the business of interfering with contracts in the private sector between individuals and someone in the retail industry and that's the whole purpose of what this Constitution says. And I think that this should be worked out. These businesses do a pretty good job of assessing and taking care of the problems that people bring to their attention with their phones. And I think that this goes a little bit too far. So, I would respectfully request a 'no' vote."

Speaker Hannig: "Representative Franks, you are recognized for 5 minutes."

Franks: "Thank you. I'd like to speak to the Bill. I had the privilege of sitting with Representative Mendoza when she presented this in committee. And we heard some of the arguments today. And I want you to look at the proponents of this Bill and who likes this Bill. We have the AARP, the Citizens Utility Board, Citizen Action (sic-Illinois), and there's good reasons for that. We heard outrageous arguments, quite frankly, in committee that were debunked. Arguments today don't have much better validity. We heard from one speaker that we shouldn't hold retailers

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

responsible for the goods that they sell. Well, that's absurd. It is well established, in law, that they are responsible. That's what happens every day in this country. The argument that this law would somehow be violative of the contract clause of the Constitution again has no merit. This Bill is analogous to the Car Lemon Law which has passed constitutional muster and is used every day. We had another argument that this was somehow a regulation of wireless service. This is not regulation of wireless service. This Bill does not apply if your only complaint is that your service is poor. This Bill won't apply if, you simply don't like your phone. This Bill won't apply if like my wife, you've dropped your cell phone in the toilet twice. Because that is your... it happens, twice, not once but twice. Yeah, I know. Yeah, I will pay for that one. This is a very simple Bill. The consumer should get what you contract for. After three (3) lemons the consumer has been inconvenienced enough. Give the consumer the option to either upgrade, downgrade, or get out of the contract. That's all this Bill does. Whatever you do, whenever you go and buy something, if you go and your TV is broken... we had that example from Representative Mendoza, and you go to Best Buy and you buy a TV and you have to bring it back. And then they send it back again and it's broken again. And after the third time, they're probably just going to give you a new set. That's what happens every day. But the problem is, the difference is, you don't have a contract with those folks. And here, you do, when you deal with the wireless folks. And as a result, the consumers are at a decided disadvantage. And

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

this simply levels the playing field and allows them to make a choice. That's all it does. And the arguments of... the doomsday arguments we heard in committee were crazy. We heard about how this is going to cost thousands of dollars if someone got out of a contract. It doesn't make any sense at all. Because they were talking about a thousand dollar (\$1,000) phone. If the thousand dollar (\$1,000) phone doesn't work and it was manufactured wrong, well, they're going to send it back to the manufacturer and they're going to get reimbursed. They are not going to lose a penny. This is a Bill that we all should be on. We ought to be fighting for consumer rights, and not let people get taken advantage of. I encourage an 'aye' vote."

Speaker Hannig: "We've had three (3) in favor, and two (2) in response. The rules of debate would provide for one (1) additional opponent. Representative Winters, would you like to be the last speaker as an opponent?"

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

Speaker Hannig: "She indicates she'll yield."

Winters: "Is there any objective... way to track whether or not the phone is actually defective? Or if you're just dissatisfied, you think you may have signed a bad contract and you walk into the... your contractor and say this phone isn't working. I need a replacement. Is there anything objective to show that in fact it's not working?"

Mendoza: "Yes, actually, Representative, when I originally wrote the Bill I said that this wouldn't apply if it's... if it's a problem that resulted as an act... from an action of the consumer. But, after committee, Jay Keller and I from

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Verizon talked and he said, Well, I'm concerned that people might do what you just said, which would go... make up a reason why they would like to upgrade to a nicer phone, let's say, or exit their contract, really without merit. So, I took... I asked him to develop language that would more clearly identify reasons that would be obvious customer problems, not associated to the phone itself and I included those as an Amendment in this Bill. So the language is much more clearly written and tighter... more tightly written to allow for exactly that to not be an issue with this Bill."

Winters: "So, those provisions are in House Amendment 1 then?"

Mendoza: "Yes, and actually you... normally, the procedure as you... either call the troubleshooting line before you even walk into a store. They typically will spend up to an hour if necessary, more time with you going through all the possible problems that you could have with your phone, before they tell you to take it into the store. Once they realize it is not a problem that can easily be fixed, they'll have you take it into the store. When you go to the provider, then they spend about an hour to more time if necessary, depending on what the problem is, figuring out whether or not it's an issue with the phone or just a problem that you may not be seeing readily. If after the troubleshooting session they realize that, indeed, it is a problem with the phone, that's when the provider is given a code that's like an order number or something, where they'll return that phone to the manufacturer and supply you with a replacement. But it's not a thing that happens immediately in almost every instance. They go through the motions of

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

troubleshooting to see if, in fact, the problem is with you or the phone."

Winters: "Who tracks the number of... I believe there's repeated provisions that you have to... do you have to have the problem several times... three (3) times before you can abrogate the contract?"

Mendoza: "Yes, it has to be three (3) times, that your phone has had to be replaced, that have not been through any fault of your own. And I think Representative Franks mentioned that, you know, when you go in three (3) times, it is just... at that point I think completely unacceptable that a constituent or any customer would have to say I'm going to continue to have to get the same phone given to me time and time again. At what point do we realize that this phone is indeed a lemon?"

Winters: "So you'd have to... if you were going to make a claim against the company you would have to show a service order or some type of paperwork..."

Mendoza: "Yes, and all that is documented. And many times those phone calls are taped. So, there is a record... an electronic record that is held of how many times your phone has been serviced and what exactly had been the problem."

Winters: "And how do you deal with a... a coverage problem that you may have a phone that doesn't work in certain areas of a service... service territory? Is that a problem that would be addressed by this Bill or is it simply a fact that that company doesn't have good coverage... the proper number of cell towers in the right places?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Mendoza: "The roaming issues because of the... you know, lack of availability of some cell phones to have towers, we put that in the Bill that that does not apply to this."

Winters: "Okay."

Mendoza: "So, it's not an issue of not having a good roaming service. That can't get you out of the contract."

Winters: "Okay. Thank you for your answers."

Speaker Hannig: "Representative Mendoza to close."

Mendoza: "Well, I would just like to thank everyone for taking the time to listen to me and at oftentimes debate me on an individual basis on this Bill and to give me an opportunity to make my case. Hopefully, I've made it with enough of you. I think it's a Bill that is very much supported by pretty much every single... I won't say every single 'cause there's always some that won't, but the vast majority of the citizens or residents of this state and certainly those who use cell phones on a daily basis. I would ask for your kind support of this measure and thank you ahead of time."

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? Have all voted who wish? Have all voted to wish? Have all voted who wish? Representative Mautino, Pritchard, Turner, do you wish to be recorded? Have all voted to wish? Mr. Clerk, take the record. On this question, there are 72 voting 'yes' and 43 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. We have a few Bills we need to call on Second Reading, where there are Amendments that are pending. So, we're going to go to that order right now."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Representative Hernandez, you have House Bill 2201. There...
the Amendment's out of Rules. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2201, a Bill for an Act concerning
education. Second Reading of this House Bill. No Committee
Amendments. Floor Amendment #1, offered by Representative
Hernandez, has been approved for consideration."

Speaker Hannig: "Do you wish to adopt the Amendment,
Representative?"

Hernandez: "Yes, I do."

Speaker Hannig: "We'll just take it out of the record.
Representative Ryg, you have House Bill 2473. Mr. Clerk,
read the Bill."

Clerk Bolin: House Bill 2473, a Bill for an Act concerning
revenue. Second Reading of this House Bill. No Committee
Amendments. Floor Amendment #1, offered by Representative
Ryg, has been approved for consideration."

Speaker Hannig: "Representative Ryg on the Amendment."

Ryg: "Thank you, Mr. Speaker. This Amendment provides that
there would be additional funds from the hotel operators'
tax that would support tourism and a Local Planning Fund, to
fund the Local Planning Assistance Act that was passed by
this General Assembly in 2002 but never funded."

Speaker Hannig: "All in favor of the Amendment say 'aye';
opposed 'nay'. The 'ayes' have it. The Amendment is
adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments, but a fiscal note has been
requested on the Bill as amended and has not been filed."

Speaker Hannig: "So, Representative Ryg, did you hear the Clerk
say there's some requests for notes? So, the Bill will

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

remain on the Order of Second Reading. Representative McAuliffe has House Bill 2859. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2859, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative McAuliffe, has been approved for consideration."

Speaker Hannig: "On the Amendment, Representative McAuliffe."

McAuliffe: "Yes, Mr. Speaker. Floor Amendment #1 defines what 'lock bumping' is. And... I'd be happy to answer any questions. And I'd like to see Floor Amendment #1 adopted."

Speaker Hannig: "All in favor of the Gentleman's Motion to adopt the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Jerry Mitchell on House Bill 3361. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3361, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Jerry Mitchell, has been approved for consideration."

Speaker Hannig: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Amendment #1 becomes the Bill. And moves some charter schools into Chicago. There is another Amendment coming on this Bill. I'd like to hold it on Second I believe there'll be a Floor Amendment tomorrow."

Speaker Hannig: "So, we'll adopt this Amendment and hold the Bill?"

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Mitchell, J.: "That's correct."

Speaker Hannig: "All in favor of the Amendment say 'aye';
opposed 'nay'. The 'ayes' have it. The Amendment is
adopted. Any further Amendments?"

Clerk Bolin: "Floor Amendment #2 has been introduced, but has
not yet been approved for consideration."

Speaker Hannig: "So, we'll hold this on Second Reading.
Representative Jim Meyer on House Bill 3671. Mr. Clerk,
read the Bill."

Clerk Bolin: "House Bill 3671, a Bill for an Act concerning
State Government. Second Reading of this House Bill. No
Committee Amendments. Floor Amendment #1, offered by
Representative Meyer, has been approved for consideration."

Speaker Hannig: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. Floor Amendment #1 is an Amendment that I put on
this Bill... at the request of the committee... after the
committee hearing. And it ensures that we do not deplete
the expertise in the field of... granting permits for...
petroleum processing... from the Illinois EPA. Pretty simple
and straightforward."

Speaker Hannig: "All in favor of the Amendment say 'aye';
opposed 'nay'. The 'ayes' have it. The Amendment is
adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 429
and hold the Bill."

Clerk Bolin: "House Bill 429, a Bill for an Act concerning
liquor. Second Reading of this House Bill. No Committee

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Amendments. Floor Amendment #1, offered by Representative Acevedo, has been approved for consideration."

Speaker Hannig: "Let's take it out of the record at this time. Mr. Clerk, read House Bill 754."

Clerk Bolin: "House Bill 754, a Bill for an Act concerning telecommunications. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration."

Speaker Hannig: "Let's hold it on Second Reading. Mr. Clerk, read House Bill 1747."

Clerk Bolin: "House Bill 1747, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration."

Speaker Hannig: "Let's hold this on the Order of Second Reading. Hold it on Second? Is that correct, Representative Soto? Hold it on Second? All right. So, we'll hold that on Second. Representative Howard moves to table House Bill 2184. Is that correct? All in favor of the Lady's Motion say 'aye'; opposed 'nay'. The 'ayes' have it. And the Bill is tabled. The Clerk has some announcements. Mr. Clerk, would you like to give us the committee announcements for tomorrow? Would you read those, please. I mean, tonight and tomorrow."

Clerk Bolin: "The following committees will meeting immediately upon adjournment: Computer Technology in Room D-1, Consumer Protection in Room C-1, Electric Utility Oversight in Room 115, Judiciary I-Civil Law in Room 114, Personnel & Pensions in Room 122B, and Judiciary II-Criminal Law in Room 118."

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

The following committees will meet tomorrow morning: 8:00 a.m. the Least Cost Power Procurement Committee will meet in Room 114, the Gaming Committee will meet in Room 118. At 8:30 a.m. the Local Government Committee will meet in Room C-1, Stratton and Human Services Committee will meet in Room 122B."

Speaker Hannig: "Everyone's aware of the committee meetings tomorrow and this evening. Representative Bradley, you're recognized for a Motion."

Bradley, J.: "Yeah... I move to suspend the posting requirements so we can have a subject matter hearing in Revenue, Monday at 1:00 in Room 114."

Speaker Hannig: "Is there any discussion? The Gentleman moves to suspend the posting requirements for the Revenue Committee. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. Motion's adopted. And the posting requirements for the Revenue Committee are waived... are suspended. Mr. Clerk, read the Agreed Resolutions. Okay. So, let's go to... any announcements? Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. I just want to remind everybody who's participating in Capitol Capers that tonight we are rehearsing in the Howlett Building. So, if you are singing, or dancing, or anything else, please come to the Howlett Building immediately after Session. Thank you."

Speaker Hannig: "Representative Chapa LaVia."

Chapa LaVia: "A point of personal privilege. We don't often acknowledge our staffers but Mr. O'Brien's brother, Kyle

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

O'Brien's birthday is today and he is 27. Actually, his son. So, happy birthday, Kyle."

Speaker Hannig: "Any other announcements before we adjourn? Then Representative Currie moves, that allowing perfunctory time for the House, that the House stand adjourned until tomorrow, Friday, April 27 at the hour of 9:30, 9:30 a.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted and the House stands adjourned."

Clerk Mahoney: House Perfunctory Session will come to order. Committee Reports. Representative Colvin, Chairperson from the Committee on Consumer Protection, to which the following measure/s was/were referred, action taken on April 26, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is House Floor Amendment #1 to House Bill 2071. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on April 26, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #3 to House Bill 2749. Representative Howard, Chairperson from the Committee on Computer Technology, to which the following measure/s was/were referred, action taken on April 26, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 314. Representative Bradley, John, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on April 26, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

House Floor Amendment #1 to House Bill 3010. Representative Scully, Chairperson from the Committee on Electric Utility Oversight, to which the following measure/s was/were referred, action taken on April 26, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' House Floor Amendment #2 to House Bill 1871. Representative Bradley, Rich, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on April 26, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 1627. Introduction and First Reading of House Bills. House Bill 4093, offered by Representative Colvin, a Bill for an Act concerning appropriations. Introduction and reading of Senate Bills-First Reading. Senate Bill 30, offered by Representative Bradley, John, a Bill for an Act concerning criminal law. Senate Bill 478, offered by Representative Coladipietro, a Bill for an Act concerning civil law. Senate Bill 671, offered by Representative Coulson, a Bill for an Act concerning education. Senate Bill 853, offered by Representative Black, a Bill for an Act concerning education. Senate Bill 1383, offered by Representative Miller, a Bill for an Act concerning public employee benefits. Senate Bill 1395, offered by Representative Jefferson, a Bill for an Act concerning revenue. Senate Bill 1453, offered by Representative Currie, a Bill for an Act concerning local government. Senate Bill 1653, offered by Representative Miller, a Bill for an Act concerning public employee benefits and Senate Bill 1746, offered by

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

4/26/2007

Representative Soto, a Bill for an Act concerning Latino families. There being no further business, the House Perfunctory Session will stand adjourned."