

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/19/2013

Speaker Lang: "The House will be in order. Members will be in their chairs. We shall be led in prayer today by Father Thomas Koys who's with St. Bartholomew Catholic Church in Chicago. Father Koys is the guest of Representative Berrios. Members and guests are asked to refrain from starting their laptops, turn off cell phones and rise for the invocation and Pledge of Allegiance. Father Koys."

Father Koys: "I call upon the Divine Being and ask all here present to turn your minds and hearts to the God who guides you as a public servant of this great State of Illinois. Let's especially be grateful for those who worked on capturing the... the bombers from Boston and let's also keep in our prayers all those who lost their lives in the terrorism and even in the storms of yesterday and ask the good Lord to help them, to be with them. God, creator of the universe, Oh God, who set Your angels at the gates of paradise with their fiery swords, Oh God, who loved Your disobedient children enough to become one of us, showing us how to live. Be with the men and women who through their office become the voice of conscience for the people of Illinois. Bless each and every Member here and their constituents back home. Be with them in their moments of anxiety and be their peace in the loneliness of Leadership. Help us all to see that moneys, voluntarily given by the people, are more suitable for building our hospitals, schools and bridges than moneys obtained through involuntarily imposed heavier and heavier taxation. Help us all to see that the very systems of government we create to free people from poverty can also bankrupt our state

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leaving the government with little resources to help anyone. Help us to all see that even death itself is a part of Your plan for Your children. And help us to see that only in heaven will risk factors be reduced to absolute zero. God, I ask You to strengthen, especially those citizens who will suddenly become criminally liable for the simple act of standing up for the sacredness of the conjugal union of matrimony as certain proposed laws are passed, not because we are trying to force anyone to do something against their wills but because the state would be forcing us to do something against our wills. Lord, I pray for my fellow priests and all other clergy persons, may we have the courage to obey God rather than humans, if necessary, and accept the newly created status as lawbreakers in this nation we love so dearly and endure whatever persecutions that will result. I offer this prayer in all humility with due respect and with hope in Your divine providence, Amen."

Speaker Lang: "We'll be led in the Pledge today by Representative Hatcher."

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

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

Currie: "Thank you, Speaker. Please let the record show that Representatives Arroyo, Bradley, Cassidy, Jones and Zalewski are excused today."

Speaker Lang: "Mr. Bost."

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Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives Brown, Cross, Osmond and Sosnowski are excused... once I got that going I couldn't stop... I'm sorry... excused on the Republican side of the aisle today. Sosnowski."

Speaker Lang: "Thank you. Mr. Clerk, take the record. There are 108 Members present, we do have a quorum. The Chair recognizes Representative Scherer."

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

Speaker Lang: "Please proceed."

Scherer: "I have two very, very special guests today at my desk. They are our honorary Pages and this would be Harvey Jr. and Amya Hall. And their dad is our very special doorman back here. Give them a wave, Harvey. Harvey Hall, our protector back there. This is his two children. So, if you need anything, they're here at your service."

Speaker Lang: "Thank you, Representative. Mr. Drury."

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

Speaker Lang: "Please proceed."

Drury: "Today we have Molly Stern here as a Page for a day. She's a 13-year-old seventh grade student from right here in Springfield at the Franklin Middle School. She's in the school's gifted program. I ask that we give her a warm Springfield welcome and hopefully, you guys will be pushing your blue buttons and asking her for assistance."

Speaker Lang: "Mr. Clerk, Committee Reports."

Clerk Bolin: "Committee Reports. Representative Franks, Chairperson from the Committee on State Government

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Administration reports the following committee action taken on April 18, 2013: recommends be adopted Floor Amendment #3 to House Bill 1040. Representative Hoffman, Chairperson from the Committee on Labor & Commerce reports the following committee action taken on April 18, 2013: recommends be adopted Floor Amendment #4 to House Bill 11. Representative Nekritz, Chairperson from the Committee on Judiciary reports the following committee action taken on April 18, 2013: recommends be adopted Floor Amendment #2 to House Bill 2378, Floor Amendment #2 to House Bill 2659, and Floor Amendment #3 to House Bill 2659. Introduction of Resolutions. House Resolution 263, offered by Representative Hurley. House Resolution 266, offered by Representative Smiddy. And House Joint Resolution 33, offered by Representative Jakobsson."

Speaker Lang: "Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 262, offered by Representative Currie. House Resolution 264, offered by Representative Smith. House Resolution 265, offered by Representative Cloonen. And House Resolution 267, offered by Representative Walsh."

Speaker Lang: "Leader Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Agreed Resolutions are adopted. Members, we've got a number of Bills to run through today on deadline day. There are a handful of Bills on this call that are Second Reading Bills, which have already been read a second time which can be voted on, on Third Reading. So, we're going to go down this list as expeditiously as

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possible. It will be helpful if you know you have a Bill, that you're in your chair and it will be helpful if the House of Representatives shows respect to all Members and quiets down right now. Thank you very much. The first Bill is House Bill 948, Representative Greg Harris. Please read the Bill."

Clerk Bolin: "House Bill 948, a Bill for an Act concerning adult protective services. Third Reading of this House Bill."

Speaker Lang: "Mr. Harris."

Harris, G.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is in response to appalling and tragic set of deaths that came to our attention last year when the Belleville News-Democrat ran a series of investigative reports on the abuse and neglect of persons with disabilities living in community-based settings. This was something that our Department of Human Services Office of Inspector General had failed to adequately investigate and to prevent or to take necessary appropriate action. The Human Services Committee has had a series of hearings and a number of meetings with all stakeholders. I'm glad to say this is a complete revision of the approach that the State of Illinois takes to protect all adults with disabilities from harm, abuse, neglect and financial exploitation. I particularly want to thank Representative Patti Bellock, Mary Flowers, Dwight Kay and Senator Bill Haine who've worked with us for the better part of a year along with the Governor's Office, the Attorney General, the area agencies on Aging, Catholic Charities, disability advocacy groups,

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county coroners, medical examiners, law enforcement, Commander Mike McCarter of the State Police, medical professionals, equipped for quality to overhaul the system to create, instead of a centralized investigative function, a community-based investigative function based on the senior abuse and neglect system that has worked so well in this state for so long. It's a very complicated Bill and very substantial Bill. So, I'd be happy to take any questions and I would appreciate an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. To the Bill. I just want to thank Representative Harris for all the work all summer on this Bill. I think it's an excellent Bill and it's something that really needed to be done and look forward to working to make sure this is implemented. Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Have all voted who wish? Gordon, Mitchell, Rosenthal. Please take the record. On this question, there are 106 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2809, Representative Feigenholtz. Please read the Bill."

Clerk Bolin: "House Bill 2809, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lang: "Representative Feigenholtz."

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Feigenholtz: "Thank you, Mr. Speaker. House Bill 2809 is an agreed Bill between DCFS, some Chicago Bar Association attorneys. There was a problem in a district, in Representative Roth's district, regarding a family trying to adopt some children from another country. Perhaps, some overreaching occurred on the part of the Office of Intercountry Adoption. We have attempted to remedy the problem by presenting a process under which we can monitor that. I'd be glad to answer any questions."

Speaker Lang: "Lady moves for the passage of the Bill. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mayfield. Please take the record. On this question, there are 108 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1379, Mr. Phelps. Please read the Bill."

Clerk Bolin: "House Bill 1379, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As everybody knows in this state right now there are a lot of financial challenges, pension liabilities, continuous budget shortfalls, but yet we have another looming financial crisis confronting us and that's our water and wastewater systems. What 1379 does it allows villages and municipalities throughout Illinois to try to seek options to address this crisis with their water and wastewater systems. This Bill gives small communities, 7500

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residents or less, a valuable option to help them address their troubled water systems. And I urge an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Representative McAsey."

McAsey: "Thank you, Mr. Speaker, Members of the House. I rise in opposition to this legislation. This... this Bill I believe is absolutely unnecessary. It's opposed by the Attorney General's Office. It's opposed by CUB, the Citizens Utility Board. It's also opposed by Environment Illinois. This legislation only serves to increase water rates on consumers. It only serves to make profit motivated utilities more profitable on the backs of our consumers by allowing for a new way in valuation of the acquisition of water systems. Essentially, one town will be on the hook for paying for the acquisition of a water system in a neighboring town. Additionally, this Legislative Body recently, through supplemental appropriations and capital projects, has dedicated moneys to investing in water infrastructure around our state. If, under this scenario, state money could be spent to upgrade water systems, a private company could then go in and purchase that system and pass along their cost of acquisition to the taxpayer, whereby our taxpayers are paying twice for these water systems. This is bad for consumers. I urge your 'no' votes."

Speaker Lang: "Representative Ives."

Ives: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

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Ives: "Representative Phelps, could you just tell us a little bit more. Is... are these rates eventually or are they initially regulated by the ICC?"

Phelps: "Absolutely, Representative Ives. And I appreciate that. To the previous speaker, this is not an automatic increase. If they wish... the communities wish to do this on a voluntary basis, then they have to go in front of the ICC to get that. So, yes, this is regulated by the ICC. This is not an automatic increase."

Ives: "Additionally, could you tell us more about these small communities and their water issues? Are they having problems even getting the proper water sources? Is this actually going to allow them to be able to have drinkable water systems?"

Phelps: "Absolutely. And you know, there's a lot of being... be said about our water systems. A lot of people think there could be eventually wars over clean water. Let's take for example Representative Bost and myself. We have a lot of small towns in our districts. There's a lot of water... water systems and wastewater systems right now that can't get the necessary funds to improve them. And more or less, Congress is not giving money out for grants to try to put a Band-Aid approach on these. So we appreciate Illinois Mineral and Water trying to come in and do this Bill to help out our small communities."

Ives: "Okay. To the Bill. I would just let you know that we had a significant water rate increase in Wheaton and that's because we have crumbling infrastructure. And we know that the delivery water is the most expensive part of water; it

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is not the water itself. I urge an 'aye' vote because these communities need viable water systems and these rates will be regulated by the ICC. Thank you."

Speaker Lang: "David Harris."

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

Speaker Lang: "Sponsor yields."

Harris, D.: "Representative, I understand that this Bill and correct me... is this Bill supported by the cities of Alton, O'Fallon, Dana, Reading, (indiscernible), Sun River Terrace, Cairo? Some of..."

Phelps: "Yes, they are."

Harris, D.: "Okay. And is the Bill supported by the Illinois Chamber of Commerce, the Chicagoland Chamber of Commerce, the IMA, Plumbing and... Plumbing and Mechanical Contractors of Chicago and Cook County building and construction trades and a whole list of other organizations?"

Phelps: "Representative Harris, it's probably one of the few Bills that's supported by labor and business."

Harris, D.: "Thank you very much."

Speaker Lang: "Mr. Beiser."

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

Speaker Lang: "Sponsor yields."

Beiser: "Brandon, let me just go over a couple things I think might have been mentioned, but I want to... I think it's very clear and very important. So, the consumers... the ratepayers, they're protected if this Bill passes in what ways? You mentioned they have to go... any rates have to go before the Commerce Commission, correct?"

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Phelps: "Yes, it's not an automatic increase. They have to go in front of the ICC plus, you know, they're helping their water systems and... for more better drinking... drinking water."

Beiser: "Now, also, does this require municipalities to sell their infrastructure... water structure or is it only a tool for them?"

Phelps: "This is only a tool. This is totally voluntary and it's only for communities with 7500 residents or less."

Beiser: "Okay. So, if I live in a community that is... has one of their systems acquired, what protection does this have for those customers? In other words, can it be kind of doves... or dovetails into what I mentioned... asked first. They have protection within the Commerce Commission too, right?"

Phelps: "Absolutely. The Illinois Commerce Commission has to approve all rate increases, if there is any. Actually, when... when some of this has happened, Representative Beiser, most of the rates on these have gone down. Only a few exceptions that... are out there that have we increased dramatically."

Beiser: "And what size of communities will this legislation affect?"

Phelps: "I'm sorry, Representative?"

Beiser: "What size of communities?"

Phelps: "Seventy-five hundred residents or less. This Bill only affects 7500 residents or less."

Beiser: "Okay. So, Ladies and Gentlemen, I think what we have here is a Bill that I know in my area, Representative Harris mentioned my city is one that supports this, and I

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have a community that neighbors my district that is going through this process of updating. They cannot afford to update their water infrastructure. They have turned to a utility to come in and help them out and they've had an agreed upon process very am... very agreeable, everything moving forward properly as it should. They are not being forced to be... have these people acquire their system. It's all voluntary. They realize that the Illinois Commerce Commission has to have the approval of any rates. So, I think what we have here is a way where communities of the size that Representative Phelps mentioned can address their infrastructure needs in a responsible manner that protects the consumers and will ensure that there is proper infrastructure in place moving forward to meet the needs of their communities for many, many years to come. And I would urge an 'aye' vote."

Speaker Lang: "Mr. Davidsmeyer."

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

Speaker Lang: "Sponsor yields."

Davidsmeyer: "How would this affect the value of the current infrastructure for the municipality?"

Phelps: "They can recover the rates based on original cost minus depreciation. So, you know, there's a lot of water systems out there in the small towns that probably you represent as well that are 20, 30, 40 years old on paper and it's... on paper it's not worth anything 'cause, you know, our community thinks they're worth something."

Davidsmeyer: "Yes."

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Phelps: "So, there'll be an appraisal, to be honest with you, that will be not only directed by American Water, some of the companies that come in and buy these infrastructure systems, but also the ICC will be there monitoring it... monitoring it as well."

Davidsmeyer: "So... so, this will protect the investment that the communities have already put into their systems?"

Phelps: "Absolutely."

Davidsmeyer: "And this will allow them to move forward at a local... with local control to continue to provide water services for their citizens?"

Phelps: "Yes, Sir."

Davidsmeyer: "Thank you."

Speaker Lang: "Mr. Hays."

Hays: "Thank you, Mr. Speaker. To the Bill. I had the privilege of being a mayor of one of these communities for eight years and the chair of a mayor's council in a county where there are many, many communities that this Bill could have a very dramatic and positive affect on. As the Sponsor has noted, communities for decades have made investments in their water systems, but there are many in most counties in this state that are looking for that 50-, 75-year solution going forward. This is a good Bill. This is a Bill that is fair, not only to the utility company, but it's fair to our small communities who are looking for a solution to one of the most important utilities in any small... small community faces. Some will sell to a utility, some will choose to buy water wholesale, but this is certainly a Bill that helps everybody involved going forward. I urge an 'aye' vote."

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Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Sponsor yields."

Kay: "Representative Phelps, I looked at your Bill and I think it's a good Bill and I'm not going to go back and talk about all the other previous comments, but I will say this. One thing that the Body needs to understand here is that actually, under your Bill, water rates can decrease in some cases. Is that not correct?"

Phelps: "It... it can, but it has to be approved by the ICC, Representative."

Kay: "Exactly. But..."

Phelps: "Yes."

Kay: "...to say that they are automatically going to increase or be forced upward is inaccurate."

Phelps: "No, they will not automatically increase and matter of fact, Representative Kay, I want everybody to know that there are caps on these rates as well."

Kay: "Exactly. Thank you."

Phelps: "Thank you."

Speaker Lang: "Representative Williams."

Williams: "Thank you, Mr. Speaker. Very briefly, to the Bill. This Bill is strongly opposed by the Attorney General and it's opposed for a reason. This Bill is not good for consumers. Local governments are, as we all know, in desperate times looking for any financial resources that they can find. But in places where these water sources have been purchased, we know that rates have gone up, up to 400 percent. Four hundred percent over time. This is very

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untenable for consumers. There's a reason that the Consumer Advocacy groups are opposed. I urge a vo... a 'no' vote on this Bill."

Speaker Lang: "Mr. Tryon."

Tryon: "Thank you, Mr. Speaker. We have to keep in mind that we have lots and lots of small water utilities throughout the state who have never kept up by investing in infrastructure. They have environmental problems. They have distribution problems, maybe they need a new water tower, maybe they need main replacements. We look to the larger water companies. In some cases, their approach to buy... acquiring one of these smaller facilities that can't be managed by a small, small company, maybe there are four or five hundred connections, maybe there are 1200 connections. But who's supposed to pay for a new water tower or a new main extension, the ratepayers that are serviced by it. That's the only people who are going to have to pay for this. And they have the ability to manage that type of process. They... the ratepayers in the other parts of their system shouldn't be expected to have to pay for infrastructures and improvements in a system they're going to take over. So, basically, it's... it's allowing a water company to set the rates based upon the expenses of the system. We pass laws year in and year out that require additional expenses by these systems that some of the smaller systems can't afford. So, this is actually a piece of legislation to allow all systems to be better managed. And the ratepayers in that particular system, when it's

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taken over, will have to... have to pay for that. I support the Bill."

Speaker Lang: "Mr. Phelps to close."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I just... well, this is just the tool that's going to help our communities and help our water systems. This is only for 7500 residents or less. And remember, this is on... done by a voluntary basis. Appreciate this Bill and ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Mr. Dunkin. Please take the record. On this question, there are 77 voting 'yes', 31 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2, Representative Bellock. Please read the Bill."

Clerk Bolin: "House Bill 2, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. This is House Bill 2 that I spoke about yesterday. And what this does is to set up a single coordinated effort in reviewing grants for the entire... the... most high agencies, there's 12 of them I think, in the Bill, state agencies, that give the majority of grants in the State of Illinois. And so, what this Bill does is going to set up a commission to review and to recommend single auditing procedures to help in the grant process for all these agencies for the State of Illinois."

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All the opposition that I know of has been taken off. We've worked for six months on this Bill. We've tried to address all the issues that the providers had, that the associations had and that the state agencies had. And I want to especially thank DHS for working with us on this Bill."

Speaker Lang: "Lady moves for the passage of the Bill. There being no debate, those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? D'Amico, Dunkin. Please take the record. On this question, there are 108 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Poe."

Poe: "Yeah. Mr. Speaker, point of personal privilege."

Speaker Lang: "Please proceed, Sir."

Poe: "Yeah. Yesterday evening, Representative Evans announced an important event to take, week after next, and I would just rise to encourage that the 'Suits and Sneakers', which is an event that's going to happen May the 1st. And what it does is brings out the importance of cancer research and we'd like for all of you, there's an opportunity to enroll in a study and we'd like for you to... anybody that's eligible... and there's a few little... one little eligibility there that we need to look at, but what we really want to emphasize, it touches everybody's family. We got a chance to do research. We got a chance maybe to come up with the next drug and those kind of things that will prevent cancer. So, it's a very important for cancer research, but

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don't forget to wear those sneakers with your suits on May the 1st. So, join us. It'll be a great event. Thank you."

Speaker Lang: "House Bill 3380, Representative Tabares. Please read the Bill."

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

Speaker Lang: "Representative Tabares."

Tabares: "Thank you, Mr. Speaker. Members of the House, House Bill 3380 allows the legal guardian of a disabled person or the parent of a minor to request a security freeze on their credit report. This... the purpose of this Bill is to help prevent financial abuse of minors, individuals with disabilities and the elderly. I know of no... I know of no opposition and ask for your 'aye' vote."

Speaker Lang: "Lady moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record... no. Sorry. Did you already take the record? Sorry, Members, if I shut you out. Mr. Clerk, with leave of the Body, let's dump this Roll Call. The Chair called the vote too soon. On Representative Tabares's Bill, House Bill 3380, those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Mr. Demmer, Mr. Evans. Please take the record. On this question, there are 108 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3379, Representative Tabares. Please read the Bill."

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Clerk Bolin: "House Bill 3379, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Representative Tabares."

Tabares: "Thank you, Mr. Speaker. House Bill 3379 requires school boards, including Chicago Public Schools, to adopt a teen dating violence into their comprehensive education program curriculum starting in the seventh grade. Currently, school boards are not required to incorporate the curriculum until the eighth grade. I ask for an 'aye' vote."

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

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

Speaker Lang: "Lady yields."

Bost: "Representative, when we look at this, there are some groups that are in opposition. Can you tell me the... the problems that the opponents were having with this?"

Tabares: "Member initiative is against this Bill."

Bost: "Excuse me?"

Tabares: "Member initiative is against the Bi... No, no, no. Excuse me, excuse me. The Illinois Statewide School Management Alliance."

Bost: "The Illinois Statewide School Management Alliance. Can you tell me... are you familiar with them and exactly what they do?"

Tabares: "Yes. They see this... they're in opposition because they see this as a mandate, but this just formalizes..."

Bost: "Right."

Tabares: "...the initiative."

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Bost: "Right. And... and... and let me tell you that there are some people on this floor that have real problems with mandates. And the reason we do, even though they may be very well-intentioned, is because when we are in a situation where we continue to cut funding to education, our local schools are having trouble making it and provide... and doing those things that are most necessary teaching, reading, writing, arithmetic. Okay. As we continue to do this, though you're well-meaning in this, the problem is you're mandating a requirement that is going to cost our schools more money and as good as it may... your intentions may be, we have a real problem with those mandates. We continue to put more requirements on them, but we don't give them enough money to do the things that we're asking them to do now. At another time I might support your Bill, when the economy is better and when we, as a state, are providing more money, but unfortunately, right now, I would just encourage the Body not to support this. It is an unfunded mandate. So, I'd advise us to vote 'no'."

Speaker Lang: "Representative Pihos."

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

Speaker Lang: "Lady yields."

Pihos: "Again, I think this is a well intended Bill. I think that many of our schools are incorporating this to... into their curriculum, but I think, again, it's a matter of local control. School districts, we don't have cookie cutter schools. School districts know what their challenges are within their building. Certainly, this is an issue that they would want to address. And again, it is a mandate. It

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is an instructional mandate. And it also establishes that certain school personnel be put in place to make sure that this moves forward. So, again, at a time when we have so many financial constrictions on our schools, I would urge a 'no' vote from the Body."

Speaker Lang: "Representative Berrios."

Berrios: "Thank you, Mr. Speaker. To the Bill. Considering all of what is going on, I think our children need to understand the difference between teen dating and teen dating violence. So, I applaud the Member for bringing this legislation and anything that we can do to stop teen violence is important to me. And I would urge an 'aye' vote. Thank you."

Speaker Lang: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. To the Bill. This Bill received a great deal of debate in committee and we talked about the fact that young people today are in groups dating or singular... doubly dating, but girls need to know that they should not be violated; boys need to know they should not violate girls. This Bill does not require anything that schools should not already be doing. This information can be taught in any lesson. It could be taught in a health lesson. It could be taught in a literature lesson. It could be taught in physical education. There are many opportunities to say to young people this is how you maintain your safety; this is what you're expected to do or what you're not expected to do. And maybe one of the problems we're having with young people today is they're not getting the information they need. I commend

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Representative Tabares for passing this legislation. And I'm sure that it'll pass out of this Body to help protect our boys and our girls. Thank you."

Speaker Lang: "Representative Tabares to close."

Tabares: "Thank you, Mr. Speaker. Just want to mention one more time that school boards are already doing this. This would only formalize it. And I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Franks, Mautino, Sommer. Mr. Franks. Please take the record. On this question, there are 63 voting 'yes', 44 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1683, Representative Bellock. Please read the Bill."

Clerk Bolin: "House Bill 1683, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. House Bill 1683 is to address the issues of money following the individuals regarding mental health when the state institutions are closed. All of us, I think, voted for when we did developmental disabilities a couple of years ago with Representative Ryg, at the closures of institutions with the sale of buildings, the money was to go... follow the individuals. Then we did another Bill that the actual individual's money and in a DD facility, that would be around 150 thousand a year, with MI it's around 200

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thousand a year. So, what this Bill does is when a state institution closes, that money that we have spent 200 thousand per person would follow into the communities to go toward people with mental health problems. I want to thank Representative Gabel for letting me do the Amendment on the floor and we are going to work with DHS and the hospitals over in the Senate to make it a better Bill. And I appreciate your support. I don't know of opposition except for a few concerns by DHS, but they wanted me to pass it over."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Chapa LaVia, Farnham, Franks. Mr. Clerk, please take the record. On this question, there are 106 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3005, Representative Mayfield. Please read the Bill."

Clerk Bolin: "House Bill 3005, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Lang: "Representative Mayfield."

Mayfield: "Ladies and Gentlemen, this right here is a Bill that provides for interviewing individuals with questionable backgrounds. It basically says that you will not inquire of their background until the time of interview. There are several exceptions within the Bill that deal with Federal and State Law such as school teachers, bus drivers, day cares, health care workers, those are all excluded from this Bill. There are additional protections that have been

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added to the Bill so that should somebody hire somebody with a background, that would provide a protections to that employer that they did due diligence. It does not preclude running backgrounds or any.. or even asking questions during the interview, it just simply provides an opportunity. I ask.. I'm open for questions."

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

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

Speaker Lang: "Lady yields."

Franks: "Representative, a few years ago I passed a Bill with your help that would not allow employers to use credit checks when they were looking at applicants for jobs, do you remember that?"

Mayfield: "Yes."

Franks: "And one of the things that we kept and we wanted to make sure that employers had access to was, if they wanted to, to do criminal background checks. Now, how does this Bill affect... affect the present law on criminal background checks?"

Mayfield: "The present law supersedes this Bill and anything that is currently in law would be excluded. So, if there is specific language in Federal or State Law that says that a background check is required at time of application, you would be excluded from this law. So, it would not mess... deal with anything with your Bill at all."

Franks: "I'm... I'm sorry. I couldn't hear the last part."

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Mayfield: "It... it wouldn't... it would... your Bill would supersede this one. Your Bill would be excluded. Anything that's currently in law is excluded."

Franks: "Well, my... my law indicated that you could do criminal background checks. How does this Bill... what does this Bill do? How does..."

Mayfield: "Then you would still be able to do those criminal because it's already in your law that you would be able to ask those questions. You would still be able to do it because it is a State Law. So..."

Franks: "So, what does this Bill do? Tell us..."

Mayfield: "This Bill would provide for those entities that do not... that are not governed by State or Federal Law to provide an interview for those individuals. That's it. It simply provides an interview and it says that you can inquire of their background during the interview process. It does not preclude you from running background checks. If you have a practice in your business that requires a signoff at time of application, it does not even supersede that because that person is then giving permission to run their background. So, it doesn't even preclude that."

Franks: "What's this issue... I'm reading the analysis and I wish we had... I'm just... I feel a little rushed on this that's why I put my light on before I had a chance to read the whole thing because the Speaker's moving very quickly today."

Mayfield: "Okay. We're on #4."

Franks: "Let... what is the issue on the damages? Is there some cause of action that someone would have if a background check is run?"

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Mayfield: "They would have to prove willful and knowing violation of the law, which is extremely hard to do. The bar is set so high and actually, what was previously asked for were fines up to 2500 which I was not comfortable with. So, I reduced it all the way down to 500 making it unappealing to attorneys so that we don't have those running... wanting to just go out and look for businesses that are not... that may not have removed the box due to a financial, whatever reasons. It... it's very difficult to prove willful and knowing violations in a small claims court because the bar is set so high. It is very business-friendly language that's currently in there. However, what is being requested, to be worked on in the Senate, they'd like to... The fees were not actually my idea. Let me just put that out there. They were actually an initiative of IRMA. I was not hap... did not want fees. I actually had injunctive language in there and now it seems that they want to go back to injunctive language. I told them we could discuss that in the Senate. I'm not trying to hurt my businesses in any way, shape or fashion. I've been working with everybody on this Bill."

Franks: "Then why do we really need it, though, because if you're saying that... that..."

Mayfield: "Because there's a presumption that if you don't put some type of remedy in there, then there's no incentives for the business to even do it. So, that's why I'm trying to make it..."

Franks: "To do what? There's no incentive for the business to do what? I'm not following you on that."

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Mayfield: "To rem... to allow for interviews without questioning prior to... I'm sorry. Was that... to allow for inquiries prior to the interview. So, all..."

Franks: "But what's wrong with that? Because if I'm... if I'm in a business..."

Mayfield: "Well, because a lot of businesses, once you check the... if you check the box, have you ever been arrested, anybody that's ever been pulled over has been arrested, you know. And if you have a 20-year-old arrest that was not actually a conviction, should you have to list that on an application? That's the issue. And a lot of people are being excluded, you know, and not just given the opportunity and that's why I just want to give them an opportunity to interview. You do not have to hire them; there's nothing in here that says you have to hire them. All I'm asking for is that you give them an interview, give them the opportunity to get in there and sell themselves to an employer. That is it. You do not have to hire them."

Franks: "But don't you think the employer has the ability to determine for themselves whether they wish to waste their time and the applicant's time?"

Mayfield: "But it may not be a waste of time. If somebody has an extensive background, you know, in that particular field, they may be able to convince that employer, who's sitting across, you may go in there with a closed mind and say, you know what, I'm not hiring anyone with a background, but then you get a dynamic person in front of you and you say, what... you know what, I'm willing to take a chance on this person. And I'd even put some guarantees

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into the Bill, some protections in the Bill, should you hire them, in addition, to what's not in this Bill. There's all types of tax credits out there available to businesses who should hire someone."

Franks: "To... to the Bill."

Speaker Lang: "Mr. Franks."

Mayfield: "There's binding opportunities and everything."

Franks: "To the Bill, Mr. Speaker. And I appreciate what my friend's trying to do here. And we, I think unanimously, passed a Bill a few years ago with all of your help where we were trying to help people who might have been hurt with the economic downturn. And at that time we passed a law that said that employers couldn't run... they could not decline employment and could not run credit checks on folks unless it was dealing directly with that type of business. This is much farther though and I... this is a regulation on business and I think that business people should be able to determine their own policies when it comes to hiring. We certainly shouldn't discriminate on the... on the credit issue, but here, I want to know if I'm an employer and especially if I'm working with money or working in the law or whatever it may be, but... at a jewelry store, whatever it may be. If I've got a beauty shop, if I've got a nail shop, I'd want to know a criminal background check. Perhaps, some employers wouldn't, but that should be their prerogative to determine whether they wish to do a criminal background check. I think this is too prescriptive. I think it's regulatory. And I think our businesses have enough issues that they don't need this regulation on as well. I

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appreciate the well-intentioned measure, but I'd encourage everyone to vote 'no'."

Speaker Lang: "Mr. Reboletti."

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

Speaker Lang: "Sponsor yields."

Reboletti: "Representative, I'm trying to figure out why we would want an employer to not have an opportunity to conduct a background check after a portion of an interview or an application is handed in and then an interview is conducted. Why is that the cutoff to be able to determine if that person is... should be considered for employment? Why does... why does the whole process stop there? Why... why there?"

Mayfield: "I think you're misunderstanding the Bill. This Bill does not preclude background checks in any way, shape or form... or a portion. What it says is that you cannot do a background check preinterview. You can ask any question you want during the interview. You can run a background check after the interview, during the interview, whatever pleases you. It just says you can't ask prior to the interview. So, you're not stopping an employer from doing the background checks at all, you know, it's just the prescreening process that we're looking at here. And I have been working with the businesses on this. So, it's not that I'm just trying to put something out there on the businesses."

Reboletti: "Are... are..."

Mayfield: "And the language that's in there, the but... the rebuttal provision actually came from the businesses. The businesses actually wanted a \$2500 fine, which I was not

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comfortable with. I'm not trying to penalize my businesses in any way, shape or form. I'm just trying to provide an opportunity to individuals."

Reboletti: "But how are you providing an opportunity just by changing where in the process that a background check could be... could be..."

Mayfield: "All it..."

Reboletti: "...taken?"

Mayfield: "Because all it does is provide an opportunity. It doesn't even guarantee it. It just provides an opportunity for an interview and it gives that person an opportunity to sell themselves. If they can't sell themselves to get a job, that's on them. All I'm doing is trying to give them an opportunity."

Reboletti: "So... so, help... help..."

Mayfield: "You do not have to hire them."

Reboletti: "Representative, help me walk through the process of how this would occur. So..."

Mayfield: "I would walk into your business. I would fill out an application. If I have the skillsets that you're looking for, you will provide me with an interview. During that interview you can inquire, you know, do you have a background? You can make me fill out a sheet..."

Reboletti: "What... what... Let's... let's... if..."

Mayfield: "...listing my background. You can make me sign something..."

Reboletti: "Representative, if you'd just slow down just a little bit. And Mr. Speaker, I'm having trouble hearing Representative Mayfield."

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Speaker Lang: "Mr. Reboletti is correct. Could we hold down the noise in the chamber? We have a lot of Bills. We all want to get home today, but we've got to move expeditiously. Mr. Reboletti."

Reboletti: "Thank you, Speaker. Representative, if I own a retail store and then you come in to apply for a job and you have a conviction for retail theft, I don't know that and you don't tell me that when you come in the door. Is that what... is that how we would start out with the conversation?"

Mayfield: "And that currently happens now."

Reboletti: "And... and I..."

Mayfield: "And you would just both... and they wouldn't know that by running that background check, if you chose to hire them. So, that... we're not stopping anything that's happening now, so those things are happening now. People are not listing everything on their applications as it is. But what this will do, it will stop... it will, by providing this, it would make employers more cognizant during those interviews to ask those key questions and to say, we do not hire individuals with a theft background. Do you have retail theft... They can ask specifically in that interview. I am not trying to stop that from happening in any way, shape or form."

Reboletti: "Then explain to me how this helps somebody get a job? If they have the conviction..."

Mayfield: "It does not help them get a job, it helps them get an interview. All I'm interested in is interviewing... the way they would get the job would be if they could convince

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that employer to hire them. All I want is an interview, not a job. I'm not asking for jobs."

Reboletti: "Well, Representative, I appreciate you wanting to get folks an interview, but if they're not going to... they're basically are going to be disqualified from a position. You're giving people false hope by allowing them to go to a lot of interviews to which the end result is going to be they're not going to be hired probably because of the basis of their... their criminal history."

Mayfield: "That... that is not true."

Reboletti: "So, how is... how is that accomplishing putting somebody back to work?"

Mayfield: "Let me give you two examples. Let's say that myself and your neighbor's son both had... and we'll use your hardware store... we both have a criminal background, the exact same criminal background. You may be more likely to hire him with that criminal background because you know him and you're willing to take a chance on him, as opposed to someone else. By opening the door, you're at least giving him that opportunity to interview; whereas, you're not just disqualifying him, you know, as soon as he walks through the door. It gives you that opportunity and it gives every... I think it's a win-win opportunity for everybody because it says you can take that chance and interview somebody. Plus it gives you protections that says that you did due diligence in hiring."

Reboletti: "What type of protections are there for employers? Can the employers be..."

Mayfield: "There..."

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Reboletti: "...sued if..."

Mayfield: "Actually..."

Reboletti: "...if the..."

Mayfield: "...you know what, I'm so glad you asked that question because the Federal Government, in addition to all of the tax credits, the Federal Government actually provides bonding insurance as an incentive to protect employers. And that bonding insurance would cover loss of money, property damage due to theft, forgery, larceny or embezzlement. So, there are actual protections in place should you hire that person."

Reboletti: "So... so, the Federal Government..."

Mayfield: "So, there's a lot of..."

Reboletti: "...provides..."

Mayfield: "...good things out there."

Reboletti: "...some protections if... and that's what you're indicating?"

Mayfield: "Absolutely, absolutely. They provide you with those bonding protections if you hire that individual."

Reboletti: "And what... what that's Act?"

Mayfield: "And there's a rebuttable presumption as well. So, I mean, there are definitely protections out there, but I'm not asking you to hire them. I'm just asking you to interview them."

Reboletti: "But see..."

Mayfield: "I would hope you would hire them."

Reboletti: "Well, in your presumption, you said I would hire my neighbor's son, but wouldn't hire your friend or whoever your... your... the person of your example is because I know

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the person with the retail theft, but I don't know the other person. What if a third person walked in and didn't have any type of criminal history, would it be better for the business to hire somebody who didn't have a conviction?"

Mayfield: "It would totally be at your discretion. You know, you may want to take advantage of these tax credits. You might be, you know, such a good-hearted person that you might want to actually take a chance on somebody who has rehabilitated themselves, who may have had a... you know, made a mistake, you know, 7, 10, 15 years ago. You might be willing to take that chance on them."

Reboletti: "Representative, people have accused me of having a heart here once in a while, but not very often. I'm still struggling to try to kind of figure out exactly how this is going to help somebody get a job. I just... I just don't see it. I keep looking at..."

Mayfield: "It would give them an opportunity to... to sell themselves."

Reboletti: "You're giving people an opportunity to apply for a job and at the end of the day, most likely, they've just wasted days and weeks trying to get a job because when the background check comes in, they're probably going to be disqualified."

Mayfield: "Yeah. And I disagree with that. Because there's an adage, you know, for every door that closes there's another one that opens. You may not... you know, by giving them the opportunity to interview, they may not get hired by that first company, but that fifth company might be willing to

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take a chance. And I just want to give them that opportunity. It is up to the candidate to want to go through the process to interview with 5, 10, 15 or whatever companies. But that one company might be willing to take a chance. And that's all I'm asking for is for them to have that chance."

Reboletti: "And I appreciate that..."

Mayfield: "To interview, not to..."

Reboletti: "Representative, I appreciate that. I think there already are some... some businesses that already do that and try to do that. And eventually, I don't know if this really helps anybody. So, respectfully, I will not be voting for the legislation."

Speaker Lang: "Mr. Hoffman."

Hoffman: "Yes. Will the Sponsor yield?"

Speaker Lang: "Lady yields."

Hoffman: "Yes. Representative, the Labor Committee... I'm just trying to figure out what actually this Bill has become, but the Labor Committee, we were trying to attempt to work to get some type of an agreement and help you out. I thought that House Amendment #3 came through the committee and was adopted, but now there's this House Amendment #4 that is on the Bill. I don't believe that came through the Labor Committee."

Mayfield: "No, it..."

Hoffman: "Is that right?"

Mayfield: "That is correct. House Amendment #3, there were still some concerns by the Illinois Chamber of Commerce that we addressed in #4 and there were some concerns by the

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School Management Association what... that were addressed in #4. Basically, what we did is we added State Law so it's... and #3 it just says Federal Law and #4 it says Federal or State Law for those that... that are going to be exempted. We added the rebuttal presumption that was requested by the Chamber in order to remove their opposition. And we... and I severely reduced the fees that was requested by the Retail Merchants. They wanted up to \$2500 in fees against businesses. I was not comfortable with that; I reduced it down to 500."

Hoffman: "Well, unfortunately, I believe that Amendment #4, it didn't come through the committee and I thought we had had kind of an agreement that whatever form this took that it would come back to the committee. And I'm not trying..."

Mayfield: "No, we did not have that commitment, Sir."

Hoffman: "...I'm not saying... I said I believe we did and I'm not... I'm not trying to be accusatory. I'm just saying that Amendment #4, as I read it, has created some more problems for your Bill."

Mayfield: "Well, actually, Amendment 4 was more technical in nature in that it just clarified some areas."

Hoffman: "Well, what I'm told is Amendment #4 now has the Retail Merchants as well as the Cable Association be vehemently against the Bill."

Mayfield: "Well, the Retail Association, as I said..."

Hoffman: "Rita, Rita, Rita, I'm not trying to be... I'm just trying to say..."

Mayfield: "I know."

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Hoffman: "...it didn't come back to committee and may create some problems for your Bill."

Mayfield: "All right."

Hoffman: "That's all I'm trying to say."

Mayfield: "Okay. I appreciate that."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Sponsor yields."

Kay: "Yeah. First of all, I'd like to agree with what Representative Hoffman just said. I'm... I'm not sure just where we are on the Bill here because I thought something was coming to the floor when it did, but you commented to Representative Reboletti that the Federal Government would protect businesses in certain circumstances if they hire people. Well, what protection is... is there to businesses that don't hire people?"

Mayfield: "I'm sorry, Representative?"

Kay: "Okay. I'll go back. I think Representative Reboletti had a great question. He asked you what protections there were for business in your Bill and you said, well, the Federal Government would protect them through some insurance program if you hired them and there was subsequently a problem. My question is, what if you don't hire them? Is there any protection for the company when you don't hire a person?"

Mayfield: "That's my rebuttable presumption. It is in there and it was requested by the Chamber specifically for that point. We put it in there."

Kay: "So, there would be no potential for an EEOC claim?"

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Mayfield: "I don't believe so."

Kay: "Well, yes or no?"

Mayfield: "No. Because the business is presumed to have done their due diligence. This has nothing to do with hiring."

Kay: "Well..."

Mayfield: "They do not have to hire."

Kay: "...let me tell you what happens."

Mayfield: "So, they cannot file an EEOC charge if they don't hire somebody."

Kay: "Let me... let me tell you what I think happens."

Mayfield: "I may not hire you because you have on a red tie. So, I... that's an option that a business has."

Kay: "Yeah. Well, here's what happens and I'll tell you the real world because I play in it every once in a while. People come in and they fill out an application and so do 20 other people. And so, you select 5 out, you end up hiring 5 of those people maybe out of a group of 20."

Mayfield: "Mmm mmm."

Kay: "And so, the 20 people or the... I should say, the 15 people don't get hired and say, wait a minute, you discriminated against me for some reason because you hired these 5 and you didn't hire me. How does your Bill help me in that case?"

Mayfield: "Actually, that can happen right now. And this Bill does not address that. That means... that can happen right here today. You can go out... Wal-Mart hired... gets 50, you know, to a hundred applications per day. They don't hire all those people and those people do not go back and say..."

Kay: "Well, that's my question."

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Mayfield: "...well, you know, you discriminated."

Kay: "We see every day..."

Mayfield: "This Bill does not address that issue."

Kay: "Every day, though, we see EEOC complaints in the business world filed on the very basis I think that you're... you're trying to address here and that's getting somebody's foot in the door and then if something doesn't happen, the business suffers the consequence. And I'm saying, I think that's a real problem for businesses in the state."

Mayfield: "And I'd be willing to work with you on a Bill with that. I'm definitely trying to protect my businesses, not hurt them."

Kay: "Do you think your Bill comports with the DOT regulations?"

Mayfield: "As far as... I mean, this is for free... I mean, this has nothing..."

Kay: "No."

Mayfield: "...to do with hiring."

Kay: "Well, it does because a preoffer and a postoffer are things I understand. And my question, just very simply, you've got an attorney sitting right next to you. My question is..."

Mayfield: "This doesn't do anything with preoffers, Sir, I'm sorry."

Kay: "Well, it does."

Mayfield: "No, no, you don't have to offer a job."

Kay: "Okay, Representative. Thank you very much, Mr. Speaker."

Speaker Lang: "Mr. Crespo."

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

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Speaker Lang: "Lady yields."

Crespo: "Representative, I just got a call from the folks in the cable industry. They're very concerned how this Bill will impact their ability to... to vet installers. But most importantly, they're telling me that there was an agreement to hold the Bill and so, there's an agreement with the cable industry?"

Mayfield: "No. The agreement was that I would work with them. They want to put presumptive language back in, which I agreed to do in the Senate. I did not agree to hold the Bill."

Crespo: "Okay. Folks, again, I was hearing two different things. I just want to make sure it's not... for the record, you're saying there's no... no agreement to hold it with the cable industry, correct?"

Mayfield: "Correct."

Crespo: "Okay."

Mayfield: "And you know, the cable company, they were fine with the underlying Bill which had all those fines in there. I am not compl... I am not happy with putting \$2500 fines on my businesses."

Crespo: "Okay. Well..."

Mayfield: "There are no changes to this Bill that they should be disagreeing with when all I did was lower the amount. That's all I did, is I lowered the amount of the fine to the business. But I told them I would work with them in the Senate and I will continue to work with them on this Bill."

Crespo: "So, you're going to work with them in the Senate? I think they understood that you were going to work with them

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while the Bill was in the House. But you're saying that you're going to work with them in the Senate?"

Mayfield: "My commitment was to work with them in the Senate."

Crespo: "Okay. Well, I'll call them back. But I think they really believe that there was an agreement to work on this Bill in the House. Thank you, Speaker."

Speaker Lang: "Representative Cloonen."

Cloonen: "Yes. Thank you. Will the speaker... will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Cloonen: "Yes. Can you tell me how this will work with the labor unions, for instance, there are... when schools are built there are provisions in the contracts that criminal history can't be done and so, then, on the day that the school is ready to have some cement finishers come and work, they call the... the labor hall and have them go out. Can you tell me how that works for the employer?"

Mayfield: "That's under... that's... all schools are excluded under current State Law from this Bill."

Cloonen: "They're... they are ex..."

Mayfield: "Yes."

Cloonen: "...cluded under this?"

Mayfield: "The..."

Cloonen: "Even though the contract says that we can't have anyone on the job that would have a criminal history?"

Mayfield: "Exactly. That's the exclusion. They're allowed to ask those questions at time of application. The Illinois School Management Association was initially opposed. We actually excluded them to remove their opposition. So, that

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is already addressed in this Bill. I am a former school board member, so I'm familiar with that piece of the law. And it basically says that at time of application, particularly within a school district, you can re... inquire about their background. And they are... and that's included in this Bill. That provides in that provision."

Cloonen: "Thank you."

Speaker Lang: "Mr. Sullivan."

Sullivan: "Yes. Mr. Speaker, I move the previous question."

Speaker Lang: "No need. You were the last speaker. Representative Mayfield to... Save it for another time though. We'll get back to you on that. Representative Mayfield to close."

Mayfield: "Yes. I'd just like to thank everybody for their indulgence. What I'm trying to provide here is simply an opportunity for individuals to interview for a position. I had complete and total support from all entities on this Bill. I'm not understanding where this opposition is coming from at the very last minute. It's very ingenuous of the companies that I have been working with to do that. I would like to say, along with a number of cities across the state... across the country, the City of Chicago and others have adopted local ordinances very similar to this. I believe there is a Governor's task force on this that is wanting to mandate this across the state for all businesses. I'm thinking that this is something very good, something that we should definitely be doing. And again, it's going to end up a mandate anyway. Let's just be proactive and set that language ahead of time so that we

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are guaranteeing protections for our businesses prior to that mandate. I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Fine, Hatcher, Mussman. Representative Mussman, Hatcher. Please take the record. On this question, there are 24 voting 'yes', 80 voting 'no', 3 voting 'present'. And the Bill fails. The Chair recognizes Representative Kelly Burke."

Burke, K.: "Thank you, Mr. Speaker. I'd like the chamber to welcome a young man from my district, John Vranas from Oak Lawn. He's a second grader at the Kolmar School. He's a guest today of Speaker Madigan and he's here with his dad, up in the gallery, George Vranas and his grandpa Mike Young. He is at your service today. Please welcome him."

Speaker Lang: "Welcome to Springfield. Thanks for being here. Mr. Bost."

Bost: "Thank you, Mr. Speaker. If the record could reflect that Representative Kay Hatcher will be excused for the rest of the day. That's #1. I think it will start happening as the day goes on. We've seen that before."

Speaker Lang: "I have a feeling we'll have a procession of those, Sir. House Bill 2470, Mr. Turner. Please read the Bill."

Clerk Bolin: "House Bill 2470, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Mr. Turner."

Turner: "Thank you, Mr. Speaker, Members of the House. House Bill 2470 streamlines and clarifies the expungement process

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by adding procedural issues that cause.. by addressing procedural issues that cause undue delays in the sealing and expungement process ensuring the individuals attempting to have their records sealed or expunged be kept informed as to the status of their order in ensuring that all law enforcement agencies involved are kept informed as to the status of the case in their order and clarifying existing law regarding the procedural process and deadlines for a part to ask the court to reconsider an order or for a party to appeal an order to seal or expunge."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Representative Williams."

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

Speaker Lang: "Gentleman yields."

Williams: "This Bill provides that if a court order to expunge or seal records fails to comply with the law, it is not void. Instead it is voidable and a party can ask the court to reconsider the order or take it up on an Appellate Court... to Appellate Court on appeal and get it reversed. To the extent that there are court cases saying that expungement or sealing orders that do not follow the statute are void, is this Bill intended to clarify that these orders are voidable, not void?"

Turner: "Great question. Yes, Representative. The Bill clarifies that if a court ordering an expungement or sealing case does not comply with the statute, it's voidable. The second court has jurisdiction to reconsider the order and an Appellate Court can also review it."

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Williams: "Thank you. Are the provisions of this Bill retroactive? Do they apply in cases where the court has already entered a final order on the petition?"

Turner: "No. The Bill provides that it would apply to petitions that are pending at the time of the effective date of the new law, not petitions that have already been decided with a final court order."

Williams: "Thank you."

Speaker Lang: "Mr. Bost."

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

Speaker Lang: "Sponsor yields."

Bost: "I felt the last person asking questions... it was like she was reading the question and you were reading the response back. You didn't give me any questions to ask. Do you have any others that you would like me to ask and can you send them over? I'd like them in triplicate, please."

Turner: "No, Sir. Just a 'yes' vote will help."

Bost: "Okay. Thank you."

Turner: "I appreciate it."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. It's Friday. Mr. Durkin, Mr. Sandack. Please take the record. On this question, there are 75 voting 'yes', 32 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 946, Mr. Yingling. Please read the Bill."

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Clerk Bolin: "House Bill 946, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Mr. Yingling."

Yingling: "House Bill 946 creates a task force charged with addressing the growing problem of heroin abuse in our schools and community. This Bill comes at no cost to taxpayers and members of the task force will serve without compensation. This Bill begins to address the alarming and all too often fatal problem by creating the Young Adult Heroin Use Task Force. The task force will be comprised of seven House Members appointed by the two Leaders and shall study the problem of heroin abuse in high schools and make recommendations as to how to address a growing epidemic. I would urge an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Representative Pihos."

Pihos: "Thank you, Mr. Chairman. There is no doubt that the Representative is addressing a problem with great immensity in the state that has taken the lives of many of our young people. However, I do not believe that this task force and its composition is the way to address the problem. We in the General Assembly and the Senate and the House are not the experts on heroin and addiction. I believe the way to address the problem, if we want to do it through a task force, would be to have a Member from each of the chambers, from the Minority and Majority Party, but then have the experts. If these Members are just going to take testimony from the experts who have already been working in the field for years, the doctors, the sheriffs, the schools, that

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have been working in the field for years to resolve this problem. I don't think we're going to come to a resolution that we're going to be able to apply, that's going to be significant. Also, it was my understanding that the Sponsor promised to take the State Board of Education out of this. They are not experts in the field. They are not willing to man this committee. We've laid many task forces at their feet this year and I just think the idea is stellar, but this task force is not set up and created in the way that it will address the problem with efficiency. So, I would ask for your 'no' vote."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Reboletti: "Representative, does your task force allow for less Members of a Minority Party than the Majority Party?"

Yingling: "It is a... it is a 4... it is a 4-3 split, yes."

Reboletti: "Why is that?"

Yingling: "So, you have an odd number of people."

Reboletti: "I don't... Representative, you ever served on a task force before?"

Yingling: "No. This is actually... if this passes, this would probably be my first one."

Reboletti: "Well, that'll be good, Representative, 'cause I'm sure you and I will spend a lot of time talking about this, if it passes. I'm sure Leader Cross will appoint me. So, I'll nominate myself at this time, I know he's not here. But Representative, I think that it's important that you have even numbers of people on the committee. It's not a

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vote of the committee because I have served on these task forces. I've been part of Majority opinions and I've been the only person objecting or dissenting and filed a Minority opinion. So, I would think it would be more fair that you'd have an equal number of people from both sides of the aisle. It affects both Republicans and Democrats; it affects all of our communities and I can tell you, in DuPage County, I've dealt with this issue as a narcotics prosecutor in Will County. I've seen what happens there. I've seen dozens of young people die in DuPage County since I've been here in the General Assembly and I've advocated for tougher penalties and I've worked with treatment facilities within Addison's Serenity House. I can already tell you what the... what the task force will come up with, but I still think you should have an equal number of Members from both sides of the aisle. And would you be willing to talk to the Senate Sponsor about amending that?"

Yingling: "Yes, I would."

Reboletti: "Thank you."

Speaker Lang: "Mr. Yingling to close."

Yingling: "I urge an 'aye' vote. This is a growing epidemic in our state and we need to address it. Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Have all voted who wish? Representative Bellock. Please take the record. On this question, there are 79 voting 'yes', 28 voting 'no'. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. House Bill 2618, Mr. Brady. Please read the Bill."

Clerk Bolin: "House Bill 2618, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "Mr. Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2618 seeks to amend the Illinois Insurance Code with respect to the provisions that apply to mine subsidence coverage. Mine subsidence cov... insurance coverage is a statutorily mandated program that applies to 34 counties in Illinois that have underground coal mining. This legislation provides that a mine subsidence insurance policy must provide coverage unless waived in writing by the insured and must continue to charge the premium level set for that coverage by Mine Subsidence Fund. I'm aware of no opposition to the Bill and will be happy to answer any questions."

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

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

Speaker Lang: "Sponsor yields."

Franks: "I didn't hear the last part of your description. Is there something... was there an opt out or something you had said?"

Brady: "What this allows is when an episode like the sink holes that occur with underground mining on property would occur, this allows an opt out because the coverage would kick in an opt out for the premiums not to be paid by the insurer; however, they have to send a waiver for that opt out to the

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company. The company has to notify them of their options available to them."

Franks: "And if they opt..."

Brady: "If an ep... if an episode would occur."

Franks: "If an episode. So..."

Brady: "Correct."

Franks: "...could you opt out before an episode occurred?"

Brady: "Yeah. You don't... you don't have to, but you're not going to have the coverage..."

Franks: "Right. Okay."

Brady: "...in case something occurs."

Franks: "So, how does this really work then? So, does this episode occur when you say it opts out?"

Brady: "Mmm mmm."

Franks: "What does the opt out mean?"

Brady: "The opt out means that the consumer can choose to continue or drop the coverage which is not part of the current law, presently and that's what we're trying to enact, in fact, a safeguard, if you will to the consumer. But the company, in this case one of the larger companies that provides this will be State Farm, would have to make that notice to their insurer that these are their options under the policy."

Franks: "Okay. So, it's a proconsumer Bill and the insurance companies even like it?"

Brady: "Yes."

Franks: "Wow. Okay, good job. Thank you."

Brady: "Thank you."

Franks: "Thanks for explaining that."

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Brady: "Thank you."

Speaker Lang: "Mr. Leitch."

Leitch: "The Gentleman yield?"

Speaker Lang: "Gentleman yields."

Leitch: "Representative, how does a homeowner know that their property has been... is potentially going to be damaged by mine subsidence?"

Brady: "Well, there'd be a variety of ways. The first off would be, obviously, some type of title research of the property."

Leitch: "See, that's the point right there. I've had instances of this in my district and the... I've tried very hard for a number of years to be able to have incidences of mine subsidence recorded."

Brady: "Mmm mmm."

Leitch: "And in every time that has been forged by the title companies. I think it is critically important what you're doing, but it is also critical that homeowners who are considering buying homes know that in the past previous residencies have had occasions of mine subsidence. So, it would be helpful if you'd consider an Amendment in the Senate that would require that these instances of mine subsidence be recorded with the property."

Brady: "So, I'd be happy to, Representative. In fact, I'll work on a different Bill with you if we don't..."

Leitch: "Thank you."

Brady: "...it doesn't get to the Senate and incorporate that in the future. And then also, we're talking 34 counties that

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are affected with this particular issue going on in the state. So, I'd be... I'd be happy to work with you on that..."

Leitch: "Yeah. I understand."

Brady: "...or try it in the Senate."

Leitch: "I've seen people lose their whole houses all of a sudden because they had inadvertently built homes or bought homes that were over the types of instances that you are addressing in this Bill. And I think we have some more work to do on it and I appreciate your Bill and your work on it."

Brady: "Thank you very much."

Speaker Lang: "Mr. Brady to close."

Brady: "I simply ask for a 'yes' vote. Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 107 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3223, Mr. Beiser. Please read the Bill."

Clerk Bolin: "House Bill 3223, a Bill for an Act concerning wages. Third Reading of this House Bill."

Speaker Lang: "Mr. Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. 3223 is an initiative of the Operating Engineers State Council in the Laborers Midwest Region. This legislation is developed to help alleviate the Department of Labor's backlog of prevailing wage complaints and then to assist the department with investigations of alleged prevailing wage

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violation. This does not... I repeat... it does not expand the coverage of the Prevailing Wage Act. I'd be happy to answer any questions."

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

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

Speaker Lang: "Sponsor yields."

Reboletti: "Representative, I had some trouble hearing you, so could you briefly state again what the Bill does?"

Beiser: "Sure, Dennis. Like I said, it's an initiative of the Operating Engineers and the laborers. And it was developed to help allevi... to alleviate the Department of Labor's backlog of prevailing wage complaints and also to assist the department with the investigations of any alleged prevailing wage violations."

Reboletti: "I'm looking at the list of the opponents, a lot of the business groups, small and large. What... what are... is their opposition to the Bill?"

Beiser: "I think it's just a general philosophical opposition to the... to the Bill."

Reboletti: "How so?"

Beiser: "In that they believe this is not... not needed and I respectfully disagree with their assessment. But we think that by doing this... and again, it doesn't expand the pre... coverage of the Prevailing Wage Act, it simply assists, we think, assists the Department of Labor's investigation of backlog of complaints and in violations. I don't know how better to describe it than that."

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Reboletti: "Do you believe that this would add any cost to small businesses, if this were to pass?"

Beiser: "I don't believe so, but I would respectfully suggest that some of those small business might deem it does."

Reboletti: "Thank you."

Speaker Lang: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. And just to the Bill. The Sponsor, and I have a tremendous amount of respect for him, but listen to what he just said. He doesn't really believe, even though small businesses are telling him it's going to increase the cost, there's going to be a problem. His statement was he just doesn't believe that. Well, you know what, we continue not believing when our small businesses tell us that we're continuing to increase expenses on them. And our large businesses keep telling us that what we do here in this House, the laws that we pass, keep putting undue burdens on them. Ladies and Gentlemen, I'll say it again, 177 thousand jobs have left the State of Illinois because, why, because we get advice on this floor, in committee, when we present our Bills and say, you know what, the businesses come to us and say, no, no, no, see this is going to cost us more and we've got more and more going out. We need to do something to stop this, please stop. Guess what? We're not stopping; we're still los... The Sponsor just said, listen, well, I don't really believe them. Apparently, you haven't been believing them for 12 years or so or maybe more because they continue to leave. Mr. Speaker, if this Bill gets the number reque...

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requisitioned... yeah, the required number of votes, I would ask for a verification. It was not easy to say, but I'm..."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Sponsor yields."

Kay: "Yeah. Representative, how big a problem does this Bill address?"

Beiser: "I guess I don't understand your question. It's..."

Kay: "Well, I... I see here that we're..."

Beiser: "...it... it... Representative Kay, currently there's a two-year backlog in these complaints. And what we're trying to do is to alleviate that which would not increase, you know, and to the previous question and to the previous speaker, maybe I... the way I answered a question led them to believe this. I have not been contacted by small businesses or others indicating that it would have an impact negatively on their business. I simply suggested that if there are those that they did reach out to I would, you know, that would... that's a possibility. But currently there's a two-year backlog and what we're trying to do is prevent further backlog and also, to alleviate that two-year backlog of complaints by creating this system where they do this upfront reporting rather than the reporting that is done now."

Kay: "Do you... do you consider this to be a Bill that makes Illinois's environment for business more friendly?"

Beiser: "In general, yes, because I think that the system that's currently in place, where we have this tremendous backlog, I think if we try to alleviate that and streamline

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it and hopefully, by the system we're putting in place by this reporting, upfront reporting, and more streamline, I think we would, once we get the backlog addressed, I don't think we would have nearly the situation where we have now moving forward."

Kay: "Well, Representative, maybe, and this is just a suggestion, but maybe the reason we have the backlog is because we have so many rules and regulations in place we can't plow... plow through. Does that seem reasonable?"

Beiser: "This is information the department can get now. What we're trying to do is just streamline the process. I don't think we're asking to... any great additional requirements. It's just, again, an attempt to try to streamline the process."

Kay: "Representative, I... you know, you and I are good friends and I just have to say this. I understand where you're going with this. It may have a bit of merit, but the simple truth is, it's going to cost... it's going to cost small business a lot of money and I've lost lots of small businesses, not for this reason but for many that are very similar to this. So, I'm curious, on the other side, the flip side, what legislation do you have in place to encourage business to settle in Illinois?"

Beiser: "What business do I have other..."

Kay: "No, what... what Bills do you have that would cause business to come to Illinois?"

Beiser: "This... this Bill is... the Bill I have before us, as far as other legislation dealing with the subject matter, I guess, you know, it all depends if you want to think that I

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have probusiness legislation, but this is the one probably most directly dealing with businesses in Illinois."

Kay: "Okay. Thank you. Mr. Speaker, to the Bill. We have spent an entire week here debating legislation many of which impact businesses in the state and they impact it in a negative way. I'm wondering how long is it going to take us to wake up and realize that we lose businesses every day and we continue to do so. Our track record's horrible and we keep forcing businesses to do additional things for additional costs with no net benefit to them. If we think this is a good plan, we can continue down this path, but I certainly can't support this, Dan and I hope the Body doesn't either."

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Sponsor yields."

Franks: "Representative, can you tell me the genesis of this Bill?"

Beiser: "As I said at the outset, it's an initiative of the Operating Engineers and the laborers, who brought this issue to here to help the department alleviate the backlog."

Franks: "And I... I see you have a number of Sponsors as well, who have carried similar legislation, correct?"

Beiser: "I'm sorry?"

Franks: "You have a number of Sponsors as well that have... I mean, you've been working this Bill for quite some time, correct?"

Beiser: "Yes."

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Franks: "Okay. You indicated this Bill would actually help the business by helping them follow the... the law and to have them be made more accurate, correct?"

Beiser: "Yes."

Franks: "How else will this help business?"

Beiser: "We've worked with the contractors to help alleviate some of their concerns by in... pushed back the deadline for following their monthly certified payroll by five days from the 10th of the month to the 15th. I think that's a good faith effort that we worked with them to help in this situation."

Franks: "Now, currently contractors are already required to report a name and an address and a phone number of the worker, correct?"

Beiser: "Yes."

Franks: "And also Social Security number and the classification and the hourly wages paid into each pay period and the number of hours worked per day."

Beiser: "Yes."

Franks: "Is that all correct?"

Beiser: "Yes."

Franks: "So, what this Bill would require... it would still require that, but it would require some additional things, correct?"

Beiser: "You're correct."

Franks: "Okay. And some of the additional things are a worker's gross and net wages, correct?"

Beiser: "Yes."

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Franks: "Okay. And that's... that's not going to be too hard to do because they're already required to say what the hourly wages are paid and also they are required to show right now the number of hours worked in each day, correct?"

Beiser: "Yes."

Franks: "So, that would not be unduly burdensome, but with... they've already got that information."

Beiser: "I would agree with that."

Franks: "And they also... one of the new things that you're requiring is a worker's hourly wage rate. Is that correct?"

Beiser: "That is correct."

Franks: "And they're already having to say what the hourly wages are paid in each period. Isn't that correct?"

Beiser: "That is correct also."

Franks: "So, this would not be anymore burdensome than what they're already providing. Would you agree?"

Beiser: "I would agree with that."

Franks: "Then the next issue that you're requiring is an hour... a worker's hourly overtime wage rate, correct?"

Beiser: "Yes."

Franks: "And we already... They already have to say that now, don't they? They already have to put that together?"

Beiser: "Yes, they do."

Franks: "So, again, this is not an additional burden on business. Would you agree?"

Beiser: "I would agree with that also."

Franks: "The next thing you're requiring is a worker's hourly fringe benefit rate. Is that correct?"

Beiser: "That is correct."

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Franks: "And that... do they have to show that now under the... the hourly wages paid into each pay period and through the classification?"

Beiser: "They don't have to show it, but they have to have that information available if asked."

Franks: "Okay. So, they already have that information. They're already providing that information. This would just have it statutorily provided?"

Beiser: "To report it."

Franks: "Okay. So, again, it's not an additional burden on business?"

Beiser: "Correct."

Franks: "Then the next thing they want to know, that you're requiring, is the plan's sponsor or administer of each fringe benefit, correct?"

Beiser: "That is correct."

Franks: "Now, they don't have to show that now, but they know it, correct?"

Beiser: "Yeah. Again, it's another one of those things that they have to have that information, but they don't have to report it."

Franks: "Right. So, it's not like they have to go find that information. They know who administers their fringe benefits, correct?"

Beiser: "It's already available and it's... 'cause it's currently required to have on file."

Franks: "All right. So, again, it's not an additional burden on business?"

Beiser: "That is correct."

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Franks: "And then the last thing that you're requiring is the name and addresses of each fringe benefit recipient. Is that what you're saying?"

Beiser: "Of each fund, benefit fund."

Franks: "Oh, of each fund?"

Beiser: "Yes."

Franks: "Okay. And again, the employer or the provider would already have all that information?"

Beiser: "Currently, they have to keep that, have it on file and so, that's just like what we previously spoke to."

Franks: "Okay. So, you're not requiring them to produce anything different than they already have, correct?"

Beiser: "Exactly. It's just a matter of... we're streamlining a process as we kind of went through as we went through each point per your discussion."

Franks: "So, it seems to me that you're actually helping the employers because it lays everything out and makes it more efficient?"

Beiser: "I think so. And again, the outcome is that we reduce this backlog and in moving forward, we should not have a backlog, if this requirements and this form of reporting goes in."

Franks: "Now, in the Bill, there indicates that there is an opponent and that's the Chamber of Commerce. Are you... are you aware of any other opponents of the Bill?"

Beiser: "No. At the committee testimony, they were the only ones that testified against it. We've worked with the other entities to... they've become neutral and that's when I talked about when we've worked through the... with the

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contractors to push that deadline filing back five days. So, that... that made them neutral and again, we just did that to work with them in good faith to try to make this more appealing to them."

Franks: "I think it makes sense. I think you've done... bent over backwards on this."

Beiser: "And we feel like we've... we've actively engaged those that have concerns and we tried to address those to the best of our ability."

Franks: "But the Chamber... what's their... what's their problem with the Bill?"

Beiser: "They haven't really spoke to me directly at all. There was a brief testimony against in committee. And again, I think it gets back to when... one of my previous answers to a question. I think it's more philosophical than it is anything specific."

Franks: "Thank you. Well, to the Bill. I appreciate the Gentleman's answers. And it seems that this Bill is not onerous. It's... you've bent over backwards to work with everyone. He's taken away the opposition and except for one, they haven't really articulated it. We're not requiring anything different than they're already providing. It's just a streamlining matter and I think it'll be actually good for business. And I'd encourage an 'aye' vote."

Speaker Lang: "Mr. Verschoore."

Verschoore: "Thank you, Mr. Speaker. To the Bill. A previous... couple of the previous speakers were talking about what a burden it would put on small business, cost them money. If

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it's a prevailing wage job, they'd have to pay prevailing wage, so I can't see if that's what they're talking about how that would put a burden on them. They have to pay prevailing wage; it makes no difference. So, I just stand in support of this Bill. And would ask for an 'aye' vote."

Speaker Lang: "Mr. Hays."

Hays: "Thank you, Mr. Speaker. To the Bill. In today's Journal Courier from Jacksonville, Illinois, the headline reads, State unemployment rate at 9.5 percent. Two percent more than the national rate leaving the state with one of the highest unemployment rates in the country with 629 people... thousand... 629 thousand people looking for work. The state unemployment rate remains well above the 7.6 percent national rate. University of Illinois economist Fred Giertz, one of the most respected economists in the United States of America says and I quote, 'We are losing our connection with the national economy.' We are losing our connection with the national economy. We chip away and we chip away and we chip away at the ability for employers of this state to remain competitive. Enough. My constituents, my businesses are begging, begging for us to improve the business climate, not to go the other way. State unemployment two percent higher than the national level. It happens month after month after month. I implore a 'no' vote."

Speaker Lang: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker. Unlike my predecessor, I'll be a little calmer, but I certainly heard every word he had to say and I appreciated his comments. I listened carefully to

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the discussion between the Gentleman from McHenry and the Sponsor of the Bill. And the Gentleman from McHenry stated that the opposition had pretty much been removed and I don't find that in my analysis. I still show the Illinois Chamber's opposed, the Associating Builders and Contractors, the Illinois Statewide School Management Alliance, National Federation of Independent Business, and the Illinois Policy Institute. Dan, would you... would you enlighten me. Are they not opposed any longer?"

Beiser: "Not... according to our analysis. In fact, we have the Associated Builders and Contractors, School Management, NFIB and the Illinois Policy Institute as neutral on this because of the discussions that we had regarding the five-day reporting requirement."

Sacia: "Well, I... I certainly appreciate your comments, Representative and I... usually our analysis is quite up to date. But listening to my predecessor, who I, like you, hold in the highest esteem, made it quite clear how invasive this particular piece of legislation is to the business community. Would you help me alleviate some of that concern?"

Beiser: "Well, I think as we've... I've been mentioned in previous answers, this is all information that employers are currently required to have available and to... to gather right now. They're just not required to report it. They would be if they were requested to by the department. What we're just saying is, in these complaints that have been filed that have... again, have a two-year backlog, when these complaints are filed, Jim, this information is required to

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be gathered and reported. So, why not just do the upfront reporting in a streamline fashion of information that's already available that they've already had to gather. So, I would disagree that it's invasive because if the only change is instead of having to have it available, which they've used the resources to generate it, they now have to have it in a reported fashion. So, that's how I would answer that statement."

Sacia: "I... I just had it brought to my attention that the National Federation of Business is adamantly opposed to this legislation. And you know, that in itself speaks volumes to me, Representative. And... and I think Representative Hays said it so well. We are losing any opportunities in this great state of... of, you know, getting a handle on improving the business climate. And I'm hearing now that the... they are all, every one of the ones that I had mentioned earlier, adamantly opposed to this legislation. And you know, and I'm glad I... some of my colleagues got on the phone and made those calls when we have... Ladies and Gentlemen, the Illinois Chamber of Commerce, the Associated Builders and Contractors, Statewide School Alliance. I've already mentioned NFIB and the Illinois Policy Institute. God help us all, Ladies and Gentlemen, this is Illinois; we're tanking. Give us a little bit of a heads up and vote 'no' on this legislation. Thank you."

Speaker Lang: "Mr. Beiser to close."

Beiser: "Thank you, Mr. Speaker. And I appreciate the comments, the questions, both from the opponents and from the

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proponents. And to the previous speaker, who I have a great amount of respect for and consider a dear friend, our analysis, as stated, does not show those people as opponents. They have not talked to me individually. They did not testify. And I hope the Gentleman realizes that I did not attempt to mislead anyone. I want to make sure that's clear. They have not reached out to me, like I said. Again, Ladies and Gentlemen, this is a Bill not to hurt business, not to create a problem or create more work that they... for them. It's an attempt to take a situation where we have a two-year backlog of complaints, alleviate that which would add no cost to the department, which would add no other requirements to business because they're already generating having to have this information available for these complaints and create a system where they generate it, as they do now, but report it upfront so that, as these complaints are filed, that information is readily available, Department of Labor can use that in... use in looking at the complaints and generating an outcome for those complaints. So, the information is available. It's just a matter of a way we reach out to report that information. The Department of Labor has asked for this. Operators have asked for this. The laborers have asked for this. We made a sincere effort to reach out to the contractors on the reporting, pushing that back five days. I think what we've done is an attempt to create a situation that is not good for business right now in that we have a huge backlog, make that better, not increase the cost to the department and move forward in a situation where we

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hopefully we would not have these complaints moving forward. And you know, in many ways, I think, create a better environment for those people that do business in Illinois and that do work in Illinois are the men and women who are part of the workforce. So, I would respectfully ask for an 'aye' vote. Thank you."

Speaker Lang: "Gentleman moves for the passage of the Bill. Members will vote their own switches. Mr. Bost has requested a verification. Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Poe, Reboletti. Mr. Poe. Please take the record. There are 68 voting 'yes', 38 voting 'no' and 1 voting 'present'. Mr. Bost, do you persist?"

Bost: "No, Mr. Speaker. We'll go ahead and let them drive the business out of the state."

Speaker Lang: "The request for a verification is withdrawn. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Turner in the Chair."

Speaker Turner: "Still operating on the Order of Third Readings, we have House Bill 2590, Representative Sandack. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 2590, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Turner: "Representative Sandack."

Sandack: "Good morning, Mr. Speaker. Nice to see you there. Ladies and Gentlemen of the House, 2590 is an initiative of the Illinois Chamber of Commerce. It creates the Illinois

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Workplace Prevention Act. This allows an employer to seek an order of protection to prohibit further violence or credible threat to violence at the workplace. An employer may obtain an order of protection under this Act if an employer files an affidavit that shows, to the satisfaction of the court, that an act of violence occurred at an employer's place of business or that there was a credible act of violence and there was an opportunity to prevent it. This is an initiative of the Illinois Chamber of Commerce and I know of no opposition."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 2590 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 107 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 2590, having received the Constitutional Majority, is hereby declared passed. House Bill 1584, Representative Currie. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1584, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Turner: "Leader Currie."

Currie: "Thank you, Speaker and Members of the House. This is a measure to improve transparency and accountability with respect to nursing homes to help consumers figure out what kind of institution is what kind of institution. It requires the public to find out what kinds of materials nursing homes are filing with the Federal Government and with the state. It would not require things to turn up on

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the web... web pages, but it would identify which nursing homes are part of a national chain, which are for-profit, which are not-for-profit. I know of no opposition. And I'd be grateful for your 'aye' votes."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 1584 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mell. Unes. Mr. Clerk, please take the record. On a count of 106 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 1584, having received the Constitutional Majority, is hereby declared passed. House Bill 162, Representative Chapa LaVia. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 162, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Turner: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. This Bill has been a long... around for quite some time and it has to do with Miss Violet. I don't know if Miss Violet's in the gallery, but if she is... Can you stand up Miss Violet for a second? I think everybody knows Miss Violet up there. She'd come to your office and she'd lobby you and she's relentless on this Bill. And I'm going to read her words, since I'm not a baroness and I'm not an attorney, I want to read what she says that this does. It's a small estate affidavit. The Probate Act of 1975 requires the submission of a single small affidavit... estate affidavit by this offendant for the release of deceased funds in a bank,

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financial institution or a person in addition to a death certificate and the bank account number of the deceased. With these three requirements, anybody could withdraw all funds even in... if that person is a caregiver, homemaker, or a family member who could go to the bank fast and withdraw the funds. The bank, financial institution or person holding the funds do not have specific duties and/or obligations in regards to the protection of the minor or a disabled senior's funds. They do not have to verify the authenticity of the small estate affidavit or its release to the rightful beneficiaries. The release of the funds, after the three requirements have been met, clears the bank, financial institution and person of any wrongdoing. They cannot be sued in court because the case would be ruled in favor of the bank or as the case of Violet, she sued MB Bank for the release of her husband's funds to her stepson without her knowledge. Now, before I read the rest of this, you need to understand, this does not help Mrs. Violet in any way, shape or form. She's doing it so in the future other families don't have to go through this. House Bill 1962 (sic-162) has the... has the court get involved with specific instructions to the bank, financial institution or person holding a deceased funds, a short court proceeding with all beneficiaries... beneficiaries present in front of a judge who received the court order in regards to small estate affidavit for the proper distribution of the deceased funds after all debts, private and public, have been paid. The court also safeguards a minor or disabled senior citizen or a medically sick

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person's fund from any authorized withdraws. The court also helps in the maintenance of good family relationship thus preventing animosity. As an example of unauthorized withdraw from a minor's fund, from \$210 thousand initially to 400... \$46 when the said minor had reached legal age had led to the son filing a lawsuit against his mother and the bank. The money was initially deposited with a court order, but without a court order allowing the mother to make withdraws. I'll take any questions if I can answer them."

Speaker Turner: "Representative Brady."

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

Speaker Turner: "Sponsor will yield."

Brady: "Representative, if you could, I know you went through your opening there, but it got a little lost I think. We're talking about going to the assets of the deceased individual from a bank account. Is that correct?"

Chapa LaVia: "Correct."

Brady: "Okay. And you are, with this legislation, attempting to enhance the present procedure that one has to go through who is either next of kin or has some other legal authority in which to secure those funds?"

Chapa LaVia: "Correct, with small estate containing less than a hundred thousand in total assets."

Brady: "Okay. And what's probably the key component then? What's... what's different about what your legislation is doing versus the present situation of how an individual would go about that?"

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Chapa LaVia: "They need to present a court order in addition to the affidavit."

Brady: "So, if you've got a situation to where there is a family separation and you have several individuals who would be entitled and would be considered by the court to be next of kin, who's... who's going to win out in that... in that process? Do you know... are you leaving that to the courts in your legislation or who is going to make that decision that who comes into the bank if all three sons or daughters come into the bank and say, I want mom's assets. I have a certified copy of the death certificate, so does my sister, so does my brother. Who's going to get the funds?"

Chapa LaVia: "They would need to have a court order before they could proceed in that."

Brady: "So, the individual out of those three, who seeks the relief from the court, is going to be deemed by the court to be the sole proprietor to receive the funds that are in the account?"

Chapa LaVia: "I'm sorry. I can't... could you say that again?"

Brady: "So, the individual out of a family that maybe has a... a very strained relationship, to say the least, the individual who secures the court order is going to be that individual who the bank has to release the funds to, even though it may be being challenged by other family members?"

Chapa LaVia: "So, right now, currently, the affidavits are being misused in this case and that's why usually people end up having to go to an attorney to sort things out. But in this case, it kind of... it fell under the auspices even

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at the, in this case, we'll say the victim being married to the gentleman where the children came in without knowledge of the spouse taking every bit of assets. So, we're trying to make the... we're trying to work with the guides, but helping individuals like this, in this case, that once again fall into small estate issues under a hundred thousand and no real property."

Brady: "And so, really what... what initiated your legislation was a situation where a surviving spouse was trumped by somebody else in the family to get the assets?"

Chapa LaVia: "Correct. The two... I want to say the two biological sons of the... of the spouse, the deceased spouse. And the remaining spouse ends up having to sell everything just to pay for all the medical bills and what have you so left... left the spouse with nothing to pay anything even the funeral she had to borrow money from the son to pay for the funeral and she had to pay it back."

Brady: "I can understand that and appreciate that. That's my purpose really of my questioning is, is the fact that periodically we see this. And I... I just don't know... I just want to be clear before I vote that what you're setting up is that you're putting the emphasis, the burden of proof, on whatever the court is going to decide..."

Chapa LaVia: "Correct."

Brady: "...to execute this affidavit?"

Chapa LaVia: "Correct. And I'm willing and I discussed this with the Illinois Bar Association, maybe to look at some... some language that we can help make it a better Bill over in the Senate to maybe clarify some of the questions you

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have there, 'cause I don't want to make a bad problem worse. I want to make an avenue to help that's fair and just for everybody involved."

Brady: "And... and just in closing, I... I saw on our analysis some opposition to the Bill. Are you aware who is opposed to this and kind of the reasons why?"

Chapa LaVia: "Yes. I have in ours the Illinois Bankers Association 'cause they don't feel that they should be brought into this. This should be in the courts. The Illinois League of Financial Institutions, same issue. The Illinois Credit Unions, same issue, 'cause they could fall under them because of the amount of money. And the Illinois State Bar Association had said that they'd be willing to work with me on some language to change this so it could be a great piece of legislation, but at the genesis request, she asked me to keep it this way so we can get it out of here, if we get it out here, and then we can negotiate on that side."

Brady: "Okay. Thank you very much."

Chapa LaVia: "Thank you."

Speaker Turner: "Representative Chapa LaVia to close."

Chapa LaVia: "I want to thank everybody, in fact, I want to... I want to actually thank the birthday boy today, Speaker Madigan. So, I want to say happy birthday to... to our Speaker. But just to have the ability to stand on this House Floor and to represent this one individual who has been fighting about this issue since '09 and at sometimes having to actually live out of her car, not having the money to come down here, and not being told the... the total

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truth about, you know, how we can help her process of this legislation get to this point. So, I'm very honored to stand before you. I ask for your support for this so we can work further on this in the Senate for my friend, Mrs. Violet. So, thank you, Miss Violet."

Speaker Turner: "The question is, 'Shall House Bill 162 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Mr. Clerk, please take the record. Please.. Mr. Clerk, please move this Bill to the Order of Postponed Consideration. House Bill 3227, Representative Crespo. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 3227, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Turner: "Representative Crespo."

Crespo: "Thank you, Speaker, Members of the House. House Bill 3227 is an initiative of the Department of Insurance and cleanup language that addresses funds being transferred from the Professions Indirect Cost Fund in the Department of Financial and Professional Regulations to the Department of Insurance. In 2009, the Department of Insurance was moved out of the Department of Financial and Professional Regulations and made an independent agency and the funds stopped being transferred at that point. Happy to answer any questions."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 3227 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Will Davis, Lang, Smith. Mr. Clerk, please

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take the record. On a count of 106 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 3227, having received the Constitutional Majority, is hereby declared passed. House Bill 1446, Representative Willis. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1446, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "Representative Willis."

Willis: "Thank you, Mr. Speaker. This Bill is really pretty much a cleanup Bill to go and put the Illinois School Code and the Administrative Code on the same level. Currently, one state that's... to make special ed IEPs available as soon as 10 days. And this one actually clarifies it and it is 10 school days that the special ed services... 10 school days after the parents have been notified should special ed school services be available to the students. I'm open for questions."

Speaker Turner: "Representative Reboletti."

Reboletti: "Will the Sponsor yield?"

Speaker Turner: "The Sponsor will yield."

Reboletti: "Representative, I'm trying to figure out the... why this Bill was filed by one Representative and another Representative who was the Chief cosponsor, then it was turned over to you. Is there some kind of difficulty with the Bill?"

Willis: "There's absolutely no difficulty with the Bill. I'm just helping out a fellow Representative."

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Reboletti: "I see, 'cause Representative Zalewski seems to be passing off a lot of his Bills and it seems like you're one of the victims. So, I just was wondering about that."

Willis: "Representative Reboletti, I'd be happy to help you out any time also."

Reboletti: "Well, I have a death penalty... Rep... why I appreciate that and I have a death penalty reinstatement Bill, Representative Willis, I'd be glad to turn that over to you. So, thank you."

Willis: "You're welcome."

Speaker Turner: "Representative Sullivan."

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

Speaker Turner: "Sponsor will yield."

Sullivan: "Representative, I see an awful lot of school-related groups that are in favor of the Bill and it... I think it seems like a good Bill. I'm just wondering why, on my analysis, I have Chicago Public Schools as an opponent? Could you clarify that for me, please?"

Willis: "Just one moment, I will. I do not have them as an opponent on mine, so just let me check, please. I'm sorry, on my analysis they are not listed as an opponent, so I'm not aware of any opposition from them."

Sullivan: "Okay. Well, we're trying to figure that out on our side as well, but maybe Jack Franks can explain this for us. All right. Well, thank you. I was just trying to clarify that. Thanks."

Speaker Turner: "Representative Ford."

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

Speaker Turner: "The Sponsor yields."

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Ford: "Representative, I think that this is a good Bill simply because the student has already been identified as a student with a learning disability, correct?"

Willis: "Correct."

Ford: "And so, your Bill simply says that we want to make sure that we do everything that we can possibly do to implement the best IEP for that student, correct?"

Willis: "Correct."

Ford: "And so, what's the rush? Once we've identified the child, the student with a need, and the school feels that they need more time to implement it to work with all of the departments to make sure that the students are able to make transitions to special classes like gym, like art due to Corey H. So because of Corey H, I believe that more time is needed so that students are treated fairly when dealing with IEP. So, I think it's fair when schools ask for more time and you're not delaying the IEP process just the implementation of the IEP process, right?"

Willis: "We're actually not delaying the process at all. We're just making sure that there's proper notification and it's 10 school attendance days. Right now, the law states 10 days and that sometimes causes problems and confusion to people of... specifically the parents. Are we dealing with school holidays? Do we count weekends? So, this goes and follows through and says it is 10 school attendance days from the time the parent is notified the IEP will be put into process. It gives the parent some time to come in to question and then again, it goes again to an additional 10 days from any type of changes that any amendments need to

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be done to the IEP. So, it really helps make sure that we offer the best services possible to the students..."

Ford: "And will..."

Willis: "...and helps keep the parent as part of that team."

Ford: "Yes. This is a big step for the parents and the family. So, I think that parents having this time period to better understand what the IEP means, if the child may be on medication. All of these things will be taken into consideration, so I think this is a good Bill for the student and for the school and the parents. And I would urge a favorable vote."

Speaker Turner: "Representative Kay."

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

Speaker Turner: "The Sponsor will yield."

Kay: "Representative, what if the superintendent of the district disagrees with the IEP?"

Willis: "I'm assuming that would go through the standard amendment process that needs to go through."

Kay: "No, no, no, no. If... if the superintendent of the school district has an opinion that differs with respect to need and necessity of the IEP, what would happen with this 10-day limit you have in place? This happens quite a bit."

Willis: "While the superintendent is still... it's the... say the superintendent doesn't agree with the IEP, that IEP is not in place until all parties agree to it, otherwise it's still in that amendment process."

Kay: "So, the local... the superintendent at the local level would still have authority over how this particular Bill moves?"

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Willis: "This is not having anything to do with the IEP itself.
It states once the IEP is agreed upon there are 10 days..."

Kay: "Okay. Agreed upon."

Willis: "...to put it into implementation."

Kay: "Okay. Agreed upon."

Willis: "Right."

Kay: "Does it say agreed upon in your Bill?"

Willis: "The Bill doesn't really address the IEP process. It addresses just the implementation of it once the process is done."

Kay: "Let me give you an example. Not to take too much time here, but I know of several examples within my district and they've been serious issues where a psychologist or whomever of that caliber has recommended that a student receive a particular IEP which requires them to go off... or out of the district to St. Louis to receive their education. The problem is moneys are no longer available. What do you do in that situation in regard to your Bill?"

Willis: "That is not addressed in this Bill because that is not what this Bill is about. This Bill is codifying the time period once the IEP is agreed upon. That is a different subject totally altogether. That is not addressed in this Bill."

Kay: "Okay. Okay. And that's why I asked before, does it say in your Bill agreed upon, because if it doesn't, then there's ambiguity."

Willis: "That's not addressed in this Bill. This is codifying the time period only, taking the Administrative Code and the School Code making them the same."

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Kay: "Okay. Thank you."

Speaker Turner: "Representative Davidsmeyer."

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

Speaker Turner: "Sponsor will yield."

Davidsmeyer: "I was just wondering what the current time requirements are for implementation of these?"

Willis: "The current time period in the Administrative Code says no more than 10 days after the IEP is developed."

Davidsmeyer: "Okay."

Willis: "As I explained earlier, what we're dealing with is 10 days. Is it 10 days from the beginning of it? As we've gone and changed it to 10 school attendance days. That's what we're putting it through and it's 10 school attendance days once the parents have been informed."

Davidsmeyer: "So, it's... it's clarifying that weekends are not included?"

Willis: "Yes, Sir."

Davidsmeyer: "Thank you."

Speaker Turner: "Representative Harms."

Harms: "Thank you, Mr. Speaker. To the Bill. I've been a special ed teacher for nine years and this has been in place for... by Federal Law for quite some time. And I called my director of special ed to make sure that this was exactly what we should be doing and this is just aligning the State of Illinois with what the Federal Government is requiring of us. And I strongly support this Bill. And I'll be voting 'aye'."

Willis: "Mmm mmm."

Speaker Turner: "Representative Willis to close."

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Willis: "Very... Thank you very much. I also have one thing to address. I got a phone call from Representative Zalewski and he has informed me that CPS totally removed any opposition they have. Therefore, I urge an 'aye' vote on this. Thank you very much."

Speaker Turner: "The question is, 'Shall House Bill 1446 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 107 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 1446, having received the Constitutional Majority, is hereby declared passed. House Bill 1047, Representative Durkin. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1047, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Turner: "Representative Durkin."

Durkin: "Thank you, Mr. Speaker. House Bill 1047 is a follow-up to a Bill that's passed a few years ago regarding... it's called the Facebook Law. This Bill will provide some reasonable exemptions and... for an employer to coordinate with an employee situations where there's a necessity to access information on a social media network. And I'd be glad to answer any questions."

Speaker Turner: "Representative Ford."

Ford: "Oh, my goodness. So, Representative... Would the Representative yield?"

Speaker Turner: "The Sponsor will yield."

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Ford: "Representative, you want to take Illinois back. Is that right?"

Durkin: "Well, you know, I've been trying to and this... people on this side of the park... of the chamber have been trying to take Illinois back for at least the last 12 years, but we're not quite getting there yet. We'll wait for the next election cycle. But is that what you are referencing?"

Ford: "See, I know what your line of thinking is. I'm talking about in the order of technology. We passed a Bill last year to protect the individuals at the workplace. And I respectfully read your measure and I think that you have every right to propose this to protect the business interests of people in your district and the people in the State of Illinois. Would you say that this is a business-friendly Bill or a consumer protection Bill?"

Durkin: "I would say it's both."

Ford: "How?"

Durkin: "Well, what it does is that it states that an employer who is provided with specific information perhaps which could cause a disturbance or even some type of act of workplace violence which does happen on a reg... you know, on a... sadly, on a regular basis. It gives them the ability to perform their due diligence to try to identify a source or a potential outbreak of some type of harm and capturing that in advance. It also protects what I believe is something that's very important in the business community and that is the trade secrets and also the intellectual property of the employer 'cause there is... we're in an era right now there is a significant amount of cyber theft and

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that's well documented. And with that, that is how employers keep their doors open. That's how they put people to work. That's how they keep the lights on. That's how they are able to pay the bills. So, what we're trying to do is that and we've discussed this on a number of occasions, this is a response to your Bill from two years ago, is that your Bill, I believe, was overly restrictive. And I believe it was well-intentioned. And... but I believe that your Bill states specifically that when... that an employer can never even ask the question of... to an employee with an ethic and the access to username and a password, of the employee for a social media network account during the course of their employment. I believe that the employer should at least be afforded the opportunity to ask the question and nothing more. This Bill merely allows them to ask the question without any fear of retribution or any type of punishment."

Ford: "I would agree with you if the social media account belonged to the business. So, if you would amend the Bill to say that if the business that is making a request is the owner of the social media account, then they have a right to know."

Durkin: "I think that you make a good point, but I think that what happens whether it's a public employer or a private employer is that employees do access their personal social media accounts during the course of their employment on the networks and the servers that the employers are providing."

Ford: "And the Bill that passed out of here last year on a bipartisan effort had protections for the employer and the employees in it, so what the Bill said last year... and I

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don't have my notes with me... but I do remember clearly that the Bill said that every employer has a right to make rules about social media at their workplace."

Durkin: "Well, I think that that's... I think it sounds good, but what it's going to do is that I think it's going to have a negative effect upon the morale within the employment arena. We all... I work in a law firm and I walk down the halls and we all, secretaries and lawyers, we, every now and then, we look at our Facebook accounts during the course of the day. We're giving them that flexibility and that freedom to take a break to communicate with friends and family through a social media network and I think that that's important. But I think this Bill maintains morale within the employment arena. I believe that what happened what you did last year I think puts employers in a very difficult situation where they're going to... may have to shut down that type of account. And I don't think that that is productive and I think it's counterproductive to maintaining a healthy workplace."

Ford: "I think that when you start infringing on a person's rights, I think that's when you start seeing morale go down."

Durkin: "Nobody's rights are being infringed upon. All we're saying is that the employer can ask whether or not... ask that employee if they would be able to provide them with the username and password to their social media account. The employee can say no and the employee will not... there'll be no retribution. This law is very specific. It said they cannot be penalized for that. And we're just giving the

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employers the ability, in those situations where... I'll give you an example... where an employee... The Bill that you passed a couple of years ago would restrict an employer from going to a source if the employee were to report to a coworker that that person had posted on his social media account an act of, you know, that they were going to hurt another employee, they were going to sexually harass him, their employee. And I think that that's, in those situations, I think the employer has an obligation, not only an obligation, I believe a duty to pursue internally to see whether or not there's legitimacy to that type of threat and try to stop that threat before it's carried out. I think that's important for them to be able to maintain a safe and healthy workplace. And all we're doing, Representative, is adding on to your Bill. It's saying that the employer can ask, but the employee can say no and then they can move on. That's all."

Ford: "You know what else you've added that was agreed upon in the Bill, in the new law that we have that the Governor signed that 55 Members in the Senate voted for it, 78 Members in this Body voted for it, you added that not only can they ask for the password, but you also added that they can even ask for the user's name. And that's a big problem."

Durkin: "Well, how else would they get into the account?"

Ford: "But that's right. So, the username was a big issue. So, password and username..."

Durkin: "Okay."

Ford: "...is a total violation."

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Durkin: "But you understand what we're doing this. And what you did is you shut off the employer's ability to make... to ask that question. And as I said earlier, when I... much earlier... that we are in a, you know, live in a very, you know, challenging world where there are acts of violence which occur on a regular basis, but also from one employee to another or an employee says to another employer, I'm going to shoot the boss. And the fact that it's through... and through a Facebook account or some other social media network we want that em... that management to be able to make, you know, to perform their due diligence, you know, do their internal investigation and see whether or not there's legitimacy. I don't want workplaces to turn into crime scenes. And this is what we're trying to do. Now, make it perfectly clear, all we're doing is saying that the employer can ask for that information. The employee has no obligation to provide that. They can say no and they can do that without fear of any reprisal."

Ford: "Yeah. Thank you. To the Bill. I really have respect for the Sponsor and we talked about this. He wrote a letter. But I think that when you open this up to an employer to... that's already at a level above the employee, I think that it brings fear to the employee that if they refuse to give their password to the employer that there could be repercussions. And so, what does giving a password and the username to an employer expose the employee to? It exposed the employee banking information, credit card information and any privacy information that is attached to the social media account. So, ask yourself, if you would like to give

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your employer your password where you will be giving up your banking information, your credit card information and all the personal information that is attached to the social media. When it comes to the problems where we deal with problems at the workplace, if there are disputes in the workplace, the employer has the opportunity to call the police and bring forth any information that the employer has to prove that there have been threats to the... any member at the place of employment. So, to undo what we've already done in the State of Illinois to provide privacy for people in the workplace is unfair and it opens up the employer to possible lawsuits because there's nothing in this Bill that says that the employer has to get something in writing to prove that the employee rejected the request. Therefore, I urge a 'no' vote. And I ask you to stand with the people and protect the privacy of all people in the State of Illinois. Thank you."

Speaker Turner: "Members, can we keep our comments and questions as brief as possible. We have a lot of Members requesting to speak on this piece of legislation and a lot of Bills to move through for the rest of the afternoon. So, just keep that in mind. Thank you very much. Next, Representative Fortner."

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

Speaker Turner: "Sponsor yields."

Fortner: "I just want to make sure I understand in the Section that was, Section 10(b), that talked about what was unlawful. So, this Bill strikes the references to social networking in the website and replaces it and uses

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elsewhere the phrase 'personal Internet account'. And I just want to make sure I understand what is meant by the 'personal Internet account'?"

Durkin: "You know, we're in a very highly quick... in a highly technical world which technology is moving quickly, but I think that you probably know the answer to that question. I'm not even... I'm not as sophisticated with a computer as you are, my friend the professor, but I mean, we're talking about Facebook, you know, personal Hotmail accounts. We also have a definition. A 'personal Internet account' means an account created via the bounded system established by an Internet-based service that requires the user to input or store access information via an electronic device to view, create, utilize, or edit the user's account information, profile, display, communications or stored data. 'Personal Internet account' does not include an account provided by the employer obtained by virtue of the employee's employment relationship with the employer."

Fortner: "So, the 'personal Internet account', in fact, could be the social networking site?"

Durkin: "True. True."

Fortner: "So... so, or any other type of site where one has provided username and of... often authentication of some kind to get personal access that the general public would not have to some of the services and information that would be there."

Durkin: "I believe that's accurate."

Fortner: "So I... but I just want to be sure is, so if I have a case where I have a Facebook account that is totally my own

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that I've set up at home and I... I have not accessed at business. If I have a Facebook account that is totally my own, not one which I've ever accessed at business, then that would still be a prohibited question because that would be my personal Internet account. Is that correct?"

Durkin: "Well, I think the issue is that if you're using a network and a server of that employer during the course of your business, then..."

Fortner: "But not... but I'm positing a case where... let's say I've never been pre... I have... I have no previous employment with a prospective employer. I've come in for a job interview and I have a Facebook account, obviously, not connected with that employer because I have no previous employment with that employer. Would that employer, in this first job interview, be able to request my Facebook information?"

Durkin: "No."

Fortner: "Similarly, if I were already employed with the employer and had Facebook or other similar type of social networking site, but I had never at any point used it at work or with any of my employer information, would the employer be able to ask me for that information?"

Durkin: "Well, let's... let's get into the reality of the situations that we're talking about. Mike, and I think you realize that the only time it becomes relevant or apparent is when there's a situation, whether there is some type of workplace threat or if there is a concern about some, perhaps, egregious security regarding the initial property or property of the... something of value that the employer

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has. And that's a regular occurrence that we see, that's happening in a number of jurisdictions in... without the... throughout the United States. But I think I want to just make it perfectly clear, if you reveal this, it says an employer may not discharge, discipline or otherwise penalize, threaten to discharge an employee for their refusal to provide that information. So, I think that you'd be very... I want to make that very clear, but I think it's fair for the employer to at least strike a balance between the employer and the employee in those situations. Now, the issue came up earlier, I just want to follow up with what the previous speaker stated, that we should go to the police if there's a workplace vio... investigation. Now, here's what happens when you have a Facebook threat. If that employee does not provide that information, sure, call the police. What they have to do is that they have to then conduct an investigation and they have to prepare a search warrant. And what they do is that takes time. And what... also, you need to have a judge sign a search warrant, but if, after you get a search warrant signed, you have to then e-mail it to Facebook legal and that could take, I don't know how many days, for them to be able to comply with the... with that request. And the whole point is we want to try to avoid our environment... a workplace from turning into a crime scene. Just for them to allow that information. But the point of the matter is, is that the Bill that was passed two years ago was based on one isolated situation that was reported in the Associated Press which became viral in the media which caused states to say we've got to

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stop this practice when it is really... it was nothing... there was no problem. There was no problem that was occurring, but I think what we're doing is that it's overly restrictive with... these laws are overly restrictive and puts employers in a very difficult situation when they have reason to believe that there could be some type of workplace violence which may be forthcoming or there is a situation maybe there is a theft or a breach with something which is protected, something which is very important for that employee. I'll give an example. The Citadel Corporation, two years ago, it's a hedge fund, Ken Griffin and the employee was charged with downloading highly sensitive information on how they conduct their trades. That was only been... under this law, I talked to the individuals who conducted the investigation, under... if that happened two years... if this law was in place two years ago, they would never had been able to expose the breach. That person was subsequently... he was indicted. He's in the Federal Court right now. But the point of this is, is that we are being overly restrictive with the Bill that was passed last year. Employers need to be given that, at least the opportunity, to say that we would like that information. But all we're doing is saying you can ask the question, Mike, nothing more without fear of reprisal, you can't be discharged. It's in the Bill."

Fortner: "And I've read... and I read that part of it."

Speaker Turner: "Representative Fortner, could you please bring your remarks to a close. We still have a lot of people."

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Fortner: "It was a long answer from the... So, let me just... the quick..."

Speaker Turner: "I know. We have a lot of people waiting to speak, Sir."

Fortner: "I have a very quick follow-up, then."

Durkin: "All right. I learned that from some of my friends on the other side of the aisle."

Fortner: "Yeah. And the refollow-up then is that, so what I understand then is this... 'cause you've now written this with an Internet account, in fact, they could ask, not just about Facebook but in fact, my private e-mail information 'cause that would be also an Internet account in the way you just defined earlier?"

Durkin: "I use my personal Hotmail account when I'm at my law firm and I think a lot of individuals who... there is my secretary or also my partners in my law firm have personal accounts which we use on a daily basis, every day when I'm at my law firm and... but we're using the employees' network, their server..."

Fortner: "But even if... but even if I never use it on the employees' network or server, I would be able to ask that question, the way I understand this."

Durkin: "They can ask the question."

Fortner: "Thank you."

Speaker Turner: "Representative Drury."

Drury: "Will the Sponsor yield?"

Speaker Turner: "The Sponsor yields."

Drury: "Representative, I appreciate the Bill. I have a technical question. I'm just looking at I think it's

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Section (b) (2) and it says an employer may request or require an employee to disclose any username. And I guess my question is about the word 'require'. 'Cause I've been hearing you, during the debate, saying they can request it and if the employee doesn't want to do it, they don't have to. Can you explain why both words are used in the statute?"

Durkin: "Require should not be there. And I've... since the committee and since today I've looked at it and I'm like that is, I think, an error."

Drury: "Okay."

Durkin: "And if that would... if I'm fortunate enough to pass the Bill out of here, I will have it removed in the Senate, 'cause the whole point is that we do not want to put an employee in a situation where there is an absolute requirement 'cause there is an inconsistency the way I read it and I'm glad that you pointed that out. But the whole point is that we want the employer to be able to ask the question, but they can do it and the employee would not be in fear of any type of reprisal, discharge by failing to say no. But you made a good point and that will be changed and I... and I appreciate your... your review of that."

Drury: "And so, to the Bill. I think that what the Representative just said is a very important distinction because what the Bill currently says, it says request or require, but what he has represented to all of us is this simply is going to allow the employer to request an employee to request if they would give this information. The employee can refuse and there can be no retribution."

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The statute makes it very clear that it's simply, will you provide this information? The employee can say no, I won't and the employer at that point has... has no means to... to seek to discriminate, to seek to fire this person. So, it's merely allowing an employer to ask a question and giving the employee the decision-making power to decide whether they want to do it or not. And with that change, I think this is a good Bill, Representative. And I'll support it."

Speaker Turner: "Representative Flowers."

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

Speaker Turner: "The Gentleman will yield."

Flowers: "Representative, would it be implied that if I do not give up this information that I may lose my job without being..."

Durkin: "No."

Flowers: "...no? Just by... but by virtue of the fact that my employer is asking me for some private information that has nothing to do with my job because we still have the Constitution here in the State of Illinois."

Durkin: "And we're..."

Flowers: "And so, it should not even be in the preview of the employer to even ask for my private information that has nothing to do with my job. So, because of the power and the authority that my employer have over me, it would be perceived that if I don't give up this information that I may lose my job. Am I correct?"

Durkin: "No."

Flowers: "Is it possible that that could happen?"

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Durkin: "What it says right here an employee may not discharge, discipline or otherwise penalize or threaten to discharge, discipline or otherwise penalize an employee for an employee's refusal to disclose that information. There's no implication. It's very clear. It's not going to be open for interpretation. Employers cannot penalize that employee for failing to disclose that information."

Flowers: "Okay."

Durkin: "And it only come... Mar... Mary. You know, it... oh, oh, of course. Thank you."

Flowers: "Well, it... it also says in the Constitution in Section 1, under the Bill of Rights, the inherent and inalienable rights all men are by nature free and independent and have certain inherent and inalienable rights among which are life, liberty and the pursuit of happiness. So, to me there's a conflict there. And I'm not..."

Durkin: "Can you explain to me the conflict? I'm curious where your conflict is based on that provision under the Constitution."

Flowers: "Because then if I have to give up my rights or if I feel like I'm pressured to give up my rights, and if I don't, I might lose my job. Now, he may not say or she may not say I'll lose my job because I did not give up that information, but it can be assumed that it might happen. And so, therefore, I would be willing to give it up. But let me just ask another question."

Durkin: "Well, I haven't responded to your question yet. I wanted to say that the whole point of this is to ensure that there is a safe work environment, but also that the

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employer who may be under some type of threat or a... of a breach of security in which a very important aspect of their employ whether it's intellectual property or something of that nature is not going to be stolen and that happens on a regular basis. But we're not going... no one's going to get fired for... by refusing to... to answer the question."

Flowers: "Well, that's true, but let's go back to the safe work..."

Durkin: "And that's... and that's very specific and I can't be more direct. There's no room for interpretation under the Bill, Madam."

Flowers: "Can we go back to the safe work environment, please? So, if I choose not to give up my information, does that mean that I... we're not working in a safe work environment or I may do some harm just because I did not give up my information?"

Durkin: "Well, let's put it this way. If I'm an employer and I believe that I have specific information that there may be a threat that has been conveyed from one employee to another or that employee... against that other employee or towards anybody else in that employment, I think that the employer has a duty and an obligation to follow through to ensure that there is no threat of violence or someone is going to be harmed on the job. And that's... that's... that's inherent within the business world..."

Flowers: "But..."

Durkin: "...business community throughout the world. And..."

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Flowers: "But they may not be on my... on my social network page. But my... my other question to you is this. For instance, like if my... my HIPAA information if that... if I may have that on my social network page, because I don't have it... I don't... the page is not open to everyone. It's only open to a certain amount of my friends, so therefore, they know of my situation, but now my employer would know something that's supposed to be private to me."

Durkin: "No, that's not true. And I... I... again, I know that's not going to happen."

Flowers: "What... what part of it is not true?"

Durkin: "That's so unrelated and it's not the issue that we're dealing with."

Flowers: "Well, I think even..."

Durkin: "And I... I respect your questions, but the fact is that's not relevant to what we're accomplishing here."

Flowers: "It's so... let me just ask you. I mean, because you could just, you know, kind of fluff it off, but let me just ask him a question."

Durkin: "I beg your pardon?"

Flowers: "Is it possible... is it..."

Durkin: "I beg your pardon?"

Flowers: "Is it... I need to ask another question. Is it possible that my doctor could e-mail something to that account? Is that possible, I'm asking?"

Durkin: "Your guess is as good as mine, Ma'am. But you know... but you know, I think..."

Flowers: "My..."

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Durkin: "...that we live in a situation where we have to deal with reality, but also a certain amount of fiction..."

Flowers: "That is dealing with reality."

Durkin: "...and what is... what is... it's so... what... the scenarios... I appreciate what you're asking, but that's not what we're dealing with and that's not anything which..."

Flowers: "But that's a part of my privacy."

Durkin: "...an employee should be concerned with."

Flowers: "That's a part of my inalienable rights. That should not be violated."

Durkin: "All right. Well, I appreciate your constitutional analysis."

Flowers: "I don't think my emp... if my employer think that I may be a threat, I think what he should do is fire me. But not have to look through my family photos and my medical history and anything else. But this..."

Durkin: "Under the Bill, you can say no."

Flowers: "And under the Bill I know I can say no..."

Durkin: "Absolutely."

Flowers: "...and you can still just fire me. So, just fire me. I don't..."

Durkin: "And you can't be fired. And you can't be fired. Are you encouraging that employers should fire... this is exactly the opposite of what you're... we're trying to do."

Flowers: "No, no. What I'm..."

Durkin: "You want people to work in a safe work employ. We want to keep them employed."

Flowers: "...what I am saying that my employer should... if I work from 9 to 5 and I do my job, I should be respected for

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doing my job from 9 to 5. From five minutes after 5 until I have to go back to work, that should be my time and my privacy."

Speaker Turner: "Representative..."

Flowers: "With all due respect, I would appreciate a 'no' vote. And thank you very much, Sir."

Speaker Turner: "Representative Franks."

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

Speaker Turner: "Sponsor will yield."

Franks: "Representative, I think both you and I supported the previous legislation that the Gentleman from Cook County had. Well, I supported that and I think it made perfect sense. Now, what you're trying to do here as I'm... and I'm reading... and I'm reading the legislation, you're allowing... is the way I read it... if there's a threat to the firm or something, you're allowing them to go into a personal account?"

Durkin: "No. We're just allowing them to ask that individual if they believe... maybe conveying a threat or someone who perhaps may be violating some type of aspect of their intellectual property, may be downloading it and passing it along, allowing them to ask the question, can we have your password, username. That's all, nothing more. It doesn't say that they can go... they can unilaterally just go into the... your... your account."

Franks: "No. But..."

Durkin: "They are allowed to ask the question."

Franks: "The way I'm reading it, they can actually require it. Here's what I was thinking. Let... two weeks ago or three

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weeks ago, my e-mail account was hacked. And people were pretending... whoever had hacked it... was actually pretending they were me and people were sending e-mails and they were responding."

Durkin: "The nerve."

Franks: "Well, it freaked me out..."

Durkin: "It should."

Franks: "...because I've got clients. I've got... this was my personal e-mail..."

Durkin: "Right."

Franks: "...but I was also using it for business. So, I got my business manager involved at my office. They obviously needed all my passwords, my account stuff, because they were concerned that the server then could also be compromised. So, I think that does make sense. But the way I read this, I think that the... I think that the employer can require that if they're worried about a... a security breach."

Durkin: "Well, I think that we, Representative Drury and I, discussed that and... as I read the Bill, and was just within the last few hours, that is going to be removed, the requirement."

Franks: "Okay."

Durkin: "We're... all this is going to do is we want the employer to allow the authority..."

Franks: "This will be amended yet in the Senate?"

Durkin: "Absolutely. You've got my word, absolutely."

Franks: "Okay. I wanted to make sure and... and I'm a cosponsor of this Bill. But I know that there's some work that needs

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to be done. Is Leader Radogno involved in this in the Senate?"

Durkin: "Yes."

Franks: "Okay. So, she'll be helping draft the... the changes that need to be made?"

Durkin: "Right."

Franks: "Okay."

Durkin: "That's correct."

Franks: "I want to give another real life example of why I believe this is important. And as I said, I supported the other legislation, but I think this makes it better. Let's assume you're an employer and you have an ice cream store or whatever it might be. And I'm not very computer savvy, but I, you know, my 18-year-old son is though, and his generation is. So, let's assume I hire somebody else's, you know, a young... 25 years old. And this person runs my presence on Facebook or Twitter and does the e-mail. For some reason, that person's no longer employed by the ice cream company, I'm pretty much shut down from reaching out to my customers through Facebook, Twitter and the Internet because I don't know those accounts. Would you agree?"

Durkin: "Yes, I would agree."

Franks: "So, this would help protect businesses to be able to continue to function if they lost someone who was controlling these accounts?"

Durkin: "That's true."

Franks: "So, I think this makes perfect sense for those reasons. And as long as those procedural safeguards are put in the Senate, this should fly out of here unanimously."

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Durkin: "Well, that is what our goal is. And.. and I think we just need to be very clear that this is not going to harm the employee. There are going to be some minor changes 'cause that whole issue.. the word 'require' needs to be removed and I will remove that. But we want that employer to be able to conduct and make sure they have a safe workplace, but also that they need to run a business. And you know, we're in a world where it's not done, the business of.. the business world does not write on paper anymore. It's on a computer and their employees also use computer systems. They have at least should be.. have the ability to ensure that.. that the intellectual property or other type of business, you know, matters, that they have the ability to recapture that information exactly like you said. Thank you very much."

Franks: "And I think you're filling a loophole that we had not anticipated with the original language."

Durkin: "Exactly. That's.. this is the unintended consequences which we talk about a lot, but I think that this is a fair and it strikes a good balance between what was passed two years ago. Protects the employee but also ensures that the employers in that limited situation have that ability to ask the question, to make sure that we have a safe workplace, but also, if they feel that they're being threatened, that their work product is being disclosed, it gives them the ability to do that due diligence in the investigation."

Franks: "Well, I encourage an 'aye' vote. And I appreciate you bringing it forward."

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Speaker Turner: "Representative Durkin to close."

Durkin: "Well, thank you very much. We've had a healthy discussion on this and I think that one thing that needs to be very clear is that I am going to change the Bill, but no employee is going to fear any reprisal or any type of retribution by failing to say no to that employer. But we just want that employer to have that ability in that limited situation where there is a problem, where there is workplace violence or if there is some type of threat to their property or their work product, they ask the question to that employee if they believe that they're breaching some type of... their systems on their computer. So, you have my word I'm going to make the... a change that which we discussed earlier. And I hope that we can move this along. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 1047 pass?' All in favor will vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Flowers. Sommer. Mr. Clerk, please take the record. On a count of 69 voting 'yes', 35 voting 'no', 2 voting 'present', House Bill 1047, having received the Constitutional Majority, is hereby declared passed. Representative Bost."

Bost: "Thank you. If the... if the record could reflect that Representative... Representative Schmitz is going to be excused the rest of the day."

Speaker Turner: "The record will reflect your request. Representative Meier."

Meier: "Point of privilege."

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Speaker Turner: "State your point, Sir."

Meier: "I have just learned that the Department of Human Services has begun to transfer the first patients out of the Warren G. Murray Developmental Center in Centralia. I am deeply saddened and outraged to hear this. The Governor says community homes are better for our patients, but he's ignoring the fact that most of the patients at Murray Center were told they were too developmentally disabled to live in a community home. And they have been bounced to different CILAs many times in the past, never working for them. The Governor and his administration have completely ignored the wishes of the parents, guardians that are responsible for the Murray Center residents. They have been pleading since the closure was announced not to take away the only place their loved ones can call home. The federal lawsuits guarantee a choice of a facility or a CILA. The Governor says he wants to change the status quo, but why change the status quo when it has been working. And when the alternative is untested, potentially unsafe, the police reports to CILAs across the state prove this. By starting these transfers, the Governor and his administration are putting the lives of every resident at Murray Center at risk. When, not if, but when those patients start dying or their family members from the stress start dying, this responsibility falls on the Governor and his staff. I ask everybody in the House today to please pray.. please pray for these residents and their families because this is a terrible time in the State of Illinois. Thank you."

Speaker Turner: "Representative Brady."

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

Speaker Turner: "Please state your point."

Brady: "Thank you very much and on a much lighter note and I, in no way mean to diminish the seriousness of Representative Meier's situation that he has going on in his district and I hope that there can be some positive outcome to that situation. But I do want to ask that you join me in welcoming to the House of Representatives two interns in my office who are exchange students from Illinois State University. In the gallery over to my right, who are standing, we have Maja Kulic and Veljko Dimitrijevic from Serbia. And they will be returning to Serbia at the end of this semester. So, please give them a nice round of applause."

Speaker Turner: "Welcome to your Capitol."

Brady: "And..."

Speaker Turner: "Representative Golar."

Golar: "Thank you, Mr. Speaker. I would like the record to reflect that I wanted to be a 'no' on HB1047."

Speaker Turner: "The Journal will reflect your request."

Golar: "Thank you."

Speaker Turner: "Representative Cavaletto."

Cavaletto: "Point of personal privilege."

Speaker Turner: "State your point, Sir."

Cavaletto: "Thank you, Mr. Speaker. As Representative Meier stated, the Governor has rebalanced an issue moving forward with Murray Center Development closing transition today, the first resident to move. I've been affiliated with that

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center for over 40 years and it's a sad day for me and my district that 259 residents will be leaving, 528 staff will be losing their jobs, over 40 years of taking care of the most profound residents and friends that we had in southern Illinois and throughout the state. I can only say that thousands and thousands of people in southern Illinois are a very compassionate people. Young kids from our high schools who attended Murray Center on Saturdays to play with the residents, to work with them and stay there all day and participate with the most profound people is a God-given talent. Those people learn more probably than the residents at Murray Center, but again, it's been a factor in the State of Illinois that things change, but people don't like all the changes sometime, but we have to adapt. And one thing I'd like to say though, I appreciate everything that COGFA done in supporting the issues of keeping Murray Center home and all I say is God bless the parents and the residents. Thank you."

Speaker Turner: "Representative Reboletti."

Reboletti: "Mr. Speaker, on House Bill 3319, I inadvertently pressed 'yes'. I'd like to be recorded as a 'no'."

Speaker Turner: "The Journal will reflect your request. Representative Bost."

Bost: "Thank you, Mr. Speaker. If I could on a point of personal privilege."

Speaker Turner: "Please state your point, Sir."

Bost: "We've had two Members rise and talk about the Murray Center. Many of the recipients that are there, their families live in those districts that are right around mine

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and also in mine. Ladies and Gentlemen, this House passed a budget with them in mind to make sure that it was kept open. The Governor bypassed what we sent to him and if you know what this is doing to these families. We talk quite often on the floor and we agree and disagree, but we never disagree on the fact that our job is to truly take care of the most needy. These are the most needy. They're the developmentally disabled. Their families have trusted us to provide that place where... they don't do change well and this has been their home. And the families of these residents love Murray Center and they love the staff because of what they provide. But when our Governor, though I appreciate the fact that he goes out for veterans, and you've heard me say that before as a veteran and he shows up at the funerals. That's very kind of him, but I'm going to tell you, what he's doing to these families is not kind at all. It's very cold and it's very calculated. I'm disgusted with the administration and what they're doing with this situation as is... as are, I'm sure, Members on both sides of the aisle. I don't know why it is that he couldn't wake up to the fact that we sent him a clear message, let's keep this facility open, but yet, today, he's breaking the hearts, confusing the lives of some of our most needy people. And I pray for their families and I pray for them."

Speaker Turner: "Representative Costello."

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

Speaker Turner: "Please state your point, Sir."

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Costello: "To Representative Meier's point, Representative Cavaletto and Representative Bost, I want to ensure everyone in this chamber that there is bipartisan support in southern Illinois for keeping Murray Center open. I believe that's something that has been shown to the Governor time and time again. And to Mr. Bost's point, these are absolutely, Ladies and Gentlemen, the most neediest citizens of the State of Illinois. Many of them it would take a minimum, minimum, of a year for them to even acclimate to a new facility. I think what's going on is wrong. I think the Governor's made a very poor decision and I truly want you to understand that there is bipartisan support in southern Illinois to keep this facility open. I think it's shameful what is going on and once again, I think the Governor's made a huge mistake."

Speaker Turner: "Representative Beiser."

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

Speaker Turner: "Please state your point, Sir."

Beiser: "Thank you to the previous speakers and to Leader Bost, I just want to echo some of his statements but on a more succinct manner. I can guarantee you, even though my district is miles away, I've been contacted by two families, personally have sat in my office in my district, begging me to do whatever's possible to keep this facility open. And it's been previously alluded to, we did provide those funds to keep that facility open, but I can guarantee you as we stand here now and we hear this disturbing news given to us by Representative Meier, that the decision by the administration to move forward in the closing of this

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facility, I can guarantee you there is a man and a wife in tears right now because they don't know what they're going to do. They don't know what hurt this has inflicted.. or they know, I should say, on their child in that facility. And probably more heart-wrenching to me is there's an older gentleman, whose wife is in a nursing home whose child was in this facility, he came into my office and he was just literally in tears about this situation. He didn't know what he was going to do. So, I can guarantee you that the administration and now has cost two members in my family to be in tears, to be distraught and not know what the future holds for them and their children. I echo Representative Costello's comments. This is not a Republican or a Democratic issue. This is an issue shared, the concerns, by both sides of the aisle and it just.. it just disgusts me that this kind of pain has been inflicted on these families. Thank you, Mr. Speaker."

Speaker Turner: "Ladies and Gentlemen, we still have a large number of Bills to move through for the rest of this afternoon. Please be brief in your comments. We want to give everybody the right to speak and respect peoples' comments, but please be brief. We have a lot of Bills to move through. Representative Kay."

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

Speaker Turner: "Please state your point, Sir."

Kay: "Thank you. I want to just briefly echo what the other Representatives have said and especially Representative Meier. I, in fact, have constituents who have.. who were once children and now adults leaving Murray Center and I've

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been to Murray Center a number of times, in fact, I was there for two hearings. If you haven't been there, as Representative... Representative Cavaletto said, we have the most profound mentally ill people in the State of Illinois housed there, the most profoundly ill people who cannot take care of themselves and have relied, for most of their lives, on Murray Center. We appropriated money. We spent long hours talking about how we could do this and we did it and yet today the doors are closing. Most of you know that I'm very passionate about the job environment and the environment in Illinois to bring jobs here, but I'm even more passionate about providing security for the very people who cannot provide it for themselves. This is not a proud day in Illinois, folks. It's not a proud day and maybe, in case of a balance sheet or a so-called income statement for the state, we can say this was a great decision. We balanced the books. Well, we may have balanced the books, but Ladies and Gentlemen, what we have done is unconscionable, unconscionable and I do not know how the Governor of the State of Illinois can do what he has done to the most vulnerable people in this state. God help these people because they're going to need every ounce of help He can provide them."

Speaker Turner: "Representative Phelps."

Phelps: "A point of personal privilege."

Speaker Turner: "Please state your point, briefly."

Phelps: "Thank you, Mr. Speaker. And I, too, be brief. I, too, want to stand up. Working on both sides of this, that we did put the money in for all these facilities and I'm not

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going to into Tamms, but that's a travesty, they say it was inhumane as well. How inhumane is it when you have inmates, right now, living in gymnasiums bunked together? Now, I think that's absolutely inhumane. But I also want to stand up in support of my colleagues on both sides of the aisle because these are the neediest people in the state. The Governor is wrong in what he did and we all know when his brother got fired he didn't like it, but what are we supposed to tell the people that he fired? The many families that he's laid off and fired not just because of this travesty. And I'm hoping... I think we're going to work on a Resolution. We ask you to be cosponsors of that. Thank you, Mr. Speaker."

Speaker Turner: "Representative Riley."

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

Speaker Turner: "Please state your point, Sir."

Riley: "This very vulnerable population that's suited in a place designated by their family and their physician. In my district office I have a plaque on the wall. It's a beautiful plaque and it juxtaposes my picture against some flags and some other things, it was very unexpected. And it came from someone who was from Centralia who applauded me and the efforts of just bringing some clarity and fairness to the whole situation of developmental centers in general and other facilities closing. So, it's a bipartisan issue, but it's also an issue that goes past regions, too and I just wanted to say that. Just real briefly, I've been all over the state dealing with facility closures, my duties on COGFA and one of the things that I have seen is maybe

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people who would not have concerned themselves with other issues really cared about fairness. And one of the things that I sort of admonished them as they congratulated me, I just told them I was doing my job, for being on their side. I told them in many issues of social justice and service delivery that they have more in common with people who are similarly situated, who live up north, than they thought that they did and understanding that would give them more power. We fought a hard fight. All I wanted to do was to bring sensibility, clarity, fairness and really no lies of obfuscation about this entire process. So, I really feel for my colleagues. I want you all to tell your constituents that I was with them, will continue to be and it is a sad day that what's happening today is happening, but it happens all over the state. And all I ever said to the administration, is let's deal the cards up straight. Let's be fair, let's be clear. So, tell your constituents that there's a lot of people who share their feelings. Thank you."

Speaker Turner: "Representative Dunkin, you're the last speaker. Could you please state your point as briefly as possible so we can get back to the Order of Third Readings? Thank you, Sir."

Dunkin: "Thank you, Mr. Speaker. And I will try my best to respect the time. I, too, would like to share the comments and the sentiments made with those developmentally disabled facilities, some that I've actually been to. It is a very humbling experience to see other human beings, however the young they are, however the older they are, unable to

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really clean themselves and brush their teeth, to walk around, to feed themselves. It's extremely humbling and you really see some of our most vulnerable citizens at our beckon call, at our will because we have the ability to play a role, not only in their lives but their families lives and those individuals are there full-time. So, my heart goes out to our brothers and sisters in the southern portion of this state. I'm going to continue to support developmentally disabled communities irrespectful of where it is. This leads to the question of us coming up with a collective approach and figuring out how we address the revenue issue here in this state. And then how we take serious steps of dealing with some of the issues up north as well where, just last night and yesterday, 8 people were shot in the City of Chicago. Gun violence is real there. So, if there are 5 people shot, there are about 20 people... excuse me... 5 people killed there are about 20 people who are shot. It's important for us to really come up with alternative revenue sources to put moneys in afterschool programs and early childhood education and summer jobs. I mean, we are plagued with violence in some of our communities and it's spreading all over. And so, as we take a collective look at some of our most vulnerable citizens in other parts of the state, let's all look at the overall challenge of seeing to it that we can add some value and some resources and making bipartisan decisions on really dealing with some of the other vulnerable communities. Again, I respect the situation that's going on down there and the families and it is sad that... those facilities are

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closing, very sad, quite frankly. But I'm looking forward to having a revenue dialogue with all of my colleagues and helping us come up with some resolve and really addressing some of the serious problems in the state, especially our most vulnerable population here. Thank you."

Speaker Turner: "Thank you, Representative. Thank you, Members. Going forward, we'll be using the debate timer on all the rest of the Bills for the rest of the evening. We'll move to a two-minute debate timer, so please be mindful of that when asking questions and making comments. Back to the Order of Third Reading, we have House Bill 996, Representative Lou Lang. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 996, a Bill for an Act concerning gaming. Third Reading of this House Bill."

Speaker Turner: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. Compared to the comments that people were just making, this isn't as important as the lives of those people, but I'll proceed anyway and hope to have your attention. First, let me state for the record that this Bill is not gaming expansion. There's no gaming expansion in this Bill. I know sometimes when people see gaming on the board they get all nervous. There's no gaming expansion in this Bill. This is a reorganization of how we regulate charitable gaming. We all know about the Las Vegas nights that lots of different organizations have: the Kiwanis, the Lions Club, the Cancer Society, the Heart Association, lots of church groups. These charitable gaming nights are... are regulated by the Illinois Department of Revenue. The Department of Revenue

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is overloaded and they do not properly investigate these games. And because they don't properly investigate this... these games and the people running them, there have been games and providers of the services for the games that have not always followed the law. This Bill first and foremost requests that the regulation and the oversight for charitable gaming be moved to the Gaming Board, obviously an organization that has a great deal of knowledge about gaming and how it's supposed to work. It also makes many technical changes, but in no way does this expand gaming in the State of Illinois. So, to make sure that the people running the games are actually giving the money to the charities, to make sure they're not breaking the law, to make sure they're paying the appropriate taxes to the State of Illinois and putting it into the Gaming Enforcement Fund, which is where the money belongs, this Bill comes forth today. And I'd be happy to answer your questions."

Speaker Turner: "On that, we have Representative Durkin."

Durkin: "To the Bill. I agree with the Sponsor. And you know, I've read through this Bill a number of times and there's absolutely no expansion at all in this. And I think it's really a question of management. You're spot on it. And I would ask everybody to support the Bill."

Speaker Turner: "Representative Kosel."

Kosel: "Will this result in any increased fees for these charitable organizations?"

Lang: "The... the fee now for the organi... oh, the charitable organizations themselves? No."

Kosel: "Okay. Who will it result in a fee increase for?"

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Lang: "The organizations that do the gaming... the licensees that run the gaming, instead of having a \$200 fee every year will have a \$400 fee every two years. So, it's really the same."

Kosel: "Thank you."

Speaker Turner: "Representative David Harris."

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

Speaker Turner: "Sponsor yields."

Harris, D.: "Rep... Representative, didn't we do this language last year?"

Lang: "This Bill came out of committee last year, but was not called on the House Floor, Sir."

Harris, D.: "Okay. And the provision dealing with video gaming terminals being included, is that a new provision? Was that included last year or is that a new provision?"

Lang: "I believe that was in the Bill last year as well and so, all that really says is that if somebody wants to have one of these Las Vegas nights or charitable gaming nights in a facility that happens to have video gaming, that that would be okay. Under the law today, it is not okay."

Harris, D.: "Thank you."

Speaker Turner: "Representative Lang to close."

Lang: "Would appreciate your 'aye' votes."

Speaker Turner: "The question is, 'Shall House Bill 996 pass?' All those in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Gabel, Tabares. Mr. Clerk, please take the record. On a count of

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65 voting 'yes', 41 voting 'no', 1 voting 'present', House Bill 996, having received the Constitutional Majority, is hereby declared passed. House Bill 130, Representative Monique Davis. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 130, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 130 amends the Criminal... the Code of Criminal Procedure. It provides that if a first-time offender is charged with a nonviolent offense, the court shall order him or her released on his or her own recognizance unless the court makes a specific finding that a cash bond is necessary to secure the appearance of the person and in addition to any other conditions, the judge may order as a condition of the release his or her monitoring under electronic surveillance as provided in the Unified Code of Corrections. The reason for this is a number of judges are doing this today, but some judges said it was unclear. I think many of you know that in Cook County our jail is 97 percent at capacity. The president of the Cook County Board has stated, we cannot afford a new jail and she is urging, along with others, that those who have no background in criminal behavior, first-time nonviolent offense, that they be released on their own recognizance or electronic monitoring. And I will answer questions if need be."

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

Reboletti: "Will the Sponsor yield?"

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Speaker Turner: "Sponsor yields."

Reboletti: "Representative, I have in my analysis, and I'm trying to remember from personal recollection in the committee, that you are supposed to bring this back for an Amendment because there were numerous concerns from Members as to what you were trying to accomplish and how the Bill actually reads. And so..."

Davis, M.: "Well, I think..."

Reboletti: "...I don't see there are any changes that I'm aware of."

Davis, M.: "Well, I don't remember any changes that were requested. I think most of those who were in the committee room removed their opposition to this legislation. Most times or many times judges are currently doing this exact thing."

Reboletti: "Well, Representative, you and I have had numerous conversations on this. And to the Bill. Ladies and Gentlemen, I appreciate what the Sponsor's trying to do. I've been in bond court, served there for years and there are about 25 or 26, there's numerous factors that a judge must take into consideration when setting a defendant's bail. One of those is the severity of the offense, the person's criminal background as well as their means and their ability then to return to court to answer to the charges. I would suggest that the judges in Cook County, as well as all over the state, already have numerous factors that are able to help them make a determination if they should be released on recognizance or released with a small cash bond. However, I don't see that in this Bill. What

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this Bill would allow is if a person was up for a nonviolent offense, the person could have a very violent offense in their previous history and that would not be considered or contemplated on this legislation. So, I would suggest a 'no' vote at this time. The... there is no Amendment on here. The Bill does not read as it's... the Sponsor is indicating. Thank you."

Speaker Turner: "Representative Durkin."

Durkin: "To the Bill. I was in committee when we debated this and there was at least a representation that the Bill would be brought back to committee to address the numerous concerns that we've had over the years with this issue, but I just want people to think what a nonviolent offense is. I was a prosecutor in Cook County. I've done thousands of bond hearings and yes, there are minor offenses, but there are also other... what are determined nonviolent offenses are drug traffickers, people in drug offenses, people who deal dope, not only in small amounts but also kilos, multikilos. I've tried those cases. I've done bond hearings on them and those are the people that would be benefited from this Bill and that's not what we want. So, I would encourage a 'no' vote."

Speaker Turner: "Representative Davis to close."

Davis, M.: "Thank you, Mr. Speaker. First of all, a judge can currently consider the background of an individual and they still, with this Bill, he is still urged to do that. What this Bill does it creates a statutory presumption that first-time, nonviolent offenders will be released on their own recognizance which can be overtur... overcome if the

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court makes a specific finding that a cash bond is necessary. It is not removing the judge's ability to demand a cash bond. It states, if the judge feels a person may not show up, that he certainly has the right to say the person should present a cash bond. I believe that the questions that were addressed in committee have been advanced in this Bill and the purpose is not to say that every nonviolent offender is released on his own recognizance, it is saying that judges can, as they currently do, consider it. They wanted some clarity in the law and this gives them the clarity. It does not remove their ability to charge a bail or set forth a bail; it does not remove that, but it does state that it should be considered if this person has never committed a crime and if that person has committed a nonviolent offense then he or she should have a right to recognizance or electronic monitoring. And I would ask for an 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 130 pass?' All those in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative... Mr. Clerk, please take the record. On a count of 39 voting 'yes', 66 voting 'no', 2 voting 'present', House Bill 130, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 2518, Representative Currie. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2518, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Turner: "Representative Currie."

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Currie: "Thank you, Speaker and Members of the House. This is an initiative of the Department of Revenue, primarily cleanup language. Changes were made after the Bill was on Second Reading. Let me just quickly run through the provisions: permits the department to accept credit cards for payments beyond the income tax, other kinds of payments as well, increases the amount of money available in the evidence fund. There was a provision that would have enabled the department to charge specific dollar amounts for the preparation of documents for administrative hearing... hearings on property taxes, that language has been since removed. It changes the interest rate paid by the department, refunds that the department owes or deficiencies owed by taxpayers to the underpayment rate established by the Inter... Internal Revenue Code which is three percent. So, it's the same three percent going whichever direction and it would enable the department to charge \$100 penalty for those car dealers who do not file a ST-556 Sales Tax Transaction Return. That way the department can keep better track of who owes what and what their tax liabilities are. They had... earlier as I say, been in opposition, but I think by Amendment we have cleared up the... the difficulties. So, I'd appreciate your questions and your 'aye' votes."

Speaker Turner: "Representative Franks for two minutes."

Franks: "Thank you, Mr. Speaker. To the Bill. This... for those of you who may recall, this was Representative Zalewski's Bill. He pulled it out of the record. I had a chance to meet with the Department of Revenue to ask if this was the

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result of the... the Amendment. It is agreed now. I appreciate the Department of Revenue working with Mr. Zalewski and the Majority Leader. It's taken out the cost now for the copying, so it's the same as what the FOIA was. And I now think it's a Bill that we should all support. So, I wanted to make that clear. Thank you."

Speaker Turner: "Representative David Harris."

Harris, D.: "Thank you, Mr. Speaker. And I would simply concur with what the previous speaker said. Any confusion regarding the Bill has been cleared up and I recommend a 'yes' vote."

Speaker Turner: "Thank you. Representative Reis."

Reis: "Thank you, Mr. Speaker. Just one question for the Representative."

Speaker Turner: "Sponsor yields."

Reis: "Leader Currie, number E, I'm not sure if it's E on your analysis, but I'm a little concerned about the \$100 per return penalty for failure to file a ST-556 Sales Tax Transition Re... Transaction Return. What does that return do and what is it?"

Currie: "It is... this is used by car dealers and the... what happens is that the... when forms are late, the department taxes two percent of the income that is reported on the form. If there is no income, if there is no form that is filed, they're unable to... to penalize anybody who is turning in the reform... a form late. So, the \$100 charge, it is hoped, would be an incentive for the dealers to go ahead and file on time whether they have taxes due or whether they don't."

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Reis: "And this is only for car dealerships?"

Currie: "Only car dealerships."

Reis: "Thank you."

Speaker Turner: "Representative Currie to close."

Currie: "Appre... appreciate your 'aye' votes."

Speaker Turner: "The question is, 'Shall House Bill 2518 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Cavaletto, Fortner, Harris. Mr. Clerk, please take the record. On a count of 71 voting 'yes', 34 voting 'no', 0 voting 'present', House Bill 2518, having received the Constitutional Majority, is hereby declared passed. Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. Will the... can I have a moment of... I have a point to make."

Speaker Turner: "Please state your point, Sir."

Sullivan: "As we all know we've had a lot of rain and there are some problems up north. So, I wanted to give you some information that has come from IDOT. First, flood victims, if there are any issues, you can call 1-800-REDCROSS or safeandready.com, if you have any needs for emergency shelters. For all of us if we're dealing with our constituents, operational questions on a local level should be directed to the local municipalities and county emergency management agencies. And now, some of the bad news: I-55 is closed on the northbound between U.S. 6 and I-80. If you want a detour, I have a sheet of paper on what that is. If you can go back to my office, and we'll print one off for you. We hope to have an update on more closings

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for those of us in the General Assembly going north, but that's what I have at this point. And I..."

Speaker Turner: "Thank you for the... thank you for the helpful information, Sir. House Bill 2199. Out of the record. House Bill 2659, Representative Will Davis. Mr. Clerk, please read the Bill. Mr. Clerk, can you please move House Bill 2659 back to the Order of Second Reading and read the Bill, please."

Clerk Hollman: "House Bill 2659, a Bill for an Act concerning courts. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendments 2 and 3 are approved for consideration. Floor Amendment #2 is offered by Representative William Davis."

Speaker Turner: "Representative Davis on Floor Amendment #2."

Davis, W.: "Thank you very much, Mr. Speaker. Floor Amendment #2 corrects the confusion in the Juvenile Court Act by clarifying that a Juvenile Court finding that a child's placement is necessary and appropriate, joint dependency of a foster parent's administrative appeal contesting the removal of the child from the foster parent does not override the DCFS administrative hearing process. This administrative hearing process is the only due process procedure available to foster parents who have cared for a DCFS ward for more than 60 days and who wish to appeal the removal of the children from their care. That's the basic description of the Amendment. I move for its adoption."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #2 to House Bill 2659. All those in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair,

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the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #3 is offered by Representative William Davis."

Speaker Turner: "Representative Will Davis."

Davis, W.: "Thank you, Mr. Chair.. Mr. Speaker, excuse me. House Floor Amendment #3 also further amends House Amendment #2 by clarifying that relative caregivers are included in the definition of 'foster parent'. This was proposed by the Cook County Public Guardian's office and agreed to by the negotiation parties. There's absolutely no opposition to this legislation. I move for the adoption of the Amendment."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #3 to House Bill 2659. All those in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Mr. Clerk, House Bill 2659, Representative Will Davis. Please read the Bill."

Clerk Hollman: "House Bill 2659, a Bill for an Act concerning courts. Third Reading of this House Bill."

Speaker Turner: "Representative Will Davis."

Davis, W.: "Thank you very much, Mr. Speaker. The Amendments that were just adopted essentially tells you exactly what the Bill is attempting to do. Be more than happy to answer any questions."

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Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 2659 pass?' All those in favor vote 'aye'; all opposed vote 'nay'. In the opinion... The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Fortner, Franks. Mr. Clerk, please take the record. On a count of 106 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 2659, having received the Constitutional Majority, is hereby declared passed. Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Fortner will be excused for the rest of the day. We're losing them quick."

Speaker Turner: "Thank you, Representative. Let's hurry and get out of here. House Bill 821, Representative Monique Davis. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 821, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "Representative Davis."

Davis, M.: "Thank you, Mr... thank you, Mr. Chair... Mr. Speaker. House Bill 821 with Amendment #3 states that a court shall order a certificate of innocence if a conviction has been vacated as a result of actual innocence based on newly discovered evidence. These claims can be brought under Section 122-1 of the Code of Criminal Procedure or Section 2-1401 of the Code of Civil Procedure. Number 2) if the court also ordered a new trial, the petitioner would have to be found not guilty at the new trial or the case would have to be dismissed without a retrial before the court would order a certificate of innocence. This requirement is

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set out in the certificate of innocence statute. This Amendment was drafted with the help of the attorneys of the Center on Wrongful Convictions and is intended to help this particular group of the wrongly convicted receive a certificate of innocence without going through an additional civil process. I want to thank Representative Drury and Representative Reboletti for assisting in drafting this Amendment. And I would ask... answer questions."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 821 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 106 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 821, having received the Constitutional Majority, is hereby declared passed. House Bill 1532, Representative DeLuca. Out of the record. Mr. Clerk, House Bill 756, Monique Davis. Please read the Bill."

Clerk Bolin: "House Bill 756, a Bill for an Act concerning transportation. The Bill..."

Speaker Turner: "Out of the record. Out of the record. House Bill 2199, Representative Durkin. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 2199, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "Representative Durkin."

Durkin: "Okay. This is a, I think, pretty straightforward. It sets up a protocol in which we are trying to work with

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other states to provide uniformity on how we manage and diagnose and assess diabetes in the State of Illinois. And the whole point of this is to have clarity with the Center for Disease Control and also for other agencies and nonprofits who monitor in trying to find management and cures, mainly the ADA and JDRF."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 2199 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Gordon, Kosel. Mr. Clerk, please take the record. On a count of 106 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 2199, having received the Constitutional Majority, is hereby declared passed. Representative Davidsmeyer."

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

Speaker Turner: "Please state your point, Sir."

Davidsmeyer: "I just wanted to let everyone know that I had the privilege of celebrating my grandfather's 90th birthday this week. And on Saturday, I get to celebrate my youngest son's first birthday. So, if you are not able to make it back to Chicago or wherever you're heading, let me know. We'll make sure there's plenty of cake for everybody."

Speaker Turner: "Thank you very much, Representative. Representative Roth."

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

Speaker Turner: "Please state your point."

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Roth: "Ladies and Gentlemen, just to follow up on Representative Sullivan's comments about the roadways. Up in my district, we evacuated our local hospital yesterday because of flooding. We had more than 25 different fire protection districts there to evacuate the residents of the hospital as well as, you know, help with sandbagging and stuff. So, I don't know, my district's not unique, may have had the only hospital that was evacuated in the state, but everyone's going through this up north. I want to just extend a huge thank you to our fire protection district, our police, our emergency management people, to say thank you for all they do. I'm sure it's been an endless 24 hours for them. So, thanks to all of them that keep us safe."

Speaker Turner: "On that topic, Mr. Clerk."

Clerk Hollman: "Currently, we are passing out an Illinois Emergency Management Agency situation report. Information is further updated on your laptops under your LIS system, under the Home screen, under reports you can find a link with updated information including maps. So, updated information is on your laptops, but the... reports are being handed out as well."

Speaker Turner: "Representative Feigenholtz."

Feigenholtz: "...you... thank you, Mr. Speaker. On a point of personal privilege, while we'll be gone, one of our colleagues here will be turning another year. Representative Ann Williams is going to be celebrating a birthday, my district mate. Let's give her a big happy birthday."

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Speaker Turner: "Happy birthday, Representative Williams.
Representative David Harris."

Harris, D.: "Thank you... thank you, Mr. Speaker. I'd like the
record to reflect that when the vote was taken on House
Bill 2518 that I was away from my switch. I would have
been... like to be recorded 'yes' on that Bill."

Speaker Turner: "The record will reflect your request. House
Bill 2958, Representative Drury. Mr. Clerk, please read the
Bill."

Clerk Bolin: "House Bill 2958, a Bill for an Act concerning
economic planning. Third Reading of this House Bill."

Speaker Turner: "Representative Drury."

Drury: "Thank you, Mr. Speaker. There's been a lot of talk
today about what Illinois does do and doesn't do to bring
business to our state. The purpose of House Bill 2958 is to
address that issue. It establishes the Economic Policy
Planning Commission, which is a short-term commission. It
would expire on December 31, 2014 and the purpose would be
to have it look into developing a comprehensive policy on
how we issue economic development incentives. There's
always a concern in this state that the way incentives are
handed out is not a fair way, it's not transparent and this
would come up... the commission would be tasked with finding
uniform policies that small business owners, large business
owners, any business owner would know ahead of time of how
an incentive is going to be handed out. The reports would
be required to be in a form of legislation and the
commission members would not be paid for their services. I
ask for your 'aye' vote."

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Speaker Turner: "Representative Sente for two minutes."

Sente: "Thank you, Mr. Speaker. To the Bill. I have a couple of questions. You have made some reductions to this Bill, correct? So, we are reducing the amount of public hearings and..."

Drury: "Yes. We've... in the Amendment, we reduced the number of pub... required public hearings from three to two."

Sente: "And we also... when is the commission meeting in general?"

Drury: "The commission is required to meet as directed by the two cochairs."

Sente: "Okay. And so, there were some changes that I ask be made to this Bill that there is some flexibility in reduction to the type of research that's done. Are you in agreement that those items will be considered and fixed in the Senate?"

Drury: "Absolutely. Right now, the Bill sets out specific things that the commission should put in its report and I'm open to reducing those consistent with the purpose of the commission. But yeah, absolutely."

Sente: "Thank you, Representative Drury. To the Bill. This is... I wholly support this Bill. It is an opportunity to look at the economic development in this state, to make some plans for its enhancement, to end that research with a piece of legislation that we can vote on. And I think this is a very good move for Illinois and I support the Bill."

Speaker Turner: "Representative Pritchard."

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

Speaker Turner: "Sponsor will yield."

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Pritchard: "Representative, when you presented this in the committee, you indicated that there might be an Amendment and that you would bring it back to the committee. Have you done that?"

Drury: "Representative, what happened... and I'm not sure what the procedure 'cause I'm so new... this got called. There is an Amendment, that's what Representative Sente was asking me about. The Amendment, I don't know why it did not go back to committee, but I did speak with the chair of the committee to see if it was okay to present it here today and that's why I'm doing it."

Pritchard: "So, this is a fairly widespread type of review of economic incentives. Does this also go down to local governments?"

Drury: "Right now, it's just to talk about economic... a policy for economic development in the state and how the state is going to hand out those incentives."

Pritchard: "So..."

Drury: "But the committee, it's broad enough that if it wanted to go into that in the time frame it certainly could."

Pritchard: "So, you think it could get in to local TIF districts, for example?"

Drury: "I... I think the committee is, the way the legislation is written, it doesn't limit where it could go. I think what's going to limit it is the time frame we put on it. It's a very short-lived committee with I think a very big task for the state side, but if the committee members and the chairs thought that it needed to look into other issues, I

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certainly would be open to that if I were on the committee."

Pritchard: "So, I... I just caution you that there's a lot of sensitive negotiation that goes on, that has gone on in developing not only our enterprise zone legislation, which we just updated last year and the TIF districts are always sensitive in terms of the units of local government that have to give and take to be a part of that agreement. I'm just afraid that what you're proposing here is more omnibus than what really the state ought to be engaged in and that we shouldn't be meddling in some of the locals incentives that are done. So, I just caution you that having an omnibus Bill is further than maybe what is in the best interest of the state."

Speaker Turner: "Representative Riley."

Riley: "...Speaker. Will the Sponsor yield?"

Speaker Turner: "The Sponsor yields."

Riley: "Representative Drury, there's some numbers on our analysis that said in FY10 the state spent a total of over \$313 million on tax incentives for businesses. Now, is that an aggregate figure, all units of government, all over the state, made up that 313 million or was that just from state efforts?"

Drury: "My understanding that is the total amount of incentives that were... that were... that the state spent on all the tax incentives that it issued to... to businesses across the state. Does that answer..."

Riley: "That... was that the State of Illinois spent or that, for example, one of the previous speakers talked about local

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initiatives. So, to come up with that figure I was just wondering whether that was local governments were part of that 313 million or was that just the State of Illinois and its departments?"

Drury: "My understanding, Representative, is that is what the State of Illinois has used to incentivize business to come to our state, not going down to the local governments."

Riley: "Okay. Thank you. Now, to what extent does this... so, let's assume some of DCEO's responsibility, after all, this is a state agency that the preponderance of their, you know, reason for being is to do economic development, keep businesses in the state, so on and so forth?"

Drury: "I don't believe I... I believe that this... this commission would be to work in concert with DCEO and to put guidelines in place and to formulate, with DCEO's assistance, what is a plan that everyone in the state could see and businesses could see how do you get these incentives. I know there's been a lot of attacks on DCEO in other legislation, this is not meant to be one of those. This is meant to actually work with DCEO, to have a better... a better plan to uniformly issue incentives throughout the state and that... so businesses know what they need to do in order to be eligible for the incentives and what types of incentives work and what types of incentives don't work."

Riley: "Well, one of the things that..."

Speaker Turner: "Representative Riley, please bring your remarks to a close."

Riley: "Thank you. I just have one more question. There's a statement here that .7 percent, so less than 1 percent, of

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the more than 450 thousand corporations filing taxes take advent... take advantages of those tax incentives and we talk about businesses all the time. And one of the things about being a business is having knowledge about opportunities that exist. So, how would you characterize the fact that 99 percent of the businesses aren't taking, you know, advantage of these tax incentives?"

Drury: "My take on that, I'd have a couple of responses to that. One, I think that they may be... that some businesses don't know the incentives exist, others may think it's... it's too hard and the process there's too much paperwork. And others may think there's no chance I'm going to get the incentive 'cause only big business is getting them. And that's one of the purposes for having this... setting up this commission."

Riley: "Thank you."

Speaker Turner: "Representative Bost."

Bost: "Thank you, Mr... thank you, Mr. Speaker. I rise in support of the Gentleman's Bill. Anything we can do to encourage business growth here in the State of Illinois. Now, there are some problems with the Bill. He's met with his Members on... some Members on his side of the aisle that they will be curing this in the Senate. And I encourage an 'aye' vote."

Speaker Turner: "Thank you. Representative Kay."

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

Speaker Turner: "Sponsor will yield."

Kay: "Yeah. Representative, just a couple of questions here. One of the previous speakers made mention of the fact that really a lot of our incentive moneys are not used in

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Illinois. I suspect that there's a reason for that and I would break it down into four categories. We're a very litigiousness state. We never have dealt with workers' compensation reform in a meaningful manner. Regulatory fees are high and in fact, it costs a lot of money to just become a business in the State of Illinois. But your... your suggestion here in this Bill's not going to deal with any of that, is it?"

Drury: "This commission is going to look at how we... how the state deals with economic incentives. I don't believe workers' comp is within the scope of this commission."

Kay: "What about the other three areas that I mentioned?"

Drury: "I'm sorry. Could you repeat the other three?"

Kay: "Yeah, sure. I mentioned regulatory reform, was the first I mentioned. Tort reform was the second. Work comp and then lastly, the burdensome fees that we charge business for classification, reclassification, becoming an LLC, a selfprop..."

Drury: "Right."

Kay: "You know, whatever the... we have very, very high fees."

Drury: "This commission is set up, Representative, to... or would be set up to, to deal with... have a uniform policy, a comprehensive policy on economic incentives. It would not focus on those other three... the four areas that you've addressed."

Kay: "Okay."

Drury: "But certainly... those... those are areas that I think there should be some discussion on."

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Kay: "Okay. Thank you, Rep... One last question. Why so many opponents on this Bill like BlueCross..."

Drury: "I... my analysis only shows that there's one opponent. I don't know what your analysis is showing, Representative."

Kay: "I mean, you've got some opponents on... maybe yours does. I have... I have nine. I have nine opponents and I'm wondering why business interests would be opposed?"

Drury: "I... I don't... I haven't heard of any of those objections. I don't know what businesses you're speaking of."

Kay: "Okay. Thank you, Representative."

Drury: "I just haven't heard that."

Kay: "Thank you."

Speaker Turner: "Representative Hays."

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

Speaker Turner: "Sponsor will yield."

Hays: "Representative, when I look at the... excuse me... when I look at the roster of individuals who might participate on the commission, it looks like it's appointees from the Legislative Leaders, people from DCEO, Illinois Finance Authority, et cetera. Did you give any thought to, perhaps, having some representation from economic development professionals in the private sector, those who are running local economic development corporations, who are kind of fighting the battle on the front lines, who can articulate, perhaps, what things are working well, what things may be... are outdated? They could speak to maybe the urgency sometimes when we're in a competitive situation with other states."

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Drury: "Absolutely, I have. And that's very important to the commission. There is a provision in there that says that the cochairpersons can appoint such other individuals as they deem may be helpful to the commission. This idea originated with the Civic Federation and I would hope that they would have some ideas of what business people, small and large, would want to participate in this and give us ideas because I think they're going to be the experts on what works and what doesn't work."

Hays: "And then my other... the only other question I have, so the scope of this commission, which I understand you to say would sunset at the end of 2014, would it be accurate to say that they would be taking kind of an overall look at... at policy, what we should be doing, shouldn't be doing, but they would not be involved in that time frame with directly making any decisions about incentives being awarded? In other words, this would not be a stop along the road over the next 18 months for approval?"

Drury: "No. The..."

Hays: "On specific requests."

Drury: "Yeah. The purpose would be that at the end of the commission to not only file a report but legislation that would implement a uniform policy and a comprehensive policy on the way we deal with economic incentives here in the State of Illinois."

Hays: "Thank you."

Speaker Turner: "Representative Ives."

Ives: "To the Bill. I submit to you that this is not that hard. All we have to do is look at why businesses are leaving

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Illinois. We need to look at our very high tax rates on businesses. We need to look... we need to look at the fact that we lost a \$1.4 billion fertilizer plant that moved four miles across the border into Iowa and talk to him about the fact that we offered more incentives than Iowa, yet he didn't trust our political climate here in Springfield. We know why we're losing businesses. We just need to look at the surrounding states to figure it out. We don't need a commission of elected officials and a few other appointed people by those same elected officials to figure out what we need to do in our business climate. We just passed a number of Bills that hurt businesses and hurt municipal governments in Illinois. This is not rocket science. And we don't need another commission to figure it out. Thank you."

Speaker Turner: "Representative Will Davis."

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

Speaker Turner: "Sponsor yields."

Davis, W.: "Representative, as I'm reading the analysis of this commission, it indicates that all the voting members will be elected officials, correct?"

Drury: "I believe that's true, yes."

Davis, W.: "And so, it also indicates that the commission will be able to appoint nonvoting ex officio members who are not elected officials to this, correct?"

Drury: "That's correct."

Davis, W.: "So, in terms of who can be appointed of the nonvoting officials, does the Bill set forth who those

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individuals should be, what sectors they should represent, anything of that nature?"

Drury: "No. Right now, the language just says that they are.. the cochairpersons may appoint individuals that they may deem helpful."

Davis, W.: "So, how would you expect the minority, meaning African-American and for that matter, Latino voice to be represented in this commission?"

Drury: "I think there's two ways: 1) there's going to be eight appointees total between the Senate and the House and hope that it would be a representative of the General Assembly and the state. And I would hope that the commission would understand that we're going to develop a comprehensive policy. It's going to make sense to have a cross-section of the state representing the various interests, not only small business, big business, but you know, cultural issues too. And so, I would hope that it would be a very diverse commission that would come up with a comprehensive policy for the State of Illinois not for any one... one part of the state."

Davis, W.: "Well, recognizing that, you know, as a freshman Member, and I'm not trying to use that in any derogatory sense, I can assure you that unless sometimes these things are explicitly stated in the Bill that they never happen. So, I would just simply charge that as this Bill moves over to the Senate, assume it passes, that you amend it to include very specific language that talks about the diversity that you hope will be represented that it is

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represented in the language of the Bill because, you know, I'm sure you've heard many of us talk..."

Speaker Turner: "Representative Davis, please bring your remarks to a close."

Davis, W.: "I'm sure you've heard many of us talk about how we're underrepresenting in a lot of things that take place here in the State of Illinois. Our voices are not heard. So, again, unless... unfortunately, unless you put it in the Bill, there's no way that I can expect that to happen. So, I hope you'll consider making those kind of changes assuming this Bill passes and moves over to the Senate."

Drury: "I'd absolutely consider that. Thank you, Representative."

Speaker Turner: "Representative Drury to close."

Drury: "Members, as I opened, we need to do something in the State of Illinois to show business that we want... we want business to come to the state. I'm glad to have bipartisan support. There's been a lot of divisiveness this week and I'm glad that, you know, Representatives that there's been some heavy debate with are supporting this Bill. That means a lot to me. And I think that we should show the State of Illinois that we're serious about, in a bipartisan way, of restoring faith in our state and let's bring business back. And I think this commission is a good step in that direction. I ask for your 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 2958 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Members, please record yourselves. Have all voted who wish?"

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Mr. Clerk, please take the record. On a count of 68 voting 'yes', 30 voting 'no', 4 voting 'present', House Bill 2958, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, the status of House Bill 11. Sorry. Mr... Representative Bost."

Bost: "Yes, Mr. Speaker. If the record could reflect that Representative Unes is excused for the rest of the day."

Speaker Turner: "The record will reflect your request, Sir. Mr. Clerk, House Bill 11, Representative Flowers."

Clerk Hollman: "House Bill 11, a Bill for an Act concerning regulation. This Bill was read a second time on a previous day. Amendment #2 was adopted in committee. Floor Amendments 4, 5, and 6 have been approved for consideration. Floor Amendment #4 is offered by Representative Flowers."

Speaker Turner: "Representative Flowers, Floor Amendment #4."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Amendment #4... I move for the adoption of House Amendment #4. It's an agreed to Amendment by the credit unions and it deletes the part of the Bill that provides that the state must provide notice of foreclosure to a person receiving unemployment and that... and how they may request the court to enjoin the foreclosure. And it also deletes the part that requires a court to grant the injunction. And I would move for its adoption."

Speaker Turner: "The Lady moves for the adoption of Floor Amendment #4 to House Bill 11. All those in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair,

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the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #5 is offered by Representative Flowers."

Speaker Turner: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker. House Amendment #5 is a utility Amendment and it makes changes to the utility company. It states that the utility shall give notice and supply information accessible by the Internet about programs that the utility company is currently offering to residential customers. And if the residential customers contact a public utility concerning their financial hardship and ability, they should let them know what type of programs they have available. And I would move for its adoption."

Speaker Turner: "The Lady moves for the adoption of Floor Amendment #5. And on that question, we have Representative Reboletti."

Reboletti: "Will the Sponsor yield?"

Speaker Turner: "Sponsor yields."

Reboletti: "Representative, does #5 become the Bill or does it add to the Bill?"

Flowers: "It adds to the Bill."

Reboletti: "And then what about... will you be calling #6 then? Does that also become part of the Bill?"

Flowers: "I was about to do that."

Reboletti: "We'll see... I guess, if we see if we get that, right?"

Flowers: "Yes."

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Reboletti: "Does it remove opposition from the Bill? There was something new... a number of opponents. Does this remove any opposition from the Bill?"

Flowers: "It re... As far as I'm concerned, it removes all opposition. IRMA is no longer against it. The credit union is no longer against it. The utilities are no longer against it. These are all agreed to Amendments."

Reboletti: "Thank you."

Speaker Turner: "Lady moves for the adoption of Floor Amendment #5 to House Bill 11. All those in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #6 is offered by Representative Flowers."

Flowers: "Floor Amendment #..."

Speaker Turner: "Representative Flowers."

Flowers: "Thank you. Floor Amendment #6 states that the... it's... it is also an agreed to Amendment by the Pharmaceutical Practice Act. And it requires that the information on medication and free services or assistant for... the Partnership for Prescription Assistance will be disseminated free at the Department of Unemployment Security and other places. And I move for its adoption."

Speaker Turner: "Lady moves for the adoption of Floor Amendment #6 to House Bill 11. All those in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Representative Currie."

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Currie: "Thank you, Speaker. Please let the record show that Representative DeLuca is excused for the remainder of the day."

Speaker Turner: "The record will reflect your request. Thank you. Mr. Clerk, House Bill #11, Representative Flowers. Please read the Bill."

Clerk Hollman: "House Bill 11, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Turner: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is known as the Residential Hardship Program. And there's a lot of programs that we have throughout the State of Illinois that a lot of young people, who are recently unemployed, do not know about. This Bill would put that information in one place and it will require things to happen as far as unemployment, as far as utilities, as far as their prescription medicine and even the information as to how they can stay in their homes. And I'll be more than happy to answer any questions. And in the meantime, I would appreciate an 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 11 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 73 voting 'yes', 30 voting 'no', 0 voting 'present', House Bill 11, having received the Constitutional Majority, is hereby declared passed. House Bill 2695, Representative David Harris. Excuse me. Representative Bost."

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Bost: "I know you love this, but let the record reflect Representative McAuliffe will be excused for the rest of the day. Next."

Speaker Turner: "The record will reflect. House Bill 2695, Representative David Harris. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2695, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Turner: "Representative David Harris."

Harris, D.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is a Bill which actually will help the environment. It's a Bill which requires that 25 percent of fleet vehicles purchased by the State of Illinois, except for State Police patrol cars, be either electric, use liquefied natural gas, compressed natural gas on or after January 1 of 2016, so two and a half years from now. This is consistent with an Executive Order which is already been issued by Governor Quinn and this puts.. puts it in statute. I'll answer any questions you might have."

Speaker Turner: "Seeing no debate.. seeing some debate, Representative Reboletti."

Reboletti: "Will the Sponsor yield?"

Speaker Turner: "Sponsor will yield."

Reboletti: "Representative, how much money will this save the State of Illinois by using the alternative fuel, do you know? The price differential from.."

Harris, D.: "I.. I do not have an estimate. The objective is to decrease our reliance on petroleum."

Reboletti: "Thank you."

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Speaker Turner: "Representative Reis."

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

Speaker Turner: "Sponsor will yield."

Reis: "Representative, we tend to be a free market type people and I... the way I read this analysis in your Bill is that by 2016 that 25 percent of all vehicles purchased by the state shall be fueled by electricity, compressed gas, or liquid petroleum or natural gas. Is that right?"

Harris, D.: "That's not accurate, not by 2016, on or after that date they have to have that component. So, I suppose you could read it by, but..."

Reis: "Well, I guess our problem..."

Harris, D.: "...this says on or after."

Reis: "My... my concern with it is, is that what if there's another technology that comes out but yet we have mandate that the state has to buy these types of cars. What if there's no place to fill them up at? What if they're cost prohibitive? To me, we should let the free market enterprise work. If these cars are available, they're cheaper, they get better miles per dollar, then the state should certainly buy them, but to put an artificial mandate in place might lead to higher costs for the state, less reliability, less ability to even fill up and drive certain areas of the state because there may not be fill up or charging stations."

Harris, D.: "Well, and... and as you are, I am also a free market individual. And the free market, I think, between now and two and a half years from now, we may see these prices and... for these various vehicles come down. And again, it's on or

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after 2016. So, we're giving them two and a half years to...
to develop the technologies."

Reis: "All right. Thank you."

Speaker Turner: "Representative Sacia."

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

Speaker Turner: "The Sponsor will yield."

Sacia: "Representative Reis brought up some great points and
every now and then something comes along here that... Will
the Sponsor yield, Mr. Speaker?"

Speaker Turner: "The Sponsor will yield."

Sacia: "Thank you. Representative, not many of these things do
I know much about, but I grew up on a dairy farm and my
father left the farm and went to work for an LP gas
company. And back in the '60s, before diesel tractors
really became the vehicles they are today, many, many, many
gas farm tractors were converted to LP gas. I'm all about
LP gas. I think it's great. But the fueling for it is
extremely hazardous, you must know what you're doing.
Representative Reis said it so clearly. You must have
fueling stations available. Many of your Schwan's ice cream
trucks, that we all see drive around, are LP gas powered,
but they are always on a route and can return every
evening. I understand what you're trying to do,
Representative and I appreciate it greatly and I know of
your desire to do... bring only great legislation here. But I
really caution us to mandate anyone to push to go to
something that they are not equipped to deal with and
liquefied petroleum, commonly known as LP gas, and up until
a year ago I was still running an LP gas pickup truck, they

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are very, very difficult to deal with if you do not have ready accessibility to a liquefied petroleum facility. It's cheaper, there's no question about it, but it does have its issues. And I know my time is up, but I would like your comments regarding that."

Harris, D.: "And certainly, and notice that the legislation said..."

Speaker Turner: "Representative Harris."

Harris, D.: "Certainly, notice that the legislation says electricity, compressed natural gas, lique... liquid petroleum gas or liquid natural gas. In essence, what I'm pushing for and what I believe in is compressed natural gas. And when we do all this fracking down in southern Illinois, we are going to have bountiful quantities of natural gas. Personally, I believe that natural gas is the way of the future, but we've included a little... included electricity because there are going to be a lot of electric vehicles. But honestly, I don't know how many vehicles are going to be fueled by liquid petroleum gas and there's no requirement here that they be fueled by liquid petroleum gas. There's options as to what can be used."

Speaker Turner: "Representative Ives."

Ives: "Thank you. Will the speaker yield?"

Speaker Turner: "Speaker will yield."

Ives: "Just a couple questions. One, do you have any of the demand figures for these refueling stations that you want to put in?"

Harris, D.: "Say again?"

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Ives: "Do you have any of the demand figures for the charging stations?"

Harris, D.: "Well, there are now... first of all, any... any vehicle which can return to the garage at night, a fleet vehicle, can be fueled by compressed natural gas. Compressed natural gas is being used extensively now with trash trucks, with buses in the City of Chicago. In the City of Chicago I believe now there are, if I'm not mistaken, either six or eight compressed natural gas fueling stations. There's going to be compressed natural gas along the interstates at the truck stops. The tollway is building electric fueling stops at their rest stops. This Bill requires that there be at least one electric fueling stop at each rest stop handled by the Department of Transportation, so we are going to see these. If you go into the parking lots in the City of Chicago, you see these reserved spots for electric vehicles. We're going to see these fueling stations become more and more prevalent; the market's moving in that direction."

Ives: "Well, I'm just wondering if you have a good demand figure for building this out right now because as far as I... last time I checked, the state was broke."

Harris, D.: "Well, the last time I checked the state was broke too, it hasn't changed. To answer your question, do I know what a single charging station at a rest stop might be? The answer is I don't know. I should add, the legislation also specifies that using one of the charging stations can be... there's a fee involved."

Ives: "Okay."

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Harris, D.: "In other words, the state can charge for electric charging stations."

Ives: "Fair enough. The other thing I wanted to know, is there anything preventing the state from just doing this without legislation? Why do we have to legislate what they..."

Speaker Turner: "Representative Ives, please bring your remarks to a close."

Ives: "Okay. That's... that's my last question. Is... do we have to legislate this? Can't a manager manage it and decide that it makes sense to do it or not?"

Harris, D.: "Sure. We don't..."

Ives: "Okay. Thank you."

Harris, D.: "...we don't necessarily have to legislate it. I will tell you there is an Executive Order that the Governor issued saying reduction of petroleum-based fueling. This is sort of a real kick in the pants and an incentive to make sure it happens."

Speaker Turner: "Representative Davidsmeyer."

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

Speaker Turner: "Sponsor yields."

Davidsmeyer: "I was just wondering how this 25 percent affects... does it affect every vehicle that they purchase including, you know, IDOT, you know, tandems and large trucks and..."

Harris, D.: "It... it... any vehicle purchased except for State Police patrol cars, which are excluded. Any vehicle... the entire fleet of vehicles purchased by the State of Illinois; that does not include the Toll Highway Authority."

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Daidsmeyer: "Do you... do you know what's currently available on the market as far as lar... larger trucks for IDOT or pickup trucks and things of that sort that are needed for the daily operations of those through this."

Harris, D.: "I confess that IDOT gave me the figures and I don't have them in front of me. I will tell you that the trucks are the easiest part of it because most of the trucks return to a... a garage at night. And anything that returns to a garage at night is more easily fueled by an alternative fuel."

Daidsmeyer: "Okay. And... and we just... we don't know the direction the market's going on... on stuff like this, so I have a hard time requiring something like this when we don't know what it's going to be in 2016."

Harris, D.: "And fair enough. And that's why I said it's two and a half years out; it's January 1 of 2016. And the market could change substantially by then."

Daidsmeyer: "Yeah."

Harris, D.: "If it does, let's change... let's change the legislation."

Daidsmeyer: "And I think if it was a recommendation, I would support it."

Harris, D.: "Thank you."

Daidsmeyer: "Thank you."

Speaker Turner: "Representative David Harris to close."

Harris, D.: "I think we've had a full discussion. And I would recommend and encourage a 'yes' vote."

Speaker Turner: "The question is, 'Shall House Bill 2695 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting

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is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Costello, Dunkin. Mr. Clerk, please take the record. On a count of 77 voting 'yes', 26 voting 'no', 0 voting 'present', House Bill 2695, having received the Constitutional Majority, is hereby declared passed. Members, we still have over 40 Bills to get through this afternoon. In an attempt to meet the Third Reading deadline, if you wish to get out of here any time soon, please keep your remarks as brief as possible and vote your switches as quickly as possible. Thank you. Representative Brauer."

Brauer: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, if you will take a moment and mourn with me, Jeff Hofmann was a local DJ and he passed away last night. Jeff was 60. He had been doing a morning program with Sam Madonia and Paul Pachlhofer for the last 15 years. He is survived by his wife Mary, his daughter Kate, who he's been a very loving father and everywhere he went, Kate was always with him. He loved people. He loved the... what goes on down here, but more importantly, everybody that knew him loved him. Take a moment of silence and remember Jeff for me, please."

Speaker Turner: "Mo... Body will take a moment of silence."

Brauer: "Thank you, Mr. Speaker."

Speaker Turner: "Thank you, Representative Brauer. Next, we have House Bill 2606, Representative Mautino. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2606, a Bill for an Act concerning liquor. Third Reading of this House Bill."

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Speaker Turner: "Leader Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 2606, as amended with Floor Amendment 1, reaffirms Illinois's policy that the manufacturers of beer, including out of state brewers, are prohibited from holding distributors licenses or owning ownership interest in a distributorship thereby preventing prefer... thank you so much... I appreciate our other 90 Sponsors, but I do have a couple of pieces of... of legislative intent. For this, if you'll allow us to go through and the reason that is, is when I sponsored Senate Bill 754 in 2011, all of you voted for it and in which, we stated in the debate that all brewers in-state and out of state, may not self-distribute. And the intent was stated to prevent brewery-owned distributorships; however, the Liquor Control Commission, 17 months after the Bill was made law, ruled the legislation was not significantly clear and warranted the conclusion that ownership, directly or indirectly, is unlawful. And they basically ignored the will of this Body. So, what this Bill does, very quickly, is it allows the Associated Beer Distributors to have standing before the Liquor Control Commission. It has them send out in 30 days a survey to find out who has ownership. Those with ownership interest, against our statutes and against our intention of 754, will then need to divest themselves. They're given two years to do that. And that's basically the structure of the Bill."

Speaker Turner: "Rep... Representative David Harris."

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Harris, D.: "Thank you, Mr. Speaker. And just some questions of the Sponsor, if I may, for purposes of legislative intent. Will he yield?"

Mautino: "Sure."

Speaker Turner: "Yes, he yields."

Harris, D.: "Representative, did the Liquor Control Commission base its opinion using the legislative intent stated when Senate Bill 5... 754 passed the House?"

Mautino: "No, the Commission was stated... stated that the Bill was vague, yet totally ignored the legislative intent in which I stated it was to prevent all brewers from holding a distributor's license or owning a distributorship."

Harris, D.: "Thank you. And why should a brewery be prohibited from owning a distributorship?"

Mautino: "There's one example, a brewery-owned distributorship would have no incentive to sell any other products other than their own beer, simply put, independent Illinois's distributors provide an avenue for craft brewers, new imported brands and new domestic brands to have access to the market."

Harris, D.: "And thank you. One final question, does this legislation affect the ability of a small craft brewer to self-distribute?"

Mautino: "No. The craft brewers who produce less than 15 thousand barrels will continue to have the ability to self-distribute, up to 7,500 barrels of their own beer."

Harris, D.: "Thank you very much."

Speaker Turner: "Representative Leitch."

Leitch: "Thank you very much. Will the Gentleman yield?"

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Speaker Turner: "Gentleman will yield."

Leitch: "I know since prohibition in Illinois has been well-served to have a three tier system in order to protect the state against vertical monopolies or vertical integration of beer distributorships. Can you, in your words, tell us why we have a three tier system?"

Mautino: "Sure. In the regulation of alcohol, an independent distributor acts as a buffer between the manufacturer and retailer. That prevents vertical integration in the marketplace and it also helps to prevent overly aggressive marketing practices by a brewer."

Leitch: "And what are some of the advantages of an independent distributor?"

Mautino: "Independent distributors must be based in Illinois, unlike most brewers, who are located out of state, located in a foreign country. In-state distributors provide several benefits to the state such as employment opportunities, economic activity, community involvement, tax collection, preventing counterfeit products and providing the state the ability to quickly and efficienc... efficiently regulate the importation of alcoholic beverages within Illinois's borders."

Leitch: "Thank you. To the Bill, Mr. Speaker. The last time we passed this Bill or certainly the comparable Bill, it went out of here unanimously. And I would strongly recommend that we send it out of here unanimously again. Thank you."

Speaker Turner: "Representative Mautino to close."

Mautino: "Thank you very much. I wanted to thank specifically Representatives Harris and Representative Leitch,

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Representative Bost, Senators Munoz, and Link who participated in months of discussion to bring this to an agreement by all parties."

Speaker Turner: "The question is, 'Shall House Bill 2606 pass?' All those in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Monique Davis. Mr. Clerk, please take the record. On a count of 103 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 2606, having received the Constitutional Majority, is hereby declared passed. Representative Bost."

Bost: "Thank you, Mr. Speaker. Please excuse Representative Sandack for the rest of the day. Next."

Speaker Turner: "The record will reflect your request. House Bill 3061, Representative Ford. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill... House Bill 3061, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "Representative Ford."

Ford: "Thank you, Mr. Speaker and Members of the House. House Bill 3061 is a Bill that I've worked on for at least three years. And it simply extends the eligible offenses for the judge to have the discretion to seal certain offenses. I move for the passage of this Bill. And I'm open for any questions at this time."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 3061 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Representative Brauer, Demmer, Drury, Leitch, Senger. Demmer. Mr. Clerk, please take the record. On a count of 65 voting 'yes', 35 voting 'no', 0 voting 'present', House Bill 3061, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 30... 3120. Would you please read the Bill?"

Clerk Hollman: "House Bill 3120, a Bill for an Act concerning real property. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, House Bill 3120, Representative Mautino. Mr.. Please read the Bill."

Clerk Hollman: "House Bill 3120, a Bill for an Act concerning real property. Third Reading of this House Bill."

Speaker Turner: "Representative Mautino."

Mautino: "Thank you. House Bill 3120 is an initiative of the Department of Natural Resources. It is a land swap, 20 acres for 19 acres. All the paperwork is in on it. Well, actually, we get the 20 acres and we make 1200 bucks. Mr. Franks was concerned about that. I know he is extremely concerned and I think if we... I'd like to ask for an 'aye' vote. And to welcome, I believe, to the chamber, the students of Parkside School, who are above me here on this side. Give them a round of applause. Hey, guys. And please vote 'aye'."

Speaker Turner: "That was efficient. The question is, 'Shall House Bill 3120 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Acevedo, Ford,

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Mayfield, Senger, Welch. Mr. Clerk, please take the record. On a count of 98 voting 'yes', 1 voting 'no', 1 voting 'present', House Bill 3120, having received the Constitutional Majority, is hereby declared passed. House Bill 1682, Representative Dwight Kay. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 1682, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Madison, Representative Kay."

Kay: "Thank you, Mr. Speaker. This is a pretty straightforward Bill. It amends the Revenue Act. And basically requires each state agency to approve bills, pass them along to the Comptroller. She will then be posting them on a website with respect to each state agency as well as the amount. No names of particular payees will be posted, just the amounts."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 1682 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Lang, Christian Mitchell. Mr. Clerk, please take the record. On a count of 102 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 1682, having received the Constitutional Majority, is hereby declared passed. House Bill 22, Representative Flowers. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 22, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Turner: "Representative Flowers."

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Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 22 will require all insurers in Illinois to cover preexposure prophylaxis, a special course of HIV treatment that aim to prevent people from being infected with the HIV. PrEP is also is intended for people at risk of exposure. For example, in the case of a couple where one partner is HIV positive and the other is not, it would protect them. PrEP is also cost-effective and is intervention, it is more cost-effective for an insurance company to pay a thousand dollars a month to prevent HIV infection than to spend to 380 thousand a month to treat a person with HIV over his lifetime. So, I would appreciate an 'aye' vote."

Speaker Turner: "Representative Reis."

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

Flowers: "Yes."

Speaker Turner: "She indicates that she will."

Reis: "Representative, this had a lot of debate in committee. And can you tell the Body what vaccines are available right now that could be used for this?"

Flowers: "Well, there is TRUVADA is available right now."

Reis: "Has that been approved by the FDA?"

Flowers: "And it's not a vaccine. It's a prophylaxis treatment."

Reis: "Has it been..."

Flowers: "The Amendment was put on to remove the word 'vaccine'."

Reis: "Okay. But has... has that prophylactic been approved by the FDA?"

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Flowers: "Yes."

Reis: "Okay. And how much does this cost?"

Flowers: "Pardon me?"

Reis: "How much will these vaccines cost and how often are people going to need to be vaccinated?"

Flowers: "You know, they're not vac... they're not... It's not a vaccination, you know. It is... according to my information, people that have been exposed to HIV or either a high incident of maybe contacting or contracting HIV, they are encouraged to take it, the medication."

Reis: "But you don't have any idea how much this is going to cost?"

Flowers: "Well, I do know it's going to be cost-effective. It's going to be cheaper than to treat a person with HIV. So, it depends on the doctor. It depends on, you know, how much the... the medication's going to cost because the more it's used, the less it's going to cost. So, you know how medication the price goes down after a while."

Reis: "Well, that's a very broad answer there for a very specific question. I guess more importantly, regardless of the cost and I know you put the Amendment in taking out the vaccine language, but..."

Flowers: "It's not a vaccine."

Reis: "I know. I said you took... you..."

Speaker Turner: "Excuse me, Representative Reis, can you bring your remarks to a close. Your time has expired."

Reis: "I know you've taken out the vaccine part of it, but here's the real kicker, Ladies and Gentlemen. If we put this program in place before Obamacare gets put into place,

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we're going to have to pick these costs up as a State of Illinois; whereas, if we wait a few months to see if the Affordable Care Act is enacted, they're going to be picking up this cost. To me, it makes absolutely no sense to do this right now. This is something we could revisit next year, but let's let the Affordable Care Act, however it's going to be implemented, be implemented so that they would pick up these costs rather than us start a new program that we would have to pick up the cost for."

Speaker Turner: "Representative Flowers to close."

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 22 will reduce HIV in the community. Allowing individuals access to PrEP will reduce the likelihood of a new HIV infection. Also, the promotion of early intervention will reduce the ca... the cost of the care. This... we're trying to save peoples' lives. This is cost-effective. People are paying their premiums, so they should be able to get the type of services in which they need. I would appreciate an 'aye' vote and there is no op..."

Speaker Turner: "The question is, 'Shall House Bill 22 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Members, please record yourself. Have all voted who wish? Representative Brady. Martwick. Mr. Clerk, please take the record. Representative Flowers."

Flowers: "Mr. Speaker, would you please put this on Postponed Consideration?"

Speaker Turner: "Mr. Clerk, please put this Bill on the Order of Postponed Consideration. House Bill 197, Representative

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Mayfield. Out of the record. House Bill 2779,
Representative Moffitt. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2779, a Bill for an Act concerning
education. Third Reading of this House Bill."

Speaker Turner: "Representative Moffitt."

Moffitt: "Thank you, Mr.. thank you, Mr. Speaker, Ladies and
Gentlemen of the House. This issue was brought to me by a
constituent who taught in a school district, retired and
then a year or two later wanted to go back to teaching.
She'd had fingerprints on file and everything. Under
current law, she had to get more fingerprints. This simply
would say that if you retire and then go back to
substitute, if you have fingerprints that are within 10
years and have signed an affidavit, that no conviction or
anything, that that would.. would comply with the law. It'd
save them money; it was going to take a day or two of
teaching just to pay for the cost of the fingerprints. And
it's hard for some school districts to even get a sub, so
this would encourage people to go back and substitute.
Appre... Be happy to entertain any questions."

Speaker Turner: "Representative Franks for two minutes."

Franks: "Representative, I understand what you're trying to do,
but is it... I'm a little concerned. Let's assume they have
fingerprints on file and let's assume that the person's
retired and then they get arrested for something. And then...
but then they file a fraudulent affidavit. What's to... that
person's going to get hired then under this Bill."

Moffitt: "Not neces..."

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Franks: "What's the harm... Here's my question. What's the harm and let's... the fingerprints aren't going to change, obviously, but what's the harm in having the school do the background check?"

Moffitt: "Just trying to save an expense. And that person and we're talking like down in our area, it's somebody they know in the community. If... if you want any language to further clarify the school, if they have any questions, they could still request that. And I'd be happy to ask that to be put on in the Senate."

Franks: "Yeah. 'Cause that concerns me because... I understand the intent, but our world's changing a lot. I mean, I..."

Moffitt: "Representative, I'd be happy to work with you with language. I have the Senate Sponsor arranged..."

Franks: "Okay."

Moffitt: "...and we'll put that on to just further clarify to give the school board or administration the authority if they don't know. If they feel there's a question, then they..."

Franks: "Yeah. I'd like to... I'd like to allow the schools to do this because the way..."

Moffitt: "Be happy to do that."

Franks: "Thank you. I don't want it... I don't want them to be prohibited..."

Moffitt: "Right."

Franks: "...from that 'cause that concerns me."

Moffitt: "But I'll work with you. You get me the language and we'll have an Amendment drafted and put on in the Senate."

Franks: "And we'll work together. Thank you."

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Moffitt: "Thank you."

Speaker Turner: "Representative Moffitt to close."

Moffitt: "Thank you. I'd be happy to make that change. And this is a way to lower costs for substitute teachers, help attract them and we're still protecting our children. So, I urge a 'yes' vote."

Speaker Turner: "The question is, 'Shall House Bill 2779 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McAsey. Mr. Clerk... Mr. Clerk, please take the record. On a count of 86 voting 'yes', 16 voting 'no', 0 voting 'present', House Bill 2779, having received the Constitutional Majority, is hereby declared passed. House Bill 2330, Representative Ford. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2330, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Turner: "Representative Ford."

Ford: "Mr. Speaker, thank you and Members of the House. We had a debate on this Bill already and in the spirit of getting the best Bill for the State of Illinois, I pulled the Bill, put it back to Second and worked with all interested parties. And we've come up with an Amendment and I hope the Amendment will address all of the concerns, so that we can pass this Bill to the Senate for passage for the people of Illinois. What the Bill does is, it allows for noncustodial parents to have the child support suspended during a time of incarceration. There are safeguards in the Amendments

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for this Bill and I am open for any questions as it relates to the safeguards and why this Bill is necessary."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 2330 pass?' All in favor vote 'aye'... Representative Kay."

Kay: "Will the Sponsor yield?"

Speaker Turner: "Sponsor will yield."

Kay: "Just two quick ques... well, one question. If somebody is incarcerated and they do have income, what would this Bill do to it?"

Ford: "If they have income, then they would have to pay."

Kay: "They'd still have to pay it?"

Ford: "Yes."

Kay: "Okay. Thank you."

Ford: "Thank you."

Speaker Turner: "Representative Franks."

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

Speaker Turner: "Sponsor yields."

Franks: "Does this... does your Bill take into account assets or only income?"

Ford: "Assets and income."

Franks: "Did the underlying Bill take into account the assets?"

Ford: "No."

Franks: "Okay. So, now, 'cause if there's someone like a, you know, a Bernie Madoff goes to prison and he had, you know, younger children and he had \$10 million in the bank, I'd expect that he would still pay child support, correct?"

Ford: "Correct. And that's why I pulled the Bill and in the spirit of cooperation and making the best Bill for the

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people of Illinois, and we have Amendments #2 and 3 to address all those concerns."

Franks: "Okay. Thank you."

Ford: "Thank you."

Speaker Turner: "Seeing no further debate, the question is, 'Shall House Bill 2330 pass?' All those in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative... Mr. Clerk, please take the record. On a count of 50 voting 'yes'... Representative Ford."

Ford: "Thank you, Mr. Speaker. Please, if you could remand this Bill to Postponed Consideration."

Speaker Turner: "Mr. Clerk, please move this Bill to the Order of Postponed Consideration. Mr. Clerk, House Bill 3262. Could you read the status?"

Clerk Hollman: "House Bill 3262, a Bill for an Act concerning transportation. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Out of the record, Sir. House Bill 2846, Representative Golar. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2846, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Turner: "Representative Golar."

Golar: "Mr. Speaker, would you please place that back on Second Reading for me, please?"

Speaker Turner: "Clerk, please move House Bill 2846 back to the Order of Second Reading. House Bill 2341, Representative Jakobsson. Mr. Clerk, please read the Bill."

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Clerk Hollman: "House Bill 2341, a Bill for an Act concerning liquor. Third Reading of this House Bill."

Speaker Turner: "Out of the record. House Bill 3035, Representative Jakobsson. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 3035, a Bill for an Act concerning State Government. This Bill was read a second time on a previous day."

Speaker Turner: "Out of the record. House Bill 2764, Representative Scherer. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2764, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Turner: "Representative Scherer."

Scherer: "Thank you, Mr. Speaker. Currently... this is good news, instead of... we are trying to save money. Currently, Illinois requires businesses wishing to display a sign on their own property near the interstate to pay a fee between 50 and 200 dollars. We all want to help employers and jobs in Illinois. Wouldn't it make sense to remove another burdensome fee on businesses? Over the next 20 years, the state expects to spend \$16.4 million to control on premise signs. However, this sign regulation has only generated \$76 thousand in state revenue over the last 2 years and the Federal Government has stopped paying Illinois to regulate these signs. As we face another round of difficult budget decisions, wouldn't it make sense to eliminate a program that is costing the state and businesses? The National Federation of Independent Businesses is supporting this and I know of no opponents at this time. I ask for your

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favorable consi... consideration and please vote 'yes' to save money."

Speaker Turner: "The question is, 'Shall House Bill 2764 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Brady, Crespo. Mr. Clerk, please take the record. On a count of 102 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 2764, having received the Constitutional Majority, is hereby declared passed. House Bill 963, Representative Moffitt. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 963, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Turner: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. This is a Bill to extend the life of a TIF district like we've done several recently. This is for the Village of Ohio in Bureau County. It would extend it from the 23 years to 35 years, which is standard procedure. We have all the letters on file from the taxing bodies. It's in Bureau County which I share with Representative Mautino and they view this as something that will help them attract business. Appreciate your consideration."

Speaker Turner: "The question is, 'Shall House Bill 963 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Monique Davis. Mr. Clerk, please take the record. On a count of 96 voting 'yes', 5 voting 'no', 1 voting 'present', House Bill 963,

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having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 922, Representative Hurley."

Clerk Hollman: "House Bill 922, a Bill for an Act concerning employment. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #2 was adopted previously. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, House Bill 922, Representative Hurley. Out of the record. House Bill 2816, Representative Manley. Out of the record. House Bill 1243, Representative Kelly Burke. Mr. Clerk."

Clerk Hollman: "House Bill 1243, a Bill for an Act concerning civil law. This Bill was read a sec... was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendments 4 and 5 have been previously adopted. No Committee Amend... No further Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, House Bill 1243, Representative Kelly Burke. Please read the Bill."

Clerk Hollman: "House Bill 1243, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Turner: "Representative Kelly Burke."

Burke, K.: "Thank you, Mr. Speaker, Members of the House. House Bill 1243 is the product of a commission... a committee that was authorized by this Body in 2008. It was the Illinois Family Law Study Group. And the group... the committee was put together because we have two statutes to deal with family situations, the Illinois Marriage and Dissolution of Marriage Act and the Parentage Act. And both of those were

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written a long time ago, the Marriage Act in 1977 and the Parentage Act in the '50s and then 1984. And since that time there have been many changes within the family law arena. And we have... and during that time we have amended it piecemeal and so, there was a move to overhaul these so that we could have a more comprehensive Bill. The committee was put forward in 2008; it was bipartisan with Members appointed by the Speaker, Leader Cross and the Supreme Court. It included lawyers, Legislators, including four Members of this Body: Representative Tracy, Representative Osmond, former Representatives Mathias and Rose. Judges from around the state including Judge Jane Waller from Lake County and Judge William Boyd from Cook, representatives of various government agencies, professors and advocates, all volunteering copious amounts of time to this project. After three years of hearings and meetings all over Illinois, getting input from advocacy groups, bar associations and the like, the drafting committees got to work putting all the ideas into a workable framework for both the Dissolution of Marriage Act and the Parentage Act. Those Bills were filed late last spring. The committee used the summer to get additional input on the concepts in the Bills and take suggestions on revision. The Bills were refiled this Session. We moved forward with the Parentage Act rewrite, which is House Bill 1243 and hope to move the Marriage Act legislation later this year. The Parentage Act was assigned to the Judiciary Committee. We had a subject matter hearing and then two additional committee hearings. The result was some changes to the Bill which is now before

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you in Amendments 4 and 5. The Bill has been thoroughly vetted and passed the committee... the Judiciary Committee with flying colors. So, after a four-year process, the Bill is before you today. I'm giving you all this history to let you know the exhaustive process that went into forming this Bill and how involved various Members of the Legislature, the Judiciary and all people associated with family law have been. The Bill makes several substantive changes and many technical changes to the Parentage Act. The proposed Bill incorporates provisions for children born to civil unions and children born by assisted reproductive technology. The Acts recognize the societal changes and extends equal rights and responsibilities to both parents while guaranteeing the right of every child to the physical, mental, emotional, and financial support of his or her parents. The Bill is focused on protecting the best interest of the chil... of children. It was supported by the Illinois State Bar Association as well as the Attorney General's Office. I'm happy to answer any questions and I would love your support."

Speaker Turner: "I just want to remind the Members, we're on a two-minute debate timer that will be strictly enforced. Representative Reis."

Reis: "Inquiry of the Chair."

Speaker Turner: "Please state your inquiry, Sir."

Reis: "How strictly enforced?"

Speaker Turner: "Very strict."

Reis: "Will the Sponsor yield?"

Speaker Turner: "Sponsor will yield."

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Reis: "Representative, and to everyone in the House here, I want you to take a look at this. I know that the Sponsor said this has been thoroughly vetted, but 274 pages and you make changes to 46 different state statutes so. It's a very complicated, complex Bill. So, I have a few questions, Representative. Does this Bill contain an express provision prohibiting a child from having no more than two legal parents?"

Burke, K.: "There is... it is for two parents and there are various presumptions, some of which were contained in the previous law and some which have been added. But the presumption is that a child has two parents and there are various mechanisms within it to figure out what's... who those two parents are. The presumptions are rebuttable and the... it... there is a provision for a situation where more than two people are claiming interest in parenting this child that there is a provision for resolving those conflicts so that we have two parents."

Reis: "So, let's say, if a woman became pregnant in a traditional manner, not by donation, but then enters into a civil union and has the baby, who would the law presume to be the parents..."

Burke, K.: "Well..."

Reis: "...under this law?"

Burke, K.: "...you have to understand that these parentage situations are very fact specific and to just let everyone know, we are not talking about people in a marriage. That's a completely different statute. This is simply a... for when

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children are born outside of marriage. So, I guess I'd need you to clarify what the initial situation was."

Reis: "Well, as a follow up, let's... so, if the dad of the child, would they have to sue the same sex partners to get the rights of the child?"

Burke, K.: "No, they don't sue. You... they're going... there's a..."

Speaker Turner: "Representative Burke."

Burke, K.: "There's a procedure to establish parentage, which has not changed under this Bill. There's always been a procedure to establish parentage. And a biological parent in that situation, that I think what you're saying, they will always have the right to come in and establish their parentage as long as they bring that within two years of when they knew or should have known that... that they were the parent of that child. It is not foreclosed that the... it... we're speaking of a biological father who perhaps was absent for a while, which I think is probably where you're going. If they file an action within two years of when they knew or should have known, they can establish their parental rights."

Speaker Turner: "Representative Kay."

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

Speaker Turner: "Indicates that she will."

Kay: "Kelly, with respect to your Bill, I'm... of course, next to you I'm not an authority on this at all, but why doesn't the Bill simply state that a child's legal parents are the two biological parents. Is there a reason you're not doing that?"

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Burke, K.: "Because we have a situation like in assisted reproduction where the biological parent has... they give up, they're a donor, they're not going to be the parent of that child. They... there's a way for them to volunteer to do that. And you also have a lot of different situations. If you're... if a child's born within a marriage, then there's one set of laws to deal with this. This deals with people who are... children who are born outside of a marriage. And there's a lot of different scenarios, Representative, it would be hard to go through all of them. I actually have an Excel chart showing all the different permutations. We're trying to come up with a scenario that will address the most possible situations. We can't... I can't sit here and tell you for every single... can think of every single instance of permutations of people's behavior and how they might act out."

Kay: "Okay. Let me... let me ask a separate question. I think I caught what you're trying to get at, but how does this Bill affect the Adoption Act that we have in the state?"

Burke, K.: "It does not affect the Adoption Act, only by reference. And the previous speaker had spoken of the fact that this Bill is 240-something pages long, but the vast majority of the pages of the Bill are simply changing references to the Act in other Acts. So, in cases where it says, where it refers to the Parentage Act of 1984, it needs to be changed to the Parentage Act of 2013. So, the actual meat of this legislation is contained in about the first 50 pages and it does not affect..."

Speaker Turner: "Representative Burke."

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Burke, K.: "It does not affect the Adoption Act in terms of the mechanics of people going through adoptions."

Speaker Turner: "Representative Tracy."

Tracy: "Will the Sponsor yield?"

Speaker Turner: "Sponsor will yield."

Tracy: "To the Bill. I... I very much think that we have a very difficult task before us in addressing children that are born outside of a relationship of marriage. Certainly, our focus always has to be on the best interest of the children, irregardle... regardless of how they... they don't choose to be placed in these... in whatever situation, but they need the protection and I think it's within our jobs to do so. Some of my concerns with the Parentage Act are the various types of situations and circumstances and I know we have tried to vet it the best we can, but I do know a lot of people in the State of Illinois, my constituents, still have concerns over situations such as a presumption of parentage for someone that is not biologically connected to a child. And for instance, if a child wants to seek out its biological parents when it becomes an adult, I don't know that we have addressed those specific circumstances and I think that that is something yet to remain to be addressed presuming that we have parents come and then allowing a short time of two years for a biological parent to come forward, I think there's very many life circumstances that exist that are going to prohibit and prevent a biological parent from coming forward and I think that that..."

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Speaker Turner: "Representative, I'm sorry. Your time has expired and we have a lot of other people seeking recognition. And we're going to have to move on. Representative Sacia."

Sacia: "I yield my time to Representative Reis."

Speaker Turner: "Representative Reis."

Reis: "We're trying, Mr. Speaker, thank you. Representative, how will this Bill affect the Adoption Act?"

Burke, K.: "As I said to the previous speaker, it will not. It incorporates it by reference only."

Reis: "So, why is the Cook County Public Guardian still opposed to this Bill?"

Burke, K.: "I believe they're neutral. I... let's see. Yeah. Amendment 5, we worked through with the Cook County Public Guardian's Office. And it's my understanding that it removed all their concerns and that they are in support."

Reis: "Okay. It's our understanding that they think that the language still isn't consistent through all those pages, that there's still some concerns there. It's our understanding that same sex couples in a civil union can adopt now, right?"

Burke, K.: "This Act does..."

Reis: "No, no. It's not only..."

Burke, K.: "...nothing to change or not change that."

Reis: "They can do that right now in state statute, right?"

Burke, K.: "Correct."

Reis: "So, why don't we just have this particular situation, if it arises, just adopt in the same way that a stepparent would instead of having this type of a intervention?"

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Burke, K.: "A stepparent is... I guess explain to me how you think there's a difference."

Reis: "Why don't... why don't they just go through the normal process of adopting that child rather than have this intervention where someone else is doing it and we have all this other stuff that so many of us have concerns with? Why don't we just let the normal process work out?"

Burke, K.: "So, Representative, I think you're operating from the presumption that the entire Article 2 of this statute is new, it is not. And this is..."

Reis: "How..."

Burke, K.: "...how things have worked and it adds the provisions..."

Reis: "And I..."

Burke, K.: "...for the civil unions where there's a presumed parent. I... I don't..."

Reis: "Well, here, let me rephrase this, I'm not out of time again. Why not just say that the biological parents are the parents and let the same sex partners adopt the child?"

Speaker Turner: "Representative Burke."

Burke, K.: "I would just... to that point, I think four years of legal minds who work with these situations every single day and are trying to provide judges and lawyers and families who are in these situations the best framework. And I would defer to their expertise because I think they took... they took input from all sides and then they tried to craft the best thing that they could. I would just want to speak to what a previous speaker said. It's two... it's two years from when a biological parent knew or should have known. It's

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not two years from the child's birth. It's two years from knew or should have known which gives someone ample time to come in and establish their rights. And in regard to a child trying to determine who their biological parent is, if they didn't know that parent growing up, the child can always do that. There is no limitation on that provision."

Speaker Turner: "Representative Brauer."

Brauer: "Thank you, Mr. Speaker. Yield the rest of my time to Representative Reis."

Speaker Turner: "Representative Reis. No, Representative Bost."

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

Speaker Turner: "Sponsor will yield."

Bost: "Representative, under Section 204, here's how it reads. It says if two or more conflicting presumptions arise under this Section, the presumption, which on the facts is found on the way to your consideration of policy and logic, especially the polit... policy of promoting the child's best interest controls. So, the way it reads, this... that this child has a biological parent and more than one person presumed to be a parent then the judge, it can and may... if a judge wanted to, he or she could... could rule that the child has three legal parents. Is that right?"

Burke, K.: "No. It... that... that provision, Sir, is to prevent that. There is... there is a concept called day facto parenting which would allow for more than... for the situation you're talking about where there could be three people. The committee decided that it is in the best interest of the child to have established two parents and that's why there's that conflict provision. If you have two

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presumptions that are conflicting, the judge will make a decision based on which presumption will prevail so that the child has two established parents."

Bost: "Okay. Then let me ask this. Wouldn't it have been just as easy to go ahead and put in here that the child can't have more than two legal parents?"

Burke, K.: "I think it's saying the same thing."

Bost: "Okay. I think that the people that brought..."

Burke, K.: "I think that you may... may argue with the draftsmanship, but I think that's the same thing."

Bost: "But some of those who were opposed to it felt that that should have been placed in there and I guess it just wasn't because why?"

Burke, K.: "I guess... because I think it... that is what it's saying. I have not used..."

Bost: "Okay. And I do have another question. I'm running out of time here. I'm... I'm... Mr. Speaker, this is some of the most intense pieces of legis..."

Speaker Turner: "Representative Bost, one additional question, please."

Bost: "All right. Thank you. Okay. Under Section 204, a woman's, same sex partner, is presumed a parent of a child regardless of how the baby was conceived, right? The partner... the partners are they... they're the parents."

Burke, K.: "If..."

Bost: "Both are parents."

Burke, K.: "...if they meet... if they meet the criteria of that presumption."

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Bost: "But both are parents. But the biological mother of the same sex partner is never the child's second biological parent. If both biological parents, the mom and the dad, want to voluntarily surrender the parents' rights and place the baby up for adoption, could the same sex partner protest that and stop that adoption?"

Burke, K.: "This... so... and let me just clarify something. If... if the child were born from an assisted reproduction, there is an art... the donor, biological father, would have given up his or... his rights to the child. There is... we'd have a recordation of his... of his giving up. So, it... we're really just dealing with..."

Bost: "I'm... I'm not... yeah. Yeah, just... look, we're going to have cases where that's not the case. Now, what happens? I... I think... I think these are things we really got to figure out on this Bill."

Speaker Turner: "Excuse me, Representative?"

Burke, K.: "I understand that."

Speaker Turner: "Leader Lang in the Chair."

Speaker Lang: "New sheriff in town. Representative Feigenholtz for two minutes."

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

Speaker Lang: "Lady yields."

Feigenholtz: "Representative Burke, an earlier speaker asked you a couple of questions. I realize this is a rewrite of a lot of Acts and you had said that there were some changes in the Adoption Act. And I see from our analysis that there... this is a fairly lengthy piece of legislation with no... nothing underscored in it. So, I have a couple of

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questions. Regarding a child, a biological child who possibly may want to search for their biological parent, we have a laws in the Vital Records Act and the Adoption Act that provide an opportunity for a confidential intermediary for going to the reg... adoption registry and exchanging medical information and the birth certificate access law... Mr. Speaker."

Speaker Lang: "Yes?"

Feigenholtz: "Might you get a little decorum in the chamber. I can't hear myself. Anyway, let me finish. So, I'm wondering if you have made any changes at all to those parts of the Adoption Act?"

Burke, K.: "No."

Feigenholtz: "Or the Vital Records Act."

Burke, K.: "Any changes to any of those Acts are technical and where those Acts refer to the Parentage Act of 1984, it's been replaced with the Parent Act... Parentage Act of 2013, technical changes only."

Feigenholtz: "Might you give me an indication on what pages of this 230-page document this would be on?"

Burke, K.: "If you can give me a moment."

Feigenholtz: "Sure. And also while you're an..."

Speaker Lang: "We'll extend you an extra minute. Representative Feigenholtz."

Feigenholtz: "Representative, I really appreciate you looking up the Vital Records Act. I also am wondering if you made any substantive changes or if it was your intent, to make any changes or to impair or prohibit access to those biological relatives that have been in law for over a

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decade, if that was your intent in changing this law and also the Abandoned Newborn Infant Act? What..."

Burke, K.: "So, you've got a couple of parts to that question. There are no references whatsoever to the Abandoned Newborn Infant law and the intent of this legislation was only to address the Parentage Act and any changes to other Acts are purely technical in nature. So..."

Feigenholtz: "So, adult adopted persons will still be able to have access to all of the statutory items that we have... previously had in statute and there's no intent to impair any of that?"

Burke, K.: "None whatsoever."

Feigenholtz: "Thank you."

Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, as the Sponsor indicated when we were first in the Judiciary Committee, this legislation was filed last May. We've had numerous subject matter hearings and we... there is some fundamental disagreement with this Bill with... with the... some of the opponents that are listed here, the Family-Pac and the Eagle Forum. But this is a piece... this is a Bi... a statute that has not been really comprehensively looked at in 30 years. And I don't know how long it was before that, but this is a... this is an area where families have changed significantly in the last 30 years. And our laws are not updated to reflect that those very significant changes and I don't... that the... I think that... I can't remember the testimony exactly, but over half of the children in this... in the country are born outside of a

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traditional two parent, man and woman family. And so, our laws need to reflect that. They need to take account of the changes in society and provide an opportunity for... for a much more modern and 21st century Parentage Act. I think... we... there's been a lot of years of input on this, years of discussion and I think that the Sponsor has brought forth a very excellent piece of legislation to accomplish the goals that I think is important for the state to accomplish. And urge an 'aye' vote."

Speaker Lang: "Mr. Morrison for two minutes."

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

Speaker Lang: "Lady yields."

Morrison: "I guess just a follow-up question that Representative Reis had asked. Why... why not have specific language that prohibits more than two parents?"

Burke, K.: "You know, Representative, this... this legislation, the committee that brought this forward and spent four years taking input from all over the state and discussing this with whoever wished to participate from all areas of law and included many Members of our legis... of our... of our Body. The intent is to provide the people who handle these cases with a framework. It's not to advance any agenda or policy. It's to deal with what is happening. So, I appreciate the questions."

Morrison: "Okay. I..."

Burke, K.: "I'm going to take this out of the record and we will work in a... I'd be happy to convene a group. This has been pending since May. I certainly wish that somebody had, you know, people who had questions had come to talk about

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this beforehand because I really think you're having a misunderstanding of what the intent of the legislation is. But I'd be happy to sit down and talk with you and address those. So, I'm going to take that out of the record."

Morrison: "Okay."

Speaker Lang: "Lady takes the Bill out of the record. The next Bill is House Bill 2971, Mr. Smiddy. Please read the Bill."

Clerk Bolin: "House Bill 2971, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Mr. Smiddy."

Smiddy: "Thank you, Mr. Speaker. Basically, what this Bill does is it expands the Criminal Code of 2012 concerning unauthorized video recordings and live video transmissions from your own residential dwelling to any residential dwelling while you're videoed. So, I'd ask for an 'aye' vote. I'll take any questions."

Speaker Lang: "Gentleman moves for the passage of the Bill. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Cabello, Dunkin, McSweeney, Tracy. Mr. McSweeney. Please take the record. On this question, there are 102 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1463, Representative Golar. Please read the Bill."

Clerk Bolin: "House Bill 1463, a Bill for an Act concerning liquor. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Golar."

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Speaker Lang: "Representative Golar."

Golar: "Thank you, Mr. Speaker. Would you please move that Bill back to Second Reading?"

Speaker Lang: "The Bill is on the Order of Second Reading."

Golar: "I mean, hold it on Second."

Speaker Lang: "Okay. You wish not to do your Amendment today?"

Golar: "No. I wish not to do it, right."

Speaker Lang: "Mr. Clerk, please hold this Bill on the Order of Second Reading. House Bill 1680, Representative Pihos. Please read the Bill."

Clerk Bolin: "House Bill 1680, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Lang: "Representative Pihos."

Pihos: "Thank you, Mr. Speaker and Members. House Bill 1680, Amendment 3, raises the CMS equipment control limit from \$500 to a thousand dollars for all reasonable officers of the state including presidents of public universities but excluding officers of the Legislative Branch agencies. The administrators shall also require the reporting of all high theft items regardless of value and those are listed in the context of the Bill. Furniture with over 10 years of service need not be reported. And the reason for this Bill is to reduce tracking requirements, improve efficiencies, that will eventually result in savings realized through reduced workload for accounting and property control staff, all without compromising accountability over valuable property. Let me just give you an example of one department that I was able to get information from and that's the Department of Information. Right now, they have 123,440

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items. It costs approximately \$6 and 40 per... 40 cents per item to inventory them. Under this Act, since 60.8 percent of their inventory items are under \$500, it will save that department alone \$470,624 in annual savings. So, I'd be happy to answer any questions."

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

Dunkin: "I'll make it one minute. Representative, you read... and I'm trying to understand... so, we're not requiring inventory of items, state items over... under a thousand dollars? That's what this legislation would do?"

Pihos: "It's moving it from 500 to a thousand because the \$500 control limit was set 22 years ago."

Dunkin: "So, what happens to property that's below \$1 thousand, if this legislation were to pass?"

Pihos: "We're not asking that to be listed as part of... as part of the inventory at this point. We feel..."

Dunkin: "Well..."

Pihos: "...most of those items with that value, we're talking about pencils and papers and things like that."

Dunkin: "So, chairs or tables that are below \$1 thousand, they would go where?"

Pihos: "If the furniture is over 10 years old, they don't have to be placed on the inventory."

Dunkin: "And so, are they to be donated? Are they to be..."

Pihos: "No. They can still be used. They just don't have to be placed in the inventory."

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Dunkin: "Okay. So, what would you say is the bulk of state property in terms of office furniture? Is it above a thousand or below a thousand on average?"

Pihos: "Well, if you just take IDOT as an example, their property that is below \$500 only comprises less than 4 percent of their total amount of property."

Dunkin: "What's the inventory amount or capacity, for that matter, today?"

Pihos: "The inventory amount is 60.80 percent of IDOT's inventory items are under \$500, but only account for 3.52 percent of their total equipment value."

Dunkin: "So, that's IDOT. This is... this thing is supported by CMS. Is this going to..."

Pihos: "It does, but because, I mean, this is an enormous task pulling this information together, so I just chose to use one agency as an example."

Dunkin: "Okay. So, what do you think is the economic... what's going to be the economic impact with this raising from 500 to 1 thousand?"

Pihos: "Well, from one agency..."

Speaker Lang: "We'll give you an additional minute."

Pihos: "...for one agency alone, you have a savings of \$470 thousand. We've actually passed this Bill out of here twice. And it passed in the Senate and the Governor had an override Veto on it because he wanted it to apply to all agencies."

Dunkin: "Okay. So, all right, so, last point. So, Representative Rose... Rosemary Mulligan have this?"

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Pihos: "No. Representative Rose had this and turned it over to me. That's when it passed on both sides of the aisle, but the Governor vetoed it. We overrode the Veto, but they didn't call it in the Senate."

Dunkin: "Okay. Thank... thank you. And just for the record, I miss Representative Rosemary Mulligan, do you?"

Pihos: "I do too. Thank you."

Dunkin: "Yeah. Thanks."

Speaker Lang: "Representative Pihos to close."

Pihos: "Thank you very much. I hope you will consider this Bill and vote 'yes'."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Davis, Golar, Harris, Leitch. Mr. Leitch. Please take the record. On this question, there are 70 voting 'yes', 31 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2900, Representative Nekritz. Please read the Bill."

Clerk Bolin: "House Bill 2900, a Bill for an Act concerning public employee benefits. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Hold that Bill on the Order of Second Reading. House Bill 3229, Representative Nekritz. Please read the Bill."

Clerk Bolin: "House Bill 3229, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. This Bill has to do with school zones and getting people to slow down in school zones. We currently require vehicles to slow down during school hours, but the data from IDOT and the... and from the Chicago Police Department would indicate that most accidents occur a block from a school and are, in fact, after school hours and when... and into the evening. So, this legislation requires the speed zones to be in effect when children are present, whenever those children are present. And I would ask for your support."

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

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

Speaker Lang: "Lady yields."

Yingling: "I just had a couple questions. Are there any opponents who supports it and how well was this Bill vetted?"

Nekritz: "We're not aware of any opponents, Representative. And I didn't hear the second part of your question?"

Yingling: "I wanted to know if there were any opponents that supported it and how well was the Bill vetted."

Nekritz: "And what was the second part? I don't... I don't... I'm not aware of any opponents that signed in."

Yingling: "Okay. All right. No, no, that's fine. That's fine."

Nekritz: "Okay."

Yingling: "All right. And then also, what about the local control? Why isn't this something that the local community can take care of? Do you exempt Home Rule communities?"

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Nekritz: "Representative, there is no Home Rule dealt with here. What happens in the Vehicle Code the state sets the standards for it, but the locals then implement it and enforce it. So the locals can determine where there's a school zone and where there's not a school zone. But if there is a school zone, they have to comply with the State Law in terms of the speed and the time."

Yingling: "Okay. And then my final question is, are there any costs associated with this?"

Nekritz: "Any?"

Yingling: "Costs?"

Nekritz: "Well, there would be some changes to the signs, it would be required based on discussion with IDOT and we actually reached out to some of the councils of government as well. We extended the time by which... by and which those signs would have to be updated to reflect the new law to be in 2015 and that seemed to satisfy everyone."

Yingling: "Okay, great. Hey, I want to thank you for your work on this Bill. I think it's a good Bill and I will support it. And I urge my colleagues to support it as well."

Nekritz: "Thank you, Representative."

Speaker Lang: "There are still six speakers on this Bill. The Chair recognizes Representative Flowers for two minutes."

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

Speaker Lang: "Lady yields."

Flowers: "Representative, you know they're closing our schools in the City of Chicago, so why would this Bill be necessary?"

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Nekritz: "Representative, whether the schools are... where schools are open and this has nothing to do with closing or opening schools..."

Flowers: "Well..."

Nekritz: "...but where they are open children are being.. are being hit by vehicles after hours."

Flowers: "Well..."

Nekritz: "And that's what we're trying to address."

Flowers: "Well... but... but they're... the sch... I need to understand exactly what you're talking about because that building, because it's there, it used to be a school, but it's a school no longer. So, I have to protect my constituents, all of them. So, I don't want any of my constituents being charged with violating a school zone and that school is empty."

Nekritz: "Right. So, Representative, it's up to... it's up to the local unit of government, the City of Chicago, to determine where they want to impose a... to set a school zone..."

Flowers: "Now, does that Bill... does that... is that specifically in your Bill?"

Nekritz: "That's current law and we don't change that."

Flowers: "So... but you don't address the empty schools? If the City of Chicago do not choose to notice that the school is empty and want to continue because they supposed to have a cameras up there as well. Once again, how do we protect ourselves because technically that is not a school?"

Nekritz: "Well, Representative, there's two things: 1) it is up to your unit of local government to determine where a school zone is established and second, if there's no child

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there, then there's no restriction, because the Bill is on... the Bill only requires you to observe that speed limit when children are present within 50 feet of the roadway."

Flowers: "But you said if there's no child there, this is not applicable?"

Nekritz: "Right."

Flowers: "So, even if it wa..."

Speaker Lang: "Give you an additional minute."

Flowers: "Even if it was... so, even if it was a school and it's in the school zone, if there's no child present, there will be no fine?"

Nekritz: "Correct."

Flowers: "Okay. Thank you very much."

Nekritz: "Correct. Thank you, Representative."

Speaker Lang: "Mr. Reboletti for two minutes."

Reboletti: "Will the Sponsor yield?"

Speaker Lang: "Lady yields."

Reboletti: "Representative, I'm trying to figure out how this case would be prosecuted. So, my son attends a middle school. And he usually walks to school and it's about four blocks away and there's a sign that says school zone. So, it's pretty obvious when there's school days, there's many school children. How does this then expand the school zone? How does that work, then?"

Nekritz: "It... it does... it does nothing to the school zone itself, Representative. That's up to the locals to determine where the school zone is."

Reboletti: "So, that would stay the same?"

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Nekritz: "All it does is said is when there's a child... whenever there's a child present, you have to slow down."

Reboletti: "So, Sunday at noon on Christmas Day there's a child walking to church, 'cause the church is right next to the school, would that then qualify under this Bill?"

Nekritz: "Yes, Representative, I believe it would."

Reboletti: "And..."

Nekritz: "And I would think that that's what we would want is for someone to slow down when a child is present."

Reboletti: "Well, there's no doubt about that, Representative. I'm not... I'm looking at it from the enforcement mechanism of how does a police officer look at, say, here's the date, there's a child or... and then... I'm looking at this language of 50 feet of motorized traffic... I'm... I'm trying... I'm struggling with that portion of it."

Nekritz: "Well, Representative, we did work with the sheriff when this Bill was broader, we worked with the Sheriff's Association to set up the mechanisms that we had... the enforcement mechanism that we would have now. And this reflects exactly what is in the law with regard to parks. So, if there's a child present within 50 feet of a roadway at a park, then a slower... a slower limit applies. This... this mirrors exactly that and so, for law enforcement that... because we mirrored that... they seem to think that that enforcement would work... work well for them."

Reboletti: "And it says that the governmental Body responsible for the school zone would have to erect the sign. I assume that would be the municipal..."

Speaker Lang: "We'll afford you one more minute, Sir."

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Reboletti: "That's... that's very kind of you, Leader. That would be the municipalities, so they'd have to pay for the sign?"

Nekritz: "It depends on whose... whose jurisdiction the roadway is under. If it's IDOT, it would have to be IDOT. If it's... if it's the municipality, it would be the municipality."

Reboletti: "And what would the sign have to say?"

Nekritz: "The legislation doesn't have anything specific in it. It would just... it would have to ind... but it would have to indicate where the school zone begins."

Reboletti: "Well..."

Nekritz: "And the speed limit within that school zone."

Reboletti: "...well, the signs... the signs are already there that say that. Usually it says 20 miles an hour in a school... in the zone. You're in a school zone when children are present. But you're saying this... would there be a change to that then or are..."

Nekritz: "Well, Representative, if the..."

Reboletti: "You see what I'm saying?"

Nekritz: "...the change... I believe that there are some school zone signs right now that say between 9... whatever the existing... between 9 and 4. So, that would certainly have to change. And again, we've given everyone 'til 2015 to be able to make those changes."

Reboletti: "So, I see what you're saying. If it... if the sign just says when children are present and you're in a school zone, that... those would stay?"

Nekritz: "Those would stay because that's... that would be the current state of the law, correct."

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Reboletti: "But if it had... if it laid out the school hours, then you'd get to change that then?"

Nekritz: "Correct."

Reboletti: "Thank you."

Speaker Lang: "Representative Monique Davis for two minutes."

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

Speaker Lang: "Lady yields."

Davis, M.: "Representative Nekritz, you said it's from 7 a.m. until 9 p.m. Is that correct?"

Nekritz: "No, Representative. We took that out of the Bill. And we made it that the school... the slower speed applied when children are present within 50 feet of the roadway."

Davis, M.: "So, how does one know if children are present, if they're inside the building and you're coming home from work? How do you know children are still in that building?"

Nekritz: "Representative, I think that that would not apply in that instance. It would be if they're... if they're outside within 50 feet of the roadway."

Davis, M.: "To the Bill, Mr. Speaker. I know that this is a well-intentioned Bill. In the district that I represent, there are schools everywhere you turn. They may be opened; they may be closed, either they're nursery schools or they're elementary schools or they're high schools. What we should do is teach our children how to cross the street. Maybe that would be a mandate. Children need to be told to cross at the corner, cross at the light. All of a sudden we're going to say that people are fined \$300, \$150. You know, it sounds like somebody just wants to make money off of people who are working in Chicago. And it's a disparity

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because in the suburbs there may not be a school for blocks. In downstate, there may not be a school for miles, but in Chicago there's a school this way, there's a Catholic school, there's a charter school, you know. So, if you want us all to drive 20 miles an hour, let's just say that. Let's just say this city you drive 20 miles per hour. But I am not going to vote, and I love you dearly, but I am not going to vote to punish the people who drive and go to work in Chicago, who don't know if children are going to run across that play lot or not. Kid runs across the play lot to get a ball. He's not in the street, but because he was present I'm going to be charged \$300. There's something wrong with that picture. Let's stop talking about..."

Speaker Lang: "Representative Davis, I'll give you an additional minute."

Davis, M.: "...you. Let's stop talking about mandates when we need to teach our children something. I'm sorry about the statistics you gave. It says to me we don't have patrol boys anymore. We don't have policemen to help children across the street. Some places have adult crossing guards, but our children should be taught how to cross the street, otherwise it's very dangerous. I urge a 'no' vote."

Speaker Lang: "Mr. Cabello for two minutes."

Cabello: "Thank you, Mr. Speaker. To the Bill. Leader Nekritz, this is a great Bill. I asked to sign on as a cosponsor. This is actually the first time I've ever got up to speak about a Bill that hasn't been mine. I just want everybody to understand that for the last several years I was assigned to the traffic division where we reconstructed all

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the fatal crashes, all the serious crashes that beco... could potentially become fatal. Until you go through an autopsy of a child that's been hit by a car like I've had to, we need to seriously look at this Bill. I've unfortunately seen some very horrible things; this is one of them. I strongly encourage and respectfully ask to support this Bill. Thank you."

Speaker Lang: "Representative Pihos for two minutes."

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

Speaker Lang: "Lady yields."

Pihos: "Representative Nekritz, could you review the law as it stands now? So, if I'm going past a school zone right now, where the sign is clear, when children are present, 20 miles an hour, and it's Saturday or Sunday, am I expected right now today to slow down?"

Nekritz: "The... the only time you're required to slow down is between the hours of 7 a.m. and 4 p.m. on school days. And so... and... but the data showed that they... that the greatest number of accidents that hap... in fact, happen outside those hours."

Pihos: "What if a child is in the presence of their parent walking in front of the school on a Saturday or Sunday?"

Nekritz: "I think that... the law would apply."

Pihos: "It would still apply?"

Nekritz: "Sure."

Pihos: "Okay. I have concerns because I think we're confusing our public with some of the additional... it took four years for Scott's Law to get into our Rules of the Road. And so, if nothing else, I would hope this wouldn't be implemented

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'til the signs are in place, until this is put into Rules of the Road 'cause I think it's very confusing to our public. They are accustomed to slowing down to 20 miles an hour, those zones are very well supervised by the police. They are accustomed to that during school days when children are present. There is no way that they are going to know. I have ball fields, I have playgrounds. They're all located within 50 feet of the street. There's no way my public is going to know that on Saturdays and Sundays, while those games and while their children are being active in those parks that they have to slow down. So, I think your implementation at least ought to correspond with your notification. I don't think it should go into effect before that. Thank you."

Speaker Lang: "Representative Welch for two minutes."

Welch: "Mr. Speaker, will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Welch: "To the Bill. I want to begin by first thanking the Sponsor for bringing this important legislation. I think this legislation puts students and children first. And I think this legislation will save lives. In addition to being a State Legislator, I'm a parent and a school board member. I've served on a school board since 2001. We have three high schools all on major thoroughfares. We've seen cars come barreling through there on a daily basis at all times of the day. In my 12 years on the school board, several of our students have been hit by cars. I hate getting e-mails early in the morning from our superintendent because it's typically about a student who

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has been hit by a car. Nearly a thousand children are hit by cars and seriously injured every single year in the City of Chicago. It is tragic when any student is seriously injured or killed. It's also a very big deal for the school. It affects not only the student but their friends and other students. It is, again, that is an extremely disruptive event and it is profoundly a sad event. For me, as a school board member and now as a State Legislator, students getting hit by cars doesn't just raise feelings of sadness, it also raises questions of responsibility. What can I do to make schools safer? What can we do as a Body to make schools safer? We can do that by approving this legislation here today. Reducing vehicle speeds is a prudent policy that reduces the risk to children by slowing cars. Slower cars are less likely to hit children and if they do, the accidents may be less severe. I believe it is all of our responsibilities and this Legislature should..."

Speaker Lang: "Please complete your remarks, Sir."

Welch: "It's all of our responsibility to take this seriously, protect children's lives. Let's put children first and adopt this legislation today. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Hays for two minutes."

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

Speaker Lang: "Sponsor yields."

Hays: "Representative, and I... I think I understand your Bill largely is talking about schools, perhaps in a more urban area where the school is in very clo... close proximity to the street, to traffic, maybe heavy traffic. In our rural

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areas, it is more common or it's very common, particularly in areas that have consolidated districts, et cetera, where the school will sit in a rural area on kind of a county road, generally the school will sit significantly back off of that county road so the speed limit signs are in place.. And I guess I have two questions. Are we suggesting that because there would never be a child within 50 feet of the roadway, would they be exempted from the speed limit?"

Nekritz: "Representative, if... if... if they're not within 50 feet of the roadway, then I would say yes that the reduction in speed limit would not apply."

Hays: "Ever?"

Nekritz: "I think that's right. But if... but... so, Representative, let me..."

Hays: "I mean, it's an important distinction because this is very common."

Nekritz: "No, I understand. So, it... but... but if the child has to cross the street, then they're going to be within 50 feet."

Hays: "Well, I mean, this..."

Nekritz: "It doesn't matter where the school is."

Hays: "...this is a school that would be... and I'm very serious about this... in a middle of a cornfield, there's no sidewalk."

Nekritz: "Right."

Hays: "There's... there are no children walking to school. They're coming probably from two or three rural communities to a centralized point 'cause that's kind of how it always happens. Politically, you can't build a school in one of

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the towns; you've got to build it in the middle of everybody. So, you have the school on a county road with no... it's the opposite of the urban setting that I think you're trying to..."

Nekritz: "So, Representative..."

Speaker Lang: "Representative Nekritz, can complete her response and we'll give Mr. Hays one additional minute."

Nekritz: "And I'm struggling with why there would be a school zone in that situation anyway because if there's no child to be..."

Hays: "Yeah."

Nekritz: "...walking or crossing the roadway, why would the local unit of government establish a school zone?"

Hays: "It's very, very confusing to the locals, I can... I... and then I guess..."

Nekritz: "Because it's completely up to them to establish the school zone. It's completely up to your locals..."

Hays: "Right."

Nekritz: "...to set the school zone."

Hays: "And then I guess my follow-up question would be, and maybe it would go along with that answer. In those situations, when it's not in a traditional school time, if you will, it really is extraordinarily hard to ascertain whether there are children there or not just by the definition of the school is farther away than you and I, much further..."

Nekritz: "But Repre..."

Hays: "...from the road."

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Nekritz: "Yeah. So, Representative, your locals would have to establish that there is a school zone and it has nothing to do with where the school is, it's whether the child is within 50 feet of that... of the roadway within that school zone."

Hays: "Okay."

Nekritz: "So, I'm not sure I'm... I mean, again, it doesn't matter where the school is, it matters where the school zone is."

Hays: "Okay. So, potentially, then under the provisions of your... of your Bill, if the school itself sits significantly back, much, much further than the 50 feet, it's a possibility that the locals could actually look at, do they fall within... under the umbrella of meeting the school zone at all?"

Nekritz: "And I would think they would have that same concern today. If nobody's crossing the roadway, why would they need a school zone?"

Hays: "Okay. Thank you."

Speaker Lang: "Mr. Sullivan for two minutes."

Sullivan: "Thank you, Mr. Speaker. To the Bill. I rise in support of the Lady's measure. Ladies and Gentlemen, what we're talking about is saving kids' lives. And what we're talking about is fundamental behavioral change. You don't always know when you should or should not drive near a school by way of a certain time or a certain date or a certain speed, so we're going to do a statewide initiative to say, hey, if you're near a school and you see a child, you got to go slow. It simplifies the process. Ultimately,

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we need behavioral change in front of a school, marry it with what we do with parks and so we say, kids, slow down. Kids could be there during school. Kids could be at school during the evening when they're coming back from basketball or soccer. Kids could be there on the weekends because they've had a game. So, we want to have behavioral change to protect our children. That is the intent of this Bill and I think all of us want to protect our children. So, please support this initiative."

Speaker Lang: "Mr. D'Amico for two minutes."

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

Speaker Lang: "Sponsor yields."

D'Amico: "I just want to... a lot of the comments that Representative Sullivan said was something that I was going to say. All this Bill is saying to do is slow down while children are present. That's it. I mean, think about it; slow down around a school. Where do our kids hang out after school? They hang out around the school. So, all we're saying is to slow down. You know, in the City of Chicago around a lot of the schools in my district a lot of them have speed bumps that already force you to slow down. So, that's all we're doing. Just... there's a major difference between going 20 miles an hour and 30 miles an hour and hitting them brakes and trying to react to avoid an accident. And the kids unfortunately do not always cross at the crosswalk where they're supposed to. So, I urge an 'aye' vote. And all we're doing is saying slow down while children are present. Thank you."

Speaker Lang: "Mr. Brauer for two minutes."

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Brauer: "Thank you, Mr. Speaker. I would just like to say previous question."

Speaker Lang: "There's only one more speaker, Sir. So, we'll get... let's do... let's recognize Mr. Brady for two minutes."

Brady: "Thank you very much, Mr. Speaker. And to the Bill, I'll be very brief. I, too, want to echo many of the comments that have been in the chamber. One... one particular loss that comes to mind, in my previous role as county coroner, is a young girl. After the regular school hours, coming out of a band concert and as her sheet music blew away, she was focused on that sheet music and unfortunately went out after the sheet music and lost her life, very tragically. I just challenge everybody in the House that when you go... the next time you go through a school zone, drop down to that exact speed and see how much slower you're supposed to be going, especially in this day of technology that distracts everybody driving, whether they should or shouldn't be doing certain things, in the car they do it. Go to that speed and see how much more time you would have to react if a child came out in front of your vehicle and God forbid if a collision did occur, how much better of a chance from a medical standpoint and a trauma-related standpoint that that child might have because you were going the posted speed limit in a school zone no matter what the time of day is now if this law passes. Thank you very much to the Representative and all those for the work on this Bill."

Speaker Lang: "Representative Nekritz to close."

Nekritz: "Thank you, Mr. Speaker. This... I appreciate the remarks from the speakers who talked about the fact that

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this is about children's safety. That's exactly what this is about. And it isn't 'cause we're not just reacting to an incident or a hunch that this might protect children more. We actually have data to show that the most number of accidents occur outside of school hours and outside of the hours by which current State Law requires drivers to slow down. So, we know we can do the right thing and we know it's data-based and evidence-based. I would ask for your support."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have... have all voted who wish? Please record yourselves. Please take the record, Mr. Clerk. On this question, there are 90 voting 'yes', 11 voting 'no' and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2536 is Mr. Sims' Bill. It will be handled by Mr. Pritchard. Please read the Bill."

Clerk Bolin: "House Bill 2536, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Mr. Pritchard."

Pritchard: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this amends the State Treasurer's Act and gives the Treasurer discretionary authority to transfer moneys into the state Pension Fund from the Treasurer's Rental Fund if the Treasurer determines that they're in excess of the amounts needed. I would ask for your support."

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

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 102 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 570... Excuse me. House Bill 1463, Representative Golar. Please read the Bill."

Clerk Bolin: "House Bill 1463, the Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Golar."

Speaker Lang: "Representative Golar on the Amendment."

Golar: "Thank you, Mr. Speaker. This Amendment gives some clarification in regards to the ownership of the evidence in regards to the closure of a lis... of a liquor store. And instead of saying that the commissioner believes, the word is pure evidence based on crime."

Speaker Lang: "Lady moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "House Bill 1463, a Bill for an Act concerning liquor. Third Reading of this House Bill."

Speaker Lang: "Representative Golar."

Golar: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is an initiative of the mayor and also the liquor commissioner. This has been a... an issue in my community for quite some time. And I had talked to the mayor about a year ago and of course, after much

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discussion, he decided that he would have the commissioner look into the matter. And so, what we're doing today is that we... I am asking this Body to have an opportunity to address the liquor stores only in Chicago. There is some opposition. There was opposition in regards to this particular measure; however, we feel that we have neutralized most of those opponents. And what this Bill does, right now, if there is evidence of crime around a property, the current law states that the... the licensee... the establishment will be closed for 7 days. What we're asking, because of the issues surrounding many of our liquor stores in Chicago, we're asking for an additional 30 days to allow the corporation counsel along with the licensee to prove his innocence along with looking at cost for service, looking at the deleterious impact of those liquor stores and also looking at the community input in regards to this. I will be happy to take any questions. And ask for your 'aye' vote."

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

Sullivan: "Thank you, Mr. Speaker. To the Bill. I rise in strong opposition to the Lady's measure. I understand what she's trying to do on specific crime-related activities in her neighborhood or her district, but Ladies and Gentlemen, the Bill says that the commissioner may without notice... without notice or hearing shut down a business for 30 days, without notice or hearing. So, you have a small business owner that has bought the product that they hope to sell on credit and they're supposed to pay it within 30 days and

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yet this business owner, because there may be some gang activity or some criminal activity out there which is not a result of his business, he's shut down. So, he has no ability to make money and pay that bill back. So, what happens at 30 days when he finally gets the ability to have an appeal, but he's been shut down for 30 days, he can't or she can't pay the bill and she goes under? One person can bring this act forward without any authorization other than now. We do not want to put our businesses out of business. I, please, implore you to think about this Bill. We can certainly work on it some more, but as written today, this is a very antibusiness Bill. There's no notice and one person can shut down this business. Please vote 'no'."

Speaker Lang: "Representative Flowers for two minutes."

Flowers: "Thank you, Madam... Mr. Chairman. Will the... Mr. Speaker, would the Lady yield?"

Speaker Lang: "Lady yields."

Flowers: "Representative, is this applicable only to your district?"

Golar: "No, it's not applicable to my district. I said I spoke to the mayor in regards to what was happening in my community and based on that, we wrote up this measure."

Flowers: "Well, to the Bill. Respectfully, Representative, I would have to vote 'no' on this because unfortunately so many people are out of a job now and specifically in our community. And there's so many small businesses that's trying to do right thing on the inside of their business and they have no control as to what goes on, on the outside. And unfortunately, our districts are right next

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door to each other or close proximity and I think it's unfortunate that businesses are trying to move in to expand and to create jobs. And as the previous speaker spoke and said that if a business person ordered some supplies and within 30 days the commissioner could come and close his doors, he or she is still responsible for those bills; he or she is still responsible for paying the employees that work for him or her. So, once again, respectfully, I would have to vote 'no'. Thank you."

Speaker Lang: "Mr. Franks for two minutes."

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

Speaker Lang: "Sponsor yields."

Franks: "Representative, isn't it true that right now the liquor commissioner can close a store for 7 days?"

Golar: "Yes, without hearing or notice."

Franks: "So, all you're doing is expanding it for some time in order for them to be able to create the paperwork they need for their case, correct?"

Golar: "That is correct."

Franks: "How many liquor establishments do you have in your district?"

Golar: "Possibly 60."

Franks: "You have 60?"

Golar: "Sixty liquor stores."

Franks: "For a population of 110 thousand?"

Golar: "That's correct."

Franks: "What... what's the av... do you know what the average is in some other districts around the city for liquor stores?"

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Golar: "I really don't know, but they will be very minimal in regards to what is happening in Englewood."

Franks: "And what is the result, in your opinion, of this proliferation of liquor stores concentrated in your district?"

Golar: "Well, it certainly... when I went to the mayor, I asked if he wanted to improve the public safety of individuals that he needed to look at the liquor stores as having a very negative impact on the public safety of the residents in Englewood."

Franks: "When you came to talk to me about this last year, you were indicating that the real problems you had in your area because of these stores."

Golar: "Correct."

Franks: "And that's why you're doing this. Right now, they can close them up, but they... it hasn't fixed it because they haven't closed it for enough time for the commissioner to be able to do his job. Is that correct?"

Golar: "That is correct."

Franks: "To the Bill. This is not the sort of Bill that I typically sponsor or vote for. But the Lady has a very unique situation in her district where there's 60 liquor stores which is just making it very difficult for the residents of her district. She needs the help to protect her citizens in her district. This is not an onerous regulation. This is an existing regulation where she's simply extending it for a short amount..."

Speaker Lang: "Give you an additional minute, Mr. Franks."

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Franks: "...for a short amount of time in order for law enforcement to be able to do their work. This is the kind of Bill that we ought to support and if it doesn't work, we're able to be... we should repeal it. But let's give the Lady an opportunity to help protect her district like we've done for so many others here. This is not onerous; it's necessary. And I urge an 'aye' vote."

Speaker Lang: "Christian Mitchell for two minutes."

Mitchell, C.: "Thank you, Mr. Speaker. To the Bill. I rise in support of this measure. I want to commend Representative Golar in what she's trying to do here. In my community, we have several liquor stores which have been eyesores for quite some time and which do not have the kind of disincentive they need to be responsible businesses in our community. If... I agree with Representative Franks. If we look up and find that this is not a measure that's working, it's something we should reconsider, but for now you've got folks who willfully continue business practices which promote negative activity in our community, that promote gang activity and violence and this is a tool to address that. I strongly urge an 'aye' vote."

Speaker Lang: "Mr. Mautino for two minutes."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. I do rise in opposition. I respect what the Lady's intention is; however, as a broad practice, we are giving a... the commissioner four times the length of time he can close someone without notice. Right now, if there's a wish to make a 30-day closure, then they can go ahead and they can offer a hearing. They can give written notice of the

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complaints so there are some options. If they need to put more people on the job to actually get their investigations done, they should do that. The ability to drive someone's business to zero in the course of a 30-day period, when they have not had the right of due process, is simply wrong. And I'd ask for a 'no' vote."

Speaker Lang: "Mr. Reboletti for two minutes."

Reboletti: "Thank you, Mr. Speaker. To the Bill. I rise reluctantly to oppose the Lady's Bill. And I also appreciate what she's trying to accomplish is when you look at... you drive through the neighborhood and see liquor store after liquor store and realize what's happening outside of them. However, the foundation of our Constitution, the State Constitution, United States Constitution, talks about the ability of notice so that any citizen is put on notice as to what is happening to them before they lose a right or a privilege. And after they receive notice, they have what we call an opportunity to be heard and that goes from a parking ticket all the way up to a murder case. So, we have somebody who has obtained a privilege, they meet the prerequisites for it and they're not causing directly the things that are happening outside of their premises and now they're going to lose that privilege for up to 30 days. I would also suggest that is a taking and now we're taking somebody's livelihood, we're taking somebody's property which would be in violation of the Fifth Amendment of our Constitution. So, therefore, I would like to work with the Lady on finding a way to expedite the hearing or at least have some type of hearing, maybe go from 7 days to 14 days,

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but I think up to 30 days is far too long. And so, I would suggest a 'no' vote."

Speaker Lang: "Representative Evans for two minutes."

Evans: "Thank you, Mr. Speaker. To the Bill. I've worked, before I came to the General Assembly, with a local elected official in Chicago, 8th Ward the City of Chicago and we tack... tried to tackle businesses like this, liquor stores that attract these issues and it takes months and sometimes years, meeting after meeting. We involve our community in trying to address these issues. But many times the community is left with the business with the same type of issues that were there before. We need to send a message to the businesses and also let them know that we want them to partner with local communities to address these issues. The same problem's going on in Representative Golar's district is going on in my district. And I think this Bill does a good job of just sending the message to them that it's not just for the... what you're doing is a nuisance to the community. We want to work with you and partner with you in these various communities. Some of our communities have challenges, challenges other communities don't have so we ask your support so we can get some of these things together. So, thank you."

Speaker Lang: "Representative Golar to close."

Golar: "Thank you, Mr. Speaker. I would like to thank the Members of this Body in regards to their comments. I do want to say that I work on the drug and gang house enforcement section for the past 15 years with the Chicago Police Department in regards to drug and gang house

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buildings and also liquor stores. In the... many of my... of the comments made by many of my colleagues stating that you do this without notice, no, we do not do it without notice. These individuals that are shut down they actually have been... had decrease and desist orders by the police department. There are individuals on... they work... these liquor stores are a part of the Chicago Police Department businesses. They come to captains meetings; they're put on notice. They actually have hearings with the community. So, these individuals that are shut down they have had before some type of communication with the police in terms of what they are doing. And also, during that period of time of the 7 days presently which is in law no one is trying to close a business establishment because we do understand that businesses are very important to every community. However, in many of the liquor stores in my area, where all of the loitering, the drug sales, the full reign of people running in and out, the impact that it's having on the community, we need to do something about it. And so, the commissioner's only asking one thing, without notice or hearing it is 7 days. He is actually... actually asking for an additional 23 days to have a corporation counsel do a more thorough investigation, to have the licensee prove his innocence and to look at other things such as inside the store with probably violations and we could go on and on. Now, I could, in fact, based on the... many of the opponents saying that they oppose this Bill, I could pull it out of the record or I could, in fact, put it for a vote. This is an initiative of the mayor. I've been working on this for

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over a year. We've tried to improve on it. And I would ask for a 'yes' vote."

Speaker Lang: "Lady moves for the passage of the Bill. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Have all voted who wish? Mr. Dunkin. Mr. Clerk, please take the record. On this question, there are 52 voting 'yes', 49 voting 'no', and 1 voting 'present'. The Chair recognizes Representative Golar."

Golar: "Postponed Consideration, Mr. Speaker."

Speaker Lang: "It will be placed on the Order of Postponed Consideration. The Chair recognizes Representative Kosel."

Kosel: "Thank you, Mr. Speaker. A point of personal consideration, please."

Speaker Lang: "Please proceed."

Kosel: "I would like to welcome two of my schools here: Martino and Liberty. And they're right up here. They're... the student councils are here for a weekend of education and some of our future leaders are here. Thank you."

Speaker Lang: "Welcome to Springfield. Happy to have you here. Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Rosenthal is now excused for the rest of the day."

Speaker Lang: "You still do have some people left over there, right?"

Bost: "Just a few."

Speaker Lang: "All right."

Bost: "Next."

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Speaker Lang: "House Bill 2783, Mr. Sacia. Please read the Bill."

Clerk Hollman: "House Bill 2783, a Bill for an Act concerning health. Third Reading of this House Bill."

Speaker Lang: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that is an agreed Bill with the Amendment between the Department of Agriculture, the egg growers and the Farm Bureau to ensure that eggs that are sold to wholesale facilities that they are properly registered. I would be glad to answer your questions."

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

Bost: "Yes. I was wondering if we could egg the Sponsor on to give us more information?"

Sacia: "I'd be happy to give you more information. Currently, what's been happening as many of you... as many of you know... It's good legis... Speaker."

Speaker Lang: "It's good legislation? The Chair recognizes Mr. Mautino on a... on a point."

Mautino: "Wasn't... I wasn't seeking recognition, but vote 'aye'."

Speaker Lang: "Mr. Durkin for two minutes."

Durkin: "Will the Sponsor yield? Representative, your... it's my understanding that the Senate already has a kill on this Bill. Have you heard that? The Senate has already put a kill on your Bill, DOA."

Sacia: "Why?"

Durkin: "I'm kidding. The yolks on you."

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Speaker Lang: "That was eggcellent. Mr. Clerk, I want the rolling of my eyes in the record. Mr. Reboletti for two minutes."

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

Speaker Lang: "I hope not, but I think he will."

Reboletti: "If you don't yield, Jim, I'll just sit down."

Sacia: "I yield."

Reboletti: "Representative, I'm looking here at... well, Amendment #2. Do we have a big problem with egg trafficking in the State of Illinois?"

Sacia: "There... seriously speaking, Ladies and Gentlemen, the reason for the legislation is to ensure that when you go to the grocery store and purchase eggs, you're getting fresh eggs. And that literally is the purpose of it. And it is agreed upon."

Reboletti: "That's good, Representative. We can always have an egg task force so. I have... I have nothing else. Thank..."

Speaker Lang: "Mr. Sacia moves for the passage of apparently his first Bill. Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hammond. Representative Hammond. Please take the record. On this question, there are 98 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Franks."

Franks: "A parliamentary inquiry, two questions?"

Speaker Lang: "Ple... please proceed, Sir. Yes, we still have a quorum. What's your second question?"

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Franks: "That wasn't my question, but nice try, Carnac. There was one question I'd like to know. If... if perhaps we could consider doing an Agreed Bill List, maybe when we do the Senate Bills? That was number one. But number two, we have a tradition here with a Century Club, but now that we have a hundred people here, I'm wondering, could we lower the requirement on a percentage basis to 86?"

Speaker Lang: "Thank you for your comment, Sir. Would you..."

Franks: "It was a question."

Speaker Lang: "You'll have to take that up with a higher authority. House Bill 3035, Representative Jakobsson. Please read the Bill."

Clerk Hollman: "House Bill 3035, a Bill for an Act concerning State Government. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Hollman: "House Bill 3035, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. House Committee Amen... 1 is the result of the discussions between IEMA, OMB and the Comptroller's Office. The Amendment changes the name of the Disaster Relief Fund to the Disaster Response and Recovery Fund. Suggested name comes from OMB and the Comptroller's Office. It will help eliminate certain audit findings that continue to occur in IEMA regarding this fund. And this

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will help IEMA disburse funds as they are needed. I urge an 'aye' vote."

Speaker Lang: "Lady moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Burke, Ford. Kelly Burke. Please take the record. On this question, there are 98 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2962, Mr. Drury. Please read the Bill."

Clerk Hollman: "House Bill 2962, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "No running, Sir. Mr. Drury on the Bill."

Drury: "Thank you, Mr. Speaker. House 20... House Bill 20... House Bill 2962 is an initiative of the Department of Insurance. It simply allows... it increases the civil penalty for insurance companies that are found in violation for... found in violation where they bring improper claims. It raises the penalty from 250 thousand to 375 thousand. On the issue was a lot of opposition, we took care of most of it. I think there's... there's still one company... one interest to property casualty that are in opposition. Otherwise, we've taken care of that. I ask for your 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Those buttons are right in front of you, Members. Please take the record. On this question, there are 78 voting 'yes', 20

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voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2411, Mr. Hoffman. Please read the Bill."

Clerk Hollman: "House Bill 2411, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Out of the record, Mr. Clerk. House Bill 2413, Mr. Hoffman? Mr. Hoffman, 2413? Please read the Bill."

Clerk Hollman: "House Bill 2413, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a simple Bill. It requires... it requires the prohibition against using a wireless telephone while operating a motor vehicle and makes it apply to phones that require only a single button press if they are in a work zone. House Amendment #1 creates the sixth exemption for the use of electronic communications devices as integrated to the motor vehicle that allows for communication without the use of either hand."

Speaker Lang: "Gentleman moves for the passage of the Bill. On that question, the Chair recognizes Mr. Franks for two minutes."

Franks: "Hope this is on Standard Debate, Mr. Speaker. Representative, will this Bill... is your intention to disallow the use of cell phones while driving?"

Hoffman: "No. This is simply for... no. It is al... it is already... you can't use a... use a cell phone in a work zone. We all know all of the tragedies that have occurred in work zones where people are distracted and they kill workers or they...

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they run into other vehicles. This simply says the ones... the single button press to initiate or terminate communications can also not be used in a work zone. But it... it..."

Franks: "What happens if you're on the phone before you get to a work zone and you're driving and then you come upon a work zone, but you're in the middle of your conversation, both hands are on the wheel, you're at 10 and 2, and I've got my earphone in or my Bluetooth device, am I breaking the law?"

Hoffman: "That currently is prohibited."

Franks: "Even if you start it ahead of time? If you... okay."

Hoffman: "Currently, that's... under current law, it's prohibited."

Franks: "So, what does this Bill do differently?"

Hoffman: "What this says is, apparently there was an exempt... exception that I think was... was simply a... probably just was missed when... when the previous law was passed. The exemption was that you could use... you could use a single button press to initiate or terminate communications. But you still can't use or talk in a work zone on a telephone that we outlawed that with the D'Amico Bill, I believe, several years ago."

Franks: "So, what is... what is the single-button issue come in then? Was it just a drafting error you're telling us or was it..."

Hoffman: "That's what I believe, yes."

Franks: "Okay. So, this is only... this Bill then only applies to work zones?"

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Hoffman: "Yes."

Franks: "Okay. Nothing else?"

Hoffman: "Yes."

Franks: "That's what I was trying to figure out. Okay. Thank you."

Speaker Lang: "Mr. Reboletti for two minutes."

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

Speaker Lang: "Sponsor yields."

Reboletti: "Representative, so you're saying that there was an exception for the... the cell phones that... like the flip phone that you could press with the red button to hang up and the green button to answer and that would be... you're saying there was an exception for that versus like I have, I guess, it'd be considered a smart phone, an android phone where you have to click on, you have to slide the... the cover, and then you have to, you know, slide the green for answer. You're saying that was outlawed? You're saying these phones weren't outlawed, as of today?"

Hoffman: "Yeah. And..."

Reboletti: "Does that make any sense?"

Hoffman: "It's... what this Bill does is it simply says that it prohibits in work zones the single... the single button for a voice communications press wireless devices. We all... we already have said that you can't talk on a cell phone, but for some reason that was... that was still allowed."

Reboletti: "So, I'm not sure if that's what I'm getting, but... So, you're saying that now no electronic communication by any type of cell phone or device while you're in a construction zone. Does this make that happen?"

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Hoffman: "Except there are a few exemption... exceptions. If you're engaged in highway or construction maintenance, if you're doing... if it's emergency... for emergency purposes, if you're law enforcement, those would be the only exceptions."

Reboletti: "So, then... well, if the Governor signs this, as of that January 1, you could no longer use any type of cell phone device, minus those exemptions, in a construction zone?"

Hoffman: "Yes, if you're driving."

Reboletti: "If you're driving?"

Hoffman: "If you're driving."

Reboletti: "Thank you."

Speaker Lang: "There being no further debate, Mr. Hoffman to close."

Hoffman: "I ask for a favorable Roll Call."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Sullivan, Yingling. Mr. Sullivan. Mr. Sullivan. Mr. Clerk, please take the record. On this question, there are 59 voting 'yes', 37 voting 'no', and 2 voting 'present'. And the Chair recognizes Mr. Hoffman."

Hoffman: "Postponed, please."

Speaker Lang: "The Bill will be placed on the Order of Postponed Consideration. The Chair recognizes Mr. Bost."

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Bost: "Thank you, Mr. Speaker. Let the record reflect Representative Durkin will be excused for the rest of the day. Next."

Speaker Lang: "House Bill 576, Representative Golar. Please read the Bill."

Clerk Hollman: "House Bill 576, a Bill for an Act concerning regulation. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #3, offered by Representative Golar, has been approved for consideration."

Speaker Lang: "Representative Golar on the Amendment."

Golar: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 576, I would like to table... withdraw Amendment #2 and Floor Amendment #3 becomes the Bill."

Speaker Lang: "Repre... Representative, Amendment 2 is still in committee, so you don't have to do..."

Golar: "Okay."

Speaker Lang: "...anything with it. You can proceed on Amendment 3..."

Golar: "Okay."

Speaker Lang: "...as soon as the Clerk..."

Golar: "So, Amendment..."

Speaker Lang: "...soon as... as soon as the Clerk reads it. Mr. Clerk."

Golar: "Okay."

Speaker Lang: "Oh, you've already read... All right. Please proceed, Representative."

Golar: "Amendment #3 actually gives notice. This particular Bill is an agreement between Aqua Water, American Water and

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the ICC. There was some issues in regards to notification of rates and this particular Amendment actually spells out what the ICC should do in regards to water rates."

Speaker Lang: "Lady moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Hollman: "House Bill 576, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "Representative Golar on the Amendment... on the Bill."

Golar: "Yes. Thank you, Mr. Speaker and Members of the House. This is an important piece of legislation. This is an initiative of Billie Paige. There was some irregularities in rate hikes in her subdivision which actually addresses over 15 thousand residents in that area. And there was some heated discussions in regards to what she was trying to do in terms of putting regulatory measures in regards to Aqua Water and American Water. In the end, of course, we have an agreed Bill. As I said, this particular Amendment 3 is the Bill and it actually gives all of the regulations as to what should go on with any utility in regards to raising rates. And I would urge an 'aye' vote."

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

Bost: "Thank you, Mr. Speaker. With all due respect to the Representative, I... even if it's an agreed Bill, I think that... that the way this came about I think there's some

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problems that... that occurred on a local level. The Commerce Commission, they... you still have to put your rate before the Commerce Commission. We put all that in place. And now, we've had to add this because some people were upset because the rates went up. And... and rates go up. Rates will go up and go down and we go before the Commerce Commission and that's why we have the Commerce Commission. I don't think this is necessary and I think we kind of headed down a very wrong path here. I'd just encourage a 'no' vote."

Speaker Lang: "Representative Golar to close."

Golar: "Thank you, Representative Bost. Everyone has their opinion; however, as you know, in today's... I would say in terms of utilities, whether it's water, whether it's sewer, whether it's Peoples' Gas, I think proper notification is important. This is what this Amendment does. These... this particular subdivision may or may not have had their voices heard in regards to this. They... they felt that the rates that were given to them were almost... went up almost three to four hundred percent. Some may say that there's nothing wrong with that, rates go up or whatever, but however, we do have agreed language. The ICC wrote up the language and it is built around notification. And I think that's important for individuals today when people are trying to make their incomes level out so that they can have a better quality of life. And I would urge an 'aye' vote."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Brady, Davidsmeyer, Mayfield.

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Please take the record. On this question, there are 75 voting 'yes', 22 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3372, Representative Senger. Please read the Bill."

Clerk Hollman: "House Bill 3372, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lang: "Representative Senger. Did you say out of the record? Out of the record, Mr. Clerk. House Bill 2879, Mr. Ford. Please read the Bill."

Clerk Hollman: "House Bill 2879, a Bill for an Act concerning violence prevention. This Bill was read a second time on a previous day. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Ford, has been approved for consideration."

Speaker Lang: "Mr. Ford, before you proceed, the Chair recognizes Mr. Bost."

Bost: "Thank you, Mr. Speaker. If the record could reflect, Representative Kosel will be excused for the rest of the day."

Speaker Lang: "And the record will so reflect. Mr. Ford on the Amendment."

Ford: "Thank you. The Amendment simply gives the detailed time for which the General Assembly should report the findings of the task force."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Hollman: "House Bill 2879, a Bill for an Act concerning violence prevention. Third Reading of this House Bill."

Speaker Lang: "Mr. Ford."

Ford: "Thank you, Mr. Speaker. And without a long debate or long explanation, we all know that violence is a real problem in our society. So, what House Bill 2879 does it's... establish a task force and what it does it brings the state agencies together. And it brings the Department of Public Health, it brings the African-American Family Commission, and the Illinois Department... I'm sorry... the Illinois Latino Commission to work together on violence prevention in the State of Illinois. What the goal is to make sure that we bring the mental health community together and all neighborhoods so that we can provide the resources necessary for all neighborhoods when it comes to violence... to prevent violence in the State of Illinois. And I ask for a 'yes' vote."

Speaker Lang: "The Gentleman moves for the passage of the Bill. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Currie, Feigenholtz, Franks. Please record yourselves. Representative Feigenholtz. Please take the record. On this question, there are 60... 90 voting 'yes', 6 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Sullivan."

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Sullivan: "Yes, Ladies and Gentlemen. All of you should have gotten the IDOT weather-related updates in your offices. Everything south of the city of Springfield on I-55 is pretty good. Going north, you still have the blockage up... at Route 6; 39 looks pretty good, but for the bad news. IDOT is estimating a five and six hour drive between here and Chicago. So, Mr. Speaker, will you declare Representative Sullivan absent for the rest of the day, please?"

Speaker Lang: "House Bill 2776, Mr. Moffitt. Please read... 2776, Mr. Clerk."

Clerk Hollman: "House Bill 2776, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'll certainly try to be brief. This is an initiative of the Illinois Fire Chiefs Association. I won't list them, but there are 15 proponents, no opponents. When this current Seatbelt Act was passed, the police asked to be exempt from the requirements. The fire did not want to be, but inadvertently fire was exempt from having to wear seatbelts. The Fire Service would like to have that exemption removed. I have a study here that... Advances in Automotive Medicine report and it's that the second leading cause of death of on duty firefighters as being involved in an accident with the fire truck. The recommendation of course is wearing seatbelts. The Fire Service is united. They want to be required to wear seatbelts. Being a... I met with the Fire Marshal yesterday morning and he emphasized

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his support for this too. Be happy to entertain any questions."

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

Bost: "Thank you, Mr. Speaker. As the Fire Service has changed over the years and you know, we used to always whenever... Okay. This is a lot older; the younger ones won't remember this. But the firefighters used to ride on the back of the fire trucks. Well, they don't do that anymore 'cause it's not safe. They have jump seats and those jump seats have seatbelts. And so, I'm stand in support of the Gentleman's Motion, but for... so it will be on the record and for the purpose of legislative intent, we do have older fire trucks that are not equipped in certain ways with the jump seat seatbelts. We don't want to take those out of service in our rural fire departments that can barely afford their equipment now. Is that against the intent of this law at all?"

Moffitt: "That is correct, Representative. That definitely we do not intend to require any or put any current fire truck out of service if they do not have the current apparatus for seatbelts. In fact, I'll take it a step further. Come fall or next Session, I'd be happy to introduce a trailer Bill. But that was not the intent that we would lose the operation of a fire truck because of this. But those that are equipped with the seatbelt, it would be a requirement."

Bost: "With that, I do stand in support of the Gentleman's Bill."

Speaker Lang: "Representative Ives for two minutes."

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Ives: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Ives: "Is there anything preventing the fire chiefs from just telling their people they have to wear their seatbelt or do we have to legislate this?"

Moffitt: "They're the ones asking for it. It's an initiative of the Fire Service. They can tell them, but some firefighters work for more than one department. This would provide consistency across the state that there's no question. And without this then there, well, one department might require them, one might not. So, the very public safety experts that come and protect you and I and the rest of the citizens of Illinois are saying that this should be in legislation."

Ives: "To the Bill. Once again, here we go, legislating best management practices because managers don't want to manage. In the Army, they didn't have to tell you... they didn't have to legislate, rather, that you wear your Kevlar, your LBE; that your rifle's within arm's reach of you. You just did it 'cause your commander demanded it. This idea that we have to legislate every bit of best management practices is getting out of hand already. I see no need for the legislation because if your commanders tell you to wear your seatbelt, you wear your seatbelt. I urge a 'no' vote. Thank you."

Speaker Lang: "Mr. Costello for two minutes."

Costello: "Thank you, Mr. Speaker. To the Bill. The Fire Service brought this idea to us. This is a good piece of

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legislation; it's common sense. It's equity across the board. I urge an 'aye' vote."

Speaker Lang: "Representative Willis for two minutes."

Willis: "Thank you, Mr. Speaker. To the Bill. As a wife of a career firefighter, I commend the Fire Service for bringing this Bill. I thank Representative Moffitt for supporting it and sponsoring it. And I urge an 'aye' vote. I've had too many friends in the Fire Service that have been injured by accidents caused by no seatbelts. Please vote 'aye' on this Bill."

Speaker Lang: "Mr. Moffitt to close."

Moffitt: "Thank you for your comments. Let's fasten our seatbelts and have a vote. I urge a 'yes' vote on this."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Davidsmeyer, Dunkin, Franks, Tracy. Representative Tracy. Please take the record. On this question, there are 89 voting 'yes', 5 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Bost who is probably going to tell us Representative Tracy's not here."

Bost: "Repre... Representative Tracy is excused for the rest of the day."

Speaker Lang: "Thank you."

Bost: "Thank you, Mr. Speaker."

Speaker Lang: "And... and Representative Will Davis with an important announcement."

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Davis, W.: "Yes, Mr. Speaker, can I declare myself excused for the rest of the day?"

Speaker Lang: "You may, Sir. You can go in Mr. Sullivan's car."

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

Speaker Lang: "Chair recognizes Mr. Ford."

Ford: "Mr. Speaker, I just... because I'm still new, I just wonder what's a quorum for the Body?"

Speaker Lang: "Sixty votes, Sir. We're sti..."

Ford: "No, I mean, and to have in the Body to do business."

Speaker Lang: "Sixty, Sir."

Ford: "Sixty?"

Speaker Lang: "We're still good to go."

Ford: "All right. I just wondered."

Speaker Lang: "Thank... hang around a while. House Bill 1040, Mr. Tryon. Please read the Bill. You still here, Sir? Yes, you are."

Clerk Hollman: "House Bill 1040, a Bill for an Act concerning State Government. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Tryon, has been approved for consideration."

Speaker Lang: "Mr. Tryon on the Amendment."

Tryon: "Thank you, Mr. Speaker. House Amendment 3 basically will take the existing Illinois Transparency and Accountability Portal and put all information that's available electronically through all of our agencies and departments into one website mix in one central location to access... to be able... for our public to access it... access it."

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Speaker Lang: "Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Hollman: "House Bill 1040, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Mr. Tryon."

Tryon: "Three years ago Illinois implemented one of the most comprehensive online financial databases of every state. This will actually take that to the next level. It will make all of the agencies data that they publish electronically to be accessible into one central location. All of the datasets will fall under the direction of the... the state's information officer. And I would urge an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? D'Amico. Please take the record. There are 90 voting 'yes'... all 90 of us voted 'yes'... 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 804, Representative McAsey. Please read the Bill."

Clerk Hollman: "House Bill 804, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Representative McAsey."

McAsey: "Thank you, Mr. Speaker, Members of the House. This is an initiative of the Cook County State's Attorney's Office."

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It is a parity Bill. It changes the definition of 'sexual penetration' to allow for latitude in charging cases regardless of whether a victim is male or female. I'll answer any questions."

Speaker Lang: "Lady moved for the passage of the Bill. There being no debate, those in favor say.. vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brady, Evans, Pihos, Tryon. Brady, Tryon. Please take the record. On this question, there are 90 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3215, Mr. Reboletti. Please read the Bill."

Clerk Hollman: "House Bill 3215, a Bill for an act concerning courts. Third Reading of this House Bill."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Thank you, Speaker. This is an initiative of the DuPage County Cler... Circuit Clerks Office. It allows a circuit clerk to collect fees on each charge that's collected. DuPage County is the only county that goes by... they have one case number with the number of charges where other circuit clerks go by each county... each offense has a different case number. So, this will allow them to collect additional fees for the operation of their office. So, I'll take any questions."

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

Franks: "Thank you, Mr. Speaker. I just want to point out that now every Bill is going to require a Supermajority; it'd be

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two-thirds of those are going to have to vote to make this happen. So, Mr. Reboletti, by changing this instead of per case... I'll wait 'til you're ready, Mr. Reboletti."

Speaker Lang: "Mr. Reboletti, Mr. Franks would like to ask you a question."

Reboletti: "Yes, Representative?"

Franks: "The... the effect of this change, should it go into effect, would be that instead of getting a fee on a per case basis instead you'll be able to do it on a per offense basis, correct?"

Reboletti: "That's correct."

Franks: "So, if there's three charges on a case, you'd be able to get fees on each offense instead of on just one case?"

Reboletti: "Well, so you're aware, Representative, DuPage County would put all those three different charges, with three counts of burglary, would go into one case number."

Franks: "That's what they do now."

Reboletti: "Right. They're the only county that does it. Other counties would charge 13CF1, then 2, then 3, so they would collect the fee three times and DuPage County would collect one fee."

Franks: "So, what you're trying to do is to be able to collect more fees on the same charges, but be... by classifying them as individual offenses instead of that one case, you'd be able to double or triple the amount of fines that you get for DuPage County?"

Reboletti: "Right. If there were five charges of burglary, instead of having them changing their system to go to five

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different case numbers, they would collect a fee on each one of those charges."

Franks: "And how much money would this raise for your county?"

Reboletti: "That I don't know, Representative. I'm assuming that there's probably at least, probably three, four thousand felonies at least in a year. I don't know how many charges it would be in each one of those char... charges. I mean, each one of those case numbers."

Franks: "But it's a substantial amount of money otherwise you wouldn't be here?"

Reboletti: "I would assume that if... that if the... there will be an additional revenue amount. What that amount would be I have no idea."

Speaker Lang: "Please proceed for one additional minute, Sir."

Franks: "Thank... thank you. To the Bill. Ladies and Gentlemen, what this Bill would do is not increase any public safety issues nor would it change the definitions. What this Bill is solely designed to do is to raise fees. So, understand, that this is done solely to raise fees. There's no argument for additional services or additional things being done. This is simply to take more money. I'll be voting 'no' and I'd encourage you do the same."

Speaker Lang: "Representative Flowers for two minutes."

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

Speaker Lang: "Gentleman yields."

Flowers: "Representative, retroactively... so, that means the cases where that's been before the courts you're going to go back and get the moneys from these people?"

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Reboletti: "Hang on one second, Representative. I believe there's some retroactivity with the... how far back it would go, I... I don't know, Representative."

Flowers: "I'm sorry?"

Reboletti: "I'm not sure how far back it would go. I would assume from... I would assume starting this year."

Flowers: "Well, no. According to our analysis, it says the Bill clarifies the legislative intent of current law. So, that it applies retroactively."

Reboletti: "Mr. Speaker, I'm going to take this Bill out of the record."

Speaker Lang: "The Bill will be taken from the record. House Bill 2473, Mr. Reboletti. We'll give you another chance. Please read the Bill."

Clerk Hollman: "House Bill 2473, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Thank you, Mr. Speaker. This Bill might be a little better than the last one. Well, I appreciate that the Gentleman from McHenry does not appreciate some of my legislation as... we can talk about that later. This Bill's an initiative of the DuPage County State's Attorney's Office. And when we corrected... what we called debtor's prisons allowing judges to issue warrants for people who had judgments against them, we decided that that was not our best practice to be arresting people who owed a debt. However, it was a little overreaching in that when judges want to issue warrants for people who owe child support, the DuPage County State's Attorney's Office is saying this

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affects their ability to bring parents to court to face whatever debt they owed to their children. So, we're asking for that change to allow that judge to be able to issue warrants for parents who are not paying their child support. I'll take any questions."

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

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

Speaker Lang: "Gentleman yields."

Franks: "Representative, see for... under your legislation, in order for a judge to issue a body attachment, will their first have to be issued a citation to discover assets?"

Reboletti: "That would be... that's correct, Representative. There would... this would basically been a case where there... a judgment has been entered and for whatever reason that the... one of the parents is not making a payment or not appearing. And so, then the body attachment would be entered to bring that parent back to court to answer the... I won't call it a charge, but the issuance of a rule to make them pay child support."

Franks: "I... I get that. But I want to know the procedure of it. Are you starting with the body attachment should the payment not be made or are you doing the other procedural safeguards..."

Reboletti: "No, my..."

Franks: "...that most other debtors have?"

Reboletti: "...my understanding would be it'd be a rule to show cause first and try to bring the person back in. They fail to appear on the rule; the judge then, the state's attorney

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or whoever would ask for a warrant to issue them to answer the rule and then usually it's sentenced some type of financial amount on that warrant."

Franks: "I'm not su... okay. Let's look at this on the... let's look at the legislation as it's written. As it typically happens when... when a sum of money is owed and there's a judgment, a citation to discover assets is issued and let's assume the defendant blows off that court date and does not show. And then a rule to show cause is issued, a rule to show cause to why they should not be held in contempt, and that is issued and that is served upon the individual. So, the individual will not show up for the rule to show cause, at that time then the judge in his discretion or her discretion can then issue the body attachment, correct?"

Reboletti: "That's correct."

Franks: "Okay. But what you're doing here is... let's assume there's a notice of a rule to show cause... are you requiring that there be service, personal service, on the rule to show cause on the individual who allegedly owes the debt?"

Reboletti: "I'm not sure if there's..."

Franks: "Oh, no, who does owe the debt, not allegedly, who does owe the debt?"

Reboletti: "That's correct. You have to serve... you have to personally serve a rule, Representative."

Franks: "Now, what I'm... if you read subsection (d), it says the first order issued pursuant to the body attachment would be a bond in the sum of no more than \$1 thousand."

Reboletti: "Recognizance bond, Representative."

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Franks: "Oh. Now, typically, when a body attachment is entered, the judge would only require a 10 percent of that bond. Is that you're in... 'cause when I... when I've seen them in court, the judge will say a hundred bucks and they'll have to post a hundred. Here, are you requiring someone to post a thousand dollars for the first time?"

Reboletti: "No. First, it says under subsection (d), the first order issued pursuant to subsection (a) and directed to a respondent may be in the nature of a recognizance bond in the sum of no more than a thousand dollars. That means it's a signature bond, Representative. And if they fail to appear on that, a judgment could be taken for the thousand dollars that they would owe the people of the State of Illinois who are fronting them the money basically for their failure to appear. So, we're... we're... you're basically in a recognizance bond, it's a signature bond saying I will come to court to answer these charges."

Speaker Lang: "Mr. Franks..."

Reboletti: "So, you're... it's not..."

Speaker Lang: "...could you bring your remarks to a close, Sir."

Reboletti: "It's... it's not costing anything, Representative, that first... that first time through."

Franks: "Right now, if someone does not appear for child support, what are the penalties?"

Reboletti: "Whi... at which portion in the hearings?"

Franks: "Most like..."

Reboletti: "If they don't appear?"

Franks: "There's a monetary judgment?"

Reboletti: "Correct."

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Franks: "Okay. Now, don't... aren't there procedural safeguards right now indicating the, for instance, if someone does not pay, that you could take that person driver's license; you can take that person's professional license?"

Reboletti: "There are some potential suspensions that could be involved for failure to pay child support."

Franks: "Okay."

Reboletti: "That does not mean they're still going to come to court to answer those charges. Now, they have a suspended license which doesn't help pay for the kids, food or rent."

Franks: "Listen, I get what you're trying to do. I just... I'm trying to figure out why they don't have this already? I understand and in any other situation where there's a debtor who fails to continuously appear, that you would get the body attachment. Are you telling me that that is prohibited under the law at this time?"

Reboletti: "There... there are judges in DuPage County who say the law we passed regarding debtor's prison, basically, applies to child support. And therefore, they're not allowed to issue a body attachment in the amount of any money to bring that person back."

Speaker Lang: "Mr. Franks..."

Reboletti: "That's why I'm... that's why I'm bringing this legislation, Representative."

Franks: "So, it's a clarification?"

Reboletti: "That's correct."

Franks: "Okay. Thank you."

Speaker Lang: "Thank you. Representative Monique Davis for two minutes."

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

Speaker Lang: "Sponsor yields."

Davis, M.: "Representative, did you say that you cannot incarcerate a person because they owe child support?"

Reboletti: "I didn't... I didn't say that, Representative. What I had... what I said is to be able to issue what would be a body attachment which is similar to a warrant to bring them in front of the court, it'd be up to the judge to decide if they were in direct or indirect criminal... contempt of court... civil contempt of court."

Davis, M.: "And..."

Reboletti: "So, yes, a judge could put somebody in jail for failing to follow the court's orders."

Davis, M.: "Suppose... suppose they had been incarcerated for a number of years and all of this child support continued to add up, even though they were incarcerated and not earning any money, how soon after their release from prison would they be perhaps bodily attached?"

Reboletti: "Representative, I don't know how many cases that would apply to, but I can tell you that I know that, I think, it's 30 to 60 days after the incarcerated person is released that they have to respond back to the court with respect to their child support. But the... the intent here is if I would assume that the parties would know that the individual parent was incarcerated. So, they would have a chance to go to court and submit themselves to the jurisdiction of that court to answer whatever they would owe."

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Davis, M.: "Did you say a person who was just released from prison could go back into court and do what?"

Reboletti: "They could... they could tell the court I've been incarcerated for the last five years..."

Davis, M.: "And let me ask you this."

Reboletti: "...I... I have no assets."

Davis, M.: "How many... how many do that? How many do that?"

Reboletti: "Representative, I don't know what the individual inmates do. I'm not going to speculate as to what they do, but they would, obviously, be aware that they have a child and would owe child support."

Davis, M.: "To the Bill, Mr. Speaker. I know that Mr. Reboletti has a real good intentions, but I believe, as we find different ways to incarcerate people, we're... we're going to pay the taxes on that. People think that passing this kind of law is a great thing and it sh..."

Speaker Lang: "Take another minute, complete your remarks."

Davis, M.: "I'll try, thank you. And it shows that you are doing what's best for society, but actually what you're doing is increasing the taxes that people have to pay. If a person doesn't have any money, if they're just released from prison, and you bring them into court, you haul them into jail, that is costly to the taxpayer. And we... and we must be held responsible for the effects of these Bills we pass because the effects are helping to put this state in a deficit."

Speaker Lang: "Mr. Ford for two minutes."

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

Speaker Lang: "Gentleman yields."

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Ford: "Representative, I know that you have a Bill here and to a certain degree, I like the Bill because we believe that we should make people responsible when they can pay. And what happens if a person is incarcerated and they're failing to pay their child support? What do you do then?"

Reboletti: "Representative, first of all, as long as the person who was previously incarcerated makes an appearance in court..."

Ford: "No, no. I said if they're already incarcerated and they're breaking the law because they're not paying their child support while they are locked up?"

Reboletti: "Well, are you saying they're locked up for not paying child support, Representative?"

Ford: "Excuse me?"

Reboletti: "Are you saying they're locked up for not... what was the basis for them..."

Ford: "No, they're locked up for a nonviolent offense, a drug case, but their child support..."

Reboletti: "Did they steal it?"

Ford: "...but the child support continues to go up. So, they're breaking the law."

Reboletti: "Well, Representative, they would have an opportunity, once they serve their time, to then, after they were released on parole, to appear in a court that has competent jurisdiction to answer and tell the court that they were incarcerated and they're unable to pay."

Ford: "So, your... your goal here is to make sure that if a person is out of jail and capable of paying, they should pay, right?"

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Reboletti: "But my... my goal is to make sure that if a person does not appear, after all appropriate civil remedies to try to bring them to court to answer to the allegations of them not paying, that we have an opportunity for the court to bring them back with some teeth to it. That's all."

Ford: "So... so, the goal is, if a noncustodial parent has the ability to pay, they should pay?"

Reboletti: "That's correct."

Ford: "If they have no ability to pay and they cannot pay and they will not be locked up?"

Reboletti: "The goal is to at least have to go and tell the court I cannot pay. We have people not appearing in court saying anything, so all we can do is try to make a judgment against them. If they go to court, they're not going to be locked up if they say, look, I'm not working. I have no work. I was incarcerated. I'm disabled. There's all different types..."

Speaker Lang: "We'll give you an additional minute, Sir."

Ford: "Mr. Reboletti, I think that to me, I think, this is a good Bill because I want to protect the mothers, the non... the custodial mother if the father can pay. But we're going to need your help to make sure that it works out both ways. Right now, the Department of Children and Family Services says that it takes \$15 thousand per month to administer the costs for uncollectable child support. Now, I'll tell you, if a person can't pay, then they should not be locked up for not being able to pay. And if they're locked up, then we know they can't pay; therefore, the price and the cost should not continue to add up. Therefore, I'm going to

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support your Bill because it's the right thing to do because if a parent can pay, they should pay and they should meet with the mother of their child to say that they can't afford to pay. But I want to make sure that you understand that we have to work together on the Bill when a person is locked up to not... and they cannot pay, that they be given reprieve until they're released."

Reboletti: "Representative, I'm well aware of your legislation. I helped craft some Amendments to it. I'm sure we can come to some agreement to make sure we can pass that legislation."

Ford: "I urge an 'aye' vote."

Speaker Lang: "Representative Flowers for two minutes."

Flowers: "Thank you, Mr. Speaker. Representative Reboletti, you had mentioned earlier about a body attachment?"

Reboletti: "That's correct."

Flowers: "Okay. Did we... does the debtor's court or the debtor's law have anything to do with this Bill? Would it be applicable?"

Reboletti: "It's not supposed to be applicable to... Some of the judges in DuPage County are interpreting it as if it was a debtor's prison; therefore, they're not allowing a body attachment with any amount of money to be used to bring a person back to court to answer to the allegations that they're not making child support."

Flowers: "I guess that... that... that concerns me because you said some of the judges are interpreting. So, is it or is it not for a person that cannot afford to pay?"

Reboletti: "Well..."

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Flowers: "Does... is the language not clear in the law as to what is and what is not applicable to the debtor?"

Reboletti: "I think that's what Representative Franks was talking about with respect to clarification is that we have thousands of judges across the state and I... as I tell folks here and we craft legislation, words mean something. So, some of the judges are saying we can't bring those folks back with any amount of money on the body attachment because we're not running a debtor's prison here in DuPage County. So, if they gave them an opportunity on a signature bond and they don't appear in court, then they have to go get them again. Then they sign another thing saying I will come back to court and they can never keep them to say, hey, look, you have to answer to these allegations. So, that's what they're looking to do is to add some dollar amount to ensure that they're going to come back and answer the allegations of not making child support. The intention is not to lock people up; it's to get them there because now they have some money that they have to pay..."

Flowers: "Well, I..."

Reboletti: "...to ensure that they're going to be there."

Flowers: "And I understand exactly what it is that you're trying to say... trying to do and like Representative Ford said I, too, would want the people who can afford to pay, but unfortunately, Rep..."

Speaker Lang: "Please take one more minute."

Flowers: "Unfortunately, Representative, there are so many people who are locked up because they are poor. Rich people are not locked up. Rich people will not be hauled into

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court. They will find a way to get around it or pay their way out of it. So, respectfully, because this... this does have an effect on the state budget, it should be a fiscal note applied to this legislation. There should be a juduc... I'm sorry... a judicial note also applicable to this legislation because it does have an impact on the economy and it does have an impact on the effects of this budget. I respectfully will have to vote 'no'. Thank you."

Speaker Lang: "Mr. Martwick for two minutes."

Martwick: "Thank you, Mr. Speaker. To the Bill and I'll be brief. I spent the first year of my practice as an attorney in the Cook County State's Attorney's Office, specifically in the child support enforcement unit. The issuance of a body attachment, as it pertains to a civil proceeding for an order of contempt, is one of the most effective ways to enforce child support orders. And this is very important. And I would ask the Representative that spoke before me, this is only upon a showing and you talked about people who are unwilling to pay, a civil order of contempt can only be an issuance or can only be a finding of contempt when the judge must find that there was an order, that the defendant was aware of the order and that the defendant had the ability to follow the order, the ability to pay and did not. We use this tool to enforce child support enforcement orders against rich people and poor people, but the key was they had to have the ability to pay and refused to do so. And this is a great, great Bill. I commend the Sponsor on this legislation. I urge an 'aye' vote."

Speaker Lang: "Mr. Franks for two minutes."

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Franks: "Thank you. I want to clarify something. When I was asking questions before, I had misread the Bill. This Bill is actually very important. It's the way we should be doing this. This does not... this is not a question of whether you're rich or poor. What this is about is whether you don't show up to court when the judge tells you to show to court. It doesn't matter what the debt is. So, the judge orders you to come to court to be able to determine whether you can pay, but if you don't show up, not once, not twice, but if you don't show up on three court ordered occasions, only then would a body attachment go forward to be able to bring you into court so you can answer the question to determine whether you can pay. This is very, very important. This is for people who are in contempt of a judge's order to appear to answer questions solely. If we don't do this, people who aren't paying their bills and are not listening to the judge's orders are going to get away and kids who need money will not get it. We... we have... and the question I'm hearing is why do we need it now. The question is a clarification. We do have it now, but some judges don't understand because we passed a Bill last year that was somewhat confusing on how the rule to show cause had to be issued. That has been clarified. The rule to show cause must be personally served. Once it's personally served on the person who has not shown up on those occasions, then the body attachment can issue. To vote against this Bill is to vote against, a) the judge telling you to be there and it's also voting against those kids who

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at least deserve an answer, if not money. So, please vote 'aye' on this Bill."

Speaker Lang: "Mr. Reboletti to close."

Reboletti: "I'd like to thank everybody for their debate and their questions. And I would urge an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves. Crespo, Hoffman, Turner, Walsh. Please take the record. On this question, there are 88 voting 'yes', and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Members, there are less than 10 Bills left. If you'll cooperate, we can get out of here expeditiously. Next Bill is House Bill 3349, Mr. Tryon. Please read the Bill."

Clerk Hollman: "House Bill 3349, a Bill for an Act concerning safety. The Bill was read a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Hollman: "House Bill 3349, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Lang: "Mr. Tryon."

Tryon: "Mr... Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is an agreed Bill between the dry cleaning industry and the dry cleaning trust fund. Simply says that right now you have 10 days if you've missed your repayment date to renew your insurance, to renew it or they automatically cancel you. This gives you 30 days. It also

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says that you must, as a drycleanist, you must notify them on how to appeal the cancelation decision and then grants a 20 percent late fee to go with that. This is industry driven. It's something they want. They need a longer time for appeal. And they would urge an 'aye' vote, I would too."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Franks, Leitch, McSweeney, Mitchell, Reboletti. Mr. Franks, Mr. Mitchell. Please take the record. On this question, there are 88 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Manley, for what reason do you rise?"

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

Speaker Lang: "Please proceed."

Manley: "Members, will you just say hello to my friends from Romeoville. It's Ken... Ken and Jan Griffin. They came, in all this bad weather, down to Springfield just to see us. Ken is a Trustee on the Romeoville Village Board. Welcome."

Speaker Lang: "Happy to have you here. Welcome. House Bill 2720, Mr. Rita. Please read the Bill."

Clerk Hollman: "House Bill 2720, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "Mr. Rita."

Rita: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What House Bill 2720 basically does is narrows the

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exemption on what can be appraised and cannot be appraised by licensed appraisers."

Speaker Lang: "Gentleman moves for the passage of the Bill. Those in favor of the Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Franks, Hammond, Jakobsson. Please record yourselves. Mr. Clerk, please take the record. On this question, there are 87 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3178, Mr. Rita. Please read the Bill."

Clerk Hollman: "House Bill 3178, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Mr. Rita."

Rita: "Thank you, Mr. Speaker. House Bill 3178 raises the procurement line from 10 thousand to 40 thousand for the mass transit districts for reoccurring expenses. It hasn't been raised since the creation of those districts."

Speaker Lang: "Gentleman moves for the passage of the Bill. Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Hammond, Smith, Thapedi, Turner. Please record yourselves. Hammond, Smith, Turner. Please take the record. On this question, there are 50 voting 'yes', 38 voting 'no'. And the Gentleman moves for Postponed Consideration."

Rita: "Yes."

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Speaker Lang: "House Bill 3125, Mr. Mautino. Please read the Bill."

Clerk Hollman: "House Bill 3125, a Bill for an Act concerning employment. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Hollman: "House Bill 3125, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you. This is an initiative of the Department of Employment Security. And it is... it allows for electronic return receipts issued by the U.S. Postal Service to constitute proof of service. All of the groups are in support of this. I know of no opposition. I ask for an 'aye' vote."

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

Franks: "Thank you. A parliamentary inquiry. Was House Amendment #1 adopted?"

Speaker Lang: "Mr. Clerk."

Clerk Hollman: "Floor Amendment #1 is in the Rules Committee."

Franks: "Okay. So, we..."

Speaker Lang: "Mr. Franks."

Franks: "Thank you. So, we're only dealing with the underlying Bill?"

Speaker Lang: "That's correct, Sir."

Franks: "Thank you. No questions."

Speaker Lang: "Mr. Bost for two minutes."

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

Speaker Lang: "Sponsor yields."

Mautino: "Yes."

Bost: "You say that there's no opposition? Obviously, there was something that went on in committee and we're trying to figure that out."

Mautino: "Sure. This was... and this is part of the agreed Bill process so that management and labor have gotten together. They actually have a number of issues that the department, the business groups and the management groups would like to put together in an agreed Bill. We had one Amendment here and there is another Amendment in the Senate. So, it's my wish to send the Bill over to the Senate so that the agreed provisions from IRMA, the Chamber of Commerce, as well as all of the labor unions and the department can be placed in there and brought back to us for a vote. This will be under the agreed Bill process and nothing will be placed on it that does not meet those requirements."

Bost: "Okay. Thank you."

Speaker Lang: "Mr. Hoffman for two minutes."

Hoffman: "Yes, real briefly. I just want reiterate what Representative Mautino indicated. Representative Tracy and I convened an agreed Bill process where we had business and labor... that's what we're going to use this as a vehicle for."

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

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the record. On this question, there are 88 voting 'yes', 0 voting 'no'. And this matter, having received the Constitutional Majority, is hereby declared passed. House Bill 702, Representative Mayfield. Please read the Bill."

Clerk Hollman: "House Bill 702, a Bill for an Act concerning safety. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Mayfield, has been approved for consideration."

Speaker Lang: "Representative Mayfield."

Mayfield: "Hi. This Bill is a Bill that was requested at... for a business owner in my district, as well as a landfill owner in... just north of me in another Representative's district. They're asking for... to change the packaging of the sharps needles for safety reasons. I'm open for questions. There... there is an opponent to the Bill, the Environmental Protection Agency, but they did testify in committee that they were fine with passing the Amendment as is and moving the Bill to the Senate and that we would work on further conversations and corrections in the Senate."

Speaker Lang: "Lady moves for the..."

Mayfield: "So, they were fine with moving it as is."

Speaker Lang: "Lady moves for the adoption of the Amendment."

Chair recognizes Mr. Reboletti for two minutes."

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

Speaker Lang: "Lady yields."

Reboletti: "Representative, what's the genesis for this piece of legislation?"

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Mayfield: "Okay. Currently, what is being asked is that these sharps needles that come in that potentially... that they be treated and rendered... they be... Oh, I'm sorry. Needles that come in that have potentially infectious waste in them, they have to be treated, sterilized and that risk totally removed. And that's what the business does. It totally eradicates that. Then there's another provision that says that their needles have to be rendered unrecognizable, meaning that they have to be shredded and then sent to the landfill. What is happening at the landfill with these shredded needles is that they're getting caught in the equipment. And at the landfill, the operators are actually getting stuck by the needles. So, what they're compromising and wanting to do is place these needles in a container and just dump them into a landfill after they've been treated and rendered non... noninfectious. So, after they remove that and the Environmental Agency was fine with... with what we're trying to do here and... but they just want to be able to work with the language to narrow it just a little bit and consider the time."

Reboletti: "Our analysis is showing that this is a request from a group called Medmentum?"

Mayfield: "Yes."

Reboletti: "Somebody in your district from north Chicago?"

Mayfield: "Right."

Reboletti: "That's correct?"

Mayfield: "Medmentum is in my district. The landfill is in Representative Osmond's district. And they were the ones

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that were getting stuck with the sharps and they had the concerns."

Reboletti: "It's my understanding that the IEPA opposes it, but you're going to work on an Amendment in the Senate with the Senate Sponsor. Is that correct?"

Mayfield: "That is correct. And they're fine moving it as is."

Reboletti: "Who will the Senate Sponsor be? Have you... Is it Senator Link?"

Mayfield: "It'll either be Link or Bush, either mine or Representative Osmond's Senator."

Reboletti: "And they're aware of the situation with..."

Mayfield: "Yes."

Reboletti: "Thank you."

Speaker Lang: "Those in favor of the Amendment will say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Hollman: "Bill... House Bill 702, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Lang: "Representative Mayfield."

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

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Those of you who are still here. Brady, Farnham. Please take the record. On this question, there are 87 voting 'yes', 1 voting 'no'. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. Mr. Bost, who have left us now?"

Bost: "Representatives Brady and Pihos are excused for the rest of the day. And we do have any request from our side of the aisle, if Representative Franks could be excused we could probably move a lot faster?"

Speaker Lang: "Now, are... are all the people who left ill? Are they all ill? Oh, never mind. Mr. Sacia, for what reason do you rise, Sir?"

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

Speaker Lang: "Please proceed."

Sacia: "Will the real Speaker be on the floor? I... you know, I mean, Mr. Madigan, recognizing it's his birthday, so we can have a cake and sing along or?"

Speaker Lang: "It's probably one of the reasons he won't be on the floor, Sir. House Bill 2418, Representative Chapa LaVia. Please read the Bill."

Clerk Hollman: "House Bill 2418, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. I take offense to what you said to my... my seatmate over here, Mr. Bost. It wasn't nice. Hey, hey, okay. This is brought to me by the Illinois Association of School Board Management, having to do with candidates. Currently, a nomination of school board candidates must take place not more than 113 days nor less than 106 days prior to the consolidation election date. Since the consolidation election date occurs on the first Tuesday of April, this

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means that petition dates fall during the middle of December and they wanted the changes made to a different date. I'll take any questions."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Reboletti. Thank you, Sir. Please take the record. On this question, there are 86 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2322, Representative Chapa LaVia. Please read the Bill."

Clerk Hollman: "House Bill 2322, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. House Amendment #1 becomes the Bill. It's to include a bullying prevention program. This is part of the social worker's duties remain the same. It is not a mandate. It has already been done... I shrunk. It's already being done now. I ask for your support and 'aye' vote."

Speaker Lang: "Lady's moved for the passage of the Bill, whatever she said. Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Costello, Nekritz. Please take the record. On this question, there are 86 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. And now, Representative Chapa LaVia on House Bill 2631. Mr. Clerk, please read the Bill."

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Clerk Hollman: "House Bill 2631, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. Being the last Bill... No, don't say that, Ken Dunkin. You'll be in trouble. This is another tool that we'd like to give school districts in order to consolidate some money and save and different tools. I'd ask for an 'aye' vote."

Speaker Lang: "Lady's moved for the passage of the Bill. And the Chair recognizes Mr. Hays for two minutes."

Hays: "Representative... Would the Sponsor yield?"

Speaker Lang: "Of course she will."

Hays: "Representative, the Bill indicates that if contiguous districts go together with transportation, there would be some kind of a additional monetary..."

Chapa LaVia: "Reward."

Hays: "...incentive to do..."

Chapa LaVia: "Right. Well..."

Hays: "...reward? But here's my question. Are there going to be winners and losers with this Bill? I mean, we have one pool of money. If you're rewarding one, who loses?"

Chapa LaVia: "No, it's not. And it's agree... it's permissive. It's not mandated. So, if a school district wishes to do it with a continuous district and share in the busing expenses, they're both winners; however, both of them will receive some money. ISBE is opposed at this moment 'cause they don't know what the equation would look like and how to give that money back to the school district. So, what we always try to do here is give them other avenues, other

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funnels to get more money in other avenues. This is just a tool. It's permissive. They can do it, but it is in agreement upon both school districts."

Hays: "I understand that, but if you have districts that participate in this arrangement under the promise of more money, and there's only one pool of money that is shrinking rapidly, by definition does there not have to be somebody whose pie..."

Chapa LaVia: "No."

Hays: "...is diminished?"

Chapa LaVia: "No. It's not a zero sum game. It's only if they receive savings from working together as two continuous school districts. So, if it's not one loses, one gains. If you..."

Hays: "Where specifically does the money come from?"

Chapa LaVia: "The savings of just having one or two bus routes for the same company and using the same intertwined routes. Say, the state gets 25 percent back and then the school district gets 75 percent of it back. So, ISBE was opposed to it because they don't have an equation for that yet 'cause it doesn't exist. But it was brought to us..."

Speaker Lang: "Please continue."

Chapa LaVia: "Sorry, Speaker. It was brought to us through the Illinois School Transportation Association. His idea is to getting school districts some savings where the state would give them more money back in transportation so they use it for another teacher in the classroom or a smaller classroom, things like that. But the savings would be shared with the school district. It wouldn't be taken away;

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it wouldn't be distracted. They'd share a bus route. Whatever savings is calculated by the state, they'd get it back and they could use it for other things."

Hays: "Thank you."

Speaker Lang: "Mr. Davidsmeyer."

Davidsmeyer: "Thank you, Mr. Speaker. May... does the Sponsor yield?"

Speaker Lang: "Lady yields."

Davidsmeyer: "Thank you. I don't know that that was what Chad was getting at, I think he was saying if the two school districts over here come together and they're pulling from the same transportation fund from the state, does this district over here that did not combine get a lesser amount because you were rewarding these guys?"

Chapa LaVia: "No. It doesn't have anything to do with the districts that don't participate and it..."

Davidsmeyer: "I don't understand where the reward funding comes from?"

Chapa LaVia: "Well... well, it was... it's just from the savings of joining forces and using the same transportation company, provider, whatever. Say... let me take it in my case, East and West Aurora. East Aurora doesn't have any, so they maybe have money set aside to do transportation they share with West Aurora. They have different times of starting, you know, so one school district used one school company and their... a bussing company and they're sharing in this and they're saving money. Right? If they could show how much money they're saving from the east side with the state, then the state would give them a savings back and

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then they would, you know, split it however they're going to split it. But it wouldn't detract from any other school district."

Davidsmeyer: "Can... can the school districts go together right now and just keep all the funding?"

Chapa LaVia: "No. We don't have anything in place right now that would help them do that to my knowledge."

Davidsmeyer: "Okay. Thank you."

Chapa LaVia: "Thank you."

Speaker Lang: "Representative Chapa LaVia to close."

Chapa LaVia: "I request an 'aye' vote. Right now there's no incentive for the school districts to do that, so this allows them to do that. Thank you."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Have all voted who wish? D'Amico, Mautino. Mr. D'Amico. Please take the record. On this question, there are 63 voting 'yes', 23 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Hays, did you not speak in debate on that Bill?"

Hays: "My name was used in debate and my light was back on. I was not acknowledged."

Speaker Lang: "Do you wish to stand on a point of personal privilege, you may do so? Recognizes Representative Monique Davis."

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

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Speaker Lang: "Proceed."

Davis, M.: "First of all, I'd like to commend the Federal Government and the FBI, local government of Boston for their vigilant pursuit of those who put innocent citizens including women and children in jeopardy, some with the loss of limb or the loss of life. Second, I'd like to say, even though my Bill to reduce... to reduce the bail or put people with nonviolent crimes on monitoring, we will have to pay for the overcrowding at Cook County jail. They are sleeping four to cells that were meant for two. They're sleeping in shifts. The Federal Government will make us have to answer for that. I'd also like to say the vaccine for HIV, that we failed to pass, will cost us more money in medicine, hospitalization. And I would just like to conclude by saying, think of the results of how you vote. Your votes have a dire effect on the budget of the State of Illinois. Let me repeat, there are affects that take place, based on your votes, and the deficit this state is in is a result of many of our votes. Thank you, Mr. Speaker."

Speaker Lang: "Thank you, Representative. And now, making him the most popular man in Springfield, Representative Moylan moves that the House stand adjourned until Tuesday, April 30 at the hour of 12 noon. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the House does stand adjourned 'til Tuesday, April 30 at the hour of 12 noon, allowing perfunctory time for the Clerk. Be safe going home."

Clerk Hollman: "House Perfunctory Session will come to order. Senate... First Reading of Senate Bills. Senate Bill 626,

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offered by Representative Feigenholtz, a Bill for an Act concerning regulation. Senate Bill 925, offered by Representative Moffitt, a Bill for an Act concerning transportation. Senate Bill 1294, offered by Representative Moffitt, a Bill for an Act concerning transportation. Senate Bill 1917, offered by Representative Farnham, a Bill for an Act concerning property. House Bill... correction... Senate Bill 1968, offered by Representative Brady, a Bill for an Act concerning criminal law. Senate Bill 2101, offered by Representative Harms, a Bill for an Act concerning regulation. Senate Bill 2172, offered by Representative Turner, a Bill for an Act concerning State government. Senate Bill 2195, offered by Representative Sandack, a Bill for an Act concerning transportation. Senate Bill 2304, offered by Representative Thapedi, a Bill for an Act concerning local government. These are referred to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."