

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

69th Legislative Day

6/6/2007

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off laptop computers, cell phones, and pagers. We ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Lee Crawford, the pastor of the Cathedral of Praise Christian Center in Springfield."

Pastor Crawford: "May we pray. Most gracious and Almighty God, our heavenly creator, Who has dominion over life and death, we pray that you would grant to us this day to a grace to remember with love and with reverence that we are to go forth in peace. We are to go forth with courage. We are to hold fast that which is good. That we are to render to no one evil for evil, but we pray today that you would help us to be a strength to the faint-hearted. Help us to be of a support to those who are weak. Help us today, Father, to help those who are afflicted and to honor all people. Help us to be loving and to be serving to them in the same love and in the same spirit in which You have loved us and in which You have served us. This we pray, in Your Son's name. Amen."

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

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

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

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Currie: "Thank you, Speaker. Please let the record reflect that Representatives Rich Bradley, Collins, Dunkin, Feigenholtz, Franks, Graham, May and Patterson are excused today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Coulson, Dunn, Hassert, Kosel, Schmitz and Sommer are all absent today."

Speaker Madigan: "The Clerk shall take the record. There being 102 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Reitz, Chairperson for the Committee on Agriculture & Conservation, to which the following measures were referred, action taken on June 6, 2007, reported the same back with the following recommendations: 'recommends be adopted' motion to concur to Senate Amendments 1, 2 and 3 to House Bill 822. Introduction of Resolutions. House Resolution 515, offered by Representative Osmond. This Resolution is referred to the House Rules Committee."

Speaker Madigan: "Mr. Hannig in the Chair."

Speaker Hannig: "On page 12 of the Calendar, Representative Mitchell, you have House Bill 822."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I... I won't bore you with 822 again. It passed yesterday with over a 100 votes. It passed unanimously this morning in committee. I had to do a little backtracking and so I've brought it back one more time. I wish to concur with Senate Amendments 1, 2 and 3. 1 and 2 actually take care of a couple of problems that a couple of House Members

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had. It makes them satisfied by that. Amendment #3 is a... Representative Bellock's Bill, which didn't get a hearing in the Senate. So, we attached it to this Bill. And it passed pretty... pretty handily in the House before. I'd be happy to answer any questions."

Speaker Hannig: "And just to clarify, Representative, the Chair made an error yesterday when we declared that the Bill was passed. It clearly was not a... in a position to be debated at that time. But..."

Mitchell, J.: "Mr. Speaker, I understand that a... the clerk and your counsel explained that to me. And I certainly understand that those things can happen. Thank you."

Speaker Hannig: "It was a simple oversight and we apologize to you. But at this time, Representative, we'll be happy to debate your Bill. You've heard the Gentleman's Motion. Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, under the mandatory spay/neuter program who will... who will pay for that?"

Mitchell, J.: "The spay/neuter portion of that will have to be paid by the owner, unless they can't pay, and then there is a fund set aside to... to pay for that particular part of it."

Black: "And how a... how is that fund set up?"

Mitchell, J.: "Well, that's set up by a fee that was passed over a year ago a... that all dog owners pay into."

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Black: "How... how do we pay into that? On our... on our county license or our... Not when I get..."

Mitchell, J.: "On... on the registration fee. I believe that was a... Representative Burke's Bill."

Black: "I know I might have to buy a veterinary or a rabies tag every year. And a..."

Mitchell, J.: "That's... that's correct, Representative."

Black: "So... so that's..."

Mitchell, J.: "I think there was a dollar, maybe it was a ten dollar fee that was attached to a... to that registration fee that goes into a special fund."

Black: "Okay."

Mitchell, J.: "I don't particularly agree with it, but that's already in Law."

Black: "If the a... if the dog is running loose and ownership cannot be a... proven, what do we do? Do... will the dog be put down or up for adoption or checked or..."

Mitchell, J.: "The dog would be spayed, neutered, microchipped..."

Black: "Okay."

Mitchell, J.: "And up for adoption. If it's declared potentially dangerous, someone would have to understand that that is the case. After a period of time then, of course, dogs that are... are with the county animal protection are put down."

Black: "And... and that's what I wanted to get to, Representative. It appears to me that the... the bulk of enforcement and/or cost will fall upon the county animal control departments. And I don't see them as either proponents or opponents."

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Were they... did they testify or offer any testify when this bill was being debated?"

Mitchell, J.: "They did not. The Farm Bureau was there and they felt that it was a good Bill. And I think the animal control feels that it's a good Bill simply because of the change from 'to preponderance of the evidence', a... they feel better with that portion of the Bill. They also feel that this gives them a little more license to take care of potentially dangerous dogs than they had before."

Black: "And... two last questions. Did the Illinois Veterinary Medicine Association testify at all on the Bill?"

Mitchell, J.: "A... the Illinois Veterans (sic-Veterinary) Association worked with ASPCA when this Bill was created. So... they didn't testify. But they have no problems with the Bill."

Black: "And... and one last question then. Will this ordinance supersede a municipal ordinance? If the municipal ordinance, in fact, isn't as stringent?"

Mitchell, J.: "Yes, it will."

Black: "So this would supersede a municipal ordinance?"

Mitchell, J.: "This... this... this would supersede local ordinance, although that's not the intent of the Bill."

Black: "Okay. No, I don't even want to get into Home Rule question. You've answered all my questions. Thank you very much."

Speaker Hannig: "Is there any further discussion? Then Representative Mitchell, to close."

Mitchell, J.: "Thank you, Mr. Speaker. I'd just appreciate an 'aye' vote."

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Speaker Hannig: "And the question is, 'Shall the House concur in Senate Amendments 1, 2 and 3, and shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 60 votes. 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 101 voting 'yes' and 0 voting 'no'. And the House does concur in the Senate Amendments and this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, a point of personal privilege if I could?"

Speaker Hannig: "State your point."

Black: "I a... couldn't help but hear on the radio on the way over this morning that a... Speaker Madigan is not having us work long enough or hard enough, that almost everybody in the United States is expected to work five days a week, at least 40 hours a week. I'm reminded of that when I was in my district office for about 12 hours on Monday. Attended a visitation for a young soldier in Danville last night who was killed in Iraq. So, I drove over early this morning. And I was listening to one of the Governor's numerous spokespersons telling us that we just weren't working hard enough. So, Mr. Speaker, if I could at the appropriate time, I'll try and get a Resolution drafted. But I a... I for one, and I'm joined by many of my colleagues, I want the same work schedule as the Governor. I a... I want an airplane to a... take me home today about 2:00 so I can have dinner at home, get a good night's sleep. I'll have the state airplane pick me up tomorrow morning at about 10:00.

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That'll get me here at 11:00. I can have lunch, come to the floor and a... maybe go jog with somebody. The a... maybe a chess game. Then the airplane to take me back home about 2:00 or 2:30. I can walk the dog. Work in my yard. Call my grandchildren. And a... walk around the neighborhood. So, I... I'm willing to do that six or seven days a week. But I have to have an airplane pick me up, take me home and I can really only stay here about two and half or three hours. I'm... I'm busy, too. We're all busy. And, I also would appreciate it if the Capitol architect would show me a secret way in and out of the chamber so I don't have to deal with the press. And I would also like to think that Speaker Madigan could close off the press boxes so that they don't have to be here. We shouldn't have to answer any questions from the press. We could just hire one of the a... a many munchkins who come out and do all the talking for the Governor who could talk for us. He's hardly a munchkin. So I... I just think we should all work about the same workload as the Governor. I know it will be hard and I know many of us will fall by the wayside. But I... I think fair is fair and I think we ought to give that consideration."

Speaker Hannig: "Representative Stephens."

Stephens: "I would prefer to hear from Representative Black's spokesperson."

Speaker Hannig: "On page 13 of the Calendar, Representative Reitz, you have House Bill 1019. Do you wish to concur on that? Then you're recognized on the Motion to Concur."

Reitz: "Thank you, Mr. Speaker. Move to concur with a... the Senate Amendments on House Bill 1019. This is... this Bill

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inserted language that Representative Reis had that requires establishments that receive Type II licenses from the Bureau of Meat and Poultry develop and implement and maintain written standard operating procedures. It's an agreement from the task force that we had as... regarding meat and poultry plants, packing plants, things of that nature. And I'd be happy to answer any questions."

Speaker Hannig: "You heard the Gentleman's Motion. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendment and shall this Bill pass?' All those in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Scully, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 103 voting 'yes' and 0 voting 'no' and the House does concur in the Senate Amendment. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Representative Pihos, you have House Bill 1030 and you're recognized on a Motion to Concur."

Pihos: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 1, which establishes May 1 as the date for the State Board of Education to issue an annual report to the General Assembly and the Governor identifying each school district's special education expenditures. And I would ask for your 'yes' vote."

Speaker Hannig: "You've heard the Lady's Motion. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendment and shall this Bill pass?' All in

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favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes. 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 103 voting 'yes', and 0 voting 'no'. And the House does concur in the Senate Amendment. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Representative Fortner, you're recognized to concur on House Bill 1080."

Fortner: "Thank you, Mr. Speaker. Members of the House, I move to concur with Senate Amendment #1 for House Bill 1080. This Amendment, in fact, clears up some of the questions that were asked when this Body debated and approved House Bill 1080, particularly as it comes to the question of the nexus between the gang activity and the vehicular activity. I think this Amendment makes the Bill stronger, addresses those concerns that were raised. I'd be happy to take any questions and would encourage an 'aye' vote."

Speaker Hannig: "You've heard the Gentleman's Motion to Concur. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendment and shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 60 votes. 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 103 voting 'yes' and 0 voting 'no'. And the House does concur in the Senate Amendment. And this Bill, having received a Constitutional Majority, is hereby declared passed.

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Representative Cultra, you're recognized to concur on House Bill 1116."

Cultra: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move to concur with Senate Amendment #1 on House Bill 1116. It simply establishes what the price of the plates would be and the type of vehicle which it may be displayed on. I would move for the passage."

Speaker Hannig: "The Gentleman moves for the concurrence of Senate Amendment #1. And on that... okay. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendment and shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 60 votes. 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 101 voting 'yes' and 2 voting 'no'. And the House does concur in the Senate Amendment. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Ryg, you're recognized to concur on House Bill 1256."

Ryg: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move to concur with Senate Amendment #1 to House Bill 1256, which expands eligibility for the Health Benefits for Workers With Disabilities Program. This Amendment reflects the language that was agreed to with the Department of Health Care and Family Services."

Speaker Hannig: "You've heard the Lady's Motion to Concur. Is there any discussion? The Lady from Cook, Representative Mulligan."

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

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

Mulligan: "Representative, how much is the price tag for this for the State?"

Ryg: "The fiscal impact is 2.6 million (2,600,000), which is eligible for federal match."

Mulligan: "And what kind of a match will it receive, fifty cents (\$.50)?"

Ryg: "To my... that's my understanding."

Mulligan: "Was this already built into the budget as introduced, do you know?"

Ryg: "No, I'm sorry, I don't know."

Mulligan: "I'm just trying to figure out at some point, hopefully not Christmas, when we get down to what's actually going to be there, if we need to accommodate this in some way or if it was already there and we should look for it. So, I'm going to support this, but I think we need to make sure we know what the ultimate disposition of it would be."

Ryg: "Right. Thank you for raising that point. I think it's important for all of us who believe in persons with disabilities being able to return to work as productive taxpayers without fear of losing their health care coverage as an important priority, and we all need to be cognizant that that makes it into our final budget plan. Thank you."

Mulligan: "All right, so my staff is telling me, which I usually try and know these things on my own, but I have wonderful staff people who said that this was actually suppose to be part of Illinois Covered. And I think some things in Illinois Covered, the reason they weren't in the original budget was to hold it out as a carrot for why we should pass

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Illinois Covered. But that doesn't mean in some of the discussions we've had with the department on Illinois Covered, that were quite some time ago, there are different parts of the plan that we were not opposed to, depending on what they cost. And so I think we need to make a list of those and figure out what they are, although they're minimal compared to what the overall program would be. What health care workers do you think this would actually cover? Is it people like SEIU people that are in home situations or...?"

Ryg: "No, these are... these are persons with disabilities who are able to return to work, but many fear that if they become wage earners, they lose their health care benefits through the Medicaid program. So this adds an incentive for people to look for jobs with the assurance that with these new criteria that were negotiated, they will not lose health care."

Mulligan: "So this is actually something we've talked about over the years. It doesn't necessarily depend on Illinois Covered in order to get it done. It just is the will of the General Assembly to realize that. Probably what it does is it saves us money in the long run, because then these people are actively employed as opposed to being on welfare or some other system."

Ryg: "Yes. And there are several of us who are more than happy to work with you in terms of making sure that this program is included, because it does have a relatively small price tag in terms of what Illinois Covered had proposed. And again, it's something that will be cost effective and better

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for these individuals who choo... who would like to be able to work, but can't risk health care coverage."

Mulligan: "All right. So I've already asked Representative Feigenholtz, but I think in the next coming weeks, some of us that are interested in these programs need to sit down and actually start going back over with the department some of the different agencies in Human Services what's really on the table now and what is the best expenditure of the state dollars."

Ryg: "I'm happy to work with you on that."

Mulligan: "Thank you."

Speaker Hannig: "Any further discussion? Representative Ryg, to close."

Ryg: "Thank you. I ask for a Motion to Concur."

Speaker Hannig: "The question is, 'Shall the House concur in Senate Amendment #1 and shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes. 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 103 voting 'yes' and 0 voting 'no' and the House does concur in the Senate Amendment. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. On page 9 of the Calendar, under the Order of Senate Bills-Second Reading, is Senate Bill 333. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 333, a Bill for an Act concerning civil law. The Bill's been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lang, has been approved for consideration."

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Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. Floor Amendment #1 is a... is an Amendment that had no opposition in committee and as far as I know has no opposition. It deals with the liability protections for those who a... use land leased between an owner lessor and DNR where there's a nominal lease involved. Even the trial lawyers are not opposed to this, so I... would ask that we adopt the Amendment."

Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The ayes have it and the Amendment is adopted. Any further Amendments?"

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

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

Clerk Bolin: "Senate Bill 333, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

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

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. The Amendment became the Bill; I just explained it. I would ask for your support."

Speaker Hannig: "Is there any discussion? Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bost, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 103 voting 'yes' and 0 voting 'no'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. On page

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10 of the Calendar is Senate Bill 778. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 778, a Bill for an Act concerning State government. The Bill has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Reitz, has been approved for consideration."

Speaker Hannig: "Representative Reitz or Verschoore, who would like to... who would like to handle the Amendment? Representative Verschoore."

Verschoore: "Thank you, Mr. Chairman (sic - Speaker). Representative Reitz is withdrawing his Amendment and what this concurrence is, is for the thirty-two (32) parcels of land that the Department of Transportation moves every year in several counties in the state and I would ask for concurrence... Non-concur."

Speaker Hannig: "Representative, did you wish to... did you wish to withdraw the Amendment? Is that what you said? Representative Reitz."

Reitz: "Yes, Mr. Speaker. I wish to withdraw Amendment #3."

Speaker Hannig: "Okay. So the Amendment is withdrawn. Mr. Clerk, are there any other Amendments?"

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

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

Clerk Bolin: "Senate Bill 778, a Bill for an Act concerning State government. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Verschoore."

Verschoore: "A... like I said before, it's thirty-two (32) parcels of a... land that authorizes the Department of Transportation

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to... to convey or describe parcels in these counties. And I can list them if you would like me to do that, but I would ask concurrence."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 778. And on that question, the Gentleman from Cook, Representative Lang."

Lang: "Thank you. Inquiry of the Clerk, if I might, Mr. Speaker."

Speaker Hannig: "Proceed."

Lang: "Simply trying to determine what Amendments have been adopted on the Bill."

Speaker Hannig: "Mr. Clerk, would you clarify what Amendments are adopted."

Clerk Bolin: "Committee Amendment #1 was adopted to the Bill. No further Amendments have been adopted."

Lang: "Bear with me a moment. Mr. Verschoore."

Speaker Hannig: "Representative Verschoore."

Verschoore: "There is... there's one other Amendment on there that... it affected a parcel of land that was at Ninety-fifth (95th) and Stony Island in the amount of five hundred and seventy-eight thousand six hundred and sixty-seven dollars (\$578,667) and the city decided they didn't need it, so it reverted back to the state."

Speaker Hannig: "Representative Lang, have you finished your inquiry?"

Lang: "Well, if... if there's something missing from the Bill the Representative wants, I would just simply suggest that he take it back to Second Reading, fix it, and then we... we'll

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do it. We're gonna be here until November; we might as well get it right."

Speaker Hannig: "Representative Verschoore, is... is the Bill...?"

Verschoore: "We have no Amendments, other than the one that Reitz just withdrew."

Speaker Hannig: "Representative Verschoore, is it your intention that we should vote on the Bill at this time? Are you..."

Verschoore: "Yeah."

Speaker Hannig: "Okay. So... Representative Reitz."

Reitz: "Thank you, Mr. Speaker. I... appreciate just to clarify. Amendment #3 dealt with the a... a land swap of... potentially gave the DNR the authority to a... swap land for a development that... potential development in Perry County. We have that group meeting with some of the environmental groups meeting with the department. We have identified a Bill in the Senate that we can use as a vehicle for this, and as a... Representative Lang said, we probably have plenty of time to do that. So, I'd appreciate support for Representative Verschoore's Bill as it's written. Thank you."

Speaker Hannig: "Representative Verschoore, to close."

Verschoore: "Just I would ask to pass 778 out of the House. I ask for an 'aye' vote."

Speaker Hannig: "This requires 71 votes. The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Black, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 91 voting 'yes', 11 voting 'no' and 1 voting 'present'. And

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this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Representative Tracy, for what reason do you rise?"

Tracy: "Thank you, Mr. Speaker. On the previous Bill, I was recorded as a 'no', and I wish to be recorded as a 'yes'. I pushed the wrong button inadvertently."

Speaker Hannig: "The record will reflect your intentions. And Representative Reis, for what reason do you rise?"

Reis: "I, too, would like to be recorded as a 'yes' vote on Senate Bill 778."

Speaker Hannig: "Record also will reflect your intentions. Mr. Clerk, read the Agreed Resolutions."

Clerk Bolin: "Agreed Resolution. House Resolution 516, offered by Representative Phelps."

Speaker Hannig: "So Representative Phelps moves for the adoption of the Agreed Resolution. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Agreed Resolution is adopted. Representative Brady, you're recognized for an announcement. Is that correct?"

Brady: "Thank you, Mr. Speaker. Upon adjournment, the Republicans will caucus in Room 118. When we leave the floor here, the Republicans will caucus in Room 118. Thank you."

Speaker Hannig: "And let me advise the Democratic Members that we will caucus, the Democrats will caucus in Room 114. So the Republicans are in Room 118, the Democrats in 114, the regular meeting places, immediately after adjournment. Is there any announcements? Okay, so Representative Currie now moves that allowing perfunctory time for the Clerk, that the

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House stand adjourned until Thursday June 7, at the hour of 8:30 a.m., 8:30 a.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted. And the House stands adjourned."