

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

114th Legislative Day

April 4, 2002

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by the Reverend Walter Thyng, of the First Congregational Church in Huntley, Illinois Reverend Thyng is the guest of Representative Jack Franks. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Reverend Thyng: "Mr. Speaker and distinguished guests and honorable Representatives of the people of the State of Illinois, let us come together in prayer. Oh, Holy One, who is known by many names yet neither bound nor limited by any of them, we come before You in humility knowing that all authority is a trust from You. We gather under the shadow of escalating conflict in the Middle East, of a draining struggle with terrorism, of an increasingly politicized government. We seek the wisdom of the ages that allows us, indeed calls us, to look beyond the self-serving and the expedient, that we might discharge our responsibilities with compassion and discernment. We praise You, who author of all bounty, for the wealth of this great state, for its rich soil, powerful industries, expansive cities and tiny towns. But most especially, we praise You for its people, who are its true wealth. We thank You for the great reservoir of skill and talent they offer. We weep for those whose divinely-given gifts are stunted and hidden by circumstance, bigotry and the predations of the greedy. Grant, we ask, clarity of vision and integrity of spirit, that the deliberations of this distinguished Body might be undergirded by a deep commitment to the well-being of those whom they serve. Send Your special blessing upon these public servants, that through their endeavor at law and order, justice and peace

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may prevail. Preserve them from calamity, conspiracy and corruption. Make them strong and great in the fear of all that is holy and righteous. Make them courageous in the defense of true liberty, make them bold in the pursuit of the common good. God of god, king of kings, ruler of ruler, pour Your divine grace into the being of all those who are in authority, especially these Legislators, the Governor of this state and the President of our beloved United States of America. In the Name of all that is sacred and holy. Amen."

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

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

Speaker Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. I'm happy to report that the record today should reflect no excused absences among House Democrats."

Speaker Madigan: "Mr. Bost."

Bost: "Good morning, Mr. Speaker. The Republicans are all here, present and ready to do the work of the people."

Speaker Madigan: "Good. The Clerk shall take the record. There being 118 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Feigenholtz, Chairperson from the Committee on Human Services, to which the following measures were referred, action taken on Wednesday, April 3, 2002, reported the same back with the following recommendations: 'be adopted' Floor Amendment #2

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to House Bill 4183, and Floor Amendment #1 to House Bill 5567."

Speaker Madigan: "Mr. Johnson."

Johnson: "Yes, a point of a personal privilege, Speaker."

Speaker Madigan: "State your point."

Johnson: "Can I have the attention of the Body here for a moment?"

You know, we down here are oftentimes get blasted in media and everything else and we're these politicians and we don't always do maybe what's right for the people and so on. I just wanna thank this chamber, I've been here for 10 years now, and for 10 years and really, even an administration or two before then. Many of you know that my home community in West Chicago was plagued with a deposit of thorium radioactive waste. And you know this chamber and this Body as well as the Senate, we began work on this many, many years ago. And in 1995 we finally got the final approvals from this Body and others to really compel the cleanup of that radioactive waste in West Chicago. And I think that it's important that we realize that oftentimes we don't see change immediately, but through diligence, hard work, long... long-term commitments on both sides of this aisle to this problem, this problem is now almost finished in West Chicago and I wanted to thank you before I leave here. And just to let you know the magnitude of this, this was the largest cleanup of its type in the United States. And with the cooperation of the State of Illinois, the General Assembly, Kerr-McGee, over 112,000 cubic yards of radioactive material have been removed from my community and sent to the proper storage facility in Utah. Now, that is a lot of cubic yards of radioactive material. It involved the cleanup of over 700 individual homesites in the community where people were

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living and playing in this waste. And that, in and of itself, I mean everything from excavating under garages, under houses and so on. And I think that we need to remind ourselves in here that you know as much as the politics and everything else plays out, the common good is served by what we do and I just wanna thank all of you in here who have stayed with this project over the years. So, thank you."

Clerk Rossi: "Committee Reports. Representative McCarthy, Chairperson from the Committee on Child Support Enforcement, to which the following measure was referred, action taken on Thursday, April 4, 2002, reported the same back with the following recommendation: 'be adopted' Floor Amendment #2 to House Bill 5140."

Speaker Madigan: "Mr. Beaubien. Did you wish to call House Bill 4531? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4531, a Bill for Act in relation to unemployment insurance. Third Reading of this House Bill."

Speaker Madigan: "Mr. Beaubien."

Beaubien: "Yes, thank you, Mr. Speaker. This is a Bill we discussed yesterday on the floor when the Amendment was passed. It's a requirement of the Federal Government that our State Law and the Federal Law become in synch. In this action it only affects one individual in the state where we have to cover them with unemployment insurance because they are employed by an Indian tribe out of the State of Illinois. And that individual was not an Indian. It's one of those cases of a perfect example of what's wrong with Federal Government. We have to pass a law to cover one individual, but essentially, we have no option since the... the cost that we would lose on our federal funding would be astronomical, so I feel we have no choice but to pass this

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Bill and I urge your support."

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

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

Speaker Madigan: "Sponsor yields."

Parke: "Thank you. Representative, again this does not give any standing or status to any Indian tribes in the State of Illinois. This is strictly... to handle a... an employee from an Indian tribe and from another state doing business in Illinois and to comply with the Federal... Federal Law we have to pass this."

Beaubien: "That's correct. This Bill is strictly a UI Bill. It applies only to that particular point in the statute. It has no recognition to the tribe and I believe all of you received a letter from I.D.E.S. specifically saying that is not the case. It does not recognize Indian tribes."

Parke: "Thank you."

Beaubien: "Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Has Mr. Ron Stephens voted? Has Mr. Ron Stephens voted? The Clerk shall take the record. On this question, there are 113 people voting 'yes', 5 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4466. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 4466 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading. Representative Currie. Barbara Currie, do you wish to call

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House Bill 5734? The Lady indicates she does not wish to call the Bill. Representative Currie. Mr. Clerk, House Bill 5734. Read the Bill."

Clerk Rossi: "House Bill 5734, a Bill for an Act in relation to education. Third Reading of this House Bill."

Currie: "Thank you, Speaker and Members of the House. This measure contains two items, one is to insure that the City of Chicago Public Schools can move to the property tax cap. They have not been able to do so because of the serious disruptions in the school system 20 years ago in the creation of the School Finance Authority. It also creates a solution for the problem of the almost bankrupt Round Lake Beach School District. That district is hovering on the brink of bankruptcy. Should it go bankrupt there would be significant cost to the state. This creates a finance authority for that school district that will have the responsibility to stave off the fiscal distress the school system now faces and insure that the contracts and the facility's decisions that are made are fiscally responsible. That measure has the support of the State Board of Education, as well as the Illinois Education Association. I'd be happy to answer your questions and would appreciate your support for this Bill."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I want to thank Representative Currie for attempting to do what is probably the only option that is really practical and available to us as far as the Round Lake School District is concerned. That is a situation that is almost incredible and certainly one that no one of us in this chamber would want a school district

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back home that we represent to be in the extremely difficult situation that they are in in Round Lake. One of the things that's most important about that situation, my colleagues, is that Round Lake because it's located in Lake County is somehow generally considered to be a wealthy area and it is not. The children who go to school there are generally from a background of poverty. They need our help. The other half of this Bill has to do with the Chicago Public Schools only. It does not apply elsewhere in the state and is something that we have already discussed even last year and certainly has merit. And so, Mr. Speaker, I want to thank Representative Currie for her willingness to help out that Round Lake School District which desperately needs our help. I urge a 'yes' vote on this Bill. Thank you."

Speaker Madigan: "Mr. Parke."

Parke: "Mr. Speaker, will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Parke: "Representative Currie, is it my understanding that this piece of legislation increases taxes to the citizens of the City of Chicago by the Chicago City Council without referendum?"

Currie: "It does and it may also have the same affect in Round Lake Beach School District."

Parke: "Okay. And is there a limit on how much the Chicago City Council can raise the taxpayers of the City of Chicago without referendum?"

Currie: "Yes, it is limited by the property tax cap under the Property Tax Extension Limitation Law."

Parke: "All right. To the Bill. Ladies and Gentlemen, there is always a need for additional revenue. But I've always felt that if you want to raise taxes that you should go to the

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voter and ask them for permission to do it, not come down here and have us circumvent the will of the people. Ladies and Gentlemen, I think you need to pay close attention to this. And the Chicago Legislators need to understand what they're voting for on this legislation. You're voting to allow the Chicago City Council to raise taxes on your taxpayers, your citizens, your constituents, without referendum, simply to the amount that the tax cap allows. I think, as it ought to be, if you want additional revenue you make the case to the people and then you take it to them in a vote. You ought not to have the Legislature circumvent the will of the people of Chicago by simply saying, it is okay, fine, we'll give you the right to do this. This is... this is something, I think is not appropriate for us to be doing. I understand and I sympathize with my colleague and... who serves Round Lake. I wish there was an answer for that problem that was much easier than amending it on this Bill. But those of you that are concerned about taxes being labeled, voting for a tax increase, this is a tax increase, there's no doubt. They would not have put that in there and so I have a serious concern. This is a... this has something that has traditionally been left up to people. You know in my area we pass in the northwest suburbs more than... more than more time than not more than half of the referendums. Because what we do is that we go to the people and we require the taxing body to tell their story, to convince the voters of why this referendum is necessary. It takes money, it takes time. But what it does, is it allows those taxpayers, those people who get frustrated on not being brought into the process. They're having taxation without representation. I mean, this is a rallying cry of our

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founding fathers to say that we ought not to be taxed unless we give the permission to people to tax us. Then what'll we do, you come down here to Springfield, you circumvent the will of the people of that taxing body by simply saying, we know better, this is something that we don't need to have any input from the voter. We, in the State of Illinois, will just simply circumvent their rights as citizens and tax them without any input. Now, we wonder why so many people are so cynical with the Legislature and with government as a whole. This is a prime example. If you can't get what you want by going to the people, you circumvent it. You find another means. You come down to the General Assembly and you ask them to circumvent the rights of the people of the City of Chicago. Ladies and Gentlemen, you need to think long and hard on this issue. This is not something that I think we can do just out of hand. This is something that ought to have forethought. And if you want to give up the right of people then without having the right to increase their opportunity to vote for it, then vote for this. But, if you want to give them the right to have input into the process so that they don't become cynical, continue to be cynical and not even vote because they figure what's the sense of voting, people are going to do what they want anyway regardless of what the will of the people are. I would ask this Body to vote 'no' and hopefully, that the Representative who sponsors this legislation will figure out another way of doing it. And that Representative Beaubien can figure out another way of solving his problem with Round Lake schools which all of us in this state sympathize with him. But this is not the vehicle. And I would ask the Body to vote 'no'."

Speaker Hartke: "Representative Hartke in the Chair."

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Representative Morrow, discussion on House Bill 5734."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of House Bill 5734. You know, it's ironic that comments were made against this Bill earlier. But I want to remind the Members of the Body that several years ago we subsidized a company to move up into that person's district. They didn't have a problem taking that money, but then they laid off thousands of the citizens and taxpayers of this state and no one... and when the state asks one of our Members put in a Bill to ask that this company reimburse us for the subsidy that we gave them to move up into a certain area of the State of Illinois, the same Gentleman rose up and said, oh, we shouldn't take money from a company even though they laid off our taxpayers. But that's not why I'm rising in support of 5734. I have schools in my district that are in need of capital improvement. And the only thing I'm going to say about this Bill and my comments are gonna be directed to the Board of Ed which is here today, Arne Duncan and Michael Scott, is that if this Bill passes that you sit down with the Members of this General Assembly... the Members of this General Assembly so we can discuss where this money's going to be spent. We shouldn't build new schools when we've got crumbling schools that exist right now. So, I urge the Members of this Body to put 'green' votes on House Bill 5734."

Speaker Hartke: "The Chair recognizes Representative Beaubien."

Beaubien: "Thank you very much. Yes. I just want to thank everyone for their patience over the last couple of years when we've dealt with the issue of Round Lake. I want to thank the IEA for cooperating, the Illinois State Board of Education, the consortium districts with Henshaw and

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Culbertson and the voluntary oversight panel that made the recommendations that we arrive here. I would like to represent to all of you that the alternative of dissolution or bankruptcy would be absolutely disastrous on not only the local school but surrounding schools and the burden would end up falling on the state. As this Bill is structured it only applies to the Round Lake School District as far as my part of the Bill is concerned and it absolutely has no financial burden on the State of Illinois as opposed to dissolution where it would become a burden to us. Thank you very much and I urge your 'aye' vote."

Speaker Hartke: "The Chair recognizes Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of House Bill 5734. You know, this is one of those Bills where our philosophies get tested. And I think some of us on this floor really don't have a philosophy. We've got some people who are consistently talking to us about local control for schools, local control for schools, and then when it comes to local control for schools, people stand up on this floor and they talk about, well, wait a minute, the dreaded 't' word is involved. This is a classic Bill for local control for schools. This tells the Chicago City Council you have the power to control your own schools. You want to talk about accountability to the taxpayers? The people in the City of Chicago who will make this decision are accountable to taxpayers. They will make a determination how to run their schools. We've got all kinds of people who want to talk on this floor about how they support schools. They want to talk about how local control is so important to them. But when it really comes down to it, there is no philosophy about local control. What some of the folks on this floor have is a philosophy

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that whatever works politically today, this minute, on this Bill, is what they're going to throw before us. This is a good Bill that allows the Chicago City Council to do what they need to do to fix crumbling schools in their city. It helps Mr. Beaubien in his district with a school that's got a problem. This is a Bill that is for local control. And so, those of you that talk consistently about local control who want to stand up today and be against this Bill or are going to in a few minutes vote 'no' on this Bill, remember that you are sent here to have a real philosophy of government. You must have some sort of intestinal fortitude somewhere in your legislative career to stand up and say things on the House Floor and really mean them. If you mean you're for local control for schools, then you must vote for this Bill."

Speaker Hartke: "Further discussion? Chair recognizes Representative Erwin."

Erwin: "Thank you, Speaker. Not to belabor the point, but I, too, rise in strong support of House Bill 5734. Ya know, I think it's a little disingenuous for us to stand here and talk about taxes this and taxes that. The fact of the matter is that if we wanted to really have a low tax rate we could close the public schools, we could not provide educational services. I'm confident that the previous speaker on the other side of the aisle didn't really intend that, because he knows that in suburban Cook County which he represents, the voters, indeed, do care about the quality of their public education. And as one who and, in fact, the only one of the Chicago delegation in either chamber that voted for Chicago School reform, I for one don't want to see those initiatives and efforts stalled. And I don't think that the Republican side of the aisle

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that initiated that Bill ought to want that either. We need to continue the progress, as Representative Lang said, this is local control. You know also, that local governments, municipalities, have no powers on their own. They all come from the state. So to say that let the voters decide is, you know, we forgot to take Government 101, folks. We wouldn't have this Bill if you didn't have to come down here and change the statute. Municipalities have no independent authority or power under our State Constitution or the Federal Constitution. So they have to come down. I, too, voted for property tax caps. They have worked. But, Ladies and Gentlemen, if we care about the economic health of this state, if we care about improving the business climate, the only way we're going to do that is with further support for quality public education. That is what this vote is for. It is for local control and for allowing an improvement in educational quality in this state, which is the only way we're going to improve the economic health of the state. So, I urge an 'aye' vote."

Speaker Hartke: "Further discussion? Chair recognizes Representative Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I just simply want to rise in support of this piece of legislation and also to echo some of the same sentiments of my colleague who just spoke previously. You know, as a State Legislator, and I'm sure many of you... we've just come through tough campaigns and many of us we often on the campaign trail, have always asked about... questioned about education, about funding for education. We're always asking about funding for programs and capital improvements. And when you visit your schools and your school districts, especially in my district, you see schools that are

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crumbling. You see schools that need major repairs. You really see schools that really need the whole overhaul and new schools. And we know what that breeds, that breeds an environment of good educational learning. Now, this piece of legislation and I think my colleague made the statement about local control and it is a local control issue. Here, we're allowing a municipality to be able to choose and be able to direct its own path as far as raising resources to do the thing that we need to sustain our schools. You know, some years back when I first got here in the Legislature, this Body made a vote to give the responsibility to school reform, responsibility to the City of Chicago, to Mayor Daley. And so, I believe with that we have done all that we could to revitalize and to do the things to bring education forward in our public schools in the City of Chicago. But there comes a time that where we say the rubber meets the road and you have to put your money where your mouth is. And what this legislation does is allow a municipality to be able to do that, to have their own destiny, if you will, to be able to raise the resources to provide new schools, or projects, or repairs to their schools to improve the school system. Now, you know, I don't know about any of you all, but I haven't seen any monies or resources fall from the sky here. And I know there are some around but it has not fall from the sky into the City of Chicago Public Schools or any public schools in the downstate communities. And so, this is just one area in which every Legislator must look at their heart and say we're here for... for really for trying to give our kids the best educational opportunities in the State of Illinois. And that's the way I view this piece of legislation and I think we should all put 'aye' votes on

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it. If there's other districts that want to allow... if there are other municipalities want their municipality to be able to control their destiny, then I will put the first 'green' vote on that, as well. Thank you very much."

Speaker Hartke: "Further discussion? Chair recognizes Representative Jerry Mitchell."

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

Speaker Hartke: "Sponsor will yield."

Mitchell, J.: "Representative Currie, I'm looking at my analysis and it says to me that this money that the board of education can basically recommend but then has to... it then has to go to the city council, the City of Chicago..."

Currie: "Absolutely."

Mitchell, J.: "...for approval... approval."

Currie: "It cannot happen unless the city council, the aldermen of the City of Chicago vote for it to happen."

Mitchell, J.: "But now the last that I knew from Politics 101 is that the school board in the City of Chicago, are they elected officials?"

Currie: "No, they are not. But, the aldermen certainly are."

Mitchell, J.: "They're appointed by the Mayor of Chicago?"

Currie: "That's right."

Mitchell, J.: "Okay. So, they make the recommendation to the city council, who are elected officials."

Currie: "That is correct."

Mitchell, J.: "So, the City of Chicago will have an opportunity..."

Currie: "Absolutely."

Mitchell, J.: "...to change the city council if the city council doesn't listen to the people of Chicago?"

Currie: "That's absolutely right. We call that local control and we call that the opportunity for the voters to choose the

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people who will represent their best interests."

Mitchell, J.: "Now, this may be a different role for me but I tend to agree. I have a problem sometimes with this Body and you've often heard me probably get up and rant and rave about the fact that... say as Springfield always thinks that they have the answer and that one size fits all, and that's seldom true. I can remember with a couple of my Representatives on this side of the aisle passionately debating tax caps for downstate Illinois, whether that was a good thing or a bad thing. We couldn't even agree ourselves but most of us agreed that it was not a good thing for downstate Illinois because we have a whole different structure. But we passed the legislation and we passed the legislation that says it's up to the county boards downstate to determine whether or not they want to put this on the ballot. To this day, there are counties that voted it down, because they care about kids. There are counties that voted it up and there are counties that have never taken a vote on tax caps. So, if we think we've got all the answers here in Springfield for po... people back home, maybe we haven't spent enough time back home listening to people. Now, I don't often vote for something that may be devised as a... as taxation without representation, but I don't think that's what this is. I think the representatives of the City of Chicago are going to have to think long and hard about whether or not they should raise taxes to help their crumbling schools. Folks, we don't have the answers anymore. I've worked with Representative Currie and I've worked with my people on my side, we don't have the money to help out this time. If the local folks want to do it, it's their determination. If they want to take the heat for it or if they want the

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merits for it, that's fine. And then on top of that, you've allowed Round Lake to come on, a district that is in as bad a shape as some of our districts close to St. Louis, that needed help from the State of Illinois. Now, that's a way we can help. I don't know how many of my downstaters will feel comfortable voting for this kind of a Bill, but I, for one, think that this one has a lot of merit and I'm gonna join you with a 'yes' vote. Thank you, Representative."

Currie: "Thank you."

Speaker Hartke: "Further discussion? Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Hoeft: "Probably, and I don't know the history of this completely, but about 25 to 30 years ago the State of Illinois passed something called the Life Health Safety Levy for the school districts around the State of Illinois. We were concerned with the fact that our buildings were crumbling and we needed to protect the children within those buildings, the teachers, and other staff members. Does the City of Chicago have this same capacity?"

Currie: "No, Chicago does not have a separate levy for safety and health."

Hoeft: "So, this is simply giving to the City of Chicago the same power and ability via a different mechanism to get the decision made, but all we're doing here is saying what we have for the rest of the schools in the State of Illinois we should also have for the City of Chicago. Is this not..."

Currie: "Correct."

Hoeft: "...correct?"

Currie: "Correct. Absolutely."

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Hoeft: "I don't mean to bring this up because it's a very strong negative, but the worst disaster in the United States' history for the loss of life in the public... in the schools occurred in the City of Chicago. And this is basically saying, folks, let's not do it again. Let's make sure that our staff, our children are protected. I taught in Chicago and two years ago went back to that building and went into the thing and started looking as I would as a regional superintendent, at the safety issues. I was sickened, absolutely sickened by what I saw. If we don't have the ability as a state to protect our children in their learning environment, it's a sad state. The second part of this is Round Lake. We've known the Round Lake problem for years. We have just simply stepped back. We have to address our problems, folks, or we have no future. Vote 'yes'."

Speaker Hartke: "Further discussion and final person seeking recognition, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, I noticed from our analysis that the Chicago City Council has to take action on this within 60 days?"

Currie: "Pardon me?"

Mulligan: "The Chicago City Council has to take action within 60 days?"

Currie: "I believe that's right, but the reality is the Chicago City Council has to take action before anything can happen. That is to say..."

Mulligan: "And will that... Would that action be..."

Currie: "If the council does not take a vote, then there is no opportunity for the levying of this capital construction fund."

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Mulligan: "So basically, they would be responsible for the actual voting in of this levy?"

Currie: "Correct."

Mulligan: "And would the levy be... once they vote in 60 days, would they have to do it every year or would this one vote take care of it for the rest of the time?"

Currie: "As I understand it, it would be one vote, because it would be a capital construction fund that would be then in position to be levied in ensuing years, so as to pay off the bonds."

Mulligan: "I have... I just wanted a few questions because I'd like to support this."

Currie: "I would like you to, Representative."

Mulligan: "The other issue we have which I would hope that additional monies in this area would not allow the city to not investigate or to ask their Cook County Commissioners to investigate. As you know, all the schools in the Cook County area are having several problems with tax dollars, one of them being the amount of money that the Cook County Treasurer is taking back out of their budgets after they've already been passed for past certificates of error and things like that. And we would like an audit of that. And I would hope that the city would then also request their commissioners, Cook County Commissioners, to do an audit because this is really hurting Cook County Schools greatly."

Currie: "I certainly will talk to them about that issue."

Mulligan: "All right. Because I would certainly like to support this. I think that the Chicago Schools could use help in this area and I would certainly like to support you in this."

Currie: "Thanks."

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Speaker Hartke: "Representative Currie to close."

Currie: "Thank you. I'd appreciate your 'yes' votes."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5734?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Parke, do you want to vote on this legislation? Mr. Clerk, take the record. On this question, there were 77... excuse me... 76 Members voting 'yes', 41 Members voting 'no', and 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. May I have your attention, please. Shh... we have a lot of legislation to move through today, and so I'm going to be using the timer if necessary on legislation. Please be prepared to... to call your Bills. We'll be working down the Calendar, a,b,c. Mr. Stephens. We're having a little trouble with the board. Does anyone have an announcement they'd like to make, so we won't be disrupted later?"

Stephens: "I would just like to tell you from our side of the aisle, how grateful we are that we're using the alphabet again today. Which letter will we start with?"

Speaker Hartke: "Well, until most Members arrived we started with 'a'. Do you want to start with 's'? That's in the middle of the thing."

Stephens: "Thank you, Mr. Speaker. House Bill 5721 deals with the..."

Speaker Hartke: "Mr. Black"

Black: "Mr. Speaker..."

Speaker Hartke: "Yes, Sir."

Black: "I went to the store last night to get a new battery for your hearing aid, because as you'll recall it failed

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yesterday. I not only got a new battery, I got a little bigger hearing aid for you. If you'd like for me to bring it up? Would that be all right?"

Speaker Hartke: "Ah... ah maybe later today, Representative, thank you."

Black: "Okay. I'll do... we... we'd love to have a picture of you with this device."

Speaker Hartke: "I'll bet you would. House Bill 5343. Representative Bassi. Representative Bassi. Temporarily out of the record. Representative Bradley, on House Bill 4873. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4873. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4873, a Bill for an Act concerning the regulation of professions. Third Reading of this House Bill."

Speaker Hartke: "Representative Bradley."

Bradley: "Thank you, Mr. Speaker and Members of the House. House Bill 4873 amends the Regulatory Sunset Act to extend the reappeal of Environmental Health Practitioner Act to January 1, 2007. Also, it adds licensing requirements and standardizing testing. There are also some remaining issues which will be addressed in a future Senate Amendment. Thank you."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4873?' All in favor will signify by voting 'yes'; those who opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Mr. Clerk. Mr. Granberg, would you like to vote on this issue? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no'. And House does pass House Bill 8... 4873. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bassi on House Bill 5343. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5343. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bassi, has been approved for consideration."

Speaker Hartke: "Representative Bassi on Floor Amendment #1."

Bassi: "Thank you... thank you, Mr. Speaker. This Amendment was adopted in committee last night and what we have is a system for education, a Bill that we passed last year 114-0, that allows some flexibility for our Illinois public schools to use the three main unrestricted funds, education, operation and maintenance and transportation to transfer moneys from one fund to another. It eliminates the 20 percent restriction for transfers between nonrestricted funds. And does not... does not impact the tax cap limitation in any way, shape, or form. We have over 20 Sponsors on this Bill, and I would ask for the Amendment to be adopted."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Parke. On the Amendment."

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, when you presented this in committee was there any opposition to it?"

Bassi: "No, Sir."

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Parke: "Does this in any way circumvent the tax cap?"

Bassi: "No."

Parke: "And this is simply a transfer from one... educational fund to another, is it all of them or is there restrictions?"

Bassi: "No. At... it... it is only the non restricted funds, not the restricted funds. In other words, it's education, operation and maintenance and transportation. The restricted funds such as tort immunity and IMRF are not affected."

Parke: "And is this the... the issue... Representative Bassi, that the school districts have been asking for for a number of years?"

Bassi: "Yes, it is. As a matter of fact, Representative Parke, this is a Bill we... that we passed last year, 114-0 it was House Bill 977..."

Parke: "Representative, one second please. I'm sorry. Mr. Speaker. Mr. Speaker."

Speaker Hartke: "Yes, Sir."

Parke: "I cannot hear the Lady's comments."

Speaker Hartke: "Ladies and Gentlemen shh... sh... Proceed."

Bassi: "Yes, Mr. Parke, this was a Bill that has been asked for for awhile. It is an ED-RED initiative. We passed it last year, 114-0 with no opposition. It never got out of Senate Rules, but it is a Bill that our school districts have been asking for in an effort to help them with the economic situation."

Parke: "Okay, thank you very much."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 5343?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of

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the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 4183. Representative Bellock. Mr. Clerk, read... read the Bill."

Clerk Bolin: "House Bill 4183. The Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment... Floor Amendment #2, offered by Representative Bellock, has been approved for consideration."

Speaker Hartke: "Representative Bellock."

Bellock: "Thank you, Mr. Speaker. Amendment #2 to 4183 is a Bill that the money follows the client. This an important Bill in public policy that the money when a state institution would be closed that anyone that was mentally ill or developmentally disabled that would be sent into community services or a CILA that human serv... DHS would have to redirect that fund to follow that person into the community. This Bill is important because it lives up to what the Olmstead decision was all about, that people be in the least restrictive environment possible and that they be able to keep the money when the institution closes to follow them for their services in the community. I'd appreciate your support."

Speaker Hartke: "Is there any discussion on the Amendment? Seeing that no one seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to the House Bill 4183?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair the 'ayes' have it. And the Amendment is adopted. Further Amendment?"

Bellock: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 4948. Representative

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Acevedo. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4948, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Hartke: "Representative Acevedo. Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4948 amends the Vehicle Code by making several changes. First, it requires ID for auto part dealers and scrap metal dealers, maintains records in the course of business. It keeps for a certain amount of years an auto part is sold and destroyed and not keeping record for criminal intent. It also..."

Speaker Hartke: "Shh..."

Acevedo: "...it's also an initiative of the Secretary of State must adopt administrative rules to implement the provisions of electronic submission and record maintenance. The Secretary of State may include the imposition of administrative fines and no limit is set on an amount of these administrative fines. I'd be happy to as... answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one seeking recognition, the question is, 'Shall the House pass House Bill 4948?' Those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Would the electrician please check Mr. Black's switch? He's having problems with it. His voting switch. House Bill 5831. Representative Brosnahan. Out of the record temporarily. House Bill 3673,

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Representative Black. Mr. Black, now's your time. House Bill 3673."

Clerk Bolin: "House Bill 3673, a Bill for an Act in relation to schools. Third Reading of this House Bill."

Speaker Hartke: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill was amended yesterday. I believe with Floor Amendment #2. The Amendment becomes the Bill. I have one part of that Amendment that... that came from a incident in my hometown of Danville in October when a white powder fell out of an envelope while the school secretary at an elementary school was opening the mail. It was deemed necessary by emergency response personnel to seal the school, the principal's office, evacuate the school and send the material to the Illinois State Police lab, who expedited by the way and I congratulate the State Police, they worked long hours to run a test on that material since it took place in an elementary school. And three days later it was found that it was not an anthrax or any bio-terrorism threat and the school reopened. When the Danville schools asked for a school aid wavier for such closure, the state board said there isn't anything in the School Code that will allow us to do that. They... they... they would suggest that you use a snow day. My district didn't think that was the way to handle bio-terrorism threats after September 11. So what the first part of this Bill does, is to simply say that if a school is closed because of an emergency procedure for a bio-terrorism threat for more than a half a day they can still request state aid for that attendance day. The second part of the Amendment is... drafted by Representative Holbrook and I think he explained it yesterday, and can certainly do so

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again today and then we'd be glad to answer any questions you have."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3673?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 1 person voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4166, Representative Cross. Mr. Cross. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4166, a Bill for an Act to create the Uniform Athlete Agents Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Cross."

Cross: "Thank you, Mr. Speaker. This is a Bill that attempts to regulate the world of... agents with dealing with collegiate athletes. It's a Bill that came to me that I... I... sponsored on behalf of the Uniform Laws Commission, they've been attempting... attempting to do this around... attempting to do this around the country. And I'm a... I would appreciate an 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4166?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Leitch, would you care to vote on this? Mr. Clerk, take the record. On this question, there are 99 Members voting 'yes', 17 Members voting 'no' and 2 Members voting 'present'. And this Bill, having received

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the Constitutional Majority, is hereby declared passed.

Mr. Clerk, what is the status of House Bill 4898?"

Clerk Bolin: "House Bill 4898, is on the Order House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to the Second Reading for the purpose of an Amendment at the request of the Sponsor. House Bill 4273. Representative Crotty. Mr. Clerk, read the Bill. House Bill 4273. Yes, 4263, excuse me. Representative Crotty. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4263, the Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions Filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

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

Speaker Hartke: "Representative Crotty."

Crotty: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is exactly the same as House Bill 2063 that passed the House 114-0. And of course, was referred to the Senate Rules Committee and there it stayed. This is a combined initiative of... administrators, state superintendent and reading specialists for the state. We... we have a grant that's currently kindergarten thru sixth grade. This a new appropriation that would take those students that need the help in reading from seventh thru twelfth. This is also subject to that appropriation. At first, I wasn't going to bring this Bill back, but now as I read the news and I'm getting more and more information on President Bush's initiatives in the regards to reading I'm finding... I'm talking to Gail Lieberman, we are going to get some grants that will strengthen kindergarten thru third. But now I understand there's new

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initiatives that President Bush has... has also let us know that if a program is in fact intact, he's going to start looking at taking a percentage of his grant money and giving it to high school students who are not reading on their level. So, I'm moving this Bill in hopes that those dollars would be coming from the Federal Government thru grants and we in the State of Illinois would have a program that's set up to utilize those monies to help kids in reading."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 4263?' All in favor signify by voting 'yes'; those opposed voted 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes'; 1 person voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brosnahan, on House Bill 5831. Out of the record. House Bill 4042, Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4042, a Bill for an Act in relation to gaming. Third Reading of this House Bill."

Speaker Hartke: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As I described when we put the Amendment on which is the Bill. Deals with the City of Rock Island and the Jumer Casino and their desire to move the boat slightly around down from the river into a backwater of the Mississippi River. In committee I worked with Mr. Rutherford and he wanted the Bill tightened up, the language tightened up in the Amendment. So, our staff, his staff worked together and working with Art Tenhouse we've

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come up language that has tightened up the requirements of the Bill, making sure that there can only be a real small move involved here and it can't go really anywhere else but in the jurisdiction it's license for. So, that's cleared up and I would ask for your support."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Righter."

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

Speaker Hartke: "Sponsor will yield."

Righter: "Representative Brunsvold, you and I spoke just a little bit ago about the Bill, and I've had some people come up talk to me about the Bill and ask some questions. It's my understanding that the latest Amendment which was attached yesterday came directly from Rules out onto the floor. Is that right?"

Brunsvold: "Yes, Representative it did."

Righter: "Okay."

Brunsvold: "Because it contained pretty much the same language, just tightening it up a little bit."

Righter: "Okay. Now, the language as it's presented now in the Bill, would that apply to any other boat other than the Rock Island boat?"

Brunsvold: "It applies to... Amendment would... would state the Mississippi Riverboat so. If another boat, the Alton boat or the East St. Louis boat was involved they could prob... possibly do this, too. But it would only affect the three river boats on the Mississippi. The other boats really have this language or can do this already."

Righter: "How can they do it already and the three that you're referring to can't?"

Brunsvold: "Well, because the original language in the Bill said 'on the Mississippi River'."

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Righter: "Okay."

Brunsvold: "And the gaming commission's said that they didn't think they had the jurisdiction to allow them to move around the corner onto a backwater and so they rejected the application to move, and this language is simply to address that and change it so the gaming board would have that jurisdiction."

Righter: "Okay. Does this language in any way change or increase the number of gaming positions that a boat can put... can have on itself?"

Brunsvold: "All the boats, all ten of the boat licensees have 12 hundred spots allowable, and that's... that's been in statute since we passed the original Bill back in the 80's."

Righter: "And you're not trying to change that for the Rock Island boat or any of the other boats?"

Brunsvold: "No... No... there all... there all licensed for 12 hundred spots."

Righter: "Okay. All right. Representative Brunsvold, thank you very much. Thank you, Mr. Speaker."

Brunsvold: "Thank you."

Speaker Hartke: "Further discussion? Representative Black."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, I apologize, it's hard to hear. You may have already have covered this."

Speaker Hartke: "Shh..."

Black: "I think one of the things that many of us have some concern about... does this allow the boat to move at any point that it deems necessary or desirable to move?"

Brunsvold: "No, it would have... this would simply allow the

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three Mississippi River boats..."

Black: "Right... right."

Brunsvold: "If... if they wanted... would like to alter their position a little bit, because maybe they... the Alton City would wanna make a better location, they could do it, within a very, very small range. Still has to stay in the licensed area. So Rock Island boat or the Alton boat or East St.... they they could not move to, well, Chicago for example or any place like that."

Black: "Well, they'd still have to stay on the Mississippi."

Brunsvold: "Oh, yeah. It'd have to stay on the Mississippi."

Black: "Okay."

Brunsvold: "The definition of the 'Mississippi' has been adjusted a little bit so they can go into a backwater or a... or a situation like that."

Black: "But the... the definition hasn't been adjusted so that it could read, Lake Michigan, I assume?"

Brunsvold: "No... no, not at all."

Black: "All right. Okay."

Brunsvold: "Your staff drew a very tight Amendment there, so it's located in almost exactly the same place, very, very small parameters."

Black: "But... but would this enable that boat to move, say, every three or four months?"

Brunsvold: "No, because the process of going to the gaming board and getting the okay to do... this still has to go through the process of being... being okayed by the gaming board and that's not gonna happen, Bill."

Black: "All right."

Brunsvold: "That's not gonna happen."

Black: "All right, thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is

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seeking recognition, Mr. Brunsvold to close. Mr. Brunsvold to close."

Brunsvold: "Hello. Thank you, Mr. Speaker and Ladies and Gentlemen. Let me say that this in the 1980's when we had a lot closures of plants in the Quad Cities, we lost 22 thousand jobs... 22 thousand agriculture machining jobs at Farmall plant, and the Case plant, the John Deer plants there. And in the late 80's we passed this gaming Bill and this boat has done a lot to help with the economic situation in the City of Rock Island. And that's all this was for and that's what the original Bill was for was to make it better for the river towns that have had economic problems. This was to help them and it's done a magnificent job for Rock Island and we want to continue with that. And we wanna make it better by this Bill, so we make a little change in the language. It's gonna to help Rock Island and the boat owners to make this a better... a better deal for Rock Island. So, I ask for your support."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4042?' All in favor signify by voting 'yes', those opposed... Mr. Hoeft."

Hoeft: "Thank you, Sir. The Sponsor yield?"

Speaker Hartke: "No. We're past that already. He has closed. We're in the process of voting."

Hoeft: "I had my light on the whole time."

Speaker Hartke: "I'm sorry, I didn't see it. I apologize. Mr. Brunsvold,..."

Hoeft: "Then let me speak."

Speaker Hartke: "...would you answer Mr. Hoeft's question?"

Brunsvold: "Yes."

Hoeft: "Thank you, Sir. Gambling Bills have a tendency to expand as they go through the process. My vote on this is going

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to be on the statement of whether this is the sole purpose of this Bill and that you will not let this be amended."

Brunsvold: "Doug, this is my... this is just it for me, this is all... this is what all this Bill's gonna be. And this is all I intend it ever to be."

Hoeft: "And it will not be amended?"

Brunsvold: "No, not... not by me it won't be and I... I'm the Sponsor, so I'm not gonna allow it to do that."

Hoeft: "Thank you, Sir and thank you, Mr. Speaker."

Speaker Hartke: "You're welcome, Mr. Hoeft. The question is, 'Shall the House pass House Bill 4042?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Please vote your switches. Have all voted who wish? Mr. Fritchey, would you care to vote on this Bill? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 51 Members voting 'yes', 63 Members voting 'no'. And Mr. Brunsvold, what is your pleasure?"

Brunsvold: "Postpone."

Speaker Hartke: "The Gentleman asks for Postponed Consideration. Mr. Clerk, Rules Committee Report."

Clerk Bolin: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on April 4, 2002, reported the same back with the following recommendations: 'direct floor consideration for the following Amendments' Amendment #3 to House Bill 4053, Amendment #1 to House Bill 4077, Amendment #3 to House Bill 4106, Amendment #1 to House Bill 4124, Amendment #3 to House Bill 4129, Amendment #1 to House Bill 4890, Amendments #1 and #2 to House Bill 4938, Amendment #3 to House Bill 5627, Amendment #3 to

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House Bill 5780, Amendment #2 to House Bill 5792, Amendment #1 to House Bill 5925, and Amendment #2 to House Bill 6012."

Speaker Hartke: "House Bill 5925, Representative Bugielski. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5925, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman, has been approved for consideration."

Speakers Hartke: "Representative Hoffman on the Amendment."

Hoffman: "All this does is change the word... one word in the Bill from 'bus' to 'vehicle'."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Parke."

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

Speaker Hartke: "Sponsor will yield."

Parke: "Is it mean that this is a vehicle or are you solving a problem? A literal vehicle."

Hoffman: "No. What this would do, the underlying Bill has to deal with being able to in, like mass transit buses and other types of buses, where there... the safety of the driver is a concern, allowing when you have a camera focused on the bus driver allowing that also to pick up audio. All this... all the Amendment would do is change from 'bus' to 'vehicle' so that it would... it would make sure that the... it's PACE... I would... I would defer to Representative Bugielski."

Speaker Hartke: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker. Representative, what this Amendment does, it's changing the word, the present Bill was written with the word 'bus' and it's being changed to 'vehicle' because this is for the concerns of the CTA."

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Because what they're gonna do is have this device on the drivers and it would only pertain to buses, but they wanted to pertain to the transit trains, also. So that there would be... it's a safety feature where it would be able to be in the train where the motorman is up in the front. And by changing the word to 'vehicle' it would accept, ya know, that and not just a 'bus' per se."

Parke: "Would everybody know that these cameras are in place?"

Bugielski: "Yes. There is a sign, ya know, that's all part of the underlying Bill that there would be a..."

Parke: "Now, is the underlying Bill current law? It is not. So, this is... you want to be able do this not only on the buses, but also on the transit system?"

Bugielski: "On the mass transit trains, also."

Parke: "Is it a public safety matter to protect these people driving these public's transportation?"

Bugielski: "Right. It's a safety feature and this was all you know through with PACE. PACE wants to do this, as well as all the buses throughout the State of Illinois. But Chicago... the CTA is the only one with the mass transit trains, so that's why we had to amend this to allow it on the mass transit trains, also."

Parke: "Do we... do we have the legal... has your legal department checked to make sure this doesn't open the door for anything that we weren't thinking about in terms of other private use things or does this only relate to public transportation, and it cannot be used by individual citizens as a loophole?"

Speaker Hartke: "Further discussion? Excuse me."

Bugielski: "Give it... let Representative Hoffman answer that question."

Speaker Hartke: "Mr. Hoffman."

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Hoffman: "Yes, this would only apply to public, not private."

Parke: "Okay. Thank you, Representative. It sounds like a good piece of legislation. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 5925?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3933, Representative Hoeft. 3933. Okay, I read the wrong number, 5664, excuse me. Out of the record. House Bill 3993, Representative Hassert. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3993, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Hassert, has been approved for consideration."

Speaker Hartke: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker and Members of the General Assembly. Amendment #2 becomes the Bill. It basically amends the Regulatory Sunset Act and also the Professional Counselors and Clinical Professional Counselors Licensing Act. It extends the sunset from 2002 to 2013 and does some technical changes within the Act. I'll be happy to try to answer any questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 3993?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it. And the Amendment is adopted. Further Amendments."

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Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Representative Delgado, on House Bill 3705. Mr. Clerk, read the Bill. Hold that Bill a minute, just take that Bill out of the record. House Bill 4696. Representative Davis, Monique Davis. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4696, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Monique Davis, has been approved for consideration."

Speaker Hartke: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 49... I'm sorry, 4696 is a Bill that hopes to prevent what occurred in Georgia with the crematory... crematories. Under current law the crematory operators must register with the Comptroller's Office before they can do business in Illinois. There are no regulatory functions designated to the office that oversees the operation of crematories. And in light of the horrific events that surrounded the Georgia crematory operator, the Comptroller is offering to expand the duties of the office to provide greater oversight in this particular industry. It doesn't cost any extra money and it requires that they be licensed by the Office of the Comptroller before they can create (sic-cremate) human remains. And it establishes an annual reporting requirement. This Amendment also requires individuals that operate a crematory device, that they have completed training and received certification from a training program that's recognized by the Comptroller. This Bill permits the Comptroller to inspect a licensed crematory and verify that the crema... cremation device has a valid operating permit that is issued by the EPA. Since the Comptroller

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already audits funeral homes, then this would be just an added service. It requires the crematory authority to notify the authorizing agent of the reason for any delay in a cremation if a properly authorized cremation is not performed within the time period that's contemplated for the authorization. And it makes it a felony for any person who willfully destroys or damages the deceased of the human being or who desecrates a human remain. We will be ready for any questions, Mr. Speaker."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Parke."

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, when you presented this Amendment... now, this is a Floor Amendment so it never went through committee?"

Davis, M.: "I'm sorry, I can't hear you."

Parke: "This is a Floor Amendment so it never went through committee?"

Speaker Hartke: "Shh...."

Davis, M.: "It did go through committee yesterday."

Parke: "Okay."

Davis, M.: "And the committee recommends 'do adopt'."

Parke: "All right and did anybody rise an opposition? Did anyone put slips in?"

Davis, M.: "No one, in fact we have a lot of proponents... who are they, let's see. The number of proponents, we have the AARP, Citizens Action, Illinois Funeral Directors Association, Illinois Cemetery and Funeral Home Association."

Parke: "Okay, sounds like you have the right ones on there. Is this in regards to the unfortunate situation down in one of

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our southern states?"

Davis, M.: "Yes, that was the catalyst."

Parke: "Okay, so, we now believe that with the passage of this legislation that the citizens of Illinois are protected from a similar thing happening in Illinois?"

Davis, M.: "We're much better protected... much better protected."

Parke: "Okay, well, it sounds like it's something that's necessary. God forbid, we would never want any of that to happen..."

Davis, M.: "Yes."

Parke: "...to the families and the grief that would be created from it."

Davis, M.: "Absolutely."

Parke: "And so it sounds like a good piece of legislation."

Davis, M.: "Thank you, Representative."

Speaker Harte: "Further discussion? Representative Black."

Black: "Thank you, very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of the Bill. I commend the Sponsor for a reasoned and rational response to the outrageous, absolutely outrageous, incident that happened in Georgia. Sometimes we over react, but I think in this case the Sponsor has made a very reasoned and very rational response to something that should have been a wake-up call to all states. I look forward to voting for the Bill, and I hope it gets on the Governor's desk, Representative. I congratulate you for your good work."

Speaker Hartke: "Representative Brady."

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

Speaker Hartke: "The Sponsor will yield."

Brady: "Representative, as a licensed funeral director myself, you and I have had discussions and worked on this Bill

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together. And we're also going to continue as this goes into the Senate, to work with the Illinois Funeral Directors Association to remind the licensed funeral directors and embalmers in this state that whenever possible, that when they go to the crematory and deposit remains for cremation, that they see that actual event start to be carried out. Correct?"

Davis, M.: "Well, the only... the only problem we have with that is the cremation may not take place that very day or that very evening, it may be the next day or may be the next afternoon. And we would be concerned that the funeral director's time would not allow him or her to be in that vicinity."

Brady: "But, probably in 90 percent of the counties throughout this state, it occurs almost immediately after the body is taken to the crematory. And by reminding the funeral directors, my colleagues, to follow through with that would just be another safeguard in this particular piece of legislation. And also, enforcement of the proper permits that need to accompany that body. So, that's something I'll continue to work on with you as this goes in the Senate and support your Bill."

Davis, M.: "We'd be happy to work with you on that, and we'd also, hopefully, not have to add any cost to the bereaved families."

Brady: "No cost whatsoever, absolutely none."

Davis, M.: "Thank you, and thanks for your work up with us on this, Representative Brady."

Brady: "Thank you very much. Thank you. My pleasure. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor

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Amendment #1 to House Bill 4696?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 6012. Representative Curry. Julie Curry. Out of the record. Floor Amendment has been approved. While she's getting her notes together, Floor Amendments on several Bills were approved this morning by the Rules Committee so be prepared. Check with the Clerk if you're unsure whether your Floor Amendments have been approved. Representative Curry. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6012, the Bill's been read a second time, previously. Amendment #1 was adopted in subcommittee. Floor Amendment #2, offered by Representative Julie Curry, has been approved for consideration."

Speaker Hartke: "Representative Curry."

Curry: "Thank you, Mr. Speaker, Members of the House. This is a piece of legislation that I've actually been working on for... for several years now. And it comes out of a situation that started in a community in my district and in the Decatur area. Has to deal with the Telecommunications Act in the municipal maintenance infrastructure fee that we allow local communities to pass ordinances and then allow the telecommunications company to collect those... those taxes on their behalf. The problem in... in one of the communities that I represent is that there have been people outside of the municipal boundaries that have been being incorrectly taxed. And when consumers made an attempt to correct their telephone bills and get the taxes taken off

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the bills, we quickly found out that the tel... telephone companies had no mechanism within the state statutes to not only remove the tax from their... from their phone bill but also, when trying to work with the municipalities we found difficulty in getting the municipalities to cooperate with the telephone companies to clear up the matter. So, we've been working with the Municipal League, the telephone companies, the Illinois Farm Bureau has been very involved in this and the Department of Revenue to come up with an agreed upon Amendment that we realize needs some additional work. But basically, it sets in place the procedures for a consumer to make a complaint to the Department of Revenue. The Department of Revenue would have the opportunity and have a certain time period in order to rectify the matter with the telecommunications company and the municipality. I would ask for favorable consideration of this Amendment."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Parke."

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, is the Illinois Municipal League still opposed to this Amendment?"

Curry: "They're not opposed to it."

Parke: "Were they at one time, our notes show that they..."

Curry: "They were... they were... the original Bill, Representative Parke, that I had introduced, I believe that the League was opposed to that legislation. In committee, House Amendment... Committee Amendment #1 gutted the Bill and then we all went back into negotiations and we came up with this Amendment that we have today. As it stands right now, the Municipal League is not opposed to the Amendment. We all agree that we would like to make some additional

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changes. The telecommunications companies have some additional recommendations that would make the legislation a little bit stronger. They have some concerns about some hold harmless provisions that we'd like to put in place. But this is a work in progress and I would really appreciate the support of the Body in order to move this legislation forward. Because in January of 2003, as you remember in Senate Bill 88, we changed the structure in terms of how this fee would be collected. We rolled all those fees together. And this would be an opportune time for us to put a procedure in place that would allow consumers if... if they would like if... if they believe that they're being incorrectly taxed to put a procedure in place to allow them to make a complaint and then to get this corrected and eventually, hopefully get a refund too, of the money that they've been charged."

Parke: "Representative, have you... have you tried to do this before? Is this something new or has this been some action... some kind of an initiative been tried before?"

Curry: "Well, we've had... we've had the Bill introduced in various forms over the last couple of years and we've been trying to work with the telephone companies, the Municipal League and other various interested parties to try to get some agreed language that everybody could feel comfortable with. And... and also rectify a very serious problem. I'm not just talking about a couple taxpayers or consumers that had this problem. We're talking about in... in one community more than... probably close to 50 people who were over... who were overcharged."

Parke: "Well, let me just say is that there's a reason for me asking that question."

Curry: "Okay."

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Parke: "And please correct me if I'm wrong, but it says in our analysis that you're... you're developing a new cause of action. Is that true?"

Curry: "Well, if you want to call it cause of action that would allow consumer to... to remedy an incorrect tax that they're being charged, I suppose that would be a definition of a cause of action. I don't know how you would define that."

Parke: "Well, it's also says there'll be treble damages issued. Is that true, also?"

Curry: "I'm sorry, I didn't hear the last part. Treble?"

Parke: "I said is it true that... that if there's a ruling in favor of the consumer that it'll be treble damages?"

Curry: "Under... you're correct. In the current language that you're looking in... looking at, that it does contain those... that... those words and, but I wouldn't anticipate that the final product would include that."

Parke: "Okay. Well, it just seems like... maybe the consumer needs this tool but it seems like it's a big hammer, and I'm not sure... does this go on or is this just the number of citizens that said that they had this particular problem, or do we see it as a major statewide problem?"

Curry: "Well, all I can tell you is what... what... what's happened in... in my district and around the communities that I represent with just one telecommunications company and there have been a number of problems. But also the Illinois Farm Bureau has been involved in this and they're hearing from members of their organization that this is a statewide problem. And it happens probably more in rural settings than it might in a urban setting, but I... I think it's important that we put a mechanism in place that whether or not you have a thousand, a hundred or just ten

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consumers that are affected by this at one time or another, that there's a mechanism in place in the state statute that would allow them to not only remove their name from a tax roll that where they've been taxed incorrectly, but also the opportunity to get a refund."

Parke: "Okay, all I'm not..."

Curry: "And it also... and it also if I... if I could say, Representative, it also forces the municipality who's been receiving this... this tax with very little work on their part, to make sure that the information that's provided from their municipality in terms of who lives within their municipal boundaries is correct. I think it's gonna hopefully, eventually there'll be very few complaints. But I think it's important that we have a process in place in the state statutes that lays out what a consumer can do to try get this problem resolved."

Parke: "Well, I... Thank you very much. I appreciate that and I'm not downplaying. Even if it was one citizen, that's worthy of some kind of a... of a solution. I just think that it seems like it's a big hammer to solve the problem, but obviously, it must be necessary. So, go to it and I'd be curious to see how effective this is, Representative, when it becomes public law and it works for those citizens who need it. It doesn't sound like a bad idea as long as the Illinois Municipal League and the Illinois... the DuPage County Mayors and Managers have signed off or they're neutral, but they're not in opposition. Again, one last time, they're not in opposition, as far as you know?"

Curry: "That... that's correct."

Parke: "Thank you, Representative."

Speaker Hartke: "Further discussion? Representative Johnson on the Amendment."

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Johnson: "Yes, I rise in support of this and I hope as this thing works through we do resolve a problem. What the Representative is attempting to cure is something that a number of us have submitted legislation on before. And what we have in our own area, Representative Parke, just so you're aware of this, is that many people who live in unincorporated areas, on their utility bills or their telecommunication bills have been assessed the municipal taxes. And for years this has been going on. I happen to live in an unincorporated area and I get assessed this tax all the time and a it's a case that is simmering there and is gonna be ripe with a class action lawsuit pretty soon if we don't get to it. So, I applaud the Representative for this effort and I hope we finally get this thing resolved."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 6012?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments, but a fiscal note has been requested on the Bill as amended by Floor Amendment #2."

Speaker Hartke: "The Bill will remain on Second Reading, pending the fiscal note. House Bill 4106, Representative Colvin. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4106 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Colvin, has been approved for consideration."

Speaker Hartke: "Representative Colvin, would you please explain the Amendment."

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Colvin: "Thank you, Mr. Speaker. The second Amendment becomes the Bill. It changes a number of the language in the Bill. Of note, it changes the term 'creditor' to 'facilitator'. Also, facilitate refund anticipation loans and it exempts savings and loan institutions along with banks and credit unions from licensing fees under the Consumer Installment Loan Act."

Speaker Hartke: "Is there any discussion on the Amendment? The Chair recognizes Representative Parke."

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

Speaker Hartke: "The Sponsor will yield."

Parke: "Thank you. Our analysis says that there's... that you've agreed to hold the Bill until you can remove the opposition of numerous groups that filed in opposition to it. Does your Amendment 2 take care of that or will there be an Amendment 3? We show an Amendment 3, also. Do you have another Amendment that you're gonna file with this?"

Colvin: "Yes. There is a third Amendment, but Amendment #2 removes the opposition. It was banks and savings and loan institutions in this state in terms of... there are many times have no impact on these types of loans. So, they haven't... their opposition has been removed as a result of Amendment #2."

Parke: "And then when this goes on and you're gonna ask for support of Amendment 3, also?"

Colvin: "Yes."

Parke: "Okay. And so, you believe 2 and 3 will make the Bill well and there'll be no opposition at all to the legislation?"

Colvin: "That's correct. Amendment #3 makes this a very, very small technical change."

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Parke: "Well, very good. We appreciate you working to solve the problem."

Colvin: "Thank you."

Parke: "Thank you, Representative."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 4106?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #3 offered by Representative Colvin."

Speaker Hartke: "Representative Colvin."

Colvin: "Floor Amendment #3 simply adds the word 'estimated' to the... in line... page 2 on line 18, in the disclosure requirements Section. It simply adds the word 'estimated' to it. It's an 'estimated fee' as opposed to a 'fee'."

Speaker Hartke: "Further discussion on the Amendment? No one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 4106?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 5592, Representative Jones. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5592, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5592, a Bill for an Act in relation to townships. Third Reading of this House Bill."

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Speaker Hartke: "Representative Jones."

Jones, J.: "Thank you, Mr. Speaker. This is a Bill, actually, that I picked up from Representative Davis and I'm going to defer to him, if you don't mind."

Speaker Hartke: "Representative Davis."

Davis, S.: "Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 5592, as Representative Jones said, he's been gracious enough to take over the sponsorship of this Bill. What the Bill does, it helps the public and private utilities, in particular, water companies and sewer companies in the State of Illinois. And there's a problem in the State of Illinois with the fact that we have two different ways of platting road right-of-ways in the State of Illinois, by plat or by common law. And what the language in the Bill was trying to do is to clean up some of the confusion that has occurred when it comes to the fact that these utility companies are trying to put in public and private utilities. In committee, there were several questions concerning property rights issues and there was opposition from the Illinois Farm Bureau. However, there has been an agreement reached between the Farm Bureau and with the water companies on this issue. They are currently working on an Amendment. They have agreed to... to an Agreed Amendment concerning the property rights issue. What we would like to do is move this Bill over to the Senate and put the Agreed Amendment on it into the Senate and bring it back to the House for a concurrence. I would be happy to answer any questions upon the Bill."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Parke. You probably direct those questions to Mr. Davis."

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

Speaker Hartke: "Sponsor yields."

Parke: "Now, Representative, outside of the Farm Bureau, did anybody else express any concern about this legislation?"

Davis, S.: "You know, Representative, I'm not sure, but I think there was a problem with one contract lobbyist who had a client that may have been with the land title people, but... I know that they are being talked to, as we speak today. So, we're hope... we hope that we can resolve their issues, as well, with the Amendment in the Senate."

Parke: "So, you'll try and amend it in the Senate?"

Davis, S.: "Yes, Sir."

Parke: "So, you talked to... you've already talked to the Senate Sponsor... whoever you've picked somebody already."

Davis, S.: "We have not got a Senate Sponsor now, but we will guaran... I will guarantee you, Representative, that I will take care of that business personally."

Parke: "And will it be moved if the Farm Bureau still is in objection, out of the Senate or..."

Davis, S.: "No."

Parke: "So, the Farm Bureau needs to be consulted and they need to be on the same page to move it to Public Act?"

Davis, S.: "That is correct."

Parke: "Okay, then... and no one else is in opposition? No one else is in opposition."

Davis, S.: "Not that I'm aware of."

Parke: "Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes Mr. Scully. He declines recognition. Representative Davis to close."

Davis, S.: "Just ask for a favorable vote, so we can move this to the Senate, amend it, and bring it back to where everybody

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is satisfied."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5592?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 1 person voting 'no'. And the House does pass House Bill 5592. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4209, Representative Feigenholtz. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4209, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Hartke: "Oh, take that Bill out of the record. Take the Bill out of the record. House Bill 4937, Representative Fritchey. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4937, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Hartke: "Representative Fritchey."

Fritchey: "Thank you, Speaker. House Bill 4937 clears up an inconsistency with respect to veterans' plates. Right now, out of the approximately dozen or so veterans' plates only two of them qualify for the reduced rate under circuit breaker. So, when any of the other veterans holding the other license plates applied for the Circuit Breaker Program they were not entitled to the reduced rates. I request an 'aye' vote."

Speaker Hartke: "Representative Boland."

Boland: "Thank you, Mr. Speaker. I just want to rise in strong support of this Bill. Representative Fritchey and I both had similar Bills. We worked together to build a good Bill here for our veterans. I'm sure, like Representative

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Fritchey and many of you, we've had circumstances where what happened with me was I was out gathering my signatures to get on the ballot and ran into a gentleman, a Hispanic gentleman, who had served at Normandy and in other famous battles in World War II and he had always had a veteran's plate, but when the circuit breaker income level went up, he qualified for the circuit breaker for the first time and so chose to get the lower cost license plates. But he really wanted to have the veterans' plates. And so, this Bill will really address this issue for him and for many others. I think it's a great way to pay tribute to all the wonderful veterans who have done so much for our country and to let them have this break. So, I would also urge a 'yes' vote. Thank you."

Speaker Hartke: "The Chair recognizes Representative Parke."

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

Speaker Hartke: "Sure. The Sponsor will yield."

Parke: "My notes show that you agreed to hold the Bill on Second Reading. Is that being held for Amendment 2 or was there some other purpose to hold the Bill for?"

Fritchey: "On this Bill, Representative, I don't recall any agreement to hold the Bill on Second Reading. The Amendment that was envisioned in Amendment... in the Amendment was to incorporate two other categories of veterans' plates that had... that had inadvertently been left out of the Bill, one for National Guard Reserves and one for the US Marines."

Parke: "My records show that Amendment 2 was for a professional sports team, a special license plates and special fund. Did Amendment 2 go on the Bill?"

Fritchey: "Amendment 2 is on the Bill. I'm happy to address that. Amendment 2 incorporated the addition of the US

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Marines plates as well as the National Guard plate, but what it also does is create the professional sports team plate. This was an idea that I came up with when I was out of town and I saw a number of cars sporting a license plate with the logo for the local baseball team. We started looking into this and it came up with the idea of creating license plates that would be available with a number of different professional logos of sport teams: Cubs, Sox, Bulls, Bears, St. Louis Cardinals, St. Louis Rams, with the increased revenue from the increased fee going to the Common School Fund. Presently, the most popular plate in Illinois is the environmental plate which has generated about an additional \$1.7 million in state revenue. We envisioned that this would actually surpass that and generate at least a couple of million dollars toward the schools."

Parke: "What was the opinion of the Illinois State Police to have all of these special sports plates going out? Did they testify in committee on it in any way, shape, or form?"

Fritchey: "They've taken no position and showed no opposition."

Parke: "Okay. Very good."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Slone."

Slone: "Thank you, Mr. Chairman. Will the Gentleman yield?"

Speaker Hartke: "Yes. The Gentleman will yield."

Slone: "Mr. Fritchey, have you addressed it said in here, what is the fiscal impact of the legislation?"

Fritchey: "Which... The fiscal impact of the Amendment, we anticipate that it would generate in excess of \$2 million for the Common School Fund."

Slone: "And that's for the Amendment for the sports?"

Fritchey: "That's correct."

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Slone: "What is the revenue impact of the portion dealing with the veteran plates?"

Fritchey: "The fiscal note was filed. It was of de minimis impact. I want to say it was maybe about \$25 thousand. What you're talking about doing, though, is really clarifying something in which we believe and the Secretary of State's Office believes was an omission and that was not to incorporate the circuit breaker benefits for all categories of veterans' plates. I believe, presently, it was... the reduced rate was put in place for the POW plates and Pearl Harbor, but that left out Silver Star, Bronze Star, the Marines, Army... Like I said, about another 10 different veterans' plates. So, it's a very much a small price to pay to allow these people to keep their plates and receive the circuit breaker benefits."

Slone: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4937?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Giles. Mr. Steve Davis. And Representative Mautino. Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 1 person voting 'no', and 1 person voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4890, Representative Lawfer. Your Amendment has been approved? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4890 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lawfer, has been approved for

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consideration."

Speaker Hartke: "Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman, Ladies and Gentlemen. Amendment #1 is kind of a technical Amendment. What it does is says that anybody that deals in eggs for wholesale off... and those eggs are sold off the farm premises, requires a license."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 4890?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 4053, Representative Leitch. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4053 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Leitch, has been approved for consideration."

Speaker Hartke: "Representative Leitch."

Leitch: "I believe you have as well Floor Amendment 3. Then I seek to table Amendment #2... or withdraw Amendment #2."

Speaker Hartke: "Withdraw Amendment #2."

Clerk Rossi: "Floor Amendment #3, offered by Representative Leitch, has been approved for consideration."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker. Amendment #3 accommodates two other Members in our district... in the chamber, I should say, and expands the TIF timetables for the City of Beardstown and the City of Belleville. And that's all the

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Amendment does. I would ask for its adoption."

Speaker Hartke: "Is there any discussion on Amendment #3? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Amendment #3 to House Bill 4053?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 4727, Representative Holbrook. Mr. Clerk... Out of the record. House Bill 5911, Representative Howard, Connie Howard. It's still in Amendment Rules, I'm sorry. Take that Bill out of the record. House Bill 4124, Representative Jefferson. Your Amendment has been approved? Out of the record. House Bill 48... excuse me... 5840, Representative Lou Jones. Representative Lou Jones. 5840. Out of the record. Representative Shirley Jones, House Bill 4506. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4506, a Bill for an Act in relation to public employee benefits. Third Reading of this House Bill."

Speaker Hartke: "Representative Jones."

Jones, S.: "On House Bill 4506, the original Bill is a shell Amendment by the Chicago Teachers Article of the Pension Code. House Amendment #1 added several pension provisions agreed to by the Chicago Board of Education, Chicago Teachers Union, and Chicago Teachers Retirement System. I ask for your favorable vote."

Speaker Hartke: "Is there any discussion? Mr. Parke."

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

Speaker Hartke: "The Sponsor will yield."

Parke: "Representative, this looks like a lot of things in this

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Bill. Can you tell me... just highlight some of the things that are in the Bill?"

Jones, S.: "Well, the pension laws... what it is is just the teacher is instead of the working part-time for the board of ed, they'll be able to work full-time for the board of ed, instead of a hundred and fifty days."

Parke: "And that's the only thing that's in the Bill? Is that the only..."

Jones, S.: "That's the only thing is changin', yes."

Parke: "And is this affect... is this affecting one teacher or a couple teachers or is this..."

Jones, S.: "This is substitute teachers."

Parke: "And did the Chicago School System support your Bill?"

Jones, S.: "Yes, they do."

Parke: "Do the teachers' union support the Bill?"

Jones, S.: "Yes, they do."

Parke: "Is there any opposition that you're aware of?"

Jones, S.: "No, it's not."

Parke: "It must be a good Bill, then."

Jones, S.: "Thank you."

Parke: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Hoeft."

Hoeft: "Thank you. The Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Hoeft: "There are three different provisions on this Bill, are there not? Not just one. There is dealing with opening up for a full year for substitute teachers and of course, this is individuals who have retired and now are being brought back because of the teacher shortage. But there is a provision in here, widows, is there not? And there's a provision in here also..."

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Jones, S.: "Yes. Yes, there is a... Yes, it is, allow the widows who remarry before age 52 re... reinstate they survivor's benefits."

Hoeft: "And there is a provision in here that also redefines marriage? And there's a lot more in here than just that one provision and that's what Mr. Parke asked and... "

Jones, S.: "You're correct."

Hoeft: "Basically, this Bill has a number of provisions, one of which is addressing the teacher crisis... shortage crisis in Chicago and the two other provisions are paralleling what is done in the rest of the state with... dealing with widowers. So, we're trying to create consistency between the Chicago Teachers Retirement System and the downstate Teachers Retirement System."

Jones, S.: "Right."

Hoeft: "All of these provisions ought to be supported."

Jones, S.: "And... and would you like to hear who the proponents are? Chicago Board of Education, Chicago Teachers and the Pension Fund and Chicago Teachers Union."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4506?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. McAuliffe, you care to vote on this issue? Have all voted who wish? Mr. McAuliffe, do you ca... would you care to vote on this issue? Mr. Clerk, take the record. On this question, there are 96 Members voting 'yes', 22 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Moffitt on House Bill 4326. Out of the record. Mr. Jerry

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Mitchell on House Bill 4465. Mr. Mitchell. Out of the record. Mr. Meyer, 5961. Mr. Clerk, read the Bill. 5961."

Clerk Rossi: "House Bill 5961, a Bill for an Act concerning the environment. Third Reading of this House Bill."

Speaker Hartke: "Mr. Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5961 creates a special fund to be known as the Contaminated Well Water Revolving Loan Program which shall be used subject to appropriation and administered by the agency to create a loan program to aid in the cost of connecting a home that has contaminated well water to an alternat... alternate water source. The agency shall establish a program whereby the owner of a contaminated well may apply for up to \$100 thousand in interest-free loans to be used for connecting the home that's been contaminated well water to an alternate wa... water source. The owner shall have a period of 30 years in which to pay back that loan made under the program and it applies to the entire state."

Speaker Hartke: "Is there any discussion on House Bill 5961? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5961?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Myers on House Bill 4448. Out of the record. And the next one, too? Out of the record. House Bill 4077, Representative Joe Lyons. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 4077 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Joe Lyons, has been approved for consideration."

Speaker Hartke: "Representative Lyons."

Lyons, J.: "Thank you, Speaker, Ladies and Gentlemen of the House. Amendment #1 to 4077 will in essence gut the Bill, strip it of its original wording. And we'll send it over to the Senate, hopefully, and see if it can be worked out."

Speaker Hartke: "Is there any discussion? Representative Parke."

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

Speaker Hartke: "The Sponsor will yield."

Parke: "Representative, does this, in essence, take everything out except for the enabling clause?"

Lyons, J.: "Yes, Representative Parke, correct."

Parke: "And if so, is... and what is your intention to do with this legislation... yeah, when it pa... if we pass it outta here? You gonna send it to the Senate as a shell?"

Lyons, J.: "Correct. And see if something can be worked out. Terry, I don't know where we're gonna go with this this year. I understand the realities that we're dealing with at the state level with our revenue issues, so there's a couple of plans being talked about, Terry. And if we have the time to work it out, when it goes to the Senate, we will see what form it would come back in, but not to the extent that we originally had proposed in the original language."

Parke: "Okay. So, we just wanted to make sure that it was strictly a shell Bill and everything else was out."

Lyons, J.: "Absolutely, Representative. Thank you."

Parke: "All right. Thank you."

Speaker Hartke: "Further discussion? Seeing no one is seeking

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recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 4077?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 5715, Representative Shirley Jones. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5715 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Turner, has been approved for consideration."

Speaker Hartke: "Representative Jones, could you present that Amendment?"

Jones, S.: "Amendment #1 makes a technical change to the original version of the Bill to remove language regarding the fees of Motion filed after 30 days."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 5715?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Turner, has been approved for consideration."

Speaker Hartke: "Representative Jones for Representative Turner."

Jones, S.: "Amendment #2 creates an exemption to the court document evidence fees for units of local government and school district except where the court order another party to pay the fees on their behalf. That's it."

Speaker Hartke: "Is there any discussion? Representative Parke."

Parke: "Yes, Re... Thank you, Mr. Speaker. Will the Sponsor

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yield?"

Speaker Hartke: "Sponsor will yield."

Parke: "Thank you."

Jones, S.: "Yes, I will."

Parke: "Good. This is... you say this is for Representative Turner."

Jones, S.: "Yes."

Parke: "Explain to the Body one more time what the Representative's Amendment does."

Jones, S.: "Amendment #2 creates an exemption to the court document evidence fee for units of local government and school district except where the court order another party to pay the fee on their behalf. With thi..."

Parke: "So, this is a fee increase that is purported to be necessary."

Jones, S.: "Yes. It's just between one and five dollars."

Parke: "And did anybody... Now, this was in committee, so did anybody object to this in committee?"

Jones, S.: "Yes, the City of Chicago was objected to it, but the Amendment removes the... their objection."

Parke: "They objected to the Bill and Amendment 2 removed the objection. Is that what you just said?"

Jones, S.: "Yes."

Parke: "And does this apply only to the City of Chicago?"

Jones, S.: "Cook County."

Parke: "Have we heard anything from the Illinois Municipal League or the Northwest Municipal Conference in terms of this legislation?"

Jones, S.: "No."

Parke: "Are there gonna be other Amendments, Representative?"

Jones, S.: "No."

Parke: "Thank you very much."

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Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 5715?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 4446. Mr. Clerk, read the Bill. Mr. Poe."

Clerk Rossi: "House Bill 4446 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4446, a Bill for an Act concerning disaster service volunteers. Third Reading of this House Bill."

Speaker Hartke: "Representative Poe."

Poe: "Yeah, Mr. Speaker, and Ladies and Gentlemen of the House. This is a Bill that is being brought to us by the American Red Cross. And what it's gonna do, it's gonna allow workers to work across state lines that actually works for the Red Cross now. And what we have in the State of Illinois, we have about 20 or about a hundred employees that work for the state that are Red Cross volunteers. They would... This has been agreed to by EMA, CMS and what this would allow is about 20 days a year and this would be handled through their management, so that everything would be coordinated. And like I said, there's no known opposition. So, I'd ask for a favorable vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass

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House Bill 4446?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5608, Representative Mautino. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5608, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Hartke: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a Bill that we referred to for a little bit yesterday. This deals with the workmen's compensation pools. The Amendment that was placed on, Amendment #2, has shelled the Bill. So, the intent is to send it to the Senate and hopefully, get some changes in the status of our self-funded workmen's compensation pools which are in trouble right now. Happy to answer any questions."

Speaker Hartke: "Representative Black."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, can you give me your word that this Bill will only be used for the purposes that you discussed earlier? I don't wanna see this as some kind of a rate increase or a restructuring of worker's comp."

Mautino: "And that you have my word on."

Black: "Okay. Fine. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5608?' All those in favor signify by voting

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'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Three people still have not voted. Representative Wojcik. Representative Hassert. Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5627, Representative May. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 5627 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Simpson, has been approved for consideration."

Speaker Hartke: "Representative Simpson on the Amendment. Representative May."

May: "Mr. Speaker, we're withdrawing. I just couldn't get in there. We're withdrawing Amendment #2 and submitting Amendment #3. It is just language requested by IDOT to give the description of the property."

Speaker Hartke: "Withdraw Amendment #2."

Clerk Rossi: "Floor Amendment #3, offered by Representative May, has been approved for consideration."

Speaker Hartke: "Representative May."

May: "Yes. It is technical language with a description of the property. IDOT no longer needs this land for the highway and it's going to be... the City of Highland Park is using it for open space with a grant from the Open Lands Trust."

Speaker Hartke: "Is there any discussion? Representative Black."

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

Speaker Hartke: "Sponsor will yield."

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Black: "Thank you. Representative, on the Amendment, if you would clarify for me, is IDOT conveying this land to the municipality of Highland Park?"

May: "For open space, yes. The... their..."

Black: "And how much... how much is IDOT charging for the conveyance?"

May: "Ten dollars."

Black: "Is that, in fact, the appraised value of the parcel?"

May: "It... IDOT is comfortable with this... with this language. This is actually what they wanted to describe the property. It's a complicated agreement that has been reached."

Black: "Representative, work with me, now."

May: "Okay."

Black: "Work with me."

May: "Yes."

Black: "Come on."

May: "Uh hum."

Black: "I didn't ask you if IDOT was comfortable with it."

May: "Okay."

Black: "I asked you if this is the appraised value of the land that IDOT is conveying to the City of Highland Park for \$10."

May: "I can't honestly say, Mr. Black, whether IDOT did an appraisal."

Black: "Could you find out for us before you move this Bill on Third Reading?"

May: "Yes."

Black: "I'm just curious."

May: "Yes."

Black: "I have a very similar problem in my district and IDOT is telling me that you can only convey land on the appraised value. Now, if they're gonna make an exception for

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Highland Park, I'm here to tell you, they're gonna make an exception in my district, too. So, I just would like to know. If you'd ask... If you'd ask the IDOT liaison or somebody in IDOT what is the appraised value of this parcel of land they are conveying to a municipality for \$10. If the appraised value is \$10, I will Sponsor your... I will cosponsor your Bill..."

May: "Okay. Okay. Mr. Black, may..."

Black: "...and sing loudly..."

May: "...may I..."

Black: "...when it passes."

May: "May I... clarify one thing."

Black: "I hope you do."

May: "This is the conveyance of an easement... of an easement."

Black: "It's an easement. Is it..."

May: "Yes."

Black: "...is it..."

May: "Yes."

Black: "All right. Is it an easement in perpetuity or an easement for a specified number of years?"

May: "I believe it... IDOT doesn't need this land. I don't know the original agreement, if it was in perpetuity or a specified number of years."

Black: "I don't think IDOT needs the land that I'm..."

May: "No, they don't. They don't."

Black: "...concerned about in my district, either."

May: "They've agreed they don't... they no longer need the land or they wouldn't have done... agreed with this. There's a trust that owns the land, IDOT has the easement. They had had acquired years ago in case they needed it for highway purposes. They no longer need that and they are willing to convey the easement."

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Black: "So, IDOT is going to, in effect, relinquish their easement to this parcel for the sum of \$10?"

May: "Yes."

Black: "I'm sorry. I didn't hear you, Representative."

May: "Yes."

Black: "Is that what they're doing?"

May: "Yes."

Black: "All right. Is there any conversion rights being held by IDOT if the land is not used for open space or public purposes? Is there anything... Does IDOT have the right to reclaim its easement?"

May: "All they get back is the opportunity to lose... to use the land."

Black: "To use the land for any purpose?"

May: "No, absolutely not. This is... the city received an Open Lands Trust, administered... you know, it's a program that we all are very support of and they are very careful in granting the Open Lands Trust, but it would be in perpetuity for open space."

Black: "All right, Representative, I'll... I appreciate your indulgence. I'll certainly reserve the right to come back to this on Third Reading. If you could call IDOT, there's just some... a couple of things that I don't understand and I know I'm joined by more than one or two of my colleagues. I just wanna make sure that IDOT is handling land conveyances the same or in a uniform manner throughout the State of Illinois, because I'm currently involved... as a school district in my district is involved in negotiations with IDOT that are handling it completely different than what you're telling me this is being handled for..."

May: "And is it in..."

Black: "So, I'm just concerned whether or not we're consistent on

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how IDOT conveys land or easements and I..."

May: "I'll speak to you privately about your situation."

Black: "I'll... I'll revisit it on Third Reading."

May: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Johnson."

Johnson: "Yes. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Johnson: "I just have one quick question for the Representative. Has AFSCME contacted you and are they in support of this land transfer? No?"

May: "AFSCME, no."

Johnson: "Well, you know, I recall..."

May: "Again, I haven't heard from them."

Johnson: "...we did a land transfer out in our area and I understood that they took a very strong objection to that because of the budget crisis. Why would they be conveying this land to your village and not selling that land? We need all that money. I just wondered why AFSCME didn't get on your case when they got on our case."

May: "Well, they don't own it in this case. I mean..."

Johnson: "Oh, okay."

May: "...it's just a co... I mean, with..."

Johnson: "Thank you."

May: "Okay. Thank you."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 5627?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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Speaker Hartke: "Third Reading. House Bill 3705, Representative Delgado. Mr. Clerk, please call the Bill."

Clerk Rossi: "House Bill 3705, a Bill for an Act in relation to schools. Third Reading of this House Bill."

Speaker Hartke: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. 3705, this Bill amends the Chicago School District article of the School Code and creates changes in a name of the professional personnel advisory committee to professional personnel leadership committee, PPLC. This is a group of teachers in the Chicago system with the LSC structure and the LSCs are a elected body of the school that'll make the decisions on that local school's budget and puts together their budget for that year. And every LSC has teachers on their LSC as elected officials in addition to having a professional committee that will advise the creation and modifications of that budget. And we have all agreement on it, to move this out of the House. And at this point, we did amend it so that it would reflect an advisory level only, so we do not dilute the power of the local school councils, that to me is so important since I'm a former local school council member. However, it does allow the teachers to have a little bit more opportunity to... because they understand the things that are going on in their classrooms and the dynamics that are necessary to have a successful budget. And I would ask for your support and an 'aye' vote."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Cowlshaw."

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

Speaker Hartke: "Sponsor would be happy to."

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Cowlshaw: "My concern about this proposal, all along, is one that I believe you share and that is that the local school council members are actually elected the same as you and I are elected and they have certain responsibilities and certain decision-making capacities that were provided for when local school councils were first created through State Law. I believe, the local school councils are one of the great strengths in the Chicago Public School System today and I think of them very much as though they were the equivalent of a school board where I live."

Delgado: "That's right."

Cowlshaw: "Because where I live we have seven members on a school board. They are elected from throughout the school district and they make the decisions about the budget and a number of other important things, like curriculum. The local school council in Chicago serves one attendance area, that is, there is one school building that those people are responsible for and about which they make decisions. The makeup of that council was very carefully considered at the time that they were created, so that there would be no one interest group with a majority on that council. My concern with this professional personnel committee is that it be absolutely clear and that, in fact, it perhaps is important as legislative intent for you to declare that now that you have amended this so that it is an advisory role only that, in fact, there is no intention whatsoever for any decision making that currently is exclusively for local school councils, is to be shared in any way with these new committees. Is that your intent?"

Delgado: "Yes, it is, Representative Cowlshaw. And I want to commend you because you did help me shape some of this language in committee and we reduced the amount... As you

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know, the professional committee exists anyway, but we want to keep it advisory and we made sure the number was reduced down to seven because at first of all, they won't have a binding decision, but even if they had a little vote among themselves to take an idea forward, it would not topple and no coup d'etat's gonna happen at any of my local school councils, to go ahead and topple the LSC vote, because there's more members on the local school council than on the professional advisory. It is my clear intention, for legislative intent purposes here today, that we have listened and helped... and thank you for help crafting that in committee with me, to assure that the teachers will... this committee will just have an advisory role around the parameters to help and be part of that decision because it is all, just like five fingers on my hand, they all are part of that body. However, we are clearly conscious that the local school councils are elected by their residents and they are the ones who will ultimately make the final decision and I will fight it tooth and nail to make sure that is and if I had... and so I've been assured by all parties and the language is very specific now that we can move this Bill to the Senate. And it does serve the purpose that you and I and other Members put together and I will be the protector and champion of that intent."

Cowlishaw: "Thank you for clarifying that. I appreciate that very much. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3705?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members

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voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5780, Representative Mathias. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5780 has been read a second time, previously. Amendment #1 was adopted in committee."

Speaker Hartke: "Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Floor... actually this is Floor Amendment..."

Speaker Hartke: "There should be a Floor Amendment #2 and 3. Floor Amendment..."

Clerk Rossi: "Floor Amendment #3..."

Speaker Hartke: "...1."

Clerk Rossi: "...has been approved for consideration."

Speaker Hartke: "Representative Mathias on Amendment #3."

Mathias: "Thank you. Floor Amendment #3 tightens up the procedure for inspections by local inspectors of new school construction. It tightens up the procedure as to when they can review the plans and also when they can make the inspections in conjunction with the regional superintendents in their area. I ask for approval of Floor Amendment #3."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 5780?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 4211, Representative McCarthy. Out of the record. House Bill 4938, Representative McGuire, Jack McGuire. Mr. Clerk, read the

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Bill."

Clerk Rossi: "House Bill 4938 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative McGuire, has been approved for consideration."

Speaker Hartke: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker. I believe we have Amendment #... I thought we adopted 1. Would you please check that again? Is it 1 or 2 that we're working on?"

Clerk Rossi: "Representative McGuire, both Amendments 1 and 2 have been approved by the Rules Committee... or approved by committee for consideration."

McGuire: "Okay. Then I would like the... the approval of the Body for the Amendment, #1 and 2. Time out."

Speaker Hartke: "Mr. McGuire."

McGuire: "Speaker, we'd like to adopt Amendment #1 and #2. Not simultaneously, but individually."

Speaker Hartke: "Obviously. Would you like to present Amendment #1?"

McGuire: "That's what we'd like to do, #1."

Speaker Hartke: "Would you like to present Amendment #1?"

McGuire: "I have it here somewhere. Amendment #1 states that the commissions shall consist of the following state officials that are authorized representatives: the Secretary of State, who shall act as chairman; the State Historian, who shall serve as secretary; the State Treasurer, Director of Central Management Services, the Attorney General and the State Comptroller and the commission shall meet whenever called. That's basically Amendment #1."

Speaker Hartke: "Is there any discussion on Amendment #1? Mr. Cross, Mr. Cross."

Cross: "No, as long as you're gonna do 'em separately. We had a

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question about Amendment 2, but we'll wait."

Speaker Hartke: "Okay."

Cross: "Can I keep... I just have my light on."

Speaker Hartke: "Okay. Is there any discussion on Floor Amendment #1? Seeing no one is seeking recognition, the question is... All those in favor of Floor Amendment #1 indicate by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it and Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative McGuire, has been approved for consideration."

Speaker Hartke: "Representative McGuire."

McGuire: "Here again, Mr. Speaker. Amendment #2 replacing lines 9 through 12 with the following: 'reports of impaired physicians under Section 16.04 of the Medical Practice Act or Section 23 of the Medical Practice Act of 197... 90... excuse me, 1987 are not included within the definition of records as used in this Act.' That is the Amendment."

Speaker Hartke: "Is there any discussion? Mr. Cross."

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

McGuire: "Yes."

Speaker Hartke: "Sponsor will yield."

Cross: "Representative, does this... is this second Amendment one to address the concerns of the Illinois State Medical Society?"

McGuire: "I didn't hear the last part of your question. The what..."

Cross: "Was this an Amendment that was, was drafted and adopted to address the concerns of the Med Society?"

McGuire: "Yes."

Cross: "All right."

McGuire: "I'm quite sure of that."

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Cross: "Okay. So their opposition is gone, as far as you know?"

McGuire: "Not that I know of."

Cross: "Are you aware of any opposition?"

McGuire: "Not that I'm aware of."

Cross: "Okay. Thanks."

McGuire: "Thank you."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 4938?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 4077, Representative Lyons. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4077, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Speaker Hartke: "Representative Lyons."

Lyons, J.: "Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 4077, of course, amended earlier today, is a shell Bill now dealing on the subject of a corporate aid program of some sorts yet to be determined that would benefit some of the private and parochial schools in the City of Chicago. I think... and the rest of the whole State of Illinois, Chicago, the suburbs, downstate. There's a coalition pretty broad based who are in support of this in theory, but as most of us know, this is not an ideal year to bring issues that are gonna cost the state any additional money. So, what I'm attempting to do here is to keep the purpose alive, send it over to the Senate in its present form, and if we can work something out, with a little more time, bring it back here for our full review."

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I'd appreciate your support on this."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Lang."

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

Speaker Hartke: "Sponsor will yield."

Lang: "Representative, I'm sorry, I missed the beginning. Did you say you turned this into a shell?"

Lyons, J.: "Correct."

Lang: "All right. I'll support that. I think this is a worthy topic. We... you and I have discussed many ideas for making this Bill one that's palatable to public education and make sure it's constitutional. And I'd be happy to continue to work with you on that. I'll support your Bill."

Lyons, J.: "Thank you, Lou. I appreciate that."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 4077?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 50 Members voting 'yes', 61 Members voting 'no', and 5 Members voting 'present'. Mr. Lyons. Mr. Lyons requests Postponed Consideration."

Lyons, J.: "Thank you."

Speaker Hartke: "House Bill 5567, Representative Rutherford. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5567 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Rutherford, has been approved for

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consideration."

Speaker Hartke: "Representative Rutherford."

Rutherford: "Mr. Speaker, Ladies and Gentlemen of the House, thank you very much. This legislation... the Amendment would actually change the nursing component in the rate-setting mechanism for our nursing homes. Many of us have heard a great deal about the IOCs, the inspection of care. What we're looking to do is change to a formula that would use a minimum data set. This legislation is being supported by all three of the associations in the nursing home industry, as well as the Department of Public Aid have agreed to this. It is budget neutral and I'd be glad to go into more detail as questions may come."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Feigenholtz."

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

Speaker Hartke: "Sponsor yields."

Feigenholtz: "Representative Rutherford, could you please clarify, in this legislation and on this Amendment, is there a hold harmless in here?"

Rutherford: "Yes, there is a hold harmless that would be in effect for two years after implementation under the new methodology. And the reason for that is... and to go into a little more detail, this would actually provide that the dollars that go to our nursing homes would be used on a formula under the minimum data set which is also already required by the Federal Government but it would tie the dollars to it. So, it would say that the dollars will follow those residents with more of a medical need. That is a change from the way we're doing it today. We are doing it on an average per... per facility that was from an

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antiquated system that we froze here by the Legislature a number of years ago. What... And to this new methodology, it depends on the resident mix as to the type of dollars that would be there. So, if they have a mix of residents that have a greater medical need, they would receive more dollars; those with less of a medical need, would receive less dollars. For that reason, some of the nursing homes today may fall in the point that if this methodology went into place, they would receive less dollars. We wanted to hold them harmless for a two-year period and at that point then they would fall under this new methodology."

Feigenholtz: "And there's no intention on tinkering with the sunset... on the two years for hold harmless. You're not planning on extending it?"

Rutherford: "No, that is not my intention at all."

Feigenholtz: "Okay. I also have another question about... I think that the committee who's been working on this has really been doing a great job. I know it's very tedious work and it's a lot of small details, but they've come to the conclusion that using MDS is a better method than IOC. Is this Amendment... Does this Amendment make the Bill subject to appropriation?"

Rutherford: "Yes, it does."

Feigenholtz: "But we already have something in statute that involves a cost report. Could you explain to me what this means for the Legislature in a circumstance in a budget year such as this one when we were unable to cut the nursing home rates at the same level as, let's say, hospitals and other Medicaid providers?"

Rutherford: "This would... This Bill would not change what is already in statute with regards to the ability of the General Assembly or the administration in regards to

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setting rates. What this Bill does, it says that there are three components in the rate-setting mechanism... already existing today are three components to the rate-setting mechanism. One is administration support, a second is capital, and a third component is the nursing component, which obviously is the much larger of the percentages of the three. What we're saying is, in order to establish the nursing component factor of the rate setting we would no longer use the survey process called inspection of care. We would use a minimum data set methodology with the dollars tied to that. What exists today in statute will not change in regards to the issue of rates. It will still necessitate the General Assembly to determine the amount of dollars to go into the overall pie that would go out to our nursing homes."

Feigenholtz: "Did you... Representative Rutherford, did you answer my question about the scenario about... I'm sorry. There's a lot of noise in here, about the scenario where the Governor had to go in and cut across the board cuts and how we were unable to do this with the nursing homes? We would have had to do it statutorily. If we pass this Amendment, that doesn't change that. Is that what you're telling me?"

Rutherford: "This Amendment does not change anything with regards to appropriations. That will still continue to be as it is. This Bill says that the component, the nursing component in the rate-setting mechanism, will be established under a methodology using the minimum data set rather than inspection of care."

Feigenholtz: "If the nursing home determines that they want to shift dollars around from the nursing portion to the capital portion or to other components, are they allowed to

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do that under the law right now?"

Rutherford: "I will stand to be corrected and verify it, but I do not believe they have that ability."

Feigenholtz: "But if we gave the Department of Public Aid authority to do that, for instance, let's say a nursing home decides that their subacute care population is shrinking and they have empty beds and they would rather shift some more... some of the Medicaid dollars to other services, perhaps home care or whatever. Under statute right now, do they have the ability to do that?"

Rutherford: "I don't know that answer. This would not change whatever that answer is, though."

Feigenholtz: "Well, in the future, I would like to possibly work with you on that because I think the future is taking us into another direction and that's where we should be spending our money. But I thank you..."

Rutherford: "I can support... I..."

Feigenholtz: "...for your time."

Rutherford: "Absolutely. I can support working with you on that. I think it's a good move."

Feigenholtz: "Thank you very much, Representative Rutherford."

Speaker Hartke: "Chair recognizes Representative Brunsvold."

Brunsvold: "I'd like to draw the Body's attention to the center aisle. Talking to Tom Johnson is former Member of the House and now Congressman and my former seatmate and a good friend and the top singer on the House Floor when he was here, David Phelps."

Speaker Hartke: "Welcome back to Springfield, Congressman Phelps. Representative Black."

Black: "Mr. Speaker, an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "Does Congressman Phelps have on the appropriate ID card

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or floor pass?"

Speaker Hartke: "Ya know, I don't think he does."

Black: "Have Representative Brunsvold escort him from the chamber."

Speaker Hartke: "Mr. Brunsvold. Representative Lindner."

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

Speaker Hartke: "Sponsor will yield."

Lindner: "I just have one quick question. In talking to one of my nursing homes about this change, I was told that this would not apply to..."

Rutherford: "I can't hear a word she's saying, Mr. Speaker."

Lindner: "I was told that this..."

Speaker Hartke: "Shh."

Lindner: "...would not apply to people who have been diagnosed as mental health patients in the nursing homes. They would not be able to use this method."

Rutherford: "This does... This applies for the nursing component and our long-term care. It does not go into any of the DD-Mental Health allocations. That is correct."

Lindner: "Okay, even if they have that population..."

Rutherford: "You gotta talk into that."

Lindner: "Even if they have that population in the nursing home they would not be covered?"

Rutherford: "This just changes the methodology for dividing the moneys for the Medicaid reimbursement for those that are in long-term care."

Lindner: "Okay. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Flowers."

Flowers: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Will the Gentleman yield, please? Representative, when you say it changes the methodology, but yet it makes

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no monetary changes, would you please explain that?"

Rutherford: "Would you repeat the question?"

Flowers: "Would you please explain what do you mean that it makes..."

Rutherford: "Mary, I can't..."

Flowers: "...it changes the methodology."

Rutherford: "Today, we allocate the moneys to... for Medicaid, to long-term care through a process in part using an inspection of care and that is for the nursing component, one of the three components of the rate-setting mechanism. This would alter that to use an inspection... instead of an inspection of care it would use the minimum data set. And if I could explain, today, every nursing home in the state that has residents that are in... receiving Medicaid or medicare need to complete a minimum data set which is a federally-mandated inventory of the health of that resident. They are already doing that. What we are looking to do is to tie the rates to that minimum data set as opposed to this survey process called inspection of care. And what this will do, Representative, is it will say that the dollars will follow the medical need of the resident as opposed to an average per facility."

Flowers: "The dollar will follow the medical need of the residents as opposed to..."

Rutherford: "An average in that facility. So, today, we use an inspection of care process that will say the average rate at this facility will be hypothetically \$90, \$90 across the board and if by chance your medical need as a resident in that facility is not as dire because you are able to go to the dining room, you are able to bathe yourself, you are able to go to the washroom yourself, is different than if myself, for example, if I could not go to the dining room,

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could not bathe myself and needed assistance to go to the washroom. It costs more to care for me than someone else. We know the medical situation of that individual through the minimum data set that is already being collected and we are looking to tie rates to that rather than just an average."

Speaker Hartke: "Shh."

Flowers: "Representative..."

Speaker Hartke: "Please, Ladies and Gentlemen, let's lower your voices. Proceed."

Flowers: "...you know, we were up... very late last night discussing this Amendment and I need for you to please clarify for me... I need for you to please clarify for me, are you taking moneys away from one group of patients and giving it to another group?"

Rutherford: "No. And the reason for that, and I'd be glad to explain it. We are not taking money away from individual residents. We are saying... we are saying that today a facility may receive more for an individual patient than what the actual cost may be, but it averages out so that there would be no... that the person that it's costs more than what the facility's being reimbursed. They're losing more money there. And what we're looking to do is actually have the dollars follow the medical need. In fact, I can tell you, Representative, if you look at what's happened across the state: in 1999, seven nursing homes in this state closed. In the year 2000, 12 nursing homes closed. In the year 2001, 18 nursing homes closed and a great part of that is because #1 we are not adequately funding them. This Bill will not correct that, but what we will do is, we will say we will have the dollars that this General Assembly appropriates to follow where they are great..."

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have the greatest need and that is those with more greater medical necessities. We are finding today that there are certain regions of this state, for example, in one region of the state, the state is reimbursing 17% below cost. In another region of the state, we're at 2% below cost and the reason is we are not following a process that is fair to what the need of the resident is, we're using a mathematical average or formula."

Flowers: "Okay. I think I've figured it out now. Okay. We're taking the same pot of money and we're giving it to the patients with the greatest needs..."

Rutherford: "There... Representative, yes. We are taking a pie that this General Assembly determines how much is in it..."

Flowers: "Right."

Rutherford: "...and we're saying... we're gonna divide it following a medical need."

Flowers: "Now, instead of this nursing home taking care of a hundred patients with a thousand dollars, they will be taking care of 50 patients with the same thousand dollars."

Rutherford: "No."

Flowers: "Okay, explain that one?"

Rutherford: "I don't understand the question."

Flowers: "Well, I mean, how... how is it that we're going to take the same amount of moneys, deal with the patients with the greatest needs, and still have the same amount of patients. There has to... someone has to lose in this equation."

Rutherford: "We are not reimbursing on following need, we are reimbursing on an average. A hypothetical could be, that because the average is set where it is, you may actually have less medical need than what costs are and there may be a reimbursement higher to you who have less medical need, so they're making more money off of that compared to

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someone who has a greater medical need and they are losing more money."

Flowers: "Why can't we do that without this legislation? Because the same people are in the same nursing home and the average is what the average is and instead of you spending the whole \$90 across the board, equal across the board, you're gonna spend 20 on this patient, and the rest of it on the other."

Rutherford: "Because we have it set up that the procedure for allocating the funds is through an inspection of care process to determine the nursing rate... I'm sorry, to determine the nursing component. We do not have the ability today to follow the minimum data set, the federally required paperwork already being done by that facility's staff to put the rates to it. We are required to follow an inspection of care and that does not follow need."

Flowers: "Representative, I know you have worked very hard on this legislation and it's very complicated for me to understand. And I just need to ask you one more time..."

Rutherford: "Anything you want, Representative Flowers."

Flowers: "I just need clarification. You are not taking away moneys from no other patients and your... your MDS... What is that again?"

Rutherford: "Minimum data set."

Flowers: "The minimum data set that you're going to take from each patient, that's an assessment of the patient is it?"

Rutherford: "The minimum data set is... very simplistic again, an inventory of the health condition of an individual."

Flowers: "So, if the health condition of the individual gets better, what happens to the moneys that you had set aside for that particular patient?"

Rutherford: "As the health condition of the resident may change,

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better or worse, those dollars will change because the cost to maintain that resident's service will change. If you... if you are a resident that was not able to go to the dining room and had to be fed in your room, that costs more than if you were a resident who was able to walk or go in your wheelchair to the dining room."

Flowers: "But..."

Rutherford: "So, the change is... is, what I hope would be, a logical change. If it costs more for you, there should be more dollars. If it costs less, then those dollars are not needed there."

Flowers: "But my biggest concern about the legislation is that you may have ten patients comin' in today and for whatever... these patients may be weak from the operation that they just had..."

Rutherford: "Right."

Flowers: "...so therefore, they're not able to get up, go to the bathroom, feed themselves... so therefore, the assessment that you would have of these patients you will say that their needs are greater."

Rutherford: "I'm sorry, we..."

Flowers: "And so therefore, that'll be more moneys going to this particular nursing home upon because of the assessments of which you just made of these ten patients. And two days later, these patients may be better, but you have the greatest amount of moneys from these patients so therefore, some place down the line there are some other needy patients out there that will not be able to have access because of a determination that was made because of someone's opinion about this patient or these patients."

Rutherford: "Representative, the minimum data set is done on a quarterly basis. So, the health condition and inventory of

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that individual you will be able to profile and track through the year. So, if there is a change in that... health condition of the individual, greater or worse for their needs, we will be able to monitor that in a rate reimbursement methodology using this MDS. And if I may, what actually is a truer injustice for the resident in the facility is what we have today. Today we have a frozen, antiquated inspection of care and if that facility's rate is froze under this mechanism, if your health condition worsens and your medical need increases, there is not the means to put additional resources to help you. That's what we are dealing with today. We are trying to move out of that."

Flowers: "Representative, again, I understand what you're trying to do here, but I have a problem with this Bill and let me just get to the Bill. You have to wonder why nursing homes are closing. You can say because of the cost factor, if you so choose to. It could be that people are living healthier, longer at home as opposed to going into a nursing home, that's #1. And you're talkin' about the patient, the money's following the patient, but that doesn't necessarily give an increase in regards to qualified workers in that nursing home. We've seen the horror stories in regards to nursing homes, we've heard about them throughout the years, nothing has been done. So what I... Representative, my biggest fear, with this legislation, is that someone's grandmother is gonna be placed in this unsecured facility to be abused and misused."

Rutherford: "This legislation, Representative Flowers, with all due respect, does not have a darn thing to do with that. The Department of Public Health..."

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Flowers: "It... In regards to the moneys..."

Rutherford: "...has the ability..."

Flowers: "...in regards to the moneys..."

Rutherford: "...to go through the inspection process and do not..."

Flowers: "...in re..."

Speaker Hartke: "Representative Flowers, please let Representative Rutherford answer the question."

Rutherford: "Please, do not read into this legislation anything in regards to quality of care nor potential abuse. What this does is a methodology to reimburse following medical needs."

Flowers: "In regards to the moneys and the medical needs of the patients, it has a lot to do with it. But let me ask you, you said... the reason why this legislation is needed, you said, was because there has been 17 nursing homes to close."

Rutherford: "That is not what I said..."

Flowers: "Okay."

Rutherford: "...what we need this legislation for. I was pointing a fact that we have ourselves a looming, long-term care crisis on our hands and the number of facilities closing is moving in the wrong direction. What we are finding and I believe I shared with you in part last night in committee and I believe I would have in some part today on the floor. We have an extremely disproportionate reimbursement means within our seven regions of the state. There are portions... some of the regions of the state are 17% below cost, others are much greater to get reimbursement to their cost. What we are suggesting here is rather than using some average let's really go out and do it where the needs are most and that is best followed on

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the medical condition of the individual. And we are not talking about additional paperwork, we're not talking about additional staff within State Government nor within, especially, the paperwork nor staffing requirements of a nursing home. We already do the minimum data set. That information is already collected. What we are talking about is marrying rate to MDS."

Flowers: "Thank you, Representative, for being so kind and patient..."

Rutherford: "I appreciate, Rep..."

Flowers: "...but I still don't like this Bill. Thank you."

Rutherford: "The only thing I would ask is if you'd just vote for it."

Flowers: "Oh, well. Thank you."

Speaker Hartke: "Further discussion? I might remind the Members that there are four people still seeking recognition. There are four fiscal notes filed to this legislation. I will be using the timer. Representative Hamos, you have five minutes."

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

Speaker Hartke: "Sponsor will yield."

Hamos: "Representative, I have two questions for you. One is... has to do with this subsection or paragraph 'A' on page 3, which has to do with facilities..."

Rutherford: "Say it again, page what? What page, Julie?"

Hamos: "Page 3, subsection A, starting on line 22."

Rutherford: "Okay."

Hamos: "This has to do with facilities that would receive a lower nursing component rate under this. What is... what is the implication of this subsection A, can you tell us?"

Rutherford: "Great. Yes. What is does, Representative, is it... we are providing for a period of transition from the

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present rate-setting mechanism to a new one and to go through that. Once we have established that rate-setting mechanism, we are going to hold harmless the facilities that may, under a new methodology, receive less moneys. And it would all be subject to appropriations. So, if for some reason the pie shrank by 10%, all would shrink by 10%."

Hamos: "Then how long does that hold harmless remain?"

Rutherford: "The hold harmless is for a two-year period and it is specifically outlined that it is two years and no longer."

Hamos: "Okay. Thank you. And the second question I would ask, has to do with this language on page 4, line... beginning on line 5. This is paragraph 'C'. What does this paragraph mean and why do we need that paragraph?"

Rutherford: "We put that in there so that we were sure that it was gonna be subject to appropriations and the fact if, for some reason, the... And this is trying to help identify that issue of the pie. We are not trying to, in this procedure, say the nursing home industry will receive a certain amount, a greater amount, or less of an amount. What we are saying is, every year by the General Assembly's authority, we will appropriate moneys and whatever that size of the pie is that this new methodology will be the means that we divide it."

Hamos: "Well, Representative, the way that I read this, and I'd like to for purposes of legislative intent clarify it, is that, for example, if the pie... based on the pie, I understand the concept of the appropriation. Let's say that nursing home utilization goes down and there are lots of empty beds, they're not being vouchered, et cetera, and somehow the pie, the appropriation, actually could be reduced for a given year."

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Rutherford: "I can't..."

Hamos: "Now, could be reduced because it's not all used up. Okay. Under this subsection, you're not intending to say, are you, that when it says, 'shall be adjusted', that that would mean that the state would be required to adjust upwards the rate to make sure that the entire appropriation was being used in a given year?"

Rutherford: "Thank you, Representative, that is not the intent. The intent is to say that once we set the rate method... rate-setting methodology and if under this scenario you outlined a facility has empty beds, it will still... the MDS will be zero 'cause there's not anyone in that bed. So, to clarify your question, I appreciate that, it is absolutely not to say that the industry or the department must spend everything in their budget, it says that they must do it following the appropriations and the rate-setting mechanism that they've got there."

Hamos: "As the maximum..."

Rutherford: "That is correct, yes."

Hamos: "...but not as the minimum. Okay."

Rutherford: "Thank you, Representative."

Hamos: "Thank you."

Rutherford: "That is correct."

Hamos: "Thank you."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Madison, Representative Holbrook."

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

Speaker Hartke: "Sponsor will yield."

Holbrook: "Dan, currently the nursing homes use the MOSs methodology for... do they not?"

Rutherford: "I think you asked me, do they use MDSs today?"

Holbrook: "Yes."

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Rutherford: "To answer the question, a nursing home that receives Medicaid or medicare is required by the Federal Government to do a minimum data set inventory on a resident when they come into the facility. I believe it is then quarterly they then continue to update those. What is not done to date, Representative, is the state does not tie its rate-setting mechanism to that."

Holbrook: "They should though, should they not because it's already..."

Rutherford: "That's what this..."

Holbrook: "...a system, that's established."

Rutherford: "That's what this Bill would do. This Bill would require the state to set rate mech... rate-setting mechanisms to the MDS which is the medical condition of the resident."

Holbrook: "Well, the older system of the IOCs, haven't we abandoned that for about ten years now, in most cases, unless it's done upon request of the care facility?"

Rutherford: "That is correct, Representative."

Holbrook: "So, what we're doing is we're taking these nurses, instead of sending them into the backroom to fill out paperwork on IOCs, we're gonna be able to use the current methodology the Federal Government is already being provided by through MDS and they're gonna be out there working with the patients, my grandma and my aunt and my mother's, rather than out filling out paperwork. So, this should enhance patient care, should it not?"

Rutherford: "You know, Representative, shame on me for not highlighting that a lot sooner. You are correct, Representative Holbrook."

Holbrook: "This is a fabulous Bill. Everybody in this chamber ought to be for this. If you've got a loved one in a

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nursing home or know one in a nursing home, you should be for this Bill. Thank you."

Rutherford: "Thank you, Representative."

Speaker Hartke: "Further discussion? Chair recognizes Representative Black. You have five minutes."

Black: "Thank you very much, Mr. Speaker. I won't need five minutes. To the Bill."

Speaker Hartke: "To the Bill."

Black: "I thank Representative Holbrook for his very insightful comments about what this Bill does. And the questions, while they've all been good, this legislation evolved over a series of hearings that Representative Rutherford held throughout the state putting several thousand miles on his vehicle. It is not the product of something that was generated in a backroom by two or three people. And in all those hearings I don't think I heard of any opposition to this concept, be they from children who had parents in a nursing home, be it the owners of the nursing home, and in some cases, these are publicly-owned nursing homes. The one in my county, who testified at a hearing, is a county-owned nursing home. I believe, Representative Rutherford can correct me if I'm wrong, I believe Illinois is currently the only state in the country that uses an outmoded inspection of care method to track the... not only the reimbursement rate, but the wellness of people in nursing homes. We're the only state that does it. The minimum data set is a federal standard and it was not created in the last year by George Bush, it's been around for more years than I can remember, that has been generally accepted by all states and all of those people with the stake in the nursing home or extended care business. And I daresay, and I think... I think what's important,

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Representative Rutherford said some... some several minutes ago, if we don't do something now to insure the viability of extended care or nursing home facilities, the baby boomers are 10 to 15 years away, as are many of us in this chamber, from needing long-term care. And if we don't start to take proactive solutions and remedies now, the beds will not be there when the baby boomers begin to need long-term care. In fact, they're closing at such a dramatic rate in some counties of the state, they may not be there for our parents or our grandparents in the immediate future. This is, I'm sure the Representative would say, a work in progress and it represents a tremendous amount of work that he has put into this and I am not aware, after hearing after hearing after hearing all over the state in Democrat, Republican, Independent areas, of any significant opposition to this concept. It is, I think, a step in the right direction, even the step that the Department of Public Aid has indicated they can support and in fact, do support. It is a very reasonable piece of legislation to get us on the road to making certain that the long-term care industry remains viable in the State of Illinois, not only for the short-term, but for the long-term when many of us may be looking for that kind of care and need a bed close to our home in the waning days of our life. I would hope that all of you have examined and followed the debate very carefully and can vote 'aye' for the Gentleman's Amendment."

Speaker Hartke: "Representative Rutherford to close."

Rutherford: "Well, Mr. Speaker, and Ladies and Gentlemen of the House. I appreciate a number of people having supported this legislation and very simply, this is gonna take dollars that are limited and defined by this General

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Assembly, have them appropriately allocated by the needs as opposed to an average per resident. I would appreciate a favorable Roll Call on the Amendment."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #1 to House Bill 5567?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. Several notes have been requested on the Bill, as amended, and the notes have not been filed."

Speaker Hartke: "The Bill will remain on Second Reading pending the presentation of the notes. House Bill 5889, Representative Dart. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5889, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Dart, has been approved for consideration."

Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. Amendment #1 is a technical Amendment that was suggested by a couple people in the... from the Department of Corrections. I don't know if it's precisely necessary, but it can maybe clarify a couple things for 'em. And I'd move for its adoption."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 5889?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

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Speaker Hartke: "Third Reading. House Bill 5874, Representative Kosel. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5874, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Kosel."

Kosel: "Thank you, Mr. Speaker, Ladies, and Gentlemen of the House. This amends the Criminal Code of 1961 providing that a child sex offender may not knowingly reside within 500 feet of the victim of his offense. Permits the child offender to reside within 500 feet of the victim if the offender purchased the residence before the effective date of this Amendment or the victim is over 21 years of age. I'll answer any questions."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 5874?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Morrow in the chamber? Representative Hultgren in the chamber? House Bill 4129, Representative McKeon. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4129, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 has been adopted to the Bill. Floor Amendment #3, offered by Representative McKeon, has been approved for consideration."

Speaker Hartke: "Representative McKeon."

McKeon: "Thank you, Mr. Speaker. Floor Amendment #3 was

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introduced to deal with some of the issues that were brought up on the other side of the aisle regarding Class X felonies on this Bill. The Amendment eliminates any consideration for a reverse transfer of a juvenile who's allegedly has committed a Class X felony."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 4129?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 1984, Representative McKeon. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1984, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1984, a Bill for an Act to create the Access to Health Care Planning Act. Third Reading of this House Bill."

Speaker Hartke: "Representative McKeon."

McKeon: "Thank you, Mr. Speaker. House Bill 1984 sets forth a seven-year process to develop a comprehensive health care plan in the State of Illinois. It does not specify any particular type of plan, but specifies a process that such that during this period of evaluation and study that we'll be able to identify multiple approaches to health care for all citizens of Illinois. And I'll gladly answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Krause."

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

Speaker Hartke: "Sponsor indicates he will yield."

Krause: "Representative, in the legislation it provides, I believe, that the state shall implement a health care plan in the legislation and it provides further that the state is to provide uniform benefits for all Illinois residents. What the... would that all entail?"

McKeon: "Well, what it... Representative, that's a very good question because that's part of what the commission is supposed to identify in terms of the scope. There are a number of general standards that, have been in the Bill, set out as an ideal for the commission to try appro... to approach. Let me give you an example of a few of them: provide access to a full range of preventive, acute, and long-term health care facilities; improve the quality of health care services offered to all Illinois residents; provide portability of coverage regardless of employment status; provide a minimum..."

Krause: "Okay."

McKeon: "...uniform level of benefits for all Illinois residents."

Krause: "Okay."

McKeon: "That's about one-half, Representative..."

Krause: "I understand, but where it does say, 'portability regardless of employment status', what again would be your intent as far as what would be covered in that case? What would be a time frame? Would there be any limits on a time frame as to when they would be able to have the portability? Is there a time in which they would have to do it?"

McKeon: "Representative, those are the details that..."

Krause: "All right."

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McKeon: "...we would expect the commission to identify."

Krause: "Let me also ask you, have you looked at or has anyone given you an estimate of what the cost might be that would have to be set aside in order to implement some of these, even called them, minimum standards?"

McKeon: "Obviously, until the commission, if enacted, would have to delineate the details in the breadth of the program and at the time, the Department of Public Health could put some estimate on it. Currently, I have a fiscal note from the Department of Public Health..."

Krause: "And what..."

McKeon: "...and their position is, given what we know or given what we don't know in terms of the details of implementation, they're not able at this point to put a cost estimate on the Bill."

Krause: "All right. All right. Let me go to the Bill. This Bill was presented in Health Care Committee and we had the opportunity to discuss it. And I think everyone here would certainly agree that we have to do more in the field of health care for all of the residents of the state. Health care, indeed, is not something that should be left to just those who maybe can afford it. It should be provided and the opportunity should be given to many. However, this legislation is not the approach and is not the way that we should move forward on this subject matter. We have, in Illinois, attempted in many areas to serve the needs of the underinsured and obviously, of those who are insured and we have passed legislation for that. However, this legislation by specifically providing that the state 'shall' implement a health care plan very clearly would direct everyone towards a single-payer system, call it the Canadian system, call it socialized medicine, but indeed,

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it would be a system that would be totally run by government and that does not lead to the solutions that we want. In the field of health care, very much it is important that the government be involved. It should not be left open totally to the marketplace. But when you look at other areas that have run a single-payer system, you wind up with extreme rationed health care. You wind up, as in Canada, where the residents up there who do have money, leave the area and they go to Detroit, or they go to Buffalo for their health service. You do not have the quality control that you have in this nation and with the extreme rationing of health care, we do not obtain what we would like to do and that is, again, to move forward to assist everyone with a health care system. It is important that we continue to work on this issue. It is important that we try to resolve many of the issues outstanding. We have other ideas that we have moved, but it is not wise to go ahead with a plan that would exclude the private sector which, indeed, is what this does. This legislation is not the answer to solving the problems as they relate to health care. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes Representative Parke. You have five minutes."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in strong opposition to this legislation. This is universal health care. On the face of it, it sounds like a good idea, but in reality when you look at this kind of legislation and look at other sta... other countries in the world that have implemented this, you realize that there's a significant outlay in increased costs. In England, the cost is anywhere between 9 and 17% of personal tax rate that is applied to this system to

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provide the universal health care. And on top of that, their health care is inferior to our health care. This is not the answer. Ladies and Gentlemen, you need to pay close attention to this legislation. This is not what we need to have done for the people of Illinois. This is what is a pipe dream. We need to work internally to try and make the health care system of this state better. This is a... an idea that cannot be solved on a state level. You will drive Illinois business out of this state. They'll do business in the surrounding states. We will lose jobs. People will have to move because of the relocation of jobs. This is not what we need to have done. This is inappropriate. This is not what we need. And there's a country western song that says something to the effect, beware of unanswered prayers. I'll also, I would like a verification of the Roll Call if this receives the required number of votes."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Flowers. You have five minutes."

Flowers: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I would like to thank the Gentleman for bringing forth House Bill 1984. No other legislation could we ever debate on this floor will be more important than health care. If you don't have your health, the rest of what we're talking about is null and voided. When you take into consideration the state in which this country is in today, we're all over the country fightin' all kinds of wars for other people's right, but right here at home the people that's fighting over there when they come back will not have the access, the availability, to quality health care. This legislation is not talking about specific... a specific plan, it's leaving it to the... our Department of

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Insurance to put forth that plan. Health care is very important. When you take into consideration what we're doing now, having people to use the emergency room for a doctor's office is unconscionable. If this was a private business, it would not be ran that way. When you take into consideration how much it costs to go to an emergency room, when you take into consideration the economy, sick people cannot put forth or work in a sick economy. We need healthy people to work in a healthy economy. And again, I would like to thank the... the Gentleman for bringing forth House Bill 1984. Thank you."

Speaker Hartke: "The Chair recognizes Representative Miller. You have five minutes."

Miller: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Miller: "Representative, is there any opposition on this from any of the professional health care providers... organizations... that you know of?"

McKeon: "I know of no opposition from the health care provider organizations. And this, in fact, is an extension of the planning process that the Illinois Committee for Better Health Care has been engaged in for a number of years. And remember, this is not a program, this is a plan."

Miller: "Well, like the Med Society or the Dental Society or anything like that. Have you heard from them on this?"

McKeon: "I can't hear you, Representative."

Miller: "Any professional societies... health care fac... have you heard from them in regards to this legislation?"

McKeon: "The opponents include the Department of Insurance, the large and special interest groups representing business and manufacturers association, Employment Law Council, and Association of Health Plans and the Department of Public

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Aid and the Department of Aging. Those in support of it, as I indicated, Campaign for Better Health Care, SSI Coalition, Illinois Social Workers Coalition of Citizens with Disabilities, Conference of Churches, United Way, the ARC, Assistive Technology Product... Project, Federation of Teachers, and Equipped for Equality."

Miller: "So, you have not heard from them, in one..."

McKeon: "I have not personally heard from them, no."

Miller: "Okay. Okay."

McKeon: "They have..."

Miller: "And that your legislation does not promote any particular plan or does it promote a single-payer plan or a private plan or any other thing like that?"

McKeon: "It does not identify any single plan except... and it lays out a process for identifying in attempting to develop a plan to coordinate a variety of responses. I would expect the largest health care provision would come out of the private sector, as it should. However, as we know, even with today's system, the private sector does not deal with the needs of all people in our state and the state is required to take some action. So, what... This is a planning process. It'll involve a report to come back to the Governor and this Body, who must then take action on those recommendations and will pick and choose among those recommendations as it sees fit."

Miller: "So, this is similar to other commissions that have been established in the state, but just dealing with health care? We've esta... we've formed other commissions and things like that. This is something similar to that, correct?"

McKeon: "It's very similar. The naysayers are saying that, you know, this is going to be universal health care."

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Certainly, it's going to involve increasing access. It's not a single-payer system. The recommendations that are being suggested and the areas of inquiry of this commission is to look at multiple sources of providing health care. Clearly, the free market, the private sector will be the largest provider for those persons who are employed, but it would also reduce some of the tremendous costs that the private sector is picking up now as well as the government sector because we're paying... in our premiums we're paying for the benefits that we receive, not only our benefits, but all of those uninsured that are going to hospital emergency rooms because they have no other access to health care. The potential might be for the private sector that it could reduce some of those premiums as we clearly allocate the responsibility of those costs."

Miller: "Some of the previous speakers had questioned the fact that the private sector was not involved in this legislation. Is there an opportunity for them to become involved? Is it after the commission has released its information or can it be amended to include at certain parts of this?"

McKeon: "Currently, the legislation creates a bipartisan health care reform commission consisting of 30 members. The Governor appoints 15, one half of those members, including the Director of Public Health or his designee, the Director of Aging, Director of Public Aid, Director of Insurance and three members from the Human Services, including the Secretary of Human Services or his or her designee."

Miller: "But if... but is the private..."

McKeon: "But also includes two people appointed by the President of the Senate, two by the Minority Leader, two by the Speaker, two by the House Minority Leader. So, clearly

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through that appointment process various aspects of the public private sector, manufacturing, business can be represented."

Miller: "Okay. So, with the 15 members that the Governor can appoint can be from the private sector covering those concerns?"

McKeon: "Absolutely. There is no restriction or specificity as to where those members should come from."

Miller: "Okay. To the Bill. I stand in support of this legislation, too. A few years ago, I think it was Bradley University had a study that came out in regards to Illinois which one out of three Illinoisans did not have health insurance and were not covered. And as many of us know, that if something happens to us the health care costs can be devastating to a family, it can be devastating to our loved ones, it can be devastating to our entire..."

Speaker Hartke: "Mr. Miller, bring your remarks to a close."

Miller: "Thank you. Thank you. And nobody else except... obviously, I am tremendously concerned in the quality of health care in the State of Illinois and what kind of a delivery system it will be. And so, all this legislation does is start to attempt to address this discussion, to deal with the uninsured, to deal with those who aren't able to afford health insurance and to deal with those of us who aren't covered under those... that umbrella of some sort and be able to provide some kind of comprehensive plan in place so we can at least make intelligent decisions in the future. I would request the Members of this General Body... Assembly to support House Bill 1984. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Delgado. You have five minutes."

Delgado: "Thank you. Thank you, Mr. Speaker. Believe it or not,

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I'll just require maybe two. And to the Bill. I, too, rise in strong support of this legislation. We continue to move forward in finding ways to provide health care to all our families. And as we continue to work on KidCare, we know that it's a very popular movement and move into family care. And these are the kind of issues that are bringing our state together, giving our citizens a lot of opportunity to feel that we are caring about their health. We've had Representative Franks pass beautiful legislation in this chamber that deals with seniors, that deals with all kind of aspects to bring prescription drug costs down. This is continues to become components of a comprehensive approach to taking care of our Illinoisans. So, I would sug... I would strongly urge an 'aye' vote. And please look at this carefully. We amended it. Many sides came together to discuss this legislation. I introduced this Bill in committee and I appreciate Mr. McKeon picking it up for us. Thank you and I hope we get a lot of 'green' votes on this one."

Speaker Hartke: "Further discussion? Chair recognizes Monique Davis. You have five minutes."

Davis, M.: "Thank you, Sir. I don't think I need five minutes. I really think that the Sponsors of this legislation have done a great deal of study. They have brought to this Body a great deal of information that leads to the support of this Bill. The information is information that has been gathered from a long and previous history of people having no insurance, of people being underinsured, of making people, the sickest of the sick similar to those that Representative Rutherford was talking about. This is legislation that will prevent those from having to be the sickest of the sick and going to nursing homes. I think it

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has come together, Larry, you've done a wonderful job. You stood up under a lot of pressure. And I think we should all put 'aye' votes on this legislation. It's time has certainly come to heal the land. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Parke. You have five minutes."

Parke: "I think I've already spoken. I'm just asking to make sure the Chair remembers I've asked for a verification of the Roll Call."

Speaker Hartke: "Yes, I'm aware of that."

Parke: "Thank you very much, Sir."

Speaker Hartke: "The Chair recognizes Representative Cross."

Cross: "Thank you, Mr. Speaker. Just a couple questions."

Speaker Hartke: "Yes. You have five minutes."

Cross: "Thank you. Representative, it seems to be that there's been a good deal of focus on and I'm looking at the actual language of the Bill, at least the Amendment. Starting with Section 20 where you're gonna hold public hearings and produce a preliminary report and you've been discussing that and it sounds like in your answers that there's been a great deal of empha... emphasis on creating a plan and coming up with a proposal and a preliminary report. Is that correct?"

McKeon: "That's correct and it's a plan, not a single source like a single-payer it doesn't even mention that, it's a multitude of approaches that could be integrated together for both the private sector, public sector as well as through not-for-profit programs and other philanthropy."

Cross: "And what do we do as a Body of the General Assembly, if we don't like the plan that they come up with?"

McKeon: "They're gonna submit a preliminary report to the Governor and to the General Assembly and a final report two

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years later. It is a report. It is a set of recommendations. It'll be dependent upon you, me and our colleagues, in both chambers, and the Governor to come up with some legislation that would implement that plan, if we chose to."

Cross: "I think if it was limited to that, Representative, perhaps you'd have some people with a little bit more receptive, because then we could react to that report or plan. The problem, as I see your Bill, is in Section 15 that no one's focused on this afternoon, is that it re... actually requires the implementation of the plan and it seems like we're avoiding discussing that and that concerns me because that language mandates that this plan is implemented, whether we like it or not, whether there's some concerns with it or not. And to suggest that all we're coming up with is a preliminary report, I think is... doesn't completely tell the story."

McKeon: "Well, I... I disagree in terms of your interpretation. Implementation of a plan or a planning process is a task in and of itself that does not produce the outcomes that would be involved in implicating a program. There is a difference between a plan and the implementation of a plan and the development of concrete programs, legislation, and an appropriations to it. I think you're reading, with all due respect, reading far more into that language than is really there."

Cross: "Well, let me... Maybe we ought to read it, we can read it together, so I suspect not everybody's focusing on the language. Section 15, page 2, 'on or before December 31, 2006, the State of Illinois shall implement a health care access plan that does the following' and we have ten things that have to be... that have to be mentioned or covered.

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'Shall implement a health care access plan', that's a little further along, Larry, than a report or just a concept. It's the implementation, the carrying out of whatever reports you come up with."

McKeon: "Representative, I would agree with you. I come from a public planning background. It requires the implementation of a plan and a planning methodology. It does not call for the implementation of a program and that's a... it's a fundamental difference. It's probably could have been written a little bit clearer, but you know and I know that the outcome of this commission is not gonna have any effect unless the Governor and the General Assembly collaboratively put together a program and a budget and a dollar... the dollar signs to implement that plan."

Cross: "Why don't we and I think you've essentially just acknowledged the problem with Section 15. I would suggest that we either... I would suggest to make it a better Bill, I don't know if everyone will agree with it, you pull this Bill out, amend Section 15. I find the language, the mandate of implementation of a plan by the 6th of or by 2006, December 31, very troublesome. Meaning we're... it's gonna be tough for us to react, 'cause someone's gonna come along and say, hey, back in 2002 the General Assembly passed the Bill sponsored by Representative McKeon, House Bill 1984, that said a plan 'shall' be implemented. And I..."

McKeon: "Representative..."

Cross: "...ya acknowledged a minute ago that there were some problems with this language. I'd like to see that language removed."

McKeon: "Well, look, I will work with you and the Senate Sponsor to clarify that language. From my experience, implementing

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a plan is not the same of implementing a program of action."

Cross: "Well, Representative, I suspect most people know how they're gonna vote on this Bill. I do think that we need to... those that are on the fence at this point ought to be cautious. I think this Bill goes a little bit further along than those of... on your side that have spoken in favor of it who've just suggested that it's just an idea or a concept or plan that we want to develop. We, as I've said under this Bill, actually are mandated to implement that plan and a program and I find that, as I said earlier, a bit... not a bit, quite a bit troublesome and bothersome. So, thank you for your answers."

Speaker Hartke: "Representative McKeon to close."

McKeon: "Thank you, Mr. Speaker. And I want to reiterate, this is a planning process. We're not giving to a 30-member commission the authority to develop a plan, a program to implement that plan, and the authority to appropriate the dollars to pay for it. That's not possible in this state. Only we, in the General Assembly, and the Governor can do those steps. It is a planning process. And it's far better to go through that process and try to develop a comprehensive, multifaceted, approach to the provision of health care using public and private resources than to stick our heads in the sand and do nothing about a problem that is just getting worse and worse. I urge your 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 1984?' All those in favor of the Bill will vote 'yes'; those opposed to the Bill will vote 'no'. The voting is open. There has been a request for a verification, so vote your own switches. Have all voted

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who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 54 Members voting 'yes', 58 Members voting 'no', and 6 Members voting 'present'. Mr. McKeon."

McKeon: "Let me place this on Postponed Consideration, please?"

Speaker Hartke: "The Bill will be placed on Postponed Consideration. House Bill 4522, Representative Morrow. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4522, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4522, a Bill for an Act in relation to public employee benefits. Third Reading of this House Bill."

Speaker Hartke: "Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4522 is a shell Bill. I'm gonna admit to it. It is a shell Bill that Leader Madigan has asked me to carry. This is in the... the Bill is in the negotiation process of trying to increase minority participation as far as the pension funding. The parties are at the table, sitting down on this issue. So, I will be glad to answer any questions on House Bill 4522. But we... I've been asked to move this Bill to the Senate in order to keep the dialog open."

Speaker Hartke: "The Chair recognizes Representative Hoeft."

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

Speaker Hartke: "Sponsor will yield."

Hoeft: "You stated that the reason for this shell Bill is to explore minority participation in the funding of pensions. That's... What does that mean?"

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Morrow: "Well, right now, with the... just to give you some history on this. Several years ago, when I was Chairman of Housing and Economic Development, I held some hearings on minority and female participation as far as bonding, as far as state-backed bonds and this was back in 1994. Well, the track record of minority and female participation, as far as state-backed bonds, was abysmal. We have since increased minority and female participation when it comes to bond financing by various bonding agencies that we have. Since last summer, Leader Madigan has initiated some meetings with vari... minor... with vari... various minority and female investment firms who have been locked out of the pension investment business when it comes to state pensions. And so, they've been having various meetings since last summer, as I've said, they thought they were gonna have substantive language by this time, that... since we're on a deadline. They do not have the substantive language, but in order to keep this dialog going, we're asking that the Members pass this as a shell Bill right now, so that it goes to the Senate when this... if it is the desire of the Members to pass this out to the Senate, House Bill 4522 would only be used for that one purpose."

Hoeft: "At the beginning, you were talking about funding. So, you're basically talking about minority participation in the investment, the bonding, the management of the funds?"

Morrow: "Of pension funds, that's correct."

Hoeft: "Yeah. I think that's a worthwhile goal for us because this should be funds that are equally distributed in terms of the business end of it with all the groups in the state. When you originally said it, it sounded like you wanted minorities to spend more money into the pension system."

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Morrow: "No. No. No, no. No, no. No, no. We just wanna help... help manage it."

Hoefl: "Well, that's why I needed clarification. So, this is and only will be used for..."

Morrow: "For that purpose."

Hoefl: "...this purpose. I think it's worthy."

Morrow: "Thank you."

Speaker Hartke: "Representative Mulligan."

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

Speaker Hartke: "Sponsor will yield."

Mulligan: "Representative, when you're talking minorities are you including women?"

Morrow: "Yes."

Mulligan: "Since there are... I don't think any women or there weren't a little while ago on the pension board."

Morrow: "Pardon me, Representative Mulligan?"

Mulligan: "There were... there were no women at one point on the pension board. I don't know if that's been rectified, but it would be interesting also to inclu... I mean it could be a minority woman, for all I care, but I'd like to see a woman on there with credentials that would have something to say about... So, you are including women in this, for legislative intent?"

Morrow: "Yes."

Mulligan: "Thank you."

Speaker Hartke: "Further discussion? Representative Cross."

Cross: "Just a couple questions, quickly."

Speaker Hartke: "Sure."

Cross: "I know we're trying to move along. If the Sponsor... Representative, I'm puzzled. I'm concerned that we're missing something on this side of the aisle. Speaker Madigan's name was up there first and it looks like it's

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been replaced by, obviously, been replaced by you. Who's really controlling this Bill? Is Speaker Madigan controlling it or are you in charge of it?"

Morrow: "The Leader Madigan has asked that with my expertise that I now take over the Bill."

Cross: "Do you think he's willing to defer to your expertise?"

Morrow: "He already has."

Cross: "Now, if we can be assured, as this Bill goes through the process, that you'll be in charge of it, direct what's gonna happen and you won't be listening to the Speaker on this Bill?"

Morrow: "Charles is in charge."

Cross: "All right."

Speaker Hartke: "Representative Morrow to close."

Morrow: "Thank you, Mr. Speaker. I just ask for a favorable Roll Call on House Bill 2522."

Speaker Hartke: "The question is, 'Shall the House...'"

Morrow: "45..."

Speaker Hartke: "...House pass House Bill 4522?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. (sic-MS.) Kurtz and Mr. Hoffman. Have all voted who wish? Mr. Clerk, take the record. On this issue, there are 84 Members voting 'yes', 33 Members voting 'low', 'no'... 33 Members voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5996, Representative Hultgren. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5996, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Hartke: "Representative Hultgren."

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Hultgren: "Thanks, Mr. Speaker. This is a Bill that we have done an Amendment to yesterday, you may remember. It's a Labor Department Bill that deals with keeping records within the state. Really, the majority of it deals with out-of-state contractors that deal with... do business in the state are now required to keep either records within the state or make copies, adequate copies and accurate copies available within the state. It also clarifies the prevailing wage investigatory hearings for new classifications. It's something that's already done by the Department of Labor, but it clarified... clarifies the legislation there or the statute. So, I'd ask for a favorable on this. There's no opposition to it. It passed unanimously through committee."

Speaker Hartke: "Is there any discussion on House Bill 5996? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5996?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mulligan and Klingler. Mullen. Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no', and 1 person voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4465, Representative Mitchell. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4465, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4465, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

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Speaker Hartke: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a DPA agency Bill. It basically... it makes a technical change in the code and allows administrative funds to be deposited directly into the Child Support Administrative Fund rather than to the Child Support Enforcement Trust Fund. Right now, they're being deposited in one fund, then they have to be transferred to the other. This just avoids some paperwork and speeds up the process a little bit. I urge an 'aye' vote. Thank you."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 4465?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Wyvetter Younge, would you like to vote on this? Mr. Clerk, take the record. On this issue, there are 118 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4341, Representative Leitch. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4341, the Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4341, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. This Bill comes to me from an attorney in my district who suggested that the

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necessity defense be strengthened for airline personnel in the event that they are ever called upon or authorized by federal authorities to have weapons in defense of the plane. It's a very simple Bill. It simp... All it does is strengthen this defense. It does not extend or expand any gun laws, but it does provide in the event that those gun laws are extended at some point in the future that this defense would be available. I'd ask for your support."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Cross. Mr. Cross."

Cross: "Yes. I'm sorry. What do you need, Mr. Speaker?"

Speaker Hartke: "Oh, I thought you had your light on."

Cross: "I did."

Speaker Hartke: "You may... you have questions on this Bill?"

Cross: "Yes."

Speaker Hartke: "You may proceed."

Cross: "Oh, okay. Thanks. David, does this Bill amend the Criminal Code?"

Leitch: "No. I don't have it in front of me at the moment. I don't... I don't believe it does."

Cross: "All right. This Bill went through the Judiciary Committee?"

Leitch: "Yes. It was unanimously adopted in the Judiciary Committee."

Cross: "All right. So, it passed out 13-0, I believe."

Leitch: "Right. It was not controversial at all. In fact, in view of the events of September 11, everyone thought it was a great idea."

Cross: "Are you aware of any opposition?"

Leitch: "I have heard of opposition, yes. I've heard of, actually, I've heard of concern. The City of Chicago has expressed opposition, frankly, but they have not been

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forthcoming with any Amendment. I'm open to any Amendment if it were to be so amended in the Senate."

Cross: "And not to the point, I mean as you said, it passed out unanimously in committee and made up of a lot of lawyers and current law experts and they were all for it."

Leitch: "Right."

Cross: "Are the... as far as you know, the pilots and their association's for it?"

Leitch: "I have not heard from them."

Speaker Hartke: "Mr. Cross, do you have any..."

Cross: "I'm almo... Yeah, I'm sorry. I'm just lookin' through my notes. One second, Mr. Speaker. You haven't heard from the flight attendants on this Bill, have you?"

Leitch: "No."

Cross: "Okay. All right. Thanks a lot."

Speaker Hartke: "Mr. Stephens, do you have some questions, as well? Out of the record. Mr. Leitch to close."

Leitch: "Thank you, Mr. Speaker. I'd simply ask for a favorable vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4341?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Fritchey, Colvin, would you like to vote on this? Mr. (sic-Ms.) Klingler. Mr. Parke. Mr. Parke. Mr. Clerk, take the record. On this question, there are 105 Members voting 'yes', 11 Members voting 'no', and 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4414, Representative Davis, Monique Davis. Mr. Clerk, read... Out of the record. House Bill 5625, Representative Rutherford. Out of the record. House Bill 5714,

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Representative Mendoza. Out of the record. House Bill 5660, Representative Wait. Representative Wait. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5660, a Bill for an Act in relation to schools. This Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5660, a Bill for an Act in relation to schools. Third Reading of this House Bill."

Speaker Hartke: "Representative Wait."

Wait: "Mr. Speaker, Ladies and Gentlemen of the House. This Bill would simply say that classes K through 3 that we would have a maximum class size. I'd be happy to answer any questions."

Speaker Hartke: "Are you finished presenting your Bill? Is there any discussion? The Chair rises... recognizes Representative Giles."

Giles: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Hartke: "Sponsor will yield."

Giles: "Representative Wait, I just passed some legislation the other day dealing with K through grades 3. Could you just briefly tell me what is the... I guess the... the main purpose of your piece of legislation? I'm trying to make a determination, what is the difference from the Bill that I just passed out of the chambers the other day."

Wait: "Well, I'm not sure what yours did. I wouldn't be a bit surprised. It's probably about the same as yours. I understand there's some federal funds out there that are available to help keep class sizes down, from K through 3, and if we pass this, this would enable us to utilize those

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federal funds."

Giles: "Does this legislation requires that those federal funds are grants for each grade, kindergarten..."

Wait: "I'm not sure what exactly what the federal standards are, but it would have to be used in grades K through 3."

Giles: "And do you have any opposition to this piece of legislation?"

Wait: "Not that I know of."

Giles: "Okay, okay. Lookin' at my computer screen here, I see you have one opponent, that's SCOPE. Is that correct? Do you know what their opposition to this piece of legislation dealing with size reduction?"

Wait: "On ours, it shows as a proponent rather than an opponent, so I think they're a proponent."

Giles: "Okay. So, SCOPE is, you believe SCOPE is a proponent?"

Wait: "On ours, it shows is a proponent, yes."

Giles: "Okay. Well, mine shows it as an opponent. So, okay. Thank you, Representative."

Wait: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Meyer."

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

Speaker Hartke: "Sponsor will yield."

Meyer: "Representative, how are... how is the class size going to be determined?"

Wait: "I don't know. I understand there's some federal rules and regulations. I'm not quite sure what they are. But if those rules are met, then we could utilize some of these federal funds."

Meyer: "The reason why I'm asking is class size is one of my big concerns with the schools, also and quite frankly, I'm very

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disturbed when you ask our State Board of Education how a class size is determined and you hear that they throw in the librarian, special aids, the janitor, the people that prepare the food, all that goes into the calculation it seems like. Maybe it's a little facetious, but there are a number of people that go into that determination of class size and I hope that when this goes over to the Senate that you work to get an Amendment on it that really nails down the various decision on how that class size will be determined. And we make sure that we have teachers in front of the kids and not special aids and those types of people that are actually... are counted in on that. Because I look around the class sizes in my... my major school district in my current legislative district and I am told that they meet the class size standards and yet there are 30 kids to the class. And when all these other people are figured into it, well, that's when the class size gets brought down. To me, it's somewhat of a facade and I would just encourage you to look for an Amendment that will really... how many teachers in front of how many kids and calculate class size on that. I stand in support of your Bill, though."

Speaker Hartke: "Representative Wait to close."

Wait: "Thank you very much. I just ask support of this Bill. As we know, it's a very, very important that we have the smallest class sizes possible for K through 3. That's the formative years. So, I'd simply ask for your support."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5660?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Burnsvold. Mr.

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Brunsvold and Mr. Novak, would you care to vote on this... this Bill? Mr. Clerk, take the record. On this issue, there are 118 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Again, House Bill 5714, Representative Mendoza. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5714, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Representative Rutherford, would you like to call House Bill 5625? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5625, a Bill for an Act concerning animals. Third Reading of this House Bill."

Speaker Hartke: "Mr. Rutherford."

Rutherford: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What occurred in, I believe Representative Holbrook or soon to be Representative Reitz's district, was an occurrence when an individual was torturing an animal and then videotaped it and was out to sell the videotape for profit. It's my understanding, during that occurrence there was not the capability to charge the individual with a violation. What we're looking to do here is to provide for statute that if someone does go and videotape and try to sell for profit some type of animal torture that that would be a Class A misdemeanor."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Black."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, you and I have discussed this earlier,

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but for purposes of legislative intent, some concern has been expressed about this Bill and I am a cosponsor and I certainly intend to vote for the Bill. However, the University of Illinois College of Veterinary Medicine has some concerns that this may be so strictly interpreted that if they do a video of a medical or surgical procedure and then make that video available possibly for sale to other colleges of veterinary medicine that someone who would argue that the medical procedure was inherently cruel to animals or the surgical procedure, may then haul them into court and charge them with a Class A misdemeanor. And I would assume that that's certainly is not your intent."

Rutherford: "Absolutely, Representative. You and I did discuss that what we wanna do is to move this on over to the Senate and at that time try to determine the proper tweaking to have it happen."

Black: "I appreciate that and we also talked about in some rural areas rodeos are still very, very popular and those aficionados of that want to make certain that a video of a rodeo event, steer wrestling, bareback riding, would not then come back and charge that rodeo promoter with an offense under this Act."

Rutherford: "Representative, that example was just recently brought to us, as well..."

Black: "Okay."

Rutherford: "...and you are correct..."

Black: "All right."

Rutherford: "...it is not our intent to do that and we will work to tweak that over in the Senate."

Black: "Thank you very much."

Rutherford: "Thank you, Representative."

Speaker Hartke: "Further discussion? Since no one is seeking

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recognition, the question is, 'Shall the House pass House Bill 5625?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4462, Representative Saviano. Skip Saviano. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4462, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4462, a Bill for an Act in relation to alcoholic liquor. Third Reading of this House Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 4462 is an initiative of the Illinois Liquor Control Commission. It's a cleanup Bill to allow... the riverboats, now that they're dockside, to allow them to sell liquor even though they already are. But it's a cleanup, just read respect. And that's all the Bill does. And I would ask for your favorable vote. Thank you."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4462?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 60 Members voting 'yes', 54 Members voting 'no', 4 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby

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declared passed. Representative Schoenberg, House Bill 4155. Just a minute with that. Out of the record. House Bill 5632, Representative Scully. Mr. Scully. Out of the record. House Bill 5937, Representative Slone. Representative Slone."

Clerk Bolin: "House Bill 5937, a Bill for an Act concerning the state budget. Third Reading of this House Bill."

Speaker Hartke: "Would you turn on Representative Slone?"

Slone: "Slone, please, yes. Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 30... 5937 actually comes out of my personal frustration with trying to read the budget. I don't know if any of you... I know many of you are... who are Members of the Appropriation Committee have... Committees have tried this exercise. It's very difficult to figure out from the budget what it is that the state is doing and the agencies are doing with the funds that we appropriate for them. The purpose of the Bill, as it was initiated, was to try and get there to be... the agencies and the Bureau of the Budget to state upfront what the objectives of various programs are and what... by what measures we would measure their performance. It turns out that the... that the Bureau and the Governor's Office is already doing quite a bit of this. So, in its amended form, what the Bill does is to ask them to continue this process and over a period of several years to put these measurements into the budget and integrate them with the budget. And I would be happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Cross."

Cross: "Thank you, Mr. Speaker. Has there been a request for verification?"

Speaker Hartke: "Has there been..."

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Cross: "Yes."

Speaker Hartke: "...on this Bill? No."

Cross: "All right. I'd like to ask the..."

Speaker Hartke: "Would you like to have one?"

Cross: "I'd like to ask the... Let me ask the Sponsor some questions."

Speaker Hartke: "Sure."

Cross: "Representative, it appears that not only is the Governor's Office opposed, the Bureau of the Budget, as well as, DCCA, Illinois Department of, I think, of Employment Security and others are opposed to this Bill. Did they testify in committee?"

Slone: "Yes. There was testimony in the committee and basically all the agencies are... were opposed to it because they felt that there was... that it was sort of none of the Legislature's business, I think, was where they were coming from on this."

Cross: "They thought what?"

Slone: "This is shorthand, it's certainly not a direct quote, but it seemed as though this was considered to be an executive prerogative and not anything that the Legislature should be involved in. I should tell you, Representative Cross, that the initial version of the Bill had the Economic and Fiscal Commission having a fairly direct role in working with the Governor's Office on creating these performance measurements. Under the Amendment to the Bill, and there was very strong objection to that by the agencies. Under the current Amendment to the Bill, Ec and Fisc no longer has a role in the process."

Cross: "Well, what's our role in the budget process, Representative? Well, and I'm serious. I mean, why... why shouldn't we be establishing some standards or objectives

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or goals in performance measures? Isn't that... Aren't we elected to help do that?"

Slone: "I suppose you could make that argument. It turns out, as I say, that... that under former Comptroller Didrickson and continuing under Comptroller Hynes and also through the Governor's Office of Strategic Planning and Performance Measurement, these are functions that are now going to in the Bureau of the Budget. That a lot of this work is already being done, but it has not been incorporated into the budget and made as available to us. So, the current Amendment tries to work with what the process that's already in place and help plug it into the budget process so that we are more aware of what's being done along these lines in the agencies."

Cross: "Well, I'm reading in our... in our information or notes that the Economic and Fiscal Commission, at least, is telling us that they don't have the staff to handle this and that they'll have to hire at least three more staff people if not more. Why would we... why would we wanna incur costs to... I mean, we've got an Economic and Fiscal Commission now. We've got a Bureau of the Budget. As you say, we've have a comptroller, we have a treasurer. Can't... we've got a Legislature. We've got a Bureau of the Budget. We've got someone's that the head of the Bureau of the Budget. Can't any of those people I just named set up performance standards and goals? Why on earth do we have to create another level, another level of bureaucracy to establish performance measures?"

Slone: "We don't, Representative Cross. The Economic and Fiscal Commission's fiscal note on this was not as the Bill is currently amended. It was in its original form. As it was amended by Amendment 1 and also by Amendment 2, there would

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be no fiscal impact on Ec and Fisc and they would not need to hire anybody else."

Cross: "Well, here are their comments to... see what... where they put this on, the fiscal note from the Illinois Economic and Fiscal Commission. HB 5937 will add new provisions that are out of the realm of the commission's current responsibilities that would require either additional staff or the utilization of contracting with firms specializing in the study of state programs. The commission's current staffing level's not sufficient to handle the provisions."

Slone: "I think that's probably... before the Amendments. Mr. Speaker, could we take the Bill out of the record so we can see if we're talking about the same version of the Bill, please?"

Speaker Hartke: "Take that Bill out of the record. House Bill 4466, Representative Pankau. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4466, a Bill for an Act in relation to education. Third Reading of this House Bill."

Speaker Hartke: "Representative Pankau."

Pankau: "Thank you, Mr. Speaker. House Bill 4466 is a response to the Corey H. lawsuit. This is a lawsuit that has virtually sent shivers up the spine of special education department's teachers and the whole way we were conducting special education in the State of Illinois. This Bill attempts to address not so much the decision in the lawsuit, but the implementation as to how we, as a state, are responding to the decision that was made. Representative Jerry Mitchell, who originally carried this and presented it in committee, I would like to yield the rest of my time to he and also to Kevin McCarthy. If you would recognize Representative Jerry Mitchell, Mr.

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Speaker."

Speaker Hartke: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Bill passed unanimously through committee. There's another companion Bill identical that has already come from the Senate which passed unanimously through the Senate Education Committee and unanimously through the Senate. This is our answer to Judge Gettleman and the whole situation with Corey H. What has happened, basically, is that the State Board of Education has come up with two special licensing areas that basically say that if you've been trained in two areas of special education such as LD and EMH, then you can teach all areas of special education. Our special education teachers are very unhappy with this. They wanted an alternative and this is what we've come up with. Basically, what this does is allows the state board to still certify in each of the seven categories that are outlined by the federal program, IDEA, and still allow them to be a specialist in one area and not a... really, jack of all trades and master of one... none. I think this is a reasonable solution. It does not usurp Judge Gettleman's ruling. It only adds to his ruling. Whether he'll feel that way, remains to be seen. I would recommend an 'aye' vote. And be happy to answer any questions."

Speaker Hartke: "Representative McCarthy."

McCarthy: "Thank you, Mr. Chairman. I appreciate the recognition from the Chief Sponsor, Representative Pankau. And I'd just would echo what Representative Mitchell has said, that this is a great piece of legislation. It'll recognize that these people have taken special training to address special problems of the children in our schools. It's something

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that I think we should all recognize. These are experts and they should be treated as experts and we shouldn't try and say that there's one solution for all different problems for the... the different problems that the school children present to the education field. So, it's a great Bill and it deserves a hundred and eighteen 'green' votes. Thank you."

Speaker Hartke: "Representative Pankau to close."

Pankau: "And with that, Mr. Speaker, Representative Mitchell, McCarthy and I stand ready to answer any questions and if there are none, I ask for a favorable vote."

Speaker Hartke: "Is there any discussion? Seeing none, the question is, 'Shall the House pass House Bill 4466?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Brunsvold. Barbara Currie. Wyvetter Younge. Representative Barb Currie. Okay, okay. Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does pass House Bill 4466. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Slone, have you cleared up your problem? No, okay. House Bill 5632, Representative Scully. Mr. Scully, House Bill 5632. Out of the record. House Bill 4235, Representative Winkel. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4235, a Bill for an Act concerning the Department of Human Services. Third Reading of this House Bill."

Speaker Hartke: "Representative Winkel."

Winkel: "Thank you, Mr. Speaker. House Bill 4235, it establishes

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a database that needs to be compiled a cross-disability database of disabled Illinois residents, who are potential beneficiaries under the 'most integrated setting' requirement of the Americans with Disability (sic-Disabilities) Act, as construed by the United States Supreme Court. It also authorizes the appointment of a panel that would advise the Department of Human Services. And also authorizes the Department of Human Services to collect and maintain statistical information on developmentally disabled persons who've requested and who are waiting for community-based services financed by the department. Be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4235.' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 118 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5015, Representative Winkel. Mr. Winkel. Out of the record. I may not get back to this. House Bill 4941, Representative Winters. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4941 a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hartke: "Representative Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4941 will create the Illinois Coordinating Committee for Transportation. It will try to access some additional federal money estimated to be several million dollars each year that we can not currently

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access, sets up a intergovernmental... or an interagency board with 16 board Members. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Black."

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

Speaker Hartke: "State your inquiry."

Black: "Has Floor Amendment #1 been adopted to the Bill?"

Speaker Hartke: "Mr. Clerk."

Clerk Bolin: "Floor Amendment #1 has been adopted to the Bill."

Black: "Thank you very much."

Speaker Hartke: "Representative Hamos."

Hamos: "Mr. Speaker, Ladies and Gentlemen. I se... rise in strong support of this legislation. I believe that this Bill really represents the future of transportation, because we already have fixed rail lines, we know about those. We have bus routes, we know about those. But this particular issue that that's being raised in this Bill, has to do with situations, in which new approaches have to be coddled together in new ways. That's when employers work with a PACE Bus System for example, to develop a shuttle service to go to a specific employer. And there are federal moneys available for that. We don't really have a structure in Illinois that would help draw down those federal moneys. And also, really create innovative programs in a joint kind of way, with all the stakeholders sitting at the table, that's what this Bill really does. We've been trying to pass it for a couple years, now. And I would hope that we will all support it."

Speaker Hartke: "Is there any discussion? More discussion, if not, Representative Winters to close."

Winters: "I think this a nice innovated approach to try to look

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for those community agencies that are seeking some alternatives to provide transit for the citizens of this state. And would urge its adoption, thank you."

Speaker Hartke: "The question is, 'Shall the pass House... House pass House Bill 4941? All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Slone are you ready yet? Out of the record. Representative Miller on House Bill 5658. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5658, the Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr Clerk, read the Bill."

Clerk Bolin: "House Bill 5658, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Miller."

Miller: "Thank you, Mr. Speaker. Today I present House Bill 5658, which goes after the big guys. This amends the money... money laundering section of the Criminal Code to obtain two objectives. One, a person who admits to carrying over \$500 thousand or over in money believed to be derived from drug money, it will... they will receive a stiffer... stiffer penalty to a Class X felony. And #2, will enable law enforcement officers to further conduct 'sting' operations on businesses believed in... money laundering. I would ask for a favorable vote."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Burke."

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Burke: "I beg your pardon, Mr. Speaker, but on a point of personal privilege, I would like to introduce the State Treasurer that has joined us in the General Assembly this afternoon, Judy Barr Topinka, Ladies and Gentlemen."

Speaker Hartke: "It's always a pleasure to have her on the House Floor. Welcome to the chamber. Is there any discussion on the Bill before us? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5658?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 6007, Representative Wirsing. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6007, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read... hold it. You wanna leave that Bill on Third Reading?"

Wirsing: "Leave it on second."

Speaker Hartke: "Leave it on second. Leave that Bill on... Place that Bill back on the Order of Second Reading. House Bill 4... 4448. Representative Meyer... Myers, Myers. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4448, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Hartke: "Representative Myers."

Myers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. I offer for your consideration House Bill 4448."

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It's a Bill from the Department of Transportation that amends the Vehicle Code, provides that the Illinois Department of Transportation may prohibit motor carriers..."

Speaker Hartke: "Shh."

Myers: "...from operating commercial motor vehicles rated unsatisfactory by the United States Department of Transportation."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4448?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there 118 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4889, Representative Myers. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4889, a Bill for an Act concerning the regulation of professions. Third Reading of this House Bill."

Speaker Hartke: "Representative Myers."

Myers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House of Representatives. I offer for your consideration also a Bill from the Department of Agriculture that does several things. It does provide for an exemption of consumer complaints from inspection fees when the consumer calls in and asks for an inspection of a weighing and measuring device. Sometimes they are charged a fee and this will provide no... no fee collection. It provides for clarification of authority to open packages during investigations and exempts liability from that,

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clarification of certification of weight and measurement devices. The Department is proposing to clarify that the certification requirement apply only to new weight measurement devices, that's a certification by the National Conference of Weights and Measures. The Department would continue to certify itself, the older devices. And it provides for a name change or a name update from the... it provides that it be renamed the National Institute of Weights and Measures, recently changed from the National Conference... no, it changes it to the National Conference on Weights and Measures from the National Institute of Standard and Technology."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative My... Myers I assume you will, but a..."

Myers: "I will."

McCarthy: "Thank you very much. I was reading the Bill yesterday, the actual legislation, and I can't find it right now, in your description you said that there will be no fee for the... I... I thought it said somewhere in there that if a person objects to a weight and he's wrong that he would pay the fee. Is that out of now or...?"

Myers: "Well, currently, the way the department operates, if... you feel like you've been cheated at a gas pump that you call in a complaint to the department. They go out and do an on-site inspection currently, they can charge you a fee for that inspection if it's in between their normal routine inspection times. And this would clarify that... they feel that it is their role to provide that inspection, to receive a consumer complaint from you, rather than discourage the consumer from calling in and offering those

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complaints."

McCarthy: "So, it removes the fee, basically?"

Myers: "It removes the fee, yes."

McCarthy: "Is... was there any discussion about the flagrant... like if a person just wanted to be, you know, a pain to another business? I mean, if I owned a gas station and I wanted to cause trouble with another gas station, if a person continually change... you know, if there was flagrant use of this would a fee be applicable then?"

Myers: "That's a very good question, Representative McCarthy. At the same time, the department would retain the discretion not to investigate a particular complaint where an individual continues to report the same alleged violations, where previous investigations have been found. Or in your case where there is flagrant... apparent flagrant consumer complaint."

McCarthy: "Thank you very much."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, Representative Myers to close."

Myers: "I just ask for a favorable vote, thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4889?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 6007, Representative Wirsing. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6007, the Bill's been read a second time, previously. Amendment #1 was adopted in committee."

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No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6007, a Bill for an Act concerning teacher certification. Third Reading of this House Bill."

Speaker Hartke: "Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. House Bill 6007 amends the Articles concerning certification of teachers in the School Code. It removes the limit on the number of new participants in the alternative certification program and reduces the provision of the previous experience requirements from five years to two years. That's the essence of the Bill, and would answer any questions or ask for its approval."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 6007?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes'; 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 6038, Representative Wright. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6038, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6038, a Bill for an Act relating to schools. Third Reading of this House Bill."

Speaker Hartke: "Representative Wright."

Wright: "Thank you, Mr. Speaker. House Bill 6038 amends the School Code, allowing the school board to utilize volunteer

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personnel from a Regional School Crisis Assistance Team to provide crisis intervention services to students who may be suffering from any trauma or significant impact in the school. And I'm happy to entertain any questions."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Black."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, in your opening remarks you thanked the Speaker three times. Was there a reason for that?"

Wright: "My microphone wasn't turned on the first two times."

Black: "Oh, I thought it was because he didn't hear you. But whatever, okay."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House pass House Bill 6038?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5792, Representative O'Brien. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5792, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by, Representative O'Brien, has been approved for consideration."

Speaker Hartke: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 would just take some language

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and create an exception for willful and wanton activity. This... the Bill, the underlying Bill creates an exception for existing off-track, you know, ATV parks and other parks for noise liability. And And the Am... what the Amendment does is says that unless you are willfully and wantonly trespassing on someone else's property then the exemption does not exist. And that satisfies the concern of the Illinois Trial Lawyers Association. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Since that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5792?' All those in favor... oh, excuse me. The question is, 'Shall the House adopt Floor Amendment #2 to House Bill 5792?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Rep... House Bill 4172, Representative Turner. Mr. Turner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4172, a Bill for an Act in relation to taxes. Third Reading of this House Bill."

Speaker Hartke: "Representative Turner."

Turner, A.: "Thank you, Mr. Speaker. House Bill 4172 amends the Illinois Income Tax Act. It is the Bill which would allow for the continuation of the earned income tax credit that was due to re... expire on June 1st, 2003, of this year. The Amendment that was added to this Bill makes... it extends it now so that the law does not sunset until the year of 2007. And I move for the favorable adoption of a House Bill 4172."

Speaker Hartke: "Is there any discussion? Seeing no one is

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seeking recognition, the question is, 'Shall the House pass House Bill 4172?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Novak. Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4078, Representative Ryan. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4078, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4078, a Bill for an Act concerning lawyers' assistance programs. Third Reading of this House Bill."

Speaker Hartke: "Representative Ryan."

Ryan: "Thank... thank you, Mr. Speaker, Members of the House. House Bill 4078 creates the Lawyers' Assistance Program Fund which will be administered through the state treasurer. It's basically a \$7 fee, annual fee, that is administered to all lawyers. There is no opposition and I ask for your 'aye' vote. Thank you."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4078?' All those in favor will vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. (sic-MS.) Klingler, Mr. Lawfer. Have all voted who wish? Mr. Lawfer. Mr... Representative Klingler. Mr. Clerk. Mr. Clerk, take the record. On this

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question, there 91 Members voting 'yes', 26 Members voting 'no', and 1 Member voting 'present'. And the House does pass House Bill 4078. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Scully, 5632. Out of the record. Representative Slone. Mr. Clerk, for an announcement."

Clerk Bolin: "Supplemental Calendar #1 is being distributed."

Speaker Hartke: "House Bill 5851, Representative Novak. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5851, a Bill for an Act concerning public utilities. Third Reading of this House Bill."

Speaker Hartke: "Representative Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen. Yesterday we adopted the Amendment to House Bill 5851 and essentially it... the Amendment allows flexibility pursuant to rules and guidelines promulgated by the Illinois Commerce Commission with the respect to a utility that wishes to functionally separate. I explained functional separation, is... is a process by which a utility dismantles its corporation into three separate functioning entities: one is generation, one is transmission and distribution, and the other is marketing. And what this does is, gives flexibility to any utility that wishes to do this. And it puts a 5-year time line on it so they have the ample time to review and process this plan. It's specifically geared toward the Central Illinois Light Company in Peoria, that is... on the chopping block, so to speak, if they... they have to be spun off by their parent company, AES Corporation out of Virginia. So, be more than happy to answer any questions."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Parke."

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, I understand that you're trying to solve this but have you received any notification from anybody whether they're opposed of this or is there any opposition?"

Novak: "As I understand it, Mr. Parke, I have no idea of any opposition. The Illinois Energy Association that represents all the utilities is for it. The Commerce Commission has signed off on it."

Parke: "What about the Citizens Utility Board?"

Novak: "I haven't heard anything from them. I... if they we're opposed to it I'm certain I would have heard from them, Terry."

Parke: "So, you think this is really not controvers... And again, this is gonna help one particular..."

Novak: "Well, it's..."

Parke: "...school district..."

Novak: "CILCO has... it can... it potentially can..."

Parke: "I mean a power company?"

Novak: "...potentially, it can help all of the incoming utilities in Illinois. But specifically CILCO, that has to be sold pursuant to a federal agency order. Okay? They are, the new member, whoever the new buyer is going to be, there's a short list of potential purchasers. They want to have the ample flexibility and time, and in this case it's a 5-year limit on how to functionally separate. And this gives them the flexibility to do it and provided that the, their plan that they submit conforms to standards and rules that the Commerce Commission has promulgated under this functional separation rulemaking."

Parke: "How do we know that they're moving in the right

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direction? Are there any reports to the Governor's Office or the General Assembly or..."

Novak: "No. Under the Deregulation Act that we passed in 1997 that took effect in 1998, we did not require the utilities in Illinois to functionally separate, or what we commonly refer to as spin off some of their assets, such as generating assets or their transmission and distribution lines. We didn't require them to do that under this Act. We gave them the opportunity to do it, pursuant to a rulemaking by the ICC, unlike the State of California that required some of their... their utilities to divest themselves."

Parke: "And who... who requested this legislation?"

Novak: "CILCO, Central Illinois Light Company."

Parke: "Thank you very much."

Novak: "You're welcome."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the ques... Mr. Novak, would you like to close?"

Novak: "Yes, I just simply ask for an 'aye' vote from my colleagues, please."

Speaker Hartke: "Question is, 'Shall the House pass House Bill 5851?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4067, Representative Novak. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4067 has been read a second time, previously. No Committee Amendments. No Floor Amendments."

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No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4067, a Bill for an Act concerning the conveyance of land. Third Reading of this House Bill."

Speaker Hartke: "Mr. Novak."

Novak: "Yeah, Mr. Speaker, as I understand it this... this Bill is going to be consolidated into a... an administration land transfer Bill. So, we can take this out of the record."

Speaker Hartke: "Out of the record."

Novak: "Thank you."

Speaker Hartke: "House Bill 5140, Representative Lyons. Eileen Lyons. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5140 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Eileen Lyons, has been approved for consideration."

Speaker Hartke: "Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker. Floor Amendment #2 to House Bill 5140 becomes the Bill. And it is the result of a lot of work over the last six or eight months. If you remember, last year we passed a Resolution in the House looking into how we might improve the child support system in this state. We held me... hearings throughout the state to get input. We received a lot of recommendations based on, especially the Appleseed Foundation of the City of Chicago, the Appleseed Foundation for Justice, who interviewed everybody involved with child support, from custodial parent to noncustodial parent to state's attorney to clerk to the various entities that are involved in child support. And as a result of that, they made recommendations that we have included in this legislation.

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I have to say, based on their recommendations and the DuPage Federation for Human Services Reform and with the work of Representative Julie Hamos, Representative Bellock, and myself, we have come up with a Bill that I think addresses all these problems. And what I really want to stress is that according to the IDPA's official reports to the Federal Government, only 14% of the children in the 4D Program in Cook County and 20% of the 4D children in DuPage County got any money at all in the last fiscal year. This means that 80% of the parents who went to Child Support Office hoping to get help, got nothing. House Bill 5140 does provide the tools necessary to develop a more efficient, customer-friendly Child Support Services Program. By reducing the number of governmental agencies a family has to deal with providing accountability at the local level and increasing performance standards, we can make a difference in the lives of many children and fulfill our goal of insuring that every child receives the financial and emotional support of both parents."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Miller."

Miller: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Miller: "Just... Representative Lyons, I commend you and Representative Hamos and everybody for their efforts in this. But I did receive a call from one of my constituents in regards to the possibility of them losing their job. And... and I believe they are with the Department of Public Aid. Can you elaborate on that, a little bit, for me?"

Lyons, E.: "I'd be happy to. Right now, there is an infrastructure in place and it is possible that in the transition from the department to the State's Attornies

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Office that some jobs might be lost. The hope is that those jobs will be absorbed by the State's Attornies Office now that they will be delivering the local... they will have the responsibility for the local delivery of services."

Miller: "And approximately at what level of... what types of jobs are we talking about here? And what level?"

Lyons, E.: "We... we are talking about attorneys, paralegals, or somebody with special training in child support."

Miller: "And do you have any figure on how many jobs would be lost, if possible?"

Lyons, E.: "No, I do not."

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

Speaker Hartke: "Further discussion? Chair recognizes Representative Black."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, there isn't anything in this Amendment that would preclude other counties other than the two mentioned Du... Cook and DuPage from going to this self-contained disbursement unit if they choose to do so in a year from now or six months from now, whenever?"

Lyons, E.: "No, there is not."

Black: "So, in other words, the ill-advised federal mandate creating the State Disbursement Unit and all of the trials and tribulations we went through with that disaster, this simply begins a process, an orderly process, that if a county feels it can maintain that function and get checks out to custodial parents in a more efficient manner, they are free to do so, correct?"

Lyons, E.: "No, I'm not sure I agree with what you're saying."

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There is still... we still have a State Disbursement Unit in the state that complies with our federal mandate. This is separate from this... from the SDU. This is completely separate from the SDU. So, what we're doing here is allowing for DuPage and Cook Country to take on the responsibility. Their... they would, the State's Attorneys Office, the local State's Attornies Office in Cook and DuPage will take... these people on as their clients and they would be responsible, as opposed to the system now where it is fragmented and once the ball gets dropped somewhere, it gets dropped. This is a unified child support system that the State's Attorneys Office would be handling and that it would be their responsibility to see... see it throughout the case."

Black: "All right. So, but... but other counties then could choose to participate in this at a later point if they would like to do so?"

Lyons, E.: "That is correct."

Black: "Thank you very much. To the Amendment. I... I, like most people who have followed the State Disbursement Unit federal mandate, applaud the work that they put in on this Amendment. If you have had constituents as of I had who have not been able to contact the SDU because of... disconnected phone lines, 800 numbers that are always busy, people who when they finally get somebody, don't no what they're talking about, not running the system at convenient hours other than bu... business hours. This is long overdue and may bring some satisfaction to custodial parents who have been totally and completely frustrated by the federal mandate that set up an SDU, that in all due respect to those in the State of Illinois who are required to implement it, we moved forward when we were not ready.

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The department refused to seek a waiver from the Federal Government and it was a disaster that I personally never, ever want to go through again. So, anything that will make the process of child support easier on all parties is long overdue and I hope everyone will vote 'aye' for the Amendment and vote 'aye' for the Bill."

Speaker Hartke: "Further discussion? Representative Lyons to close."

Lyons, E.: "Thank you, Mr. Speaker. Thank you, for those who have supported this. This is really an important piece of legislation. Currently, there is a lack of accountability to families seeking child support services. And this remedies it by allowing counties to manage a Unified Child Support Services Program. The point I would like to emphasize is that if we have an effective system of child support enforcement we wouldn't need a great deal of our welfare system. I'd really believe that we cannot afford not to ensure that every child has the both... the support of both parents. And I would appreciate your 'aye' support."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5140?' All those in favor signify by voting 'yes'; those opposed... favor of the Amendment say 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Under the 'Z', Zickus, House Bill 5639. Representative Zickus. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5639 has been read a second time, previous... previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5639, a Bill for an Act concerning police animals. Third Reading of this House Bill."

Speaker Hartke: "Representative Zickus."

Zickus: "Thank you, Mr. Speaker and Members of the House. This Bill increases the penalty for injuring a police animal from a Class A misdemeanor to a Class IV felony if the animal is not killed or totally disabled, and from a Class IV felony to a Class III felony if the animal is killed or totally disabled. And I urge your 'yes' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5639?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McKeon. Representative McKeon, would you like to vote on this issue? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is declared passed. Ladies and Gentlemen, a few minutes ago the House Supplemental Calendar #1 was passed out. These are the appropriations Bills. We're gonna pass them from Second to Third and hold all those Bills on Third Reading. And so, this'll take a little bit of a time. So, if you need to take a break, please do. If you have any questions, please refer to Mr. Hannig or Mr. Schoenberg on the issues. House Bill 4578. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4578 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 4578, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4580. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4580 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4580, a Bill for an Act on relation to State Government. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4581."

Clerk Rossi: "House Bill 4581 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4581, a Bill for an Act concerning bonds. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third Reading. House Bill 5686. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5686 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5686, a Bill for an Act in relation to State Government. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6060. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 6060 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6060, a Bill for an Act making appropriations. Third Reading of this House bill."

Speaker Hartke: "Hold that Bill. House Bill 6061. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6061 has been read a second time,

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previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6061, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6065. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6065 has been read a second time, previously."

Speaker Hartke: "Third Reading. House... Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6065, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6066. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6066 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6066, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6068. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6068 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6068, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6075. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6075 has been read a second time, previously."

Speaker Hartke: "Third Reading. House Bill 6... Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 6075, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6089. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6089 a Bill for an Act making... has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6089, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "House Bill 6095. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6095 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6095, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6128. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6128 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6128, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6164. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6164 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6164, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6168. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6168 has been read a second time,

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previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6168, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6169. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6169 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6169, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6170. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6170 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6170, a Bill for an Act making appropriations. Third Reading for this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6172. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6172 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6172, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6173. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6173 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6173, a Bill for an Act making appropriations. Third Reading of this House Bill."

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Speaker Hartke: "Hold that Bill. House Bill 6174. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6174 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6174, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6175. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6175 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6175, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6181. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6181 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6181, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. Mr... 6184. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6184 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6184, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6185. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6185 has been read a second time, previously."

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Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6185, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. Mr... 6186. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6186 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6186, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6202. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6202, a Bill... has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6202, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6213. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6213 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6213, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6215. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6215 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6215, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6218. Mr. Clerk,

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read the Bill."

Clerk Rossi: "House Bill 6118 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6218, a Bill for an Act making appropriations to State Board of Elections. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6221. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6221 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6221, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6222. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6222 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6222, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6257. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6257 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6257, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6260. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6260 has been read a second time, previously."

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Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6260, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill. Hold that Bill. House Bill 6178. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6178, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6179. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6179, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6182. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6182, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6188. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 6188, a Bill for an Act making appropriations. Third Reading to this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6189. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6189, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6190. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6190, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6191. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6191, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6195. Mr. Clerk,

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read the Bill."

Clerk Rossi: "House Bill 6195, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6196. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6196, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6201. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6201, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6203. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6203, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. 6202 (sic-6206). Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6206, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6207. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6207, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6212. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6212, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6214. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6214, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6232. Mr. Clerk,

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read the Bill."

Clerk Rossi: "House Bill 6232, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6235. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6235, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6237. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6237, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6242. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6242, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6243. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6243, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Mr. Clerk, hold the Bill. House Bill 6244. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6244, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6246. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6246, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Mr. Clerk, hold that Bill. House Bill 6249. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6249, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. Mr. Clerk, 6250."

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Clerk Rossi: "House Bill 6250, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6262. Read the Bill."

Clerk Rossi: "House Bill 6262, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6263. Please read the Bill."

Clerk Rossi: "House Bill 6263, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6264. Please read the Bill."

Clerk Rossi: "House Bill 6264, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6267. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6267, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6268. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6268, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6269. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6269, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 6270. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6270, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Just hold that Bill. House Bill 6275."

Clerk Rossi: "House Bill 6275, a Bill for an Act making

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appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. Rules Committee Report."

Clerk Rossi: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on April 4th, 2002, reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendment #3 to House Bill 5803. Representative Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on April 4th, 2002, reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendment #1 to House Bill 1871; and Floor Amendment #1 to House Bill 4473."

Speaker Hartke: "Chair recognizes Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the Committee. On the Bills that we just moved to Third Reading, the appropriation Bills, the understanding with both sides of the aisle is that we would pass these on an Agreed Bill List. These Bills are at or below the Governor's introduced levels, they're at the Governor's introduced levels for these agencies. And that includes... we also have included a number of shell Bills because we anticipate as the process goes forward that there may be a need for those, as well. I might add, that we have, at least on our side of the aisle, I'm aware that we have analysis that were handed to everyone as they come in, came in today. Those are available and you will be given an opportunity as we always do on an Agreed Bill List to cast a 'no', vote if you feel that is appropriate. So, that's the understanding as we see it on this side of the aisle. And I'd be happy to answer any questions."

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Speaker Hartke: "Chair recognizes Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just want to agree with what Representative Hannig has just mentioned. All of these Bills have been agreed to by both parties, both of... all these Bills have been reported out of committee. All are at the Governor's introduced level. And we would certainly ask for support on both sides of the aisle so that we can get these Bills moving thru the process."

Speaker Hartke: "At this time, we're going to take a Roll Call. Everyone is advised to vote 'yes' on there switch. And then, of course, you will have... you have the... the tally sheet of all the separate Bills and if you care to change your vote please mark either 'no', or 'present' if you care to change it from a 'yes' vote on this tally sheet and turn it in to the well. It's advised you should sign the bottom of those sheets, print your name and sign the bottom of those sheets. We'll give you a few minutes to get those up in... into the well. The question is, 'Shall these Bills pass?' All in favor vote 'yes'. You may be advised that if you're voting 'no', you're voting 'no' on every part of this budget, every Bill. There are still 6 people who have not voted one way or the other. Hoffman, Simpson, and O'Connor. Simpson. Mr. Clerk... Everyone is in the position where they wanna be? Okay. Mr. Clerk, take the record. The results of this voting will be announced later after the sheets have been turned in. Representative Osmond, you have a question?"

Osmond: "Mr. Speaker, when do you want these other sheets turned back to you?"

Speaker Hartke: "Now."

Osmond: "Does that give us adequate time to review all this?"

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Speaker Hartke: "As soon as possible. We'd like to take... as soon as we get it back we can start tallying and then we can announce those results. We would like to do that before we adjourn this evening."

Osmond: "Thank you."

Speaker Hartke: "The later you want to adjourn, the later it will take. Chair recognizes Representative Righter. For what reason do you seek recognition?"

Righter: "Point of inquiry, Mr. Speaker."

Speaker Hartke: "State your point."

Righter: "It's my understanding that the people who voted 'no', on the last Roll Call, is there any need for those people to turn in this sheet? Unless you... if you... unless you choose to change some of those votes to a 'yes'?"

Speaker Hartke: "That is correct. Everyone should turn in a sheet if they would like to change any vote other than the position they took on the board."

Righter: "What they indicated... other than what they indicated on the Roll Call?"

Speaker Hartke: "Right. If they voted 'no' on the board, they voted against everyone unless they changed their vote to a 'present' or a 'yes' on the tally sheet."

Righter: "Okay."

Speaker Hartke: "There's no 'yes' on it, so you can either change it to 'present', if you care to."

Righter: "Okay. Thank you, Mr. Speaker."

Speaker Hartke: "House Bill 4473, Representative Daniels. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4473, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Daniels, has been approved for consideration."

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Speaker Hartke: "Representative Cross."

Cross: "Thank you, Mr. Speaker. This... the underlying Bill deals with the issue of mandatory consecutive sentencing in the context of, or at least involving aggravated DUI and reckless homicide. This Amendment cleans up the underlying Bill and simply clarifies that a person must be or needs to be convicted of leaving the scene of the accident, as well as either aggravated DUI or the reckless homicide in order to be eligible for the mandatory consecutive sentencing. The Amendment is truly clarification for the underlying Bill. And I'd... but I'd be glad to answer any question if I can."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 4473?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 4473. Mr. Clerk, call the Bill."

Clerk Bolin: "House Bill 4473, a Bill for an Act in relation to criminal matters. Third Reading of this House Bill."

Speaker Hartke: "Representative Cross."

Cross: "Thank you, Mr. Speaker. This is a Bill that I handled... was able to handle... fortunately able to handle in the Judiciary Criminal Law Committee and it passed out of there 12-0-0. It's an initiative of the DuPage County State's Attorneys Office and supported by the Cook County State's Attorneys Office and it deals with the issue of both..."

Speaker Hartke: "Is there any..."

Cross: "...aggravated DUI cases and reckless homicide. And when

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one of those two crimes is committed along with or coupled with leaving the scene of an accident the person charged and convicted of those would be eligible to be... would receive a consecutive sentence. As I said, it passed out of... passed out of committee unanimously. That's a very tough committee. They went through the Bill and found no opposition to it. As I said, it's an initiative of both the State's Attornies Office of Cook and DuPage. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion on House Bill 4473? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4473?' All in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Monique Davis. Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1871, Representative Delgado. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1871, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Delgado, has been approved for consideration."

Speaker Hartke: "Representative Delgado, on Amendment #1."

Delgado: "Thank you, Mr. Speaker and Members of the House. Actually the Floor Amendment #1 will turn this Bill into a shell Bill and I would just want to keep it moving. Thank you."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Parke."

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

Speaker Hartke: "Sponsor says he will yield."

Parke: "This shell Bill is... you're gonna send it to the Senate and continue to work on the legislation?"

Delgado: "That is correct. That is the intention of it at this point."

Parke: "And you're not planning on doing anything more with the Bill? You're simply gonna move it to third after we take the Amendment... put the Amendment on?"

Delgado: "That is correct, Representative Parke."

Parke: "And then go for a vote on Third Reading as is?"

Delgado: "That is correct, Sir."

Parke: "Thank you."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1871?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill... House Bill 1871, a Bill for an Act concerning educational labor relations. Third Reading of this House Bill."

Speaker Hartke: "Representative Delgado."

Delgado: "Thank you, Mr... Mr. Speaker and Members of the House. I would ask for a favorable vote on 1871."

Speaker Hartke: "Is there any discussion? Seeing none, the question is, 'Shall the House pass House Bill 1871?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Representative Pankau and Tenhouse. Have all voted who wish? Mr. Clerk, take the record. On this question, there 92 Members voting 'yes', 26 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill... House Bill 5803, Representative Jim Meyer. Mr. Clerk, read the Bill. 5803."

Clerk Bolin: "House Bill 5803, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Jim Meyer, has been approved for consideration."

Speaker Hartke: "Representative Myers (sic-Meyer), on Amendment #2."

Meyer: "Mr. Speaker, I have a question. I also have Amendment #3. We do 'em one at a time?"

Speaker Hartke: "Yes."

Meyer: "Okay. Floor Amendment #2 makes some minor changes to the Bill as it was passed out of committee. It's just mainly technical changes and just asked to be adopted."

Speaker Hartke: "Question is... Is there any discussion on Amendment #2? The question is, 'Shall the House adopt Amendment #2 to House Bill 5803?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #3, offered by Representative Jim Meyer, has been approved for consideration."

Speaker Hartke: "Representative Myers (sic-Meyer), on Amendment#3."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 is the Amendment that does quite a bit. And let me just read through what it does. In the

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Auction License Act, was passed in 1999 and it became effective in January 1st of 2000. The intent of the original Act was to license and regulate traditional auctioneers. An Amendment was placed on the original House Bill in 1999 in the Senate which included Internet auctions as a licensed activity. The Office of Banks of Real Estate implemented that Act in the year of 2000. The Internet auction listing services such as eBay, Yahoo, Amazon utilize an entirely different business model and business practices than do traditional auctioneers. The Internet auctions do not physically handle, see, or provide descriptions of the property listed on their sites. Those descriptions and the exchange of the property is done by the buyers and sellers who utilize their websites. These services do not normally handle the proceeds from the auctions conducted over their sites. The exchange of the property and moneys are handled by the parties to the transaction. The regulatory provisions of the original Auction License Act do not fit the Internet auction business and would be unduly burdensome to the Internet auction industry. eBay has offered this Amendment which I'm sponsoring and has worked with Office of Banks and Real Estate, the Illinois State Auctioneers Association, and the Illinois Association of Relators on this Amendment. This language establishes within the Auction License Act a separate and distinctive regulatory structure for Internet auction listing services and only applies to personal property. This... this Amendment does not apply to the offer... offering of real property. If real property is offered they must be licensed under the Real Estate Act. It does provide that any Internet auction listing service such as eBay must register with the Office of Banks and

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Real Estate along with a reasonable administrative fee established by the rule... by rule if the service, the users of the service, or the personal property being offered is located in the State of Illinois. It provides that these Internet auction services must collect and maintain for 2 years the name, address, phone number, and e-mail address for any person who buys or sells or... over their website. It provides that these Internet auction services must remove the listing of any seller or buyer that fraudulently represent... misrepresents any property on their website. It provides that these Internet auctions services must fully cooperate with Office of Banks and Real Estate and law enforcement to provide information concerning those buyers and sellers who act in a fraudulent manner on their website. It also provides that the Office of Banks and Real Estate may revoke, suspend, or impose a civil penalty up to \$10 thousand dollars against the registrant for violating these pro... provisions. This Amendment is brought forward and supported by eBay and their attorneys, including former Attorney General Neil Hartigan. It is believed by the many attorneys that have worked on this that this Amendment will meet Constitutional scrutiny, including jurisdictional issues and commerce clause issues. Be happy to try and answer any questions you might have."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. I have an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "Perhaps an inquiry of the chairman of the committee. Was... was Floor Amendment #3 ever actually presented and

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voted on by the committee?"

Speaker Hartke: "Who's the chairman of the committee? Mr. Fritchey."

Fritchey: "Thank... thank you, Speaker. To address the Gentleman's questions we discussed previously. There was a Floor Amendment 2 that was voted on and acted formally. We had discussion and questions on Floor Amendment 3. There was a vote taken, it was not formally recognized in... the record. And it was the understanding of the committee that because the Amendment was still in Rules it was gonna be acted upon today. But I would defer to the parliamentarian as far as a formal ruling on this situation."

Black: "Well, that... that would be my inquiry. If... the Amendment was in fact not before the committee, I would think that you would not be able to vote on said Amendment and to bring it to the floor."

Fritchey: "I would agree fully."

Speaker Hartke: "Mr. Black, the parliamentarian will... discuss that issue."

Parliamentarian Uhe: "Representative Black, as usual I agree with your interpretation. And on behalf the Speaker and in response to your inquiry, Amendment 3 to the extent that it was acted upon by the committee was out of order for the committee to take that action or purport to take that action. And the record should reflect that no action was taken in committee on House Amendment 3."

Black: "So, what... does that mean as for action on Amendment 3? Does it have to be released from the Rules Committee and would be then acted on separately? Or can it be acted on as part of the underlying Bill?"

Parliamentarian Uhe: "It has been released from the Rules Committee. And has been approved for consideration to the

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floor. And it is in order at this time."

Black: "All right. So... so the Gentleman's presentation of the Amendment at this time would be in order?"

Parliamentarian Uhe: "That's correct."

Black: "All right. And after listening to that lengthy explanation of eBay and oBay and oWay and hear ye, hear ye, I don't have any questions."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 5803?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5803, a Bill for an Act relating to auctions. Third Reading of this House Bill."

Speaker Hartke: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. You've heard the ex... explanation for the Third Amendment which is now a major portion of this Bill. I won't go into that again. But the underlying Bill as it was originally introduced has to do with au... auto auctions. We have eight or ten of them in the state. And currently, they are... they're managed by bo... both... or regulated by both the Secretary State's Office as well Office of Banks and Real Estate. Was not intended for auto auctions to be... regulated by the Office of Banks and Real Estate. And basically, what the underlying Bill does is to make that, to exclude them from that, as long as they do not sell to the public. They sell to a very select group of auto dealers who are only permitted on the property to

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buy and sell automobiles and other real property that might be taken in in trade-ins."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5803?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Stephens, would you care to vote on that Bill? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Calendar on Conference Committee Reports appears Senate Bill 119. Representative Schoenberg. Mr. Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I want to thank Mr. Black for his indulgence yesterday in allowing us to pull this out of the record for... until a time that I was prepared to present this. The... the only contents of Senate Bill 119 are the measure supported... is the measure supported by the Illinois Retail Merchants in addressing an omission in recent state legislation adopting the Federal Law of Gramm-Leach-Bliley for private label credit programs. Through an inadvertent omission retailers that issue their own private label credit cards, such as, Sears, Home Depot, Kohls, and others, need to have this gap closed so that the retailers can... this... need to have this gap in the law closed so that retailers who contract with financial institutions to administer their credit... private label credit card programs can provide... freely provide only the necessary information pertaining to the customer to the financial institution. There is no opposition to this measure and

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again it is the only portion of this Bill. I urge the adoption of the First Conference Committee Report, Senate Bill 119."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Black."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I appreciate your indulgence yesterday in taking this out of the record. And now that we are focused on the Amendment having to do with, I think, retail credit cards, the only item of confusion that I have has to do with the logo that might appear on the credit card. If the credit card were to be issued by a retailer, the ABC Company, but the actual... but the credit card itself is... all of the transactions, billing, recordkeeping, is handled in fact by a bank. Is that information, under this Amendment, is that information available to the consumer so that the consumer knows he may in fact be dealing with Citibank or Bank of America, rather than the retail company that he thinks he's dealing with? He may walk into a retail store with their affinity credit card, but in effect... but in fact the interest rates, the payment schedules, inquiries that the consumer may make, may very well have to be directed to a bank and not the retailer."

Schoenberg: "That's correct."

Black: "So, that's basically what this is all about, getting that..."

Schoenberg: "That's... that's correct. What this is really all about is ensuring that the retailers that issue the credit cards under their brand name of their store, whether it's Home Depot, Sears, Kohls, Bergner's, Carsons, whatever,

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that they can freely exchange the information with the financial institution that they issue those cards under. Under both Federal and State Law, I do believe, what the situation that you just outlined, people would be made... that information would be made clear to the consumers that they would need to address any of their concerns to the financial institution."

Black: "Okay."

Schoenberg: "And similarly, this would continue to protect the customer's privacy over their own customer information as they currently enjoy under State and Federal Law."

Black: "Okay. Fine. Thank you very much."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, Representative Schoenberg, would you like to close?"

Schoenberg: "I urge your adoption of the 1st Conference Committee Report to Senate Bill 119."

Speaker Hartke: "The question is, 'Shall the House adopt the 1st Conference Committee Report on Senate Bill 119?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Lang. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 2 Members voting 'present'. And the 2nd or the 1st Conference Committee Report on Senate Bill 119, having received a Constitutional Majority, is hereby declared passed. House Bill 5844, Representative Bob Ryan. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5844, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 5844, a Bill for an Act in relation to health. Third Reading of this House Bill."

Speaker Hartke: "Representative Ryan."

Ryan: "Thank you, Mr. Speaker. Bill 5844 amends the Community Service Act. And at this time, I'd like to pass it over to my colleague, Representative Jerry Meyer."

Speaker Hartke: "Jerry Mitchell."

Ryan: "I'm sorry. I'm sorry, Jerry Mitchell."

Speaker Hartke: "Representative Mitchell. Representative Mitchell in the chamber? Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an initiative for the mental health providers and substance abuse providers. We've been working with DHS and we are continuing to work with them. DHS is now neutral on the Bill and agree to work on an Amendment which will probably land in the Senate. This passed through Human Services Committee 9-0. And basically, it maintains current standards set for DHS for community providers in substance abuse and mental health services, eliminates redundancy between state and national accreditation standards, and basically, streamlines the process for accreditation. It takes the national requirements and the state requirements, mel... mends... melts the two together, and allows one standard to be examined rather than the redundancy that we have now. This is a Bill that will actually save thousands of dollars for both Department of Human Services and the mental health providers. Be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 5844?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open."

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Schoenberg, 'aye'. Have all voted who wish? Mr. Fowler, would you like to vote? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4822, Representative Granberg. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4822, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4822, a Bill for an Act concerning professional regulation. Third Reading of this House Bill."

Speaker Hartke: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The intent of this Bill was to deal with the issue of inspection of public elevators. We had language prepared; however, when we met with some groups to make sure there was consensus on the issue, such as the Retail Merchants and the Manufacturers' Association, although they did not indicate any problems with the Bill, we wanted to give them the courtesy of having more time to review the language. So, currently this Bill is a shell Bill. We're gonna go back with those groups to give them ample opportunity to make recommendations to seek their approval. And I would appreciate your support."

Speaker Hartke: "Representative Black, discussion on House Bill 4822."

Black: "Thank you very much, Mr. Speaker. An inquiry of the

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wish? Mr. Clerk... Mr. Morrow has not voted. Take the record. On this question, there are 85 Members voting 'yes', 32 Members voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 758, offered by Representative Klingler; House Resolution 760, offered by Representative Miller; House Resolution 761, offered by Representative Dart; House Resolution 762, offered by Representative Erwin; House Resolution 763, offered by Representative Saviano; House Resolution 764, offered by Representative Monique Davis; House Resolution 765, offered by Representative Reitz; and House Resolution 766, offered by Representative Novak."

Speaker Hartke: "You've heard the Agreed Resolutions. All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Have Members all turned in their sheets? You have to turn 'em in whether you're changing your vote or not, so that we know that you are conscious of the fact that you... and let the Clerk know that you did not want to change your vote. So, even if you do not change your vote, sign those sheets and bring 'em in. House Bill 4124, Representative Jefferson. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4124, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman, has been approved for consideration."

Speaker Hartke: "Representative Hoffman on Amendment #1. Representative Hoffman."

Hoffman: "Thank you, Speaker Herke (sic-Hartke)."

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Speaker Hartke: "You're welcome."

Hoffman: "Amendment #1 to House Bill 4124 has to deal with the recommendations that have recently been made by the Attorney General's sex offender... the... Sex Offender Management Board. Essentially, what this does is it ensures that individuals, who are sex offenders, receive evaluations and treatment and make sure that sexually violent persons who receive that treatment are treated by people who have certification. The Sex Offender Management Board has put forward the requirements for certification and this sets out all of the... all of the information required for that."

Speaker Hartke: "Is there any discussion on the Amendment? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 4124?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. The Clerk informs me that there's still are a number of Legislators who have not turned in their... their poll sheets. Please do. Pardon? We won't go home until they're all in. House Bill 4978, Representative Marquardt. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4978, a Bill for an Act concerning local government. Third Reading of this House Bill."

Marquardt: "Mr. Speaker, with your permission, Representative Winters will present the Bill."

Speaker Hartke: "Shh. Representative Winters."

Winters: "Thank you, Mr. Speaker. House Bill 4978 was brought to me by local township officials and actually has several provisions that are initiatives of the township officials

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of Illinois that have been having trouble recruiting township cemetery boards because of fairly large cemeteries that they have to maintain. So, this allows the local township boards to raise yearly compensation from 500 to \$2 thousand. It's not mandatory. It just raises the cap. Also, dealing with community building board of managers and cemetery... excuse me... multitownship boards limited to \$25, gonna be raised to \$50. And cemetery trustees who also act as cemetery caretakers, the cap is raised from 500 to 5 thousand a year. Again, initiative of the township officials in some local townships. Be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4978?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? There's still 7 people who have not voted. Have all voted who wish? Mr. Brunsvold. Mr. Brunsvold, would you care to vote? Mr. Clerk, take the record. On this question, there are 62 Members voting 'yes', 51 Members voting 'no', 3 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4209, Representative Collins. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4209, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Hartke: "Representative Collins."

Collins: "Yes, Mr. Speaker, thank you. I would like to refer this Bill to Representative Fara... Sara Fara... Feigenholtz (sic-Feigenholtz)."

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Speaker Hartke: "The Chair recognizes Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker, and Members of the House. House Bill 4209 is a Bill that essentially amends the School Code. When somebody applies for US citizenship, right now, after two years they have to leave their post. This Bill, essentially, allows them, once they furnish proof of citizenship to continue to be... expiration or extension period and continue to teach. This is supported by the State Board of Education and I would be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4209?' All those in favor signify by voting 'yes'... Mr. Clerk, would you put Representative Feigenholtz as a cosponsor of that Bill. The question is... The question is, 'Shall the House pass House Bill 4209?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Granberg. Mr. Kenner. Mr. Kenner. Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5719, Representative Berns. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5719, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5719, a Bill for an Act in relation to violence. Third Reading of this House Bill."

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Speaker Hartke: "Representative Berns."

Berns: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 5719 would create the sexual and domestic violence victims task force and it would require them to promote partnerships between law enforcement agencies, prosecutors, the courts, and advocates for victims of domestic violence and sexual violence for the purposes of increasing the outreach and to coordinate the use of federal funding to combat violence amongst women."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5719?' All those in favor will vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mitchell, for what reason are you seeking recognition?"

Mitchell, J.: "I wasn't"

Speaker Hartke: "Again, a reminder, if you have not turned in your tally sheet on the agreed list, please do so as soon as possible. House Bill 4326, Representative Moffitt. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4326, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Representative Moffitt. Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4326, a Bill for an Act concerning loans to local governments. Third Reading of this House Bill."

Speaker Hartke: "Representative Moffitt."

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Moffitt: "Thank you, Mr. Speaker. House Bill 4326 would set the mechanism in place, being proactive, to help local government and at the same time encourage jobs to stay in this country. It would create a revolving loan fund that units of local government could use for purchase of big ticket items such as road graders and endloaders. The... This would be subject to appropriation. We have had ongoing meetings with the rural bond bank and those discussions continue, but this would... the intent is is that it would help local government and loans would be for equipment that is made in the United States, essentially, road graders and endloaders. Proponents was Caterpillar and John Deere and I believe, UAW. I'd want to check that to verify that. And there was no opposition that I'm aware of."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4326?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5680, Representative Colvin. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5680, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5680, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Colvin."

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Colvin: "Thank you, Mr. Speaker. House Bill 5680 amends the Criminal Code of the State of Illinois. It changes references in the law from 'sexual intercourse' to 'sexual contact' to 'sexual penetration' or 'sexual conduct'. It also changes the law in criminal delinquency for those who are charged with the crime of contributing to criminal delinquency of a juvenile from 21 years and upwards to 17 years and upwards. It amends the Wrongs to Children Act and provides that the offense of permitting sexual abuse to the child does not apply to a reason... to a person responsible for the child's welfare who, having reasons to reasonable... for having reasons to believe that the sexual abuse has occurred and makes timely and reasonable efforts to stop this sexual abuse."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, in the analysis that staff prepares for us it lists an opponent to the Bill of the Illinois Council on Domestic Abuse. And I fail to understand why they would be opposed to the Bill. Could you enlighten me as to the reason for their opposition?"

Colvin: "To be completely honest with you, Representative, I have no idea why they would be in opposed to this Bill. This Bill speaks to the protections of our most vital resource, our children and why they would be opposed to it is beyond reason to me."

Black: "All right. I was just curious. I thought maybe when they signed in they may have... they may have indicated why... Oh, I see. All right. They'd expressed some

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concern about a battered woman having to report their partner for abusing their... the child in the home which could or may result in additional violence against them. So, okay. I guess I can understand that, but I think the arguments that you made for the Bill in your opening are certainly worthy of support and I intend to vote for your Bill. And I also, Representative, would like to thank you for not making this your first Bill."

Speaker Hartke: "Further discussion? Representative Colvin to close."

Colvin: "I would simply urge everyone to vote 'yea' on this vote. This is very important. It helps protect children in the State of Illinois from sexual predators and in this day and age, especially with the expanse of the Internet, these crimes are becoming more and more common. I strongly urge everyone to vote 'yes' on this Bill. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5680?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5873, Representative Myers. Rich Myers. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5873, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5873, a Bill for an Act in relation to sexually dangerous persons. Third Reading of this House Bill."

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Speaker Hartke: "Representative Myers."

Myers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring before you, for your consideration, House Bill 5873. This Bill is an initiative of a judge in Fulton County and the state's attorney in Fulton County who feel that sexually dangerous persons when they appeal or when they apply for recovery and are denied appeal that they can appeal frivolously and immediately the next day. All this does is allow the courts to set some time parameters in which appeals can be made. The person may file an application showing recovery after six months have elapsed since the initial commitment order was entered, the most recent order showing recovery was denied, or the most recent order for conditional release was revoked. This does change the requirements that upon initial appeal or application for appeal that an evidentiary hearing has to be filed with the court and orders go out to the Department of Corrections. This does allow more flexibility with the court itself. Would be glad to answer any questions."

Speaker Hartke: "Is there any discussion. The Chair recognizes Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. I just rise in support of this. This was a county that is near my district and now is in Representative Myers' district. The judge and the state's attorney brought the issue and right now they can tie up the courts. This would actually save counties money, would empower the courts and I think is in the best interests of all of our citizens. So, I appreciate it being brought forward and Representative Myers carrying this."

Speaker Hartke: "The Chair recognizes Representative Dart."

Dart: "Thank you. The Sponsor yield?"

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Speaker Hartke: "Sponsor yields."

Dart: "Representative, I just have a couple quick questions. The Attorney General's Office, are they okay with this Bill? Have they been consult... consulted, I guess?"

Myers: "One moment, Representative Dart. Representative Dart, I don't know if the Attorney General's Office has been consulted in this. Our analysis doesn't indicate that they have. We are under the impression that the State's Attornies' Association were supportive of this measure."

Dart: "Okay. But... And that probably would alleviate any concerns. If you get an opportunity after this passes over to the Senate, if you could just check with them because I've done some extensive work over the last couple of years with the Attorney General's Office on this general topic and we've been working against a Supreme Court case to make sure we don't go afoul of it, in all the different changes we've made in this Act and other Acts like it. If you could just check with 'em, 'cause I just don't want to upset anything, because the Supreme Court has been talking about this topic quite a bit and it's been a very delicate balance of 5 to 4 decisions. And I just wanna make sure that we don't do anything that would upset the appplecart. So, if you get an opportunity, can you just check with them to make sure that this complies with any concerns that they may have?"

Myers: "Sure can. Thank you..."

Dart: "Thank you."

Myers: "...very much for the suggestion. I appreciate that."

Dart: "Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes Representative McCarthy."

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

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Speaker Hartke: "Sponsor will yield."

McCarthy: "Thank you. I'm looking at our analysis, Representative Myers, and it basically says that a person who is committed as a sexually dangerous person any time after six months could ask to have his recovery, I guess, certified and then would he be released from whatever commitment he was put into?"

Myers: "I'm sorry, Representative McCarthy, I didn't completely understand your question."

McCarthy: "The person is committed and deemed a sexually dangerous person. And you're saying any time after six months after that he can be asked to be reevaluated. Is that correct?"

Myers: "If he shows evidence of recovery. There has to be some affidavit... affidavit or some evidence that somebody has analyzed him within the system, the correctional system, and provided evidence that he has proven recovery."

McCarthy: "In the Bill, does it say anything about the qualifications of the person who would have to certify that?"

Myers: "The report shall be prepared by the psychiatrist, sociologist, psychologist and warden of, or assigned to, the institution where the applicant is confined."

McCarthy: "Okay. The second parameter you put in was, 'after the most recent order showing recovery was denied' and that seems to say that if a person asks for this recovery and he was denied at any time after that he could ask again. I mean, couldn't this be very cumbersome that he could keep asking again and again and again."

Myers: "No..."

McCarthy: "It seems that that guarantees him the right to ask for that."

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Myers: "Representative McCarthy, what this says is that they may appeal... they may apply after six months have elapsed since the most recent order showing recovery was denied. There has to be a six month elapsed period of time between any of those occurrences."

McCarthy: "So, the six months is not only from the initial commitment, it's from any time there's a denial."

Myers: "That's correct. The other one was... the other qualification was or that the recent order for conditional release was revoked. There are occasions where the individual is released on a conditional release and has violated what in essence is a parole and he has to wait six months after his parole or his conditional release has been revoked before he can reapply again."

McCarthy: "Well, thank you. I was reading off our analysis. I appreciate the answers to those questions."

Myers: "You bet."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5873?' All in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Schoenberg, 'yes'. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Again, a reminder, has everyone turned in their slips on the Agreed Bill List? Please, do so. Representative Brunsvold. Representative Brunsvold in the Chair."

Speaker Brunsvold: "Mr. Winkel, would you like to do House Bill 4354? Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 4354, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Brunsvold: "Mr. Winkel. Third Reading. Read the Bill Mr. Clerk."

Clerk Bolin: "House Bill 4354, a Bill for an Act concerning civil immunities. Third Reading of this House Bill."

Speaker Brunsvold: "The Gentleman from Champaign, Mr. Winkel."

Winkel: "Thank you, Mr. Speaker. House Bill 4354, the Bill amends the Local Governmental and Governmental Employees Tort Immunity Act. It allows public entities to choose to indemnify employees for reasonable attorneys fees for actions against the employee rising out of an act or omission within the scope of his or her employment. Be glad to answer any questions."

Speaker Brunsvold: "The Gentleman has asked for the passage of House Bill 4354. Are there any questions? The Gentleman from Madison, Mr. Stephens."

Stephens: "Mr. Speaker, an inquiry of the Chair."

Speaker Brunsvold: "State your inquiry."

Stephens: "I was off the floor for a few minutes. Are we on the w's?"

Speaker Brunsvold: "It appears so, right now, Representative Stephens."

Stephens: "Are you gonna go back to the s's?"

Speaker Brunsvold: "Probably."

Stephens: "Thank you, Mr. Speaker."

Speaker Brunsvold: "Any discussion? The Gentleman from Cook, Mr. Osterman."

Osterman: "Thank you, Mr. Speaker, Members of the House. Just for legislative intent, Representative Winkel. This gives

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the municipality the ability to pay the attorney fees or to not pay those attorney fees?"

Winkel: "That's actually correct. It is not mandatory, it is permissive."

Osterman: "Okay. Thank you."

Speaker Brunsvold: "Further discussion? Seeing none, the question is, 'Shall House Bill 50... 4354 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Hartke. Has Mr. Hartke voted? Mr... Mr. Morrow. Has everyone voted? Mr. Morrow, you voted? Mr. (sic-Ms.) Younge. Mr. Clerk, take the record. And on that question, there's... there are 118 voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Wait, 4407. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4407, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4407, a Bill for an Act relating to motor vehicles. Third Reading of this House Bill."

Speaker Brunsvold: "The Gentleman from Boone, Mr. Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill would simply allow you if you have a car that's nine years or newer and it had hail damage that you could work with the insurance company and retain ownership of the car. Under current law, you are not allowed to own... retain ownership. Be happy to answer any questions."

Speaker Brunsvold: "The Gentleman's asked for passage of House Bill 4407. Is there any discussion? Seeing none, the

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question is, 'Shall House Bill 4407 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. And on that question, there are 117 voting 'aye', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lou Jones, House Bill 4245. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4245, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4245, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Brunsvold: "The Lady from Cook, Representative Jones."

Jones, L.: "Thank you, Mr. Speaker. House Bill 4245 amends the Illinois Controlled Substance Act to provide that possession of one gram of heroin is a Class I felony and a fine of four to fifteen years imprisonment and a fine of no more than \$250 thousand. And I will refer all questions to Representative Giles."

Speaker Brunsvold: "Mr. Giles will be answering questions. Is there any discussion? The Lady's asked for passage. The Gentleman from Winnebago, Mr. Jefferson. Mr. Jefferson."

Jefferson: "Mr. Speaker, I'd like to be recorded as a 'yes' vote on the previous Bill. My switch didn't work."

Speaker Brunsvold: "It... The Journal will so reflect your wishes."

Jefferson: "Thank you."

Speaker Brunsvold: "The Lady from Cook, Representative Davis. She does not wish to question the Sponsor. Any further

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discussion? Seeing none, the question is, 'Shall House Bill 4245 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Poe. Representative Zickus. Mr. Clerk, take the record. And on that question, there are 118 voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3713, Mr. Bost."

Clerk Bolin: "House Bill 3713, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Brunsvold: "The Gentleman from Jackson, Mr. Bost."

Bost: "Thank you, Mr. Speaker. House Bill 3713, two separate license plates initiatives. One is the one that we discussed when we amended the Bill which is the public broadcasting Bill the same as we deal with the normal license plate Bills we passed. The money will go into a fund that will help fund the digital programs that are... that our local public broadcasting systems are trying to implement. The main part of the Bill created and provides for the emergency medical services license plate. I'd be glad to answer any questions."

Speaker Brunsvold: "The Gentleman has asked for passage of House Bill 3713. Are there any questions? The Gentleman from Vermilion, Mr. Black."

Black: "Thank you, Mr. Speaker. Inquiry of the Chair."

Speaker Brunsvold: "State your inquiry."

Black: "Is Floor Amendment #2 on the Bill?"

Speaker Brunsvold: "Mr. Clerk."

Clerk Bolin: "Floor Amendment #2 has been referred to the House Rules Committee."

Black: "Why? That's my Amendment. Where is it? I don't remember asking that it go to the Rules Committee. Hasn't

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it been reported out?"

Speaker Brunsvold: "Maybe Mr. Bost felt it was a hostile Amendment."

Black: "Well, I'll let Mr. Bost proceed. I don't want to endanger his... his Bill, but that Amendment has been in the Rules Committee since Henry Ford invented the automobile. Do you think you can get it out by 5:00 tomorrow?"

Speaker Brunsvold: "I don't think so, Mr. Black."

Black: "Ah, well, thank you. Thank you for trying."

Speaker Brunsvold: "Mr. Bost. Any questions, any discussion? Seeing none, the question is, 'Shall House Bill 3713 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Seven people have not voted. Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 110 voting 'yes', 8 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 4953. Read the Bill, please."

Clerk Bolin: "House Bill 4953, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Jefferson. Mr. Clerk, read the Bill for the third time."

Clerk Bolin: "House Bill 4953, a Bill for an Act concerning motor vehicles. Third Reading of this House Bill."

Speaker Brunsvold: "The Gentleman from Winnebago, Mr. Jefferson. Take the Bill out of the record. Mr. Clerk, House Bill 5935, just read the Bill."

Clerk Rossi: "House Bill 5935 has been read a second time, previously. No Committee Amendments. No Floor Amendments."

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No Motions filed."

Speaker Brunsvold: "Third Reading. Read the Bill Mr. Clerk."

Clerk Rossi: "House Bill 5935, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Brunsvold: "Mr. McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5935 would provide that in addition to any other penalty imposed a fine of \$500 shall be imposed upon a person who is convicted of arson, residential arson or aggravated arson. This money would be deposited in so the local fire departments would be able to use this money as they deemed appropriate. And I'd be happy to answer any questions."

Speaker Brunsvold: "The Gentleman's asked for a passage of House Bill 5935. Is there any discussion? Seeing none, the question is, 'Shall House Bill 5935 pass?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, 117 voting 'yes', 0 voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 5937."

Clerk Rossi: "House Bill 5937, a Bill for an Act concerning the state budget. Third Reading of this House Bill."

Speaker Brunsvold: "Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that I began to present earlier. It is a Bill that would require... that would codify a process that's already going on whereby the Comptroller and the Bureau of the Budget and the state agencies are working on developing performance measures for various state programs

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and working to ensure public accountability for the expenditures that we have in our budget. What the Bill would require is that they continue and expand this process and that by fiscal 2007 that the budget reflect the program objectives and performance measures that show how well the state agencies are doing in meeting their objectives with the taxpayers' dollars. I would appreciate your support."

Speaker Brunsvold: "The Lady's asked for a passage. On that question, the Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. Would you have the carpenter check my chair when he gets a minute? Will the Sponsor yield?"

Speaker Brunsvold: "Sponsor yields."

Black: "Representative, this is an interesting Bill, but it's about as clear as the Mississippi River at high flood. What exactly do you want these agencies to do? I mean, if you're... if you're saying zero-based budgeting or Generally Accepted Accounting Principles, then I have some idea of where you were headed. What exactly are you asking these agencies to do?"

Slone: "There's a set of new standards called the Government Accounting Standard... developed by the Government Accounting Standards Board and that is the... that is the program under which Illinois, starting with Comptroller Loleta Didrickson, started developing these performance measures and they have continued to do that under Comptroller Hynes and with the various state agencies. My understanding is that quite a number of agencies are already doing this and they have developed program goals and performance measures for a number of their programs. This would simply codify the process that's already going on and encourages expansion and closing the loop, in

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effect, by putting it into the budget process."

Black: "Could you... could you point out in the Bill where Generally Accepted Accounting Principles or any of the items that we would understand as budget guidelines or principles that have been adopted. I don't see that in the Bill anywhere."

Slone: "I... The Government Accounting Standards Board is not the same thing as gov... Generally Accepted Accounting Principles and those are not in this Bill. It just requests that the performance measures that are currently being developed and are already developed in a number... for a number of programs be codified."

Black: "What... How would you define, in the Bill... let's just look at page... page 3, I believe. Yeah, page 3, line 22. 'Development of program objectives and performance measures.' Is that defined anywhere in the Bill?"

Slone: "Page 3, line 22, Mr. Black?"

Black: "Yes. Where it says Section 6.5, 'development of program objectives and performance measures for state programs.' Is there any definition of 'program objectives' or 'performance measures' anywhere in the Bill?"

Slone: "I don't believe so, Mr. Black. They're to use the ones that they're already using. We're trying to give the agencies and the Governor's Office and the Comptroller as much flexibility to continue what they're doing as we possibly can."

Black: "Well, all right, Representative. Thank you very much for answering the questions. Mr. Speaker, to the Bill."

Speaker Brunsvold: "Proceed."

Black: "If the Bill had some specificity to it in that we were going to go to zero-based budgeting or any specific definitional terms that would be readily available and

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understood by the accounting community or most of us on the floor and clearly delineate where we were headed, I might have a different opinion on this Bill. But the Bill simply says, you are going to create some, let me quote, I don't want to... I don't want to misquote... misspeak here. If we'll go back to the Bill, on page 3, if I can get the thing to separate, I hurt my hand just a second ago. Yes. We're going to develop program objectives and performance measures. Well, that... I've been around accountants a long, long time and that means absolutely nothing to me. It might mean something to the Sponsor and I'm sure it does. I know she's well-intentioned by this Bill. But given the fiscal realities and the fact that Economic and Fiscal Commission believes that this will necessitate their hiring many more staffers to handle the increased workload to develop some vague terminology, I just... I'm not sure that the... that the means will be met. I think we can spend a lot of money and spend a lot of time to create a program objective, but that doesn't define anything. I'm not sure we'd be any better off after the hours of work and thousands of dollars spent on additional staff to create program objectives. If we want to go to zero-based budgeting or any number of Generally Accepted Accounting Principles that some states have already adopted and clearly spell that out and say by a time certain this is the standard we will use, at least that gives us a definitive road map for us to follow. The Bill, in its current form, give us no road map. It says by 2007 we want to be here, but nowhere in this Bill do I see any direction on how we're going to get here. And when you... my experience, in all due respect to those who work for the state or any local unit or any unit of government, my

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experience when you give a bureaucrat that kind of a map and you say in five years I want you to be here, but you don't tell them how to get there, they end up going all over the place and creating more work and hiring more bureaucrats and then five years down the road they tell ya, we ain't there yet. Well, they won't be there because they don't know from this Bill where they're supposed to be or how to get there. So, I don't think this Bill, while the Sponsor is well-intentioned I'm sure, this Bill is so vague, so muddy, so unclear, that all we're gonna do is spend a lot of money and five years from now we're gonna have somebody come to this chamber and say, we tried real hard, but we didn't get there. I think the Sponsor would be better off going back, revising the Bill, outlining specific accounting principles she wants the state to adopt by a date certain, and let's work on that. This is a very open-ended, unclear, not concise, no road map, no direction kind of Bill that, in my opinion and my years down here, will only result in the expenditure of more money and the waste of more hours and not accomplish a doggone thing. And for that reason, I intend to vote 'no'."

Speaker Brunsvold: "The Gentleman from Cook, Mr. Schoenberg."

Schoenberg: "Thank you. With all due respect to the tirade of the previous speaker, I'd like to refer him to exhibit 'A' which is the Comptroller's annual financial report for the fiscal year ended June 30, 2001. It's an extract of the Comptroller's public accountability project which Representative Slone is accurately referring to as being a coordinated effort with the Governor's Office of Strategic Planning. So, my friends, contrary to the statements of the prior speaker and as this book can attest, for many of the state agencies that currently serve us, this measures

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what state agencies are doing on a programmatic basis, not on a line item basis. So, for example, if you were to turn to any of the agencies in this book... and I have to tell you, by the way, that not all agencies participated in this. For example, you don't see any reference to the Illinois Toll Highway Authority, but you wouldn't expect them to do anything in the way of public accountability anyway, so that's not to be expected. And besides, on any given day, we can't quite ascertain what their mission is or what they want to spend the toll money on, all we would know, is that they want to take it. But if you were to turn to any of the agencies, what this book... what this project essentially does is define the mission statement for the individual programs in the agency and the goals and objectives. So, contrary to the prior speaker, we don't have to reinvent the wheel, the wheel is already furnished. If anything, the Lady's Bill will make certain that those agencies, perhaps some of them need to be held more accountable than others, who decline to participate that they participate so we have an absolute certainty as to how we're getting maximum efficiency out of our tax dollars. Now, I'll add one final note in support of the Lady's Bill, which I'm proud to be a cosponsor of, and that is contrary to the protests of the prior speaker this is not an original concept. In fact, several of us on this side of the aisle, sponsored or cosponsored this measure when it was first initiated by Republican Comptroller Loleta Didrickson. We're now working on the third Comptroller, we've had one Republican and two Democrats now who have tried to bring this project to fruition. We're not starting something new, my friends, we're just finishing the job and for that reason, you should support the Lady's

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Bill. Thank you."

Speaker Brunsvold: "Further discussion? The Lady from Cook, Representative Hamos. She does not wish to speak. The Lady from Cook, Representative Wojcik."

Wojcik: "I'd like to yield my time to Representative Black."

Speaker Brunsvold: "Mr. Black, would you like to speak further?"

Black: "Well, let me just say... the previous speaker, if you wanna hold up some book and say it's in the Bill, show me where it says it in the Bill. All right? Go on, the hour grows late and the silliness is out of control. If there's anything in that Bill that is a specific accounting principle that gives a guideline or direction for somebody to follow, then come and show me where it is in the Bill. Don't hand up some book from some political officeholder and tell me it's gonna solve all the problems of the state. It's an insult to my intelligence and I don't appreciate the Gentleman holding up a book... If he wants to give me a copy of the book, tell him to come over here and give me a copy of the book. I'll help him read it."

Speaker Brunsvold: "The Lady from Peoria, Representative Slone to close."

Slone: "Thank you, Mr. Speaker. The purpose of the Bill is to give us, as Legislators and the taxpayers, better information so that we can do the very best we can with the taxpayers' money and that... what's going to help us do that is the type of reporting that this Bill would call for. It's something the Comptroller's Office and the Governor's Office and the Bureau of the Budget and the agencies are already working on and I would appreciate your 'aye' votes. Thank you."

Speaker Brunsvold: "The question is, 'Shall House Bill 5937 pass?' All in favor vote 'aye'; opposed vote 'no'. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 66 'ayes', 50 'noes', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, 5313. Mr. Clerk, read House Bill 6013."

Clerk Rossi: "House Bill 6013 has been read a second time, previously. Floor Amendment #1 has been adopted to the Bill. No further Amendments have been approved for consideration. The notes that were requested on the Bill have been filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, House Bill 5999."

Clerk Rossi: "House Bill 5999 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5999, a Bill for an Act to reenact a portion of Public Act 90-456 relating to juveniles. Third Reading of this House Bill."

Speaker Brunsvold: "Mr. Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. As you know, I spend a great deal of time in the Cook County. And this is an initiative of the State's Attorney of Cook County and he had a Sponsor on the Bill who had reached his priority limit, so they asked if I would take it and I'm proud to do so for the previous Sponsor of the Bill, a Gentleman by the name of Mr. Madigan. This Bill reenacts a provision of the Juvenile Court Act that addresses the period for commencing a civil adjudicatory hearing in abuse, neglect, and dependency cases. The reason this Bill is before us, the Supreme Court ruled this particular part of the law

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unconstitutional due to the single subject clause. The State's Attorney of Cook County, an outstanding gentleman, he and I are very close, felt that it was very important that we re... that we pass this Bill again over the... notwithstanding the objections of the Supreme Court notwithstanding, the objections of the Supreme Court had nothing to do with this particular part of the Bill, it had to do with the single subject clause. It passed out of committee unanimously. And I'll be glad to answer any questions that you have."

Speaker Brunsvold: "The Gentleman's asked for passage. Is there any discussion? Seeing none, the question is, 'Shall House Bill 5999 pass?' All in favor vote 'aye'; all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 115 'ayes', 0 'noes', 0 'presents'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Black, the Chair would like to inquire if you're okay. You seem to have fallen under the desk. Is the chair sloping?"

Black: "Mr. Speaker, I was under the impression we were going to get new chairs at some point. Obviously, I have a defective chair. If Tim Johnson were still here, you would be named in the lawsuit, I'll assure you of that."

Speaker Brunsvold: "I was about to ask why Mr. Black rises and falls and rises and falls."

Black: "At my age, I'm not going there, Mr. Speaker."

Speaker Brunsvold: "I'm right with you, Mr. Black. Mr. Clerk, House Bill 4588. The Chair is prepared to adjourn. Is there any announcements? Mr. Clerk, committee announcements."

Clerk Rossi: "A committee schedule has been passed out. The following committees will meet immediately after Session:

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the Appropriations-Human Services Committee in Room 114, the Appropriations-Public Safety Committee in Room 118, Counties & Townships in 122-B, Environment & Energy in D-1, Health Care Availability & Access in C-1, Revenue in 115. The following committees will meet 30 minutes after Session: the Public Utilities Committee in Room 115, Registration & Regulation Committee in D-1, Human Services in 122-B, and State Government Administration in C-1."

Speaker Brunsvold: "Representative Novak now moves that the House stand adjourned until Friday, 10 a.m., with perfunctory time for the Clerk. On that Motion, all in favor 'aye'; opposed 'nay'. The 'ayes' have it. And the House does stand adjourned until April 5, Friday, at the hour of 10 a.m."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction and First Reading of Senate Bills. Senate Bill 1688, offered by Representative Hamos, a Bill for an Act concerning taxes. House (sic-Senate) Bill 1849, offered by Representative McKeon, a Bill for an Act concerning health care service contracts. House (sic-Senate) Bill 1854, offered by Representative Durkin, a Bill for an Act to revise the law by combining multiple enactments and making technical corrections. House (sic-Senate) Bill 1927, offered by Representative Hamos, a Bill for an Act in relation to civil procedure. House (sic-Senate) Bill 1983, offered by Representative Jerry Mitchell, a Bill for an Act concerning education (sic-to implement the provisions of federal Public Law 107-110). House... Senate Bill 1545, offered by Representative McCarthy, a Bill for an Act concerning schools. Senate Bill 1565, offered by Representative Novak, a Bill for an Act concerning energy efficiencies. Senate Bill 1569, offered by Representative

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Novak, a Bill for an Act concerning public utilities. Senate Bill 1573, offered by Representative Lawfer, a Bill for an Act concerning agriculture. Senate Bill 1583, offered by Representative Jim Watson, a Bill for an Act in relation to persons in military service. Senate Bill 1635, offered by Representative Wait, a Bill for an Act concerning municipalities. Senate Bill 1637, offered by Representative Reitz, a Bill for an Act concerning telephone solicitations. Senate Bill 1641, offered by Representative Lindner, a Bill for an Act in relation to criminal law. Senate Bill 1661, offered by Representative Wright, a Bill for an Act in relation to civil liabilities. Senate Bill 1662, offered by Representative Wright, a Bill for an Act concerning infants who are born alive. Senate Bill 1688, offered by Representative Saviano, a Bill for an Act concerning dietetic and nutrition services. Senate Bill 1730, offered by Representative Coulson, a Bill for an Act in relation to vehicles. Senate Bill 1732, offered by Representative Saviano, a Bill for an Act concerning elections. Senate Bill 1734, offered by Representative Joe Lyons, a Bill for an Act in relation to higher education. Senate Bill 1756, offered by Representative Feigenholtz, a Bill for an Act concerning open meetings. Senate Bill 1760, offered by Representative Dale Righter, a Bill for an Act concerning taxes. Senate Bill 1779, offered by Representative Poe, a Bill for an Act in relation to public employee benefits. Senate Bill 1782, offered by Representative Currie, a Bill for an Act concerning postpartum depression. Senate Bill 1843, offered by Representative Garrett, a Bill for an Act in relation to education. Senate Bill 1859, offered by Representative Poe, a Bill for an Act concerning health benefits. Senate Bill

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1880, offered by Representative Holbrook, a Bill for an Act in relation to vehicles. Senate Bill 1907, offered by Representative Franks, a Bill for an Act in relation to vehicles. Senate Bill 1909, offered by Representative Reitz, a Bill for an Act in relation to alcoholic liquor. Senate Bill 1926, offered by Representative Bugielski, a Bill for an Act concerning vehicles. Senate Bill 1934, offered by Representative Hoffman, a Bill for an Act in relation to civil procedure. Senate Bill 1936, offered by Representative Bost, a Bill for an Act in relation to firearms. Senate Bill 1949, offered by Representative Hultgren, a Bill for an Act concerning guardianship. Senate Bill 1968, offered by Representative Saviano, a Bill for an Act concerning environmental safety. Senate Bill 1982, offered by Representative Reitz, a Bill for an Act concerning prisons. Senate Bill 1997, offered by Representative Franks, a Bill for an Act concerning counties. Senate Bill 2001, offered by Representative Garrett, a Bill for an Act in relation to public aid. Senate Bill 2016, offered by Representative Fowler, a Bill for an Act in relation to public employee compensation. Senate Bill 2018, offered by Representative Erwin, a Bill for an Act concerning higher education. Senate Bill 2022, offered by Representative Poe, a Bill for an Act concerning mental health and developmental disabilities confidentiality. Senate Bill 2023, offered by Representative Daniels, a Bill for an Act in relation to criminal law. Senate Bill 2050, offered by Representative Currie, a Bill for an Act in relation to public health. Senate Bill 2067, offered by Representative Schoenberg, a Bill for an Act in relation to highways. Senate Bill 2068, offered by Representative Schoenberg, a Bill for an Act

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concerning toll highways. Senate Bill 2072, offered by Representative Bellock, a Bill for an Act concerning environmental protection. Senate Bill 2024, offered by Representative Daniels, a Bill for an Act in relation to criminal law. Senate Bill 2098, offered by Representative Daniels, a Bill for an Act concerning citizen assistance. Senate Bill 2117, offered by Representative Klingler, a Bill for an Act concerning local government. Senate Bill 2130, offered by Representative Daniels, a Bill for an Act creating the office of the Curator of the Executive Mansion. Senate Bill 2132, offered by Representative O'Brien, a Bill for an Act in relation to vehicles. Senate Bill 2155, offered by Representative Bost, a Bill for an Act in relation to civil liabilities. Senate Bill 2159, offered by Representative Hoffman, a Bill for an Act in relation to vehicles. Senate Bill 2185, offered by Representative Pankau, a Bill for an Act concerning vehicles. Senate Bill 2191, offered by Representative Tenhouse, a Bill for an Act concerning the Department of Commerce and Community Affairs. Senate Bill 2192, offered by Representative Tenhouse, a Bill for an Act concerning commercial development. Senate Bill 2204, offered by Representative Tenhouse, a Bill for an Act concerning higher education. Senate Bill 2210, offered by Representative Beaubien, a Bill for an Act regarding taxes. Senate Bill 2221, offered by Representative Tenhouse, a Bill for an Act concerning public utilities. Senate Bill 2223, offered by Representative Kosel, a Bill for an Act concerning the practice of nursing. Senate Bill 2227, offered by Representative Jerry Mitchell, a Bill for an Act concerning economic development. Senate Bill 2235, offered by Representative Black, a Bill for an Act concerning

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energy. Senate Bill 2269, offered by Representative Dart, a Bill for an Act in relation to criminal law. Senate Bill 2293, offered by Representative Schoenberg, a Bill for an Act in relation to State purchasing. Senate Bill 1830, offered by Representative Black, a Bill for an Act concerning telephone solicitation. Senate Bill 1882, offered by Representative Schoenberg, a Bill for an Act concerning public construction. Senate Bill 1951, offered by Representative McAuliffe, a Bill for an Act concerning the regulation of professions. Senate Bill 1972, offered by Representative Saviano, a Bill for an Act in relation to elections. Senate Bill 1975, offered by Representative Tenhouse, a Bill for an Act concerning day labor. Senate Bill 2312, offered by Representative Tenhouse, a Bill for an Act concerning taxes. Introduction and First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."