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90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
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Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. So, again, if the Members could be in their chairs, the House could come to order. We're going to have a special invocation and singing of the National Anthem today. And we're very pleased to have with us the Lincoln Way Community High School Madrigal Singers who will sing the National Anthem and the invocation today. The Madrigal singers are from New Lenox and they are the guests of Representative Renee Kosel. The guests in the gallery may wish to rise and join us for the invocation."

Madrigal Singers: (National Anthem)

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

Johnson, Tom - 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. Please let the record show that there are no excused House Democrats today."

Speaker Madigan: "Mr. Cross."

Cross: "Thank you, Mr. Speaker. Representative Stephens is excused today."

Speaker Madigan: "Let the record reflect the excused absence of Representative Stephens. Mr. Clerk, take the record. There being 117 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Larry Woolard, Chairman from the Committee on Agriculture and Conservation for which the following measures were referred, action taken on March 18, 1998, reported the same back with the

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following recommendations: 'do pass' short debate House Bill 3068, House Bill 3128, and House Bill 3363. 'Do pass' as amended, short debate, House Bill 3129. Representative Carol Ronen, Chairman from the Committee on Children and Youth, to which the following Bill was referred, action taken on March 18, 1998, reported the same back with the following recommendation: 'Do pass' short debate, House Bill 2583. Representative Frank Mautino, Chairman from the Committee on Insurance, to which the following Bills were referred, action taken on March 18, 1998, reported the same back with the following recommendations: 'do pass' short debate, House Bill 3016; 'do pass' as amended, short debate, House Bill 2860 and House Bill 3464. Representative Robert Bugielski, Chairman from the Committee on Financial Institutions, to which the following Bills were referred, action taken on March 18, 1988, reported the same back with the following recommendations: 'do pass' short debate, House Bill 3135, House Bill 3235, and House Bill 3472. Representative Mary Flowers, Chairman from the Committee on Health Care Availability and Access to which the following Bills were referred, action taken on March 18, 1998, reported the same back with the following recommendations: 'do pass' short debate, House Bill 3339; 'do pass' as amended, short debate, House Bill 2645; 'do pass' as amended, standard debate, House Bill 3265. Representative Jay Hoffman, Chairman from the Committee on Transportation of Motor Vehicles, for which the following Bills were referred, action taken on March 18, 1998, reported the same back with the following recommendations: 'do pass' short debate, House Bill 2307, House Bill 2510, House Bill 2633, House Bill 2746, House Bill 2885, House Bill 3236, House Bill 3292, and House Bill 3374 and House

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Bill 3403. Introduction and First Reading of House Bills. House Bill 3877, offered by Representative Monique Davis, a Bill for an Act to amend the School Code by repealing certain Sections. House Bill 3878, offered by Representative Hartke, a Bill for an Act in relation to the construction and operation of large law firm facilities. First Reading of these House Bills. Introduction and First Reading of Senate Bills. Senate Bill 1207, offered by Representative Cross. A Bill for an Act to amend the Counties Code. First Reading of this Senate Bill. Committee Notice. The House Rules Committee will meet at 12:30 in the Speaker's Conference Room. The House Rules Committee will meet at 12:30 in the Speaker's Conference Room."

Speaker Madigan: "On page 5 of the Calendar, on the Order of House Bills - Third Reading, there appears House Bill 2716. The Clerk advises the Chair that this Bill was placed on the Order of Third Reading yesterday and that it should have been left on the Order of Second Reading. So the Bill, House Bill 2716, shall be placed on the Order of Second Reading. On the Order of House Bills - Second Reading, there appears House Bill 1072. Mr. Wirsing, did you wish to move your Bill, 1072? Thank you. On the Order of House Bills - Second Reading, there appears House Bill 2367, Representative Clayton. Representative Clayton. Did you wish to move your Bill?"

Clayton: "No, I wish to hold it on Second Reading for the Amendment."

Speaker Madigan: "Leave the Bill on Second Reading. House Bill 2369, Representative Coulson. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2369, a Bill for an Act concerning international commercial arbitration. Second Reading of

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this House Bill. Amendment #1 was adopted in committee.

No Motions have been filed. No Floor Amendments."

Speaker Madigan: "Third Reading. House Bill 2373, Representative Lindner. Representative Lindner. House Bill 2445, Representative Saviano. Is Mr. Saviano in the chamber? House Bill 2447, Representative Deuchler. Pass? Okay. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2447, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Madigan: "Third Reading. House Bill 2509, Representative Meyer. Mr. Meyer. Is Mr. Meyer in the chamber? Mr. Meyer, you do not wish to call the Bill? House Bill 2557, Mr. Beaubien. Mr. Beaubien."

Beaubien: "Hold on Second Reading for an Amendment."

Speaker Madigan: "Thank you. House Bill 2581, Mr. McGuire, do you wish to move your Bill? Mr. McGuire. Is Mr. McGuire in the chamber? Mr. Saviano, do you wish to move your Bill? It's 2545, Mr. Saviano. Mr. Clerk, on 2445, read the Bill."

Clerk Rossi: "House Bill 2445, a Bill for an Act concerning school psychologists. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Saviano, there's a 2590, Physical Therapy Act. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2590, a Bill for an Act to amend the Illinois Physical Therapy Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Yea, Mr. Clerk, leave the Bill on Second

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Reading. Representative Kosel. Representative Kosel.
Representative Brunsvold, do you wish to move House Bill
2721? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2721, a Bill for an Act to amend the
Wildlife Code. Second Reading of this House Bill. No
Committee Amendments. No Floor Amendments. No Motions
filed."

Speaker Madigan: "Mr. Clerk, leave the Bill on Second Reading.
On page 4 of the Calendar, on the Order of House Bills -
Third Reading, there appears House Bill 21, Mr. Granberg.
Is Mr. Granberg in the chamber? House Bill 349,
Representative Lindner. Is Representative Lindner in the
chamber? House Bill 2295, Mr. Novak. Is Mr. Novak in the
chamber? Mr. Novak, do you wish to call your Bill? Mr.
Clerk, read the Bill."

Clerk Rossi: "House Bill 2295, a Bill for an Act to amend the
Downstate Public Transportation Act. Third Reading of this
House Bill."

Speaker Madigan: "Mr. Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. House Bill 2295 amends the Downstate Transportation
Act by removing the 10% cap that is currently in place.
Let me just explain essentially what this Bill does. It
helps out the newly, fledgling Kankakee Transit District.
In the City of Kankakee, the mayor has started a transit
system just within the city limits of Kankakee within the
surrounding communities that are contiguous, communities
that I live in such as Bradley and Bourbonnais and Aroma
Park. They are under consideration right now, with the
strong possibility that more communities may join this
transit system. So the Illinois Department of
Transportation has given us language; they are in support

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of the Bill. And this does not take any dollars away from any existing downstate transportation system that is currently being funded by IDOT. I'd be more than happy to entertain any questions."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. The Chair recognizes Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, I'm not sure how many people heard you, and I think it's very important that we make sure they understand that what you are doing does not have an adverse impact on anyone else's mass transit district. You may want to reiterate that."

Novak: "Yes. Mr. Speaker. Mr. Speaker, could we have some order, please? Yes, Representative Black, that is correct. This Bill specifically takes the cap off just for the Kankakee Transit System, and there's not one dime comes from any other transit systems that are currently in operation in the State of Illinois."

Black: "Representative, some questions have come up about why we're eliminating or getting away from that 10% cap. As I recall our earlier discussion, it's simply to catch you up since you are a relatively new transit district. Is that correct?"

Novak: "Representative Black, you are correct. The transit system started about two years ago. Although we did change the law in 1989, a transit system never was put together and now, more people are sitting down at the table and considering expanding it with the neighboring communities, and you are correct."

Black: "Thank you very much for your forthright answers,

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Representative. I stand in support of your Bill. It's a reasonable Bill that many of us have benefited from, and as I will be reminding you in the months ahead, Kankakee is a downstate city. Keep that in mind. You're going to hear that in the months ahead. Kankakee is a downstate city."

Novak: "You are right."

Black: "I rise in full support of the great City of Kankakee."

Speaker Madigan: "Mr. Novak to close."

Novak: "Yes, thank you, Mr. Speaker, and thank you, Representative Black. Kankakee is a downstate city and Kankakee for everyone's information, the metropolitan area is the only metropolitan area in the entire state that does not have a transit system. So, this Bill takes the cap off to allow them to receive more funding from IDOT. IDOT and the Governor's Office are in support, and I ask my colleagues to join me in voting for House Bill 2295. Thank you very much."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. This is a Third Reading Roll Call. This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'aye', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2297. Representative Lindner. Is Representative Lindner in the chamber? House Bill 2315. Representative Noland. Mr. Noland. Is Mr. Noland in the chamber? Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2315, a Bill for an Act to amend the Uniform Disposition of Unclaimed Property Act. Third Reading of this House Bill."

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Speaker Madigan: "Mr. Noland."

Noland: "Thank you, Speaker. House Bill 2315 is an initiative that Representative Hartke and I are working on. What it essentially does, it allows unclaimed dividends, patch these dividends from Ag cooperatives that are presumed abandoned to be returned to the cooperative instead of being claimed as an unclaimed asset."

Speaker Madigan: "Mr. Noland."

Noland: "I have addressed the Bill."

Speaker Madigan: "You've spoken to the Bill?"

Noland: "Yes, I have."

Speaker Madigan: "Okay. The Gentleman has moved for the passage of the Bill. Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, can you tell me what... are there any other exclusions in the Unclaimed Property Act at the present time? Any other entities or individuals or businesses that do not have to comply with the current Unclaimed Property Act?"

Noland: "Mr. Black, there are. There's one other, and that's in reference to electric cooperatives or telephone cooperatives. So what we are doing is allowing agricultural cooperatives to be on the same standing as electrical or telephone cooperatives."

Black: "Do you have any estimate of potential revenue loss should your Bill become law?"

Noland: "Yes, I do. It's minimal; however, Growmark, the large farm supply cooperative in Bloomington, has 60% of all the cooperatives in the state. So Growmark is the majority cooperative in the state. They estimate that over three

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years, the average unclaimed asset would have been \$50,000 per year. Now, if they are 60% of the total, another 40%, so we're looking at maybe \$75,000 annually. We feel that the paperwork and the staff time and the effort to return that money is... and for Department of Financial Institutions to work with that, doesn't make sense. The money should stay in the local cooperative, in the membership hands to build up that cooperative in the local communities."

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

Speaker Madigan: "Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker. I stand in support of this legislation. As Mr. Noland said, this is a minor problem for the agency; however, it's a major problem for the co-ops to go through the paperwork and so forth. So I stand in support of this piece of legislation, and I think it's only in fairness that the dividends and patronage that was meant for the co-ops stay with that co-op, for that was its intent originally as the money was invested, and I think it should stay there. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Hannig: "Yes, Representative, will this have a cost to the State of Illinois?"

Noland: "Yes, it will. To Mr. Black's question, I estimated that Growmark thought it would cost \$50,000 a year over the last three years, \$50,000 per year. They comprise 60% of the agricultural cooperatives in the state, so I'm estimating the cost will be around \$75,000."

Hannig: "Okay. Thank you, Representative."

Speaker Madigan: "The Chair recognizes the Clerk for an

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announcement."

Clerk Bolin: "Attention Members, the Rules Committee will meet immediately in the Speaker's Conference Room. The Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Madigan: "Mr. Tenhouse."

Tenhouse: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Madigan: "The Sponsor yields."

Tenhouse: "Representative Noland, I had a couple of questions. First of all, have you ever worked with the Unclaimed Property Act?"

Noland: "Annually, they send us a whole listing of people whose... who have assets that haven't been claimed, and so I've attempted in the past to send letters to the people. Generally, generally, they can't find them, so that's why it's unclaimed."

Tenhouse: "Do you know what currently takes place as far as company is concerned? Let's say you have checks that are outstanding, you have to search out to find out who actually is the owner of the check. I guess my real question to cut to the chase here is, what incentive would there be for these cooperatives to see that those patronage refunds are returned to the members?"

Noland: "That's a good question. The incentive is, these are member-owned cooperatives. The members on the board of directors are the cooperative, and so if they don't know whose estate it is and how to find grandma's heirs or grandpa's heirs, nobody will. So, I think a local cooperative in an area, they will know, they will know how to find Johnny or Susie easier than anyone. And if the local cooperative doesn't know, the State of Illinois sure

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won't find out."

Tenhouse: "But to play Devil's advocate here, Representative Noland, what happens if you're sitting with \$50,000 in unclaimed patronage dividends, what incentive is there for you to go out and really try to find those folks as opposed to turn it back? And what I'm saying is at present times, the co-ops, like all companies are pretty aggressive in trying to see that those dollars are returned to the members, as opposed to sending those dollars into Springfield."

Noland: "Well, I have not heard a hue and cry from the electric co-ops or from the telephone co-ops, and this is... we're doing the same thing for them. So I guess if there was some... If there was an issue about poor business practices or somebody being bilked out of their rightful asset, I think we would have heard that. I don't believe that would happen, but then again, Mr. Tenhouse, anything can happen. Last year, the Growmark system only had \$50,000 for over 140 cooperatives. So we're looking at maybe \$350 per cooperative. So we're talking about a little amount of money, but I know it's still in total a considerable size of money."

Tenhouse: "But again, Representative, one of the reasons they only turned back \$50,000 is because they had the incentive to go out and search out those members. Now, why would that incentive continue to exist if they know that those dollars are not going to be turned back to Springfield?"

Noland: "Well, the board of directors, again, are local people and they have good names, good reputations. And I can't imagine a farmer-owned co-op, seven or nine local farmers, trying to cheat grandmother out of a \$300 check. I mean, that just doesn't happen in rural America. Now, yes, there

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might be an isolated case, but that rarely happens. Again, what you're asking is the same question we could ask of electric co-ops and the telephone co-ops, and that has not happened."

Tenhouse: "Thank you, Representative."

Speaker Madigan: "Is there any further discussion? There being no further discussion, Mr. Noland to close."

Noland: "I appreciate the interest in this Bill and the good questions, and I thank you for your support of House Bill 2315."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. This is a Third Reading Roll Call. Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 108 people voting 'aye', 9 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Poe for the purpose of an announcement. Mr. Poe."

Poe: "Yea, Mr. Speaker, I would like to introduce the Williamsville-Sherman Junior High class up in the gallery."

Speaker Madigan: "Mr. Capparelli, do you wish to call House Bill 2385? For what purpose does Mr. Mitchell seek recognition? Mr. Mitchell."

Mitchell: "Thank you, Mr. Speaker. I would just like to advise the chamber that the Republican side of the aisle is being served by ten members of the Lee County Young Republicans as pages today. They're down here enjoying the day along with their sponsors, Mr. Dan Fish and Mr. Charlie Thomas. Thank you."

Speaker Madigan: "Representative Kosel, do you wish to call House

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Bill 2411? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2411, a Bill for an Act relating to education funding. Third Reading of this House Bill."

Kosel: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This Bill takes the hold harmless provision of House Bill 452 and rolls it into the continual appropriation of that Bill, thus stating that no school district will receive less dollars this year than they did the previous year."

Speaker Madigan: "The Lady has moved for the passage of the Bill. Is there any discussion? Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Yes, Representative, would you be willing to accept an Amendment that I have and if we could amend the Bill on its face?"

Kosel: "I would have to see what the Amendment was, Sir."

Black: "Well, it just says that all school districts will receive no less money, but those in my district could receive more money. Would that be all right?"

Kosel: "As long as you include all districts and actually the Bill is like that already, Representative."

Black: "Oh, I... in other words, it looks like you're going to make me go through the Rules Committee and all of that, huh?"

Kosel: "Yes, Sir."

Black: "Well, all right. It's still a pretty good Bill. Thank you."

Kosel: "Thank you."

Speaker Madigan: "Mr. Skinner."

Skinner: "I wonder if the Lady could tell us if this means that

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the teeny, tiny school districts downstate, whose constituent families are moving to my districts will get the same amount of money instead of my district getting more money?"

Kosel: "This will mean that no school district will receive less money than they did in the previous year. What this does, Representative Skinner, is it nails the top and then it allows us, as a state, through the... through the foundation level to start racheting up the bottom. So that no longer will your school districts from your district be able to say, 'I have less dollars this year than I did the year before.'. And I know you've said that in the past, Sir."

Skinner: "Well, fortunately, none of the school districts in my district got less money, but there was one in McHenry County that did. Thank you."

Kosel: "You're welcome."

Speaker Madigan: "Mr. Moore."

Moore, E.: "Mr. Speaker, I rise in support of House Bill 2411, certainly an excellent piece of legislation, done by our co-person over there on the other side of the aisle as appreciate this Bill. Certainly it's going to surely hurt some of our communities that this Bill is not actually supported, and I support it 100% for providing for Oak Park Township. So make sure we all put up 118 votes on this Bill. Thank you very much."

Speaker Madigan: "Mr. Novak."

Novak: "Yes, thank you, Mr. Speaker. Will the Lady yield?"

Speaker Madigan: "The Sponsor yields."

Novak: "Yes, Representative Kosel, I know this is continuing the hold harmless for three years, which is the life of the so-called Funding Reform Bill that we passed last year."

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Will this require an appropriation, an annual appropriation?"

Kosel: "This particular Bill only puts it as a continuing appropriation for three years. The funding is still there."

Novak: "I'm sorry, Representative, I can't hear you."

Kosel: "This onl..."

Madigan: "Could the Members give their attention to Representative Kosel?"

Kosel: "This Bill... This Bill would fund it as a continuing appropriation for three years. The funding after three years would be subject to the appropriation. It rolls it into the continuing appropriation part of 452, which will be addressed after three years. If this works, I will be out there very strenuously supporting a continuation of this."

Novak: "Okay, so what we're saying, that since it's going to go into continuing appropriation, it's just like our obligations to pension payments in the state. It just comes... Every year that money for this hold harmless comes right off the top and it's dedicated."

Kosel: "That's correct. That's correct."

Novak: "Okay. Now, this is for high school districts or for all school districts?"

Kosel: "All school districts throughout the state from border to border."

Novak: "...that are affected by this? Okay, now the big question is, Representative, what do we do after three years?"

Kosel: "After three years, if this is working, then you and I will sit down and make sure that it goes on."

Novak: "Well, I mean, I understand that, but the life of the entire program is for three years. What do we do after

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three years? Do we go back to the table and start all over again?"

Kosel: "There's many provisions in that Bill that are ongoing. It's just after three years, there's some provisions that have to be re-evaluated. This particular continuing appropriation would have to be re-evaluated, not the hold harmless in itself. The hold harmless is for subsequent years and so it would go on. Only the continuing approp would have to be re-evaluated."

Novak: "Thank you, Representative. I'm not standing opposed to the Bill. I'm sure there isn't anybody opposed to the Bill on the floor, but we need to get this passed so to make sure that we can at least say to those high school districts and school districts that didn't get one red cent under House Bill 452 or even stood to lose hundreds of thousands of dollars annually, at least this is going to put a stop to that for a temporary moment. So I support the Bill. Thank you."

Kosel: "Thank you."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of House Bill 2411. This is an excellent concept. Many of us who voted for the Education Funding Reform that we passed, said at the time that there were significant flaws in that Bill. One of the flaws was that the money for schools was only going to be guaranteed for three years. So I think the Lady has an excellent approach here. We need to continue that hold harmless for as long as we can possibly do it; otherwise the reform package that we passed won't really have the teeth we desired. So I would recommend 'aye' votes."

Kosel: "Thank you much. I appreciate your support,

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Representative."

Speaker Madigan: "Is there any further discussion? There being no further discussion, Representative Kosel to close."

Kosel: "I would ask for a favorable consideration of this Bill."

Speaker Madigan: "The Lady has moved for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all... Have all voted who wish? Have all voted who wish? Have all... Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'aye', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. It is the great pleasure of the Chair to represent a former... to introduce a former State Representative, former Representative Myron Kulas. House Bill 2424. Mr. Holbrook. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2424, a Bill for an Act concerning township officials. Third Reading of this House Bill."

Speaker Madigan: "Mr. Holbrook."

Holbrook: "Thank you, Mr. Speaker. Mr. Speaker, House Bill 2424 is an initiative of the township officials. I know of no opposition to the Bill. It allows political affiliation to be established by party caucus. It cleans up some language where there is conflicting amounts on population for township officials on who's eligible for office, and it changes the time of filling the vacancy from 60 to 120 days. I'd be willing to take any questions on it. I know of no opposition to the Bill."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'.

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'aye', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2446. Mr. Brady. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2446, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Madigan: "Mr. Brady."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2446 is an attempt to bring some sense to the statutes. Recently, the Supreme Court ruled that an individual who was violating an order of protection did not qualify for the home invasion statute if they had a position or interest to that property. They did that due to differing times in which when we enacted these laws. This clarifies that an individual who is under an order of protection not to visit a property would, in fact, be eligible for a violation under the home invasion statute in such a manner. I ask for your favorable vote."

Speaker Madigan: "Mr. Cross."

Cross: "Thank you, Mr. Speaker. Will the Sponsor yield for just a couple questions?"

Speaker Madigan: "The Sponsor yields."

Cross: "Representative Brady, I'm looking through this statute and I just want to make sure that we clarify some things. Does this, in fact, amend Section 71 of the Criminal Code?"

Brady: "No."

Cross: "Is it at least close to Section 71?"

Brady: "Representative, I suggest you look closer to the statute and come more prepared to the House Floor to deal with the

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business of the House."

Cross: "Well, thank you, Mr. Brady. I think it's time to pass this Bill and all of us go have a cup of tea. Thank you."

Speaker Madigan: "Mr. Brady to close."

Brady: "I ask for your favorable support."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. 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 117 people voting 'aye', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2474, Mr. Leitch. Mr. Leitch. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2474, a Bill for an Act to amend the Uniform Commercial Code. Third Reading of this House Bill."

Leitch: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2474 is the same as House Bill 192, which passed out of here 115 votes to nothing last Session, but stalled in the Senate. This is a very important Bill because unbeknownst to probably most of you, if not all of you, when the Uniform Commercial Code was... reform was enacted several years ago, the provisions of that Bill had the effect of putting the units of government, including school districts, behind the FDIC in the event of a bank default. The only reason this hasn't shown up is because a bank in Illinois has not defaulted. In my view, it is very important to put this Bill on the books and restore the position of the units of government, school districts and others in the event of a default, and

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I'd ask for your support."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'aye', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2492, Mr. Moffitt. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2492, a Bill for an Act to amend the School Construction Law. Third Reading of this House Bill."

Speaker Madigan: "Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2492 would eliminate the enrollment requirement for eligibility for school construction project grants. Back about 20 years ago, there was a construction project grant, and there was an enrollment limit of 830 in a unit district, and there were 324 school districts that were eliminated. With the current one, with the 400 enrollment, there are 130 that are eliminated. This simply says that enrollment should not be a requirement, that all students in the State of Illinois should be entitled to the same opportunities as far as a building."

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

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take the record. On this question, there are 115 people voting 'aye', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2533, Mr. Bost. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2533, a Bill for an Act in relation to economic development. Third Reading of this House Bill."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. House Bill 2533 provides that the Department of Commerce and Community Affairs in its discretion may establish a grant program for matched economic development grants that will authorize... It will be subject to appropriation by the General Assembly for the Economic Development Matching Grant Funds, easy for me to say, a special fund created by the State Treasury to nonprofit organizations and local units of government whose primary objectives are to promote Illinois communities as sites for industrial and business location and expansion. It provides that the application proposed project must have a definite impact on businesses and industries attraction, recruiting and retention. Provides the factors to be considered in choosing grant recipients and provides that the state grant dollars shall be evenly matched by the applicant. It provides that money appropriated to the program for a grant shall be deposited in the Economic Development Match Grant Fund, and it shall not lapse... And it shall not lapse into the General Revenue Fund at the end of the fiscal year. Provides that these grants shall be in addition to any other grants that are currently in existence. I'd be glad to answer any questions."

Speaker Madigan: "Mr. Dart."

Dart: "Will the Sponsor yield?"

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Speaker Madigan: "The Sponsor yields."

Dart: "Representative, we talked about this Bill in committee, and there was a great deal of concern that was made about whether or not this was going to be adverse to urban areas. Can you give me your intent on that issue as far as...?"

Bost: "Yes, Representative Dart, thank you for asking because it is not the intent of this legislation to negatively affect anyone. The requirements are that there will be joint agreements between local governments, so they can come together and work well for everybody."

Dart: "Okay, but what we talked about earlier was the fact that a single municipality may be adversely affected because they would be required to work with other people as well. This in no way is an attempt to do that, is it?"

Bost: "No, it is not. It is the intent, for instance, if we're talking about the City of Chicago, it would be... the city could work with their other governments, whether it's the township government or whichever smaller government that is located inside the City of Chicago, just so everybody is involved together to do something that is beneficial for the entire region."

Dart: "Okay, and what is the funding source of this again?"

Bost: "The funding source is a new fund that will be created, and then it will be subject to appropriation. Naturally, like anything we do, but this does create a special fund... Hold on just a moment here. A Development Matching Grant Program Fund, and then they will be subject to the appropriation."

Dart: "And, as of right now, there is no money set aside for this?"

Bost: "As of right now, there is no money set aside. It is my intention to aggressively lobby and support and hopefully

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get everyone's support on putting about \$500,000 in there.

So we'll have about a million dollars in there."

Dart: "Okay, and you don't have an appropriation Bill for this at this point?"

Bost: "Not at this point. No, we're working on that."

Dart: "Okay. Thank you."

Speaker Madigan: "Is there further discussion? There being no further discussion, Mr. Bost to close."

Bost: "Thank you, Mr. Speaker, Members of the House. I think this Bill, basically, what it'll do, it'll allow many areas around the state to aggressively go out and seek new industry here in the state, and I'd appreciate your 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'aye', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 7 of the Calendar, on the Order of Motions, there appears a Motion by Representative Currie. For what purpose does Mr. Mautino seek recognition?"

Mautino: "Thank you, Mr. Speaker. For purpose of an announcement."

Speaker Madigan: "Mr. Mautino."

Mautino: "The Insurance Committee was scheduled to meet at 6:30 tonight for a recessed committee hearing. That's to be cancelled. So, we will not be meeting in Room 114 at 6:30 for the Members of the Insurance Committee."

Speaker Madigan: "Thank you. Representative Currie on a Motion."

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Currie: "Actually, Speaker, if I might, I would first like to make a Motion with respect to House Bills 3844 and 2857, and that Motion would be to suspend Rule 58 so that those Bills might be heard before the committee deadline this week, and that would mean that House Bill 3844 would be heard in Judiciary II and House Bill 2857 in Judiciary I. I've checked the Motion with the other side of the aisle, and as far as I know, there is no opposition."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Yes, I... Representative, I'm not sure I understand why this is necessary. Did the committee, in fact, meet and discuss this Bill?"

Currie: "Representative, the Motion I'm currently making is not the one on the board. It is the Motion to suspend posting requirements so that House Bills 3844 and 2857 might be heard in committee this week."

Black: "Yes, and ...that I... Obviously, the Clerk is not paying attention today. He's more concerned about his architectural work on his new office, which we will discuss at a later time. But on that Motion to discharge and send to committee, you and I have talked about that, and I appreciate your willingness to work with us, and we stand in full support of that Motion."

Speaker Madigan: "The Lady has moved to suspend the posting requirements for two Bills. Mr. Black has risen in support of the Motion. Is there leave? Leave is granted. The posting requirements are suspended for those two Bills. Representative Currie."

Currie: "Thank you, Speaker. Now, I would move..."

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Speaker Madigan: "We're a little slow, we'll get there."

Representative Currie on House Bill 3833."

Currie: "Thank you, Speaker. Now, I would move to discharge the House Committee on Judicial, downstate Judicial Reapportionment, from further consideration, from any consideration, of House Bill 3833. I make this Motion because on this bipartisan committee, it is impossible to report a Bill to the floor because we lack any Republican Members. So, that's the reason for making the Motion, and I'd be happy to answer your questions, and I hope that everyone will join with me in moving forward to see to it that downstate Appellate Judicial Districts are closer in population and in caseload than they are today."

Speaker Madigan: "Mr. Black."

Black: "Yes, thank you very much. Now, I think we have the right Motion on the board. And would the Sponsor be kind enough to yield?"

Speaker Madigan: "Mr. Black."

Black: "Yes, will the Sponsor yield? Now that we have the right message on the board, congratulations, Mr. Clerk, better late than never."

Speaker Madigan: "The Sponsor yields."

Black: "Thank you. Representative, I thought judicial redistricting was dead. The Supreme Court said we couldn't do that because Cook County is a nation unto itself. So, what's the point of this?"

Currie: "The Supreme Court said that the Constitution requires a single judicial district in Cook County. The Supreme Court did not in any way discourage us from accepting our responsibility to see to it that the four other judicial districts are substantially similar in population. That responsibility we have failed to address. And this

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committee was established totally bipartisan, five Members from the House Democrats, five Members from the House Republicans, in order to devise a new map that would meet that requirement. But the Republicans have failed to make appointments."

Black: "Okay, let me digress just a moment then for my own edification..."

Currie: "I think you have to speak to the Motion. I don't think digressions are permitted on the House Floor."

Black: "Oh, darn. Why couldn't this have been reported out of committee? You had a quorum, didn't you?"

Currie: "We are unable to achieve a quorum. A quorum would be six Members and we only have five Members appointed to the committee since your superior chose not to make any appointments at all."

Black: "Okay. Well, thank you very much, Representative. Mr. Speaker, to the Motion before us, if I might? This is a very complex issue that the Supreme Court recently addressed in one of the more brilliant decisions that I've had the pleasure of reading in many a year. I thought the one man, one vote doctrine was statewide, but evidently that's not true when you redistrict a judicial map for the Supreme Court. Therefore, Mr. Speaker, I would move that we have a... and I'm joined by the requisite number of colleagues on my side of the aisle, in requesting a Roll Call vote on this Motion to discharge committee from a very, very complex and complicated Bill. I would request a Roll Call on that, and we'll seek a verification should it get the requisite number."

Speaker Madigan: "The Lady has moved to discharge the committee from further consideration of the Bill. On that question, those in favor signify by voting 'aye'; those opposed by

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voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Mr. Clerk, take the record. And on this question, there are 60 'ayes' and 57 'noes'. Mr. Black. Mr. Black."

Black: "Yes, thank you, Mr. Speaker. Representative Santiago. Oh, has he been replaced?"

Speaker Madigan: "Mr. Santiago..."

Black: "Yes."

Speaker Madigan: "...is no longer a Member."

Black: "Boy, I tell you, you take a couple of weeks off and things really happen."

Speaker Madigan: "I told you, it's not the same around here without you."

Black: "Well, what else have I missed? Representative Bradford?"

Speaker Madigan: "Granberg is in a dark blue shirt with a gold tie."

Black: "Oh, I saw Representative Kulas, earlier. Has he left the chamber?"

Speaker Madigan: "He said that he wanted to have a meeting with you."

Black: "By the way, he looks good. He looks like Colonel Sanders. Is he in the chicken business today or what? Yes, well, back to the business at hand, now that I'm caught up. Is Representative Mautino in the chamber?"

Speaker Madigan: "Mr. Mautino. The Gentleman's in the rear of the chamber, Mr. Black. And Mr. Black."

Black: "Yes."

Speaker Madigan: "Would you confirm Mr. Lang?"

Black: "Representative, I'm sorry, what was the name?"

Speaker Madigan: "Lang."

Black: "Oh, he's been here a while, yes. Representative

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Brunsvold.

Speaker Madigan: "Mr. Brunsvold. Mr. Brunsvold. Mr. Brunsvold. Mr. Turner, are you seeking recognition? Mr. Turner. Mr. Turner. Would you turn on Mr. Turner?"

Turner, J.: "Turn me on. May I have leave to be verified, Mr. Speaker?"

Speaker Madigan: "Mr. Black."

Black: "Yes, by all means, if he hurries."

Speaker Madigan: "Right, leave. Mr. Brunsvold."

Black: "Mr. Speaker, even on Jeopardy there's a time limit, you know."

Speaker Madigan: "Your point is well-taken. Has anyone seen Mr. Brunsvold?"

Black: "Mr. Speaker, I did see a truck hauling some hogs to market about an hour ago. Was he on that? We could do this tomorrow."

Speaker Madigan: "Mr. Boland, for what purpose do you seek recognition?"

Boland: "I'm here."

Black: "You're not Representative Brunsvold."

Speaker Madigan: "For what purpose is Shirley Jones seeking recognition?"

Jones, S.: "Mr. Speaker, I had my hand up for half an hour, but Mr. Brunsvold is in the nurse's station. He should be here in a few minutes. He went to the nurse's station."

Speaker Madigan: "Thank you."

Black: "Yes, Mr. Speaker."

Speaker Madigan: "Yes, Sir. We have dispatched our own critical care nurse, Captain Clark, and when he reports back, if indeed Representative Brunsvold is in the nurse's office, we'll certainly withdraw his name. You have my absolute assurance on that, but we would like a second opinion."

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Taa-daa."

Speaker Madigan: "Mr. Brunsvold is in the chamber. Mr. Black, would you verify Mr. Pugh in the center aisle?"

Black: "Absolutely, by all means."

Speaker Madigan: "Mr. Black."

Black: "Yes?"

Speaker Madigan: "Further questions?"

Black: "Representative Morrow."

Speaker Madigan: "Charles Morrow. Yea, he is in the chamber."

Black: "He changed clothes. When I saw him earlier, he was not dressed that way. Excuse me. Is Representative Mautino in the chamber?"

Speaker Madigan: "I believe that Mr. Mautino was verified earlier."

Black: "Oh, that's correct. That's why he left. Representative Mike Smith."

Speaker Madigan: "Michael Smith is in his chair."

Black: "He's hidden behind Congresswoman Biggert's bouquet from Speaker Gingrich. I'm sorry. Is the... and I hate to do this, Mr. Speaker, but I'm obviously out of names. Is the Dean of the House in the chamber?"

Speaker Madigan: "Mr. Capparelli?"

Black: "Yes, I believe he is the Dean of the House. Now, if he had to go out for his afternoon ration of Ensure, I might withdraw that."

Speaker Madigan: "Mr. Capparelli. Mr. Black, would you verify Mr. Bugielski in the center aisle?"

Black: "Yes, he's..."

Speaker Madigan: "Been verified?"

Black: "He was next on our list. I'm very happy that he came in."

Speaker Madigan: "Mr. Capparelli is in the rear of the chamber."

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Black: "I see. My congratulations to you, Mr. Speaker. You've done an excellent job rounding up your troops."

Speaker Madigan: "Mr. Black, it's not easy."

Black: "I understand that, and it only took fifteen minutes."

Speaker Madigan: "Thank you for appreciating what I face."

Black: "Well, we have great empathy for you, Mr. Speaker."

Speaker Madigan: "There are 60 'ayes' and 57 'noes', and the Motion is adopted. The Chair recognizes Mr. Jay Hoffman for an announcement."

Hoffman, J.: "Thank you, Speaker. The House Transportation Committee will meet at six o'clock. It will meet at six o'clock. We only have one Bill, so if you're there promptly, we can get done and get our business over with. Thank you."

Speaker Madigan: "Mr. Tenhouse."

Tenhouse: "Thank you, Mr. Speaker. Would request a Republican Conference in Room 118 upon adjournment. It should take about forty-five minutes."

Speaker Madigan: "Mr. Dart, for the purpose of an announcement."

Dart: "Thank you, Mr. Speaker. I'd just like to announce that the recessed Judiciary Committee will be meeting at six o'clock on the floor of the House, and it also will be a quick meeting."

Speaker Madigan: "All right. The Chair is prepared to adjourn. Mr. Clerk, do you have anything further? For the purpose of an announcement, the Registration and Regulation Committee will meet on the House Floor at 1:30. The Regulation and Registration Committee will meet on the House Floor at 1:30. The Republicans are going to a Caucus. Is there anything further to come before the Body? Mr. Novak."

Novak: "Yes, Mr. Speaker, thank you. The Energy and Environment

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Committee will be meeting at 4:00 p.m. on the House Floor, 4:00 p.m. on the House Floor."

Speaker Madigan: "Is there anything further to come before the Body? The committees will be delayed until two o'clock. Mr. Clerk, would you read the list of the committees that will now meet at two o'clock."

Clerk Rossi: "The following committees will now meet at two o'clock. The Labor and Commerce Committee in Room 118. The Local Government Committee in D-1. The House Registration and Regulation Committee will meet on the House Floor. And the State Government Administration Committee will meet in C-1."

Speaker Madigan: "Any further announcements? Any further questions? Representative Currie moves that the House does stand adjourned until 2:00 p.m. tomorrow afternoon. Those in favor say 'aye'; those opposed say 'no'. The House does stand adjourned providing, Perfunctory time for the Clerk until tomorrow at two o'clock in the afternoon. Thank you."

Clerk Rossi: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following items were referred, action taken on March 19, 1998, reported the same back with the following recommendations: to the floor for consideration, Floor Amendment #2 to House Bill 1072, Floor Amendment #2 to House Bill 2326, Floor Amendment #2 to House Bill 2367, Floor Amendment #1 to House Bill 2385, Floor Amendment #1 to House Bill 2471, and Floor Amendment #2 to House Bill 2716. Representative Dan Burke, Chairman from the Committee on Executive, to which the following Bills were referred, action taken on March 19, 1998, reported the same back with the following recommendations: 'Do Pass' short

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debate: House Bill 2091, House Bill 2656, House Bill 2842, House Bill 3202, and House Bill 3564. 'Do Pass' as amended short debate: House Bill 2729, House Bill 2822, House Bill 3028, House Bill 3030, House Bill 3249, House Bill 3254, and House Bill 3771. 'Do Pass' standard debate: House Bill 109 and House Bill 196, House Bill 3095, House Bill 3519, House Bill 3527, House Bill 3528, and House Bill 3593. 'Do Pass' as amended standard debate: House Bill 2846. 'Be Adopted': Senate Joint Resolution 44 and Senate Joint Resolution Constitutional Amendment #15."

Clerk Bolin: "The House Perfunctory Session will come to order. Committee Reports. Representative Phelps, Chairman from the Committee on Elementary and Secondary Education, to which the following Bills, Amendments, Resolutions and/or Motions were referred, action taken on March 19, 1998, reported the same back with the following recommendations: 'Do Pass' short debate: House Bill 2614, House Bill 2616, House Bill 2732, and House Bill 2747, House Bill 2774, House Bill 2791, House Bill 2796, House Bill 2802, House Bill 2844, House Bill 3019, House Bill 3055, House Bill 3110, House Bill 3127, House Bill 3262, House Bill 3325, House Bill 3330, House Bill 3480, House Bill 3793, House Bill 3794, House Bill 3797, and House Joint Resolution 53. 'Do Pass' standard debate: House Bill 2485 and House Bill 3481. 'Do Pass' as amended short debate: House Bill 2493, House Bill 2560, House Bill 2637, House Bill 2887, and House Bill 3481. Representative Dart, Chairman from the Committee on Judiciary Civil Law, for which the following measures were referred, action taken on March 19, 1998, reported the same back with the following recommendations: 'Do Pass' short debate: House Bill 3048, House Bill 3395, House Bill 3579, House Bill 3790, and House Bill 3843. 'Do

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Pass' standard debate: House Bill 2564. 'Do Pass' as amended short debate: House Bill 2370, House Bill 2491, House Bill 3047, House Bill 3212, House Bill 3463, House Bill 3696, and House Bill 3778. Representative Pugh, Chairman from the Committee on Human Services, to which the following measures were referred, action taken on March 19, 1998, reported the same back with the following recommendations: 'Do Pass' short debate: House Bill 2478, House Bill 2986, House Bill 3069, House Bill 3428, House Bill 3431, House Bill 3435, and House Bill 3581. 'Do Pass' as amended short debate: House Bill 2624, House Bill 2818, House Bill 3387, House Bill 3379, House Bill 3386, House Bill 3446, House Bill 3447, and House Bill 3492. 'Do Pass' standard debate: House Bill 3559, House Bill 3636, and House Bill 3835. Having no further business, the House Perfunctory Session will stand adjourned. The House will reconvene in Regular Session Friday at 2:00 p.m."