

STATE OF ILLINOIS
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HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

38th Legislative Day

April 2, 2001

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Pastor Jul Medenblik of the New Life Christian Reform Church in New Lenox. Pastor Medenblik is the guest of Representative Kosel. In my brief conversation with the Pastor, he told me that he's a lifelong Cub fan. So, I presume he comes here today with a message of hope. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Medenblik: "For some of my parishioners would be angry with me that I also do sometimes vote... vote, should I say that in this place? I do sometimes root for the Sox as well, okay, so I'm bipartisan. And I'm glad God is, too. Let us pray. Dear God, another active week dawns before us. A week also that includes a number of places where there'll be referendums and voting. It reminds us that we are in the land of freedom, and for that we give thanks. We pray for wisdom and for these Representatives of freedom, for justice and mercy, we pray especially for wisdom. Quiet our hearts and minds before You as we pray to You. We pray to the Father in heaven who gives all good gifts. We pray that Your name be hallowed. We pray that Your Kingdom come and that Your will be done, on earth as it is in heaven. Give us today our daily bread and this day, heavenly Father, I pray especially for these Representatives, for their families and for their staff, who are like families at times, that You would encourage them and support them in their work. Lord, also forgive us. Forgive us our debts as we forgive those also, who've sinned against us. Lord, help us to have a spirit of cooperation and yet there also, obviously, as times of deep debate, but let us see past politics to see people at

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times. Lord, we thank You for the fact that as we stand together, that You our God, who desires to give us gifts, You have given us the gift of this country. You have given us the gift of freedom. And today, we once again, I stand as one of those who are represented by these people, and I thank You for their devotion to public service and may You help them and aid them in their work this day, and always.

In the name of Jesus, I pray, Amen."

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

Mautino - 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."

Currie: "Thank you, Speaker. Please let the record show that there are no excused absences among House Democrats today."

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show that these following Representatives are excused today. Representative Black, Representative Stephens, Representative Schmitz, and Representative Durkin."

Speaker Madigan: "Mr. Clerk, take the record. There being 106 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on April 2, 2001 reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendment #1 to House Bill 16, Floor Amendment #2 to House Bill 403, Floor Amendment #4 to House Bill 760, Floor

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Amendment #2 to House Bill 793, Floor Amendment #2 to House Bill 843, Floor Amendment #1 to House Bill 906, Floor Amendment #4 to House Bill 1081, Floor Amendment #1 to House Bill 1779, Floor Amendment #1 to House Bill 1901, Floor Amendment #1 to House Bill 1904, Floor Amendment #3 to House Bill 2056, Floor Amendment #1 to House Bill 2298, Floor Amendment #2 to House Bill 2303, Floor Amendment #1 to House Bill 2425, Floor Amendment #1 to House Bill 2427, Floor Amendment #2 to House Bill 3073, Floor Amendment #2 to House Bill 3080, Floor Amendment #1 to House Bill 3148, Floor Amendment #1 to House Bill 3149, Floor Amendment #2 to House Bill 3162, Floor Amendment #4 to House Bill 3247, Floor Amendment #1 to House Bill 3262, Floor Amendment #2 to House Bill 3353, Floor Amendment #1 to House Bill 3368, Floor Amendment #1 to House Bill 3392."

Speaker Madigan: "Mr. Righter, Dale Righter. Do you wish to call House Bill 3078? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3078, a Bill for an Act concerning freedom of information. Third Reading of this House Bill."

Speaker Madigan: "Mr. Righter."

Righter: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3078 is an Amendment to the Freedom of Information Act. Simply allow our constituents to access information regarding lawsuits to which public bodies and taxpayer-funded entities are a body. Amendment #1 restricted the scope of the Bill to allow the taxpayers to access only the monetary amounts that may have been expended or collected by the public body. And I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Andrea Moore."

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

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Speaker Madigan: "Sponsor yields."

Moore: "Thank you. Representative, could you give me just the main thrust of what the objection of all these local governments really is? Is this taxpayer money that is spent by these authorities? And what is their main purpose in objecting?"

Righter: "To my understanding, Representative Moore, their objection is, they simply, in certain instances, want to be able to enter into confidential agreements or settlements with regards to litigation or threatened litigation and not be able to have to turn that money... or turn that information over to a Freedom of Information Act request. I think it's that simple."

Moore: "And so, this would be subject to the normal of freedom of information request."

Righter: "Yes."

Moore: "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? This is a Third Reading Roll Call. This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question, there are 101 people voting 'yes', 3 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Fowler, did you wish to call House Bill 185? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 185, a Bill for an Act concerning public transportation. Third Reading of this House Bill."

Speaker Madigan: "Mr. Fowler."

Fowler: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 185 is a downstate transportation Bill."

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It expands the counties to participate in this and it also provides that the funds from IDOT can be collected on a monthly basis, rather than a quarterly, as it is now. This is identical to a Bill that passed out here, the last Session, 116 to 0, and it was not acted upon in the Senate. I'd be prepared to answer any questions you might have."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. This is a Third Reading Roll Call. Please record yourselves. Have all voted who wish? Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? The Clerk shall take the record. On this question, there are 102 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Hultgren, did you wish to call House Bill 3217? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3217, a Bill for an Act concerning property. Third Reading of this House Bill."

Hultgren: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. 3217 repeals the Responsible Property Transfer Act of 1988. This was an Act that was put in place back when there was very little understanding of environmental concerns and potential problems with land. We feel like, in the... since this time, since 1988, there's been significant improvement and understanding of what the risks and dangers are. We feel like this is duplicative. It's an expensive process and it's something that could be done away with and yet, there's still plenty of checks that are better able to address the concerns that were addressed back in 1988, now. So, I would ask for a... I'd be happy

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to answer any questions that any Members might have on this."

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

Hartke: "Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Hartke: "Representative, does this mean that any individual who had an underground tank and is now cleaned up and has a letter of no further remediation, means that they do not have to get another clearance and they file that report when they sell the land?"

Hultgren: "I'm not sure if I understand your question, but..."

Hartke: "Well, normally when a... an underground storage tank is cleaned out from a service station, they go through all kinds of tests and remediation and when they're finished cleaned up, why then the Environmental Protection Agency, I do believe, issues a certificate of no further remediation. Is that all that's needed now to file with the selling of the land?"

Hultgren: "That's my understanding. And it would still have to... there's other Acts that would have to still be qualified under... There's... we still feel like there's still plenty of check on this with local Solid Waste Disposal Act, Environmental Protection Act, Brownfields, CERCLA. So, those are still in place. And things that are already in process under this RPTA, I think is what it's been called, would still continue, but this is in the future. Really, my understanding is that it's... they had to go through and get this check. It was an expensive process and very few qualified under this RPTA any longer. So, I think you're exactly right that that would not... that would be the end of it, they wouldn't have to go any

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further than that."

Hartke: "Okay, thank you."

Speaker Madigan: "Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, who are you carrying this Bill for?"

Hultgren: "This was presented by the Illinois Chamber. They were one of the... they led the coalition of businesses back in 1988 when the original legislation was written, then they also had approached me with this legislation."

Parke: "Do you know if the realtors and homebuilders are involved in this, or do they have any position?"

Hultgren: "Yes, I do. There... it's just proponents, there's no opponents to it. But along with the Chamber of Commerce, the Illinois Association of Realtors, the Employment Law Council, and also the Consulting Engineers Council of Illinois are all supportive of it. And again, like I said, there was no opposition in committee and I have not heard of any opposition."

Parke: "Thank you very much."

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? Have all voted who wish? The Clerk shall take the record. On this question, there are 102 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Reitz. Mr. Reitz, did you wish to call House Bill 549? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 549, a Bill for an Act concerning counties. Third Reading of this House Bill."

Speaker Madigan: "Mr. Reitz."

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Reitz: "Thank you, Mr. Speaker. House Bill 549 provides that the state will pay two-thirds of the public defender's salary for counties. Public defenders do a tremendous amount of business for the state. We reimburse a number of other offices and I think it's only right that we provide funding to the counties for public defenders. And I'd be happy to answer any questions."

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

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

Speaker Madigan: "Sponsor yields."

Turner, J.: "Representative, how does this change existing law?"

Reitz: "Existing law? Is that what you said, John?"

Turner, J.: "Yes."

Reitz: "We currently provide no funding right now. And this will say that the state will provide 66 2/3% of that funding. In the original Amendment that we had in committee, we did take out that as public defender that is paid at least 90% of the state's attorneys salary currently, they are... they will be full-time public defenders if they made 90% of state's attorneys. We inadvertently took that out. We have... Amendment #2 corrected that and put a mechanism in to pay them."

Turner, J.: "Okay, as I understood your explanation, the answer to my question is that currently the state pays no part of a public defender's salary, but you lost me in that last part. Are you saying there is something in the Bill that sets a salary for a public defender or that that is no longer a part of the Bill?"

Reitz: "No, no, it does not... The county boards will still set the salary. The only thing we inadvertently... and I didn't know if your analysis was updated, we inadvertently

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changed a provision regarding the 90% rule and if they made 90% of the state's attorneys salary, they are full time. Amendment #2 clarified that. So, that is no change. The only change is that we'll provide 66 2/3 of the funding from the state."

Turner, J.: "Representative, you're saying current law requires that a public defender's salary is 90% of the state's attorneys salary?"

Reitz: "No, no. Let me clarify that. Current law is that if a public defender makes 90% of the state's attorneys salary, he will be full time. And all I'm saying is we inadvertently changed that in Amendment #1, we clarified that. So, we didn't change existing law. We have no say in setting the salaries. The counties will still set the salaries for public defenders."

Turner, J.: "Okay, if the county board set a public defender's salary at \$100 thousand, the Bill would say that the state would pick up \$66,666 of that, correct?"

Reitz: "Correct."

Turner, J.: "But we don't tell the counties what salary to set for their public defenders."

Reitz: "Correct."

Turner, J.: "Thank you."

Speaker Madigan: "This Bill is on the Order of Standard Debate. Mr. Reitz has presented the Bill. Mr. Turner has stood in response. The Chair recognizes Representative Garrett."

Garrett: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Garrett: "Representative Reitz, I have a question regarding the... who is going to pay... if the state is going to pick up the difference in the salary, or in the fee, who... where does that come from?"

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Reitz: "The money that the state pays?"

Garrett: "Right."

Reitz: "It'll come from the state treasurer."

Garrett: "Just from the state treasury. So, is there money allocated for this purpose?"

Reitz: "No."

Garrett: "So, I don't know. Would this be a fee increase or would... how would we allocate the funds for this? Would this be in a separate appropriation?"

Reitz: "It builds as we do with any stipend or any reimbursement from the state. We'll have to allocate that in our budget."

Garrett: "And what is your anticipated or projected cost for this program?"

Reitz: "The fiscal note that we received said the maximum reimbursement to counties for public defender's salary would be approximately 50 thousand for counties in population of 100 thousand to 500 thousand, and 32 thousand for counties with the population of 30 to 100 thousand, 25 thousand for them less than 30 thousand. So, it would really depend on what the public defenders in each county are paid before we could get a accurate figure on what the fiscal impact is."

Garrett: "So, there's no way to really determine right now what the total case... total cost to the state would be?"

Reitz: "No, that's correct."

Garrett: "I have no further questions. Thank you."

Speaker Madigan: "Ladies and Gentlemen, this Bill is on the Order of Standard Debate. Mr. Reitz has presented the Bill. There have been two people in response. The Chair recognizes Mr. Parke."

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

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Speaker Madigan: "Sponsor yields."

Parke: "Let me follow up to some questions that were asked by Representative Turner. What percentage of the state's attorney do we pay?"

Reitz: "I think it's two-thirds. I believe it's two-thirds. This Bill mirror... this should mirror that, is my understanding."

Parke: "Now, let me ask you, if this is actually setting the parameters of which they will be paid... isn't that... I mean, that's what you're trying ultimately, trying to do, is set parameters to how we're gonna pay 'em?"

Reitz: "No, not the amount that they're paid. It would simply say that the state will pick up two-thirds of that cost."

Parke: "Right, so..."

Reitz: "We don't touch at all what their salary will be."

Parke: "Right. And this is an increase, isn't it? I mean, this is higher than it is currently."

Reitz: "It's current... there's currently no reimbursement."

Parke: "Currently, say that one more time."

Reitz: "There is no reimbursement, I don't believe, at this time for public defender."

Parke: "So, now we're gonna have a reimbursement?"

Reitz: "Correct."

Parke: "And the taxpayers of the state are gonna pay that reimbursement?"

Reitz: "Correct."

Parke: "And currently, who's paying it now, the county?"

Reitz: "The county, yes."

Parke: "So, we're shifting the financial burden from the county of which these people are at, the public defenders, to the taxpayers of the state as a whole?"

Reitz: "Correct. I think we're actually... we're going to share

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the burden with the counties because of the amount of state work that the public defenders perform."

Parke: "Well, yeah, share it now, but currently it's nothing."

Reitz: "Correct."

Parke: "Okay, thank you. To the Bill, Mr. Speaker. I presume that this is something that's a good idea. I don't see any particular organization opposed to it. But let me just point out that this is something that the statewide taxpayers are gonna end up paying more money for. Even though the shifting the tax burden from one entity to another and they're setting the parameters of what to do it, I think you... they could stretch it a little bit and say that this, in fact, is an increase to the state taxpayers. So, I think you need to take a good look at this and make sure this is what you want to vote for."

Speaker Madigan: "Mr. Reitz to close."

Reitz: "Thank you, Mr. Speaker. I appreciate the questions. I think we have a responsibility as a state to help shift some of the burden from the total burden being on the counties to sharing that and have the state pay a portion. Public defenders do a tremendous amount of work. We've seen that. Hopefully, this will help raise the bar and allow good attorneys, well-qualified attorneys, to serve as public defenders. So, I'd appreciate your support."

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? 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 81 'yes', 19 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr.

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Boland, did you wish to call House Bill 1798? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1798, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Madigan: "Mr. Boland."

Boland: "Thank you, Mr. Speaker. House Bill 1798 corrects a situation we have currently in Illinois where it's more difficult to place an advisory question on the ballot than it is to place a proposed State Constitutional Amendment. So, this Bill would equalize the two requirements. We passed this Bill out of the House last year, and it did pass out of the Committee 11 to 0."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; 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 101 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Mautino, did you wish to call House Bill 800? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 800, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 800 deals with the question of expirations, who owns the expirations in the case of insurance policies. And expirations, that's what's commonly known as the information that's given to and compiled by insurance agents. And under the current law, there's nothing that addresses who has ownerships and the right to use those. What this will do is place that in the

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statute. And it's been a work in progress. We've had about five or six negotiated sessions with this. Amendment 2 became the Bill. I'd be happy to answer any questions. And I thank my cosponsors for working with us through all of the negotiations."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. 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 100 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hamos, did you wish to call House Bill 909? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 909, a Bill for an Act concerning procurement. Third Reading of this House Bill."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is the Illinois FIRST Job Opportunities Initiative, a Bill that we first called last year. Because it became very clear that when Illinois FIRST passed a \$12 billion construction program, that there were going to be a possibility of creating a great many jobs for people who are not necessarily destined for college or seeking, you know, white-collar jobs, but for people who really would like to enter the construction trades. And this Bill would allow... would provide for a mechanism by which construction jobs that are being made available under Illinois FIRST could be... can be posted on Illinois websites and to make sure that people who would like to apply for those jobs know where to go, where the projects are, when they start, and how to apply. And this Bill does

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not create any hiring goals. It really just opens up the possibility of job opportunities for people who don't know as much about how to get involved in the construction business, many of whom are women and minorities. And I'll be happy to answer any phone calls, I mean, any questions. Thank you."

Speaker Madigan: "The Lady 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: "Representative, how is this notice gonna be given to the construction industry or the State of Illinois to let people know that this is available?"

Hamos: "Thank you for asking that question. Because actually what this Bill does..."

Parke: "I'm happy to do that for you."

Hamos: "What this Bill does is, in fact, to create a mechanism by which this will be done in a very systematic way. What it says, is that contractors who receive a million dollars or more in Illinois FIRST funds at the time of the contracting will send over a form to the Illinois Department of Employment Security or to any office, I believe we said, or any office that the Governor designates. And that form really just provides for four things. One is the approximate number of apprenticeship and journey level hours that will be needed, the period of time during which the project will continue, the description and location of the construction project, and the procedures that need to be followed to apply. Then the Illinois Department of Employment Security takes that form and posts it on the website. None of this information has to be recreated by the contractor, since contractors already have all this

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information at the time that they bid for these \$1 million or more projects."

Parke: "Is there any penalty if someone doesn't do this?"

Hamos: "There is not a penalty written into this Bill, it is instead hoped that these are the business people who do work with the state, they would like to continue to do work with the state, and when asked to preform a fairly simple function, that they would do it."

Parke: "Do you have any idea how successful this might be?"

Hamos: "Well, I'm hoping it will be very successful, because I can tell you that right now it is very difficult for some people who would like to apply for these jobs to even find out where they are. So, we can only go up."

Parke: "Is there any built-in mechanism for reporting success with this or not having success? You know, we pass all these Bills but, you know, rarely do we ever find out whether or not it's successful."

Hamos: "Yes, the second part of the Bill, Mr. Parke, is requiring a monthly report. And again, this is not a new report, contractors already do it. We're trying to systematize the way that this form should be provided to the state... the report should be provided to the state. And it does require information on utilization in apprenticeships and journey level, especially of women and minorities."

Parke: "Okay, well, I'm gonna vote for this, but I wish it was... it had a sunset in it, so that we can get some kind of report at the end of three years, say, to find out whether or not this is successful. If this does not go in the Senate, I hope the next time you present it, that there is some form of a reporting mechanism to judge the effectiveness of this, so that if the... it's not achieving what we'd like to see happen, that there's another approach

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that you might use to alter it or change it. So, you might want to look at some sunset with a final report to see if there really is a success."

Hamos: "That's an excellent idea."

Parke: "Thank you."

Speaker Madigan: "Representative Hamos has presented the Bill. All right, Representative Hamos has spoke in support of the Bill. Mr. Parke has stood in response. The Chair recognizes Mr. John Turner."

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

Speaker Madigan: "Sponsor yields."

Turner, J.: "Representative, did we not entertain a similar Bill last year, in the last General Assembly?"

Hamos: "Yes, we did."

Turner, J.: "And did that pass out of the House?"

Hamos: "Yes, it did."

Turner, J.: "You recall what the vote was on that?"

Hamos: "I don't, I'm sorry."

Turner, J.: "I take it, since it has passed out of the House in the prior legislative Session, that the Senate must not have taken it up."

Hamos: "I'm sorry, the Senate?"

Turner, J.: "The Senate must not have taken it up after we passed it from the House, is that correct?"

Hamos: "That is correct."

Turner, J.: "All right, your Bill says that... requires certain notice, certain postings for any construction contract, the value of which is \$1 million or more, funded in whole or in part by Illinois FIRST funds, is that correct?"

Hamos: "Yes."

Turner, J.: "In whole or in part. So, the contract could be for \$1 million and if \$5 of it came from Illinois FIRST money

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and the whole entire rest of it came from a different source, for example from DCCA, then this would still apply, correct?"

Hamos: "Well, Mr. Turner, there are no construction projects where we're putting in only \$5 in Illinois FIRST. A more typical way to think about it, is these are \$20 million contracts and some portion of them are federal funds and some portion are Illinois FIRST funds."

Turner, J.: "Okay, well, this is where I get confused from time to time. I get questions from my constituents, maybe you can help me out on this. What is an Illinois FIRST fund? Now, let me give you an example. Suppose in your Member incentive package, you had \$50 thousand to assist a village for sewer improvement, and it was Member incentive money. Is that Illinois FIRST money?"

Hamos: "Well, yes, if it's a construction project."

Turner, J.: "All construction projects in Illinois are Illinois FIRST money?"

Hamos: "We actually amended that because there was some confusion, even on our part. So, this year it does say, 'in Illinois FIRST funds or by any state funds'. Because I think they've all sort of merged at this point and they're..."

Turner, J.: "Okay, so you said all Illinois FIRST funds or any state funds then?"

Hamos: "Yes."

Turner, J.: "All right. So, it doesn't make any difference whether the source comes from Illinois FIRST or from any other state funding or agency your Bill will apply?"

Hamos: "Right."

Turner, J.: "All right. So, then we don't need a definition for Illinois FIRST funds..."

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Hamos: "No."

Turner, J.: "...within your Bill in order for your Bill to work as intended."

Hamos: "Right, right."

Turner, J.: "Okay, thank you, Representative."

Hamos: "Thank you."

Speaker Madigan: "Ladies and Gentlemen, Representative Hamos has presented the Bill. We have had two people stand in response. The Chair recognizes Representative Pankau."

Pankau: "Thank you, Mr. Speaker. To the Bill. The Sponsor of this Bill has worked very hard to eliminate the problems that were initially found in the Bill. To Representative Turner, it would only be projects over a million dollars. I don't think there are too many of those in the Member initiative list. In a day and age when we see small newspaper articles everywhere about people being laid off, it's not too much to ask this Body to look into a methodology, whereby people can find out about jobs. And that's what this Bill goes to. Sponsor has worked to take it out of the Procurement Code and also to make IDOT neutral. I would ask for your strong support on this Bill."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 101 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. For what purpose does Mr. Winters seek recognition?"

Winters: "Inquiry of the Chair, please."

Speaker Madigan: "State your inquiry."

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Winters: "In the five-Bill limit that we have, I wondered if there's any provision. If a Bill loses by more than 100 votes, does it still count against your limit?"

Speaker Madigan: "Given the count on that Bill, I don't think you should be worried about the five-Bill limit. Mr. Cross, did you wish to call House Bill 888? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 888, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Madigan: "Mr. Cross."

Cross: "Thank you, Mr. Speaker. This is an initiative of the Cook County State's Attorneys Office, as well as the Illinois State Police. This Bill is one of the Bills, I think, that has the least amount of opposition with respect to exemptions in the eavesdropping statute. It flew out of... or I say it flew out of committee, it passed out of committee 13 to 0. As I said, it's supported by the State Police and the Cook County State's Attorneys Office. I want to thank Representative Turner for sponsoring it for me, or handling it for me in committee. And I suspect that's why it did so well. I'd be glad to try to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; 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 101 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Wyvetter Younge, did you wish to call House Bill 2519? Mr.

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Clerk, read the Bill."

Clerk Rossi: "House Bill 2519, a Bill for an Act concerning a performing arts school. Third Reading of this House Bill."

Speaker Madigan: "Representative Younge."

Younge: "Thank you, Mr. Speaker. This Bill would create the Katherine Dunham Performing, Visual, and Cultural Arts School. The school would be located in East St. Louis, Illinois. It would be from preschool through baccalaureate, giving people degrees who are trained in the school. It would be a part of the school district. Superintendent Anderson has agreed that the early childhood education program and building will be a part of this school. The Governor would choose between 11 and 17 persons to serve on the board of directors. The... some of the people and caliber and talent of people who have agreed to sit on the board are Harry Belafonte and Debbie Allen and the Hudlin Brothers and Dr. Anderson, who is the superintendent. Ms. Dunham is a world renown artist, who lives in East St. Louis and who has made valuable contributions, she has over 20 honorary PHD's. She has a PHD in Anthropology from the University of Chicago and is a world renowned figure. And this will be a great increase in the availability of quality education in the arts. I move for the adoption of the Bill."

Speaker Madigan: "The Lady 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: "Representative, do you have any idea how much... this is a combination between federal grant and state dollars, do you have any idea how much we're talking here?"

Younge: "It'd be... cost will be partially accomplished through

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the students there being a part of the high school curriculum and grade school curriculum, so that the per capita amounts would be part of the funding. I think that the funding level of it for its first year will probably be about \$3 million."

Parke: "So, is that the state portion, is \$3 million?"

Younge: "No, it would be from private grants, from federal funds. It will be located in empowerment zone and it will be supported through the per capita daily."

Parke: "Representative, I'm only interested in how much state dollars are going into this."

Younge: "It'll be dependent upon how many students there. If there are 200 students and the amount that the school district receives per student is \$6 thousand per student, then that's how the budget will be."

Parke: "So, there's no cap? This could be 3 million, it can be 12 million, depending on how many students want to take part in this. Is that right?"

Younge: "There will be a graduation beginning with early childhood education and then graduating to a..."

Parke: "Do you have a maximum... a minimum amount of students to make this work?"

Younge: "The school district intends to have about 200 students in the early childhood education part of this institution and it will start with early childhood education."

Parke: "What's the oversight on this? Do we just simply give the money to this performing arts school and they hire people and run it?"

Younge: "The oversight is... the Bill calls for the establishment of a board of trustees appointed by the Governor, between..."

Parke: "Appointed by who?"

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Younge: "The Governor. Between 11 and 17 people will be appointed by the Governor and they will be the oversight instrument."

Parke: "So, do you know how much federal money is available for this?"

Younge: "The amount of federal money that is available at this time, I do not know."

Parke: "Okay. To the Bill. Ladies and Gentlemen, this Bill is for... specifically for East St. Louis. It is to address a problem that the Sponsor sees. And that is to provide some kind of a cultural opportunity for performing arts school. It is open-ended. There is no way to determine how much state tax money's gonna have to go into this. It is a council appointed by the Governor but it's somewhat nebulous right now, so you'll have to judge whether or not you want to put your vote on this. Thank you."

Speaker Madigan: "The Lady 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? Have all voted who wish? The Clerk shall take the record. On this question, there are 95 'ayes', 3 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Howard, did you wish to call House Bill 1? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1, a Bill for an Act in relation to child death review. Third Reading of this House Bill."

Howard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I ask your consideration for House Bill #1. House Bill #1 amends the Child Death Review Team Act. It statutorily creates a Child Death Review Team Executive Council that would coordinate and oversee the various child death review teams. The Bill codifies the current ad hoc

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executive council and gives the Council statutory authority to act in improving child death review and strengthening their ability to protect children in Illinois. I ask for favorable consideration."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. John Turner."

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

Speaker Madigan: "Sponsor yields."

Turner, J.: "Representative, you've indicated that the Bill would create the Death Review Teams Executive Council. What does the Council do, once created?"

Howard: "Oversee the child death review teams that are already existing. But this is a codification of the program."

Turner, J.: "This is nothing more than a codification of an existing program?"

Howard: "That's correct."

Turner, J.: "All right. Is there any state funding involved in this?"

Howard: "Not any additional state funding."

Turner, J.: "Other than what's already done?"

Howard: "That is correct."

Turner, J.: "How's it being administered now, if it's not codified?"

Howard: "As an ad hoc activity. It's being operated ad hoc at this point by DCFS."

Turner, J.: "All right. If it's being done, why do we need to codify it?"

Howard: "Well, DCFS would like to have it put into official power, I suppose. As you note, they are a proponent of this Bill."

Turner, J.: "Yes, I see that, I'm just curious, if they're doing this, if we're really not creating any... other than the

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Council, any new responsibilities or duties or benefits, why does DCFS want the Legislature to codify... usually they want to have general... generally liberal rule authority. And it strikes me as a bit different they would ask us to codify something they already must feel like they have the right to do."

Howard: "I'm told that there's a need for statutory protection for the functions of this operation."

Turner, J.: "Statutory protection means some kind of protection from lawsuit or something like that. What kind of statutory protection are you talking about?"

Howard: "Well, the Department wants this to exist. As it stands now, it can be disband. They want this to happen and to not be... they don't want to be in a position to be disband. So, they wanted to be made permanent."

Turner, J.: "Has there been some move to disband it then, is that why DCFS wants us to codify the practice with the Council?"

Howard: "We've not heard of any intentions to try to disband, but obviously, there's security in knowing that something is codified."

Turner, J.: "Is there any opposition to the proceeding with this?"

Howard: "Not to my knowledge, Representative."

Turner, J.: "Has it been run before any prior General Assembly?"

Howard: "No."

Turner, J.: "And the Department of Children and Family Services came to you and asked you to proceed with this because they felt like they needed it. Is that why we're bringing the Bill before the Body?"

Howard: "You will probably note that I have become the Sponsor of this legislation. Very recently, someone else was the initial Sponsor, and I've taken it over because it's

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something that I think is important. So, no, they did not come to me."

Turner, J.: "I didn't note that, but it appears that Representative Hoffman had originally Sponsored the Bill, is that correct?"

Howard: "Yes, that is correct."

Turner, J.: "I presume then that he stands in support."

Howard: "He does."

Turner, J.: "I don't see him here. Maybe he's in here someplace. Okay, Representative, thank you for answering my questions."

Howard: "And thank you."

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

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

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

Brady: "Representative, two questions. Being a former member of the child death review board in region 15..."

Howard: "I'm sorry, would you repeat that question?"

Brady: "Being a former member of the child death review board in my region, I'd like to clarify the Executive Council for me if you could. Are we just... are we putting another layer of a review panel on top of a review panel here? Is that what the Executive Council's going to do?"

Howard: "It's my understanding that we're talking about a body that would coordinate the activities of all of the teams that are currently in existence."

Brady: "Okay. And that particular Council is going to have what type of statutory authority that's different from the child death review team now?"

Howard: "I'm sorry, I missed the last half of that."

Brady: "The Executive Council would have... would they have some type of different statutory ability than they presently do

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right now? What I'm getting at is, no matter what recommendation or finding that the death review board comes up with, it's still up to that state's attorney or prosecutors within that particular county to act upon however they want on the advice. We're not changing anything of that, are we?"

Howard: "We are not."

Brady: "Okay. And then secondly, amends the Open Meetings Act. That's the second part of this legislation, the way I read it. It's going to exempt the child death review board from having to release any type of information under the Open Meeting Act, is that correct?"

Howard: "That is correct."

Brady: "Thank you. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Crotty."

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

Speaker Hannig: "She indicates she will yield."

Crotty: "Thank you. Representative, when we had a task force set up and we traveled around the state to take testimony and then we brought all of our information together, was this not one thing that the Department felt that they have really no authority and they needed something to be put in statute?"

Howard: "Thanks for making that point. That is, in fact, what I understand."

Crotty: "Okay. To the Bill. This is something that really is already been done, but on a... with very... with less importance because there is nothing in statute that allows the Department to actually take some sort of authoritative measures on some of the reviews. So, I stand in very strong support. When we traveled the state and we knew that there were some changes made in the Department, the

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whole idea of taking testimony is to make things even better in that Department. And Representative Howard, this Bill certainly does. So, I commend you and I ask for a favorable vote from all my colleagues."

Speaker Hannig: "Representative Howard to close."

Howard: "I just ask for favorable consideration from my colleagues."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 135."

Clerk Bolin: "House Bill 135, a Bill for an Act regarding highways. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 934."

Clerk Bolin: "House Bill 934, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, what is the status of House Bill 2437?"

Clerk Bolin: "House Bill 2437 is on the Order of House Bills-Third Reading."

Speaker Hannig: "Mr. Clerk, return that to the Order of Second Reading at the request of the Sponsor. And Mr. Clerk, what is the status of House Bill 1926?"

Clerk Bolin: "House Bill 1926 is on the Order of House Bills-Third Reading."

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Speaker Hannig: "Mr. Clerk, return that to the Order of Second Reading at the request of the Sponsor. Rules Committee met this morning and sent a number of Amendments directly to the floor. At this time, the Chair is going to go down that list of Bills. So, I would ask the Sponsors who have submitted their requests to the Rules Committee that they be prepared to move with us to adopt those Amendments. Is Representative Granberg in the chamber for House Bill 16? Representative Granberg. Okay, out of the record. Representative John Jones, on House Bill 403. Out of the record. Representative Slone, on House Bill 793. Representative Slone, the Rules Committee approved this Amendment this morning, would you like to have it adopted at this time? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 793, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. Floor Amendment #2, offered by Representative Slone, has been approved for consideration."

Speaker Hannig: "Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 793, the Amendment, would create a group of public members to consult with the Governor's Balanced Growth Cabinet on issues of growth and development in the state. And I would request your favorable consideration of the Amendment."

Speaker Hannig: "And on that issue, Representative Parke is recognized."

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

Speaker Hannig: "She indicates she will."

Parke: "Representative, you're saying that this appoints a... is this a governmental or quasi-governmental or do they have any official status?"

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Slone: "They would be appointed by the Governor, Mr. Parke. And they would be advisory in effect to the Balanced Growth Cabinet which already exists pursuant to Executive Order."

Parke: "Did you talk to the Governor's Office about this?"

Slone: "Yes, in fact this... the original version of the Bill was drafted before the Governor's Office had completed their review. And the Amendment is what we, I believe, are pretty close to agreeing on after they have reviewed it. It may need a little more tweaking, but I think we're pretty close to there."

Parke: "How many people are we gonna appoint to this?"

Slone: "I believe it's seven under the current version."

Parke: "And are they paid?"

Slone: "No, they would receive expenses."

Parke: "So, they'd... travel expenses, accommodation expenses."

Slone: "Yes, if necessary, I would think, yes. Like other advisory boards and councils."

Parke: "And they are strictly to advise the Governor on what issues, what are the parameters?"

Slone: "The types of issues that were considered by the Growth Task Force; land use planning, transportation, affordable housing issues. The types of issues that the Governor's Balanced Growth Cabinet is already considering."

Parke: "And so this is a... did this go... this Amendment go before any committee, this is strictly a Floor Amendment?"

Slone: "This is a Floor Amendment."

Parke: "Nobody's had any... this is the first opportunity people would have for public comment on this?"

Slone: "On the Floor Amendment, yes, that is so."

Parke: "All right."

Slone: "It actually is a more limited than the original version."

Parke: "Okay. And we're not gonna call this for final reading

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today are we, Mr. Speaker? Thank you, I have no more questions."

Slone: "Thank you, Mr. Parke."

Speaker Hannig: "The question is, 'Shall the Amendment be adopted?' All in favor 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. Representative Mathias on 906. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 906, a Bill for an Act in relation to firearms. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Mathias, has been approved for consideration."

Speaker Hannig: "Representative Mathias."

Mathias: "Thank you. Floor Amendment 1, in effect, deletes the requirement of the original Bill that put a burden on the transferor of a firearm to notify local law enforcement if the person purchasing it doesn't have a valid FOID card. At the request of the retail merchants, I have deleted that by Floor Amendment 1, so that the only requirement would now be under the Floor Amendment, that the State Police notify local law enforcement in the event that someone is disqualified from purchasing a firearm. And I would ask for the adoption of Floor Amendment 1."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor 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. Representative Slone on House Bill 1081. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 1081, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3 has been adopted to the Bill. Floor Amendment #4, offered by Representative Slone, has been approved for consideration."

Speaker Hannig: "Representative Slone."

Slone: "Thank you, Mr. Speaker. I move to withdraw Amendment 4."

Speaker Hannig: "Amendment #4 is withdrawn. And do you wish to... Representative Slone, only 4 came out of the Rules Committee this morning, do you want to hold it then on Second for..."

Slone: "Hold it on Second, please, for the next and we hope, final Amendment. Thank you."

Speaker Hannig: "Okay, all right, thank you. Representative Bugielski on House Bill 1901. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1901, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bugielski, has been approved for consideration."

Speaker Hannig: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker, Members of the House. Amendment #1 to House Bill 1901 is a clarification. It's an agreement that was reached with the insurance companies, with the Medical Society. House Bill 1901 was creating the United Health Care Service Benefits Information Card, meaning that certain information has to be on your insurance card. We passed legislation last year that dealt with the prescription cards. And as long as there's a prescription card, this... with the information on the prescription card, they do not have to abide it on the health card. As long as it is on one or the other, that's what the Amendment says. And I ask for its adoption."

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Speaker Hannig: "The Gentlemen has moved for the adoption of the Amendment. And on that question, Representative Parke."

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

Speaker Hannig: "He indicates he will yield."

Parke: "Representative, the information on there is being requested by whom?"

Bugielski: "The information that's like the name of the insurance company, the group number, the mailing address, and the phone number. We have this already on the prescription card. It was not for the actual medical insurance card, but as long as it is on both, then it is, you know... it doesn't have to be on both. That was the concern of the insurance industry and this is the information... this is the wording from the insurance industry to abide that it's on the prescription card which was law already from last year, then that's all that's necessary."

Parke: "And so it's just simply to give the consumer the information they need to make inquiries to..."

Bugielski: "Actually, it's for the consumers, as well as the medical provider."

Parke: "Okay, for both of them. And no one objects to this. Just good..."

Bugielski: "No, this is the agreed... Amendment."

Parke: "Thank you very much."

Speaker Hannig: "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 House Bill 2056. Representative Winkel."

Clerk Bolin: "House Bill 2056, the Bill's been read a second time, previously. Amendment #1 was adopted in committee."

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Floor Amendment #2 has been adopted to the Bill. Floor Amendment #3, offered by Representative Winkel, has been approved for consideration."

Speaker Hannig: "Representative Winkel."

Winkel: "Yes, Mr. Speaker, thank you. Amendment #3 to House Bill 2056, that Amendment deletes that portion of the Bill that provides a law enforcement officer shall have the power to issue citation in response to a signed complaint. We had extensive discussion when I first introduced the Bill, I agreed to withdraw that language and this Amendment accomplishes that. I ask that it be adopted."

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 House Bill 2298 for Representative Eileen Lyons."

Clerk Bolin: "House Bill 2298, a Bill for an Act concerning child support. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Eileen Lyons, has been approved for consideration."

Speaker Hannig: "Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker. Amendment #1 to House Bill 2198 (sic-2298) addresses child support payments and at this present time it is 18 and if that child has not graduated yet, this Amendment provides that they will provide child support at age 18 for any child attending high school, until that child graduates from high school or attains the age of 19, whichever is earlier."

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?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 2303.
Representative Burke."

Clerk Bolin: "House Bill 2303, a Bill for an Act concerning the
regulation of professions. Second Reading of this House
Bill. No Committee Amendments. Floor Amendment #1...
Floor Amendment #1, offered by Representative Burke, has
been approved for consideration."

Speaker Hannig: "Representative Burke, on the Amendment."

Burke: "Just one second. Mr. Speaker, I apologize. Would you
take this matter out of the record?"

Speaker Hannig: "Yes, Representative, we'll get back to it after
you have a chance to look at the Amendment. Mr. Clerk,
take that Bill out of the record and read House Bill 2427
for Representative Soto."

Clerk Bolin: "House Bill 2427, the Bill's been read a second
time, previously. No Committee Amendments. Floor
Amendment #1, offered by Representative Soto, has been
approved for consideration."

Speaker Hannig: "Representative Soto, this is the Amendment that
the Rules Committee approved this morning. Would you like
to explain it?"

Soto: "Amendment #1... Thank you, Speaker. Thank you, Committee
Members. Amendment #1, House Bill 2427, deletes language
from the Bill allowing a person to bring a civil suit for
damages against a person for the issuance or violation of
stalking order, issued by the court. This language was
erroneously included in the Bill."

Speaker Hannig: "Is there any discussion? There being none, the
question is, 'Shall the Amendment be adopted?' All in
favor say 'aye'; opposed 'nay'. The 'ayes' have it, and
the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, could you read House Bill 3080. Representative Cross."

Clerk Bolin: "House Bill 3080, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. Floor Amendment #2, offered by Representative Cross, has been approved for consideration."

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. I appreciate your calling this Bill. This Bill deals with a constituent in my district and actually applies to few people in the State of Illinois. The constituent is a retired teacher at the State of Illinois and his son is disabled and is currently age 23... is 23 years old. What the underlying Bill and the Amendments deal with is the ability for this young man after age 23, 'cause that's the cutoff, to continue to be able to be a dependent, at a rate of a little over \$100 a month that would be charged to his father. While still a dependent to his mother and father, he would be able to be insured. The second Amendment deals with the issue of being able to continue to be a dependent, even if he earned an income of over \$2,800. This is, as I said, an issue that deals primarily with a constituent of mine, but I believe there are anywhere from 20 to 30 kids or young adults that are disabled in the State of Illinois that this would apply to. There was no opposition in committee. The IEA signed in in favor of it. It passed out of committee unanimously, with a... I appreciate the Chairman's help that day, Representative Murphy, and all the other Members of the committee. I'd be glad to try to answer any questions on this Amendment. I'm not aware of any

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opposition. And I would very much appreciate this... the adoption of this Amendment, as would my constituent and his son and the other 25 to 30 kids in this state, or young adults. Thank you."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. And on that question, Representative Parke is recognized."

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

Speaker Hannig: "He indicates he will yield."

Parke: "Representative, are you saying that there'll be a set charge and it can be no more and no less than that for this..."

Cross: "Terry, I can't hear you."

Parke: "Say that again."

Cross: "I can't hear what you're saying."

Parke: "I said, is there a set charge in this, you said a hundred dollars. Can it be more, can it be less depending on..."

Cross: "Right... Yeah, right now, Terry, if you're a dependent and you're over age 23 in the State of Illinois, it would... your premium would be about \$460 and I... the rate now would go down, would be at 121 if this passed. I apologize I wasn't more specific. You'd still be paying a premium."

Parke: "He would have to pay the going premium, the 400 and some dollars?"

Cross: "That's actually what was the main Bill, Terry. Amendment #1 dealt with that. It would go from the 460 down to the 121."

Parke: "Well, who pays the difference?"

Cross: "The state or it would be... go through CMS."

Parke: "So..."

Cross: "Yeah, and I guess to answer it another way, it would stay

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at 121 instead of going... kicking up at age 23 to the 460.

But the answer is, we would."

Parke: "Does anybody else have this opportunity to do this?"

Cross: "Well, this Bill deals just with handicapped or disabled people that are dependents of retired teachers. I'm not aware of any others in the state, Terry, on their retirement programs. I don't know, for instance, how a disabled child would... under the General Assembly retirement plan, what their premium would be. This just happens to deal with a few cases with retired teachers, and their dependents."

Parke: "And this is because the... this does not affect the retirement system itself, this affects the contributions that the state makes to the health care portion, is that..."

Cross: "Correct."

Parke: "And so, can it go up to a higher premium next year, or is it locked at 121 until they pass on, for the rest of their lives?"

Cross: "Well, Central Management has, and will continue to set the rate, Terry."

Parke: "They set the rate at what level?"

Cross: "Whatever the premium amount's gonna be, depending on, I guess, health care costs, as a whole, as we move on in the years to come. So, they'll make those decisions based on, I guess, actuarial figures and health care costs, et cetera."

Parke: "Okay, just work with me one more time. This goes... who... does it stay at 121 forever? You told me that it depends on CMS. Is it... does it depend on the CMS on the 121 or the increasing premium of 400 and some? Which one are we talking about?"

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Cross: "It'll... Terry, it'll stay... right now, we have a certain rate for kids under 23 and we have a certain rate for kids over 23. CMS determines what the rate is for kids under 23. CMS determines what the rate is for kids over 23. This Bill, the underlying Bill, and the Amendments keep their premium the same for someone that hits 24, as it was when they were age 22. CMS, though, will decide what that premium is, as again, as I said based on insur... health care cost, et cetera. Just like they do now."

Parke: "Thank you."

Speaker Hannig: "Is there any further discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor 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, would you read House Bill 760."

Clerk Bolin: "House Bill 760, a Bill for an Act concerning taxation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #4, offered by Representative Leitch, has been approved for consideration."

Leitch: "Mr. Speaker, is this the Amendment that shells the Bill?"

Speaker Hannig: "Yeah, Representative Leitch, my sheet shows that Speaker Madigan is the Sponsor of the Amendment."

Leitch: "Right, I'm not the Sponsor of this Amendment."

Speaker Hannig: "I'm just trying to get the right Sponsor, is that correct, Mr. Clerk, or not? Okay, Representative, this is Amendment #3 and you are the Sponsor, Representative Leitch. Okay, Representative Leitch? Representative Leitch, why don't we just take it out of the record for a moment while the Clerk gets the Amendments

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squared away and we'll get back to it shortly. So, out of the record for the time being. Mr. Clerk, would you read House Bill 3148."

Clerk Bolin: "House Bill 3148, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Julie Curry, has been approved for consideration."

Speaker Hannig: "Representative Curry."

Curry, J.: "Thank you, Mr. Speaker. House Amendment #1 to House Bill 3148 just simply changes the number of days in which a county clerk or board of elections should submit voter registration information to the State Board of Elections. And we changed it from seven days to ten days."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall the Amendment be adopted?' All in favor 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 House Bill 3149."

Clerk Bolin: "House Bill 3149, a Bill for an Act concerning elections. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Julie Curry, has been approved for consideration."

Speaker Hannig: "Representative Curry."

Curry: "Thank you, Mr. Speaker. House Amendment #1 to House Bill 3149 does specifically two things. It changes the number of forms in which county clerks should provide organizations to do voter registration drives from 5,000 to 500, and it also directs the county clerks to forward voter registration forms to the appropriate county clerk for the

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individual who has been registered."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor 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, could you read House Bill 3247, Representative Hassert."

Clerk Bolin: "House Bill 3247, the Bill's been read a second time, previously. Amendment #1 was adopted in Committee. Floor Amendments 2 and 3 have been adopted to the Bill. Floor Amendment #4, offered by Representative Hassert, has been approved for consideration."

Speaker Hannig: "Representative Hassert."

Hassert: "Thank you, Mr. Speakers. Amendment #4 just simply removes a piece of property from the original Bill at the request of City of Chicago."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor 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 House Bill 3262."

Clerk Bolin: "House Bill 3262, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Mendoza, has been approved for consideration."

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

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 provides that the provisions of the Bill apply to guns used in the commission of a felony. The

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original Bill applied to guns used in the commission of any offense. This is basically a change that was agreed upon between the City of Chicago and the NRA during committee. I'd ask for a favorable consideration, please."

Speaker Hannig: "And on that question, Representative John Turner is recognized. Representative Lang on the Amendment."

Lang: "Thank you, will the Sponsor yield?"

Speaker Hannig: "She indicates she will yield."

Lang: "Representative, just for our knowledge, can you just explain what the Amendment does one more time?"

Mendoza: "Yes, thank you, Representative Lang. Basically, the only thing the Amendment does is it adds the words, 'classified as a felony' after the word 'any offense'. So, basically, the Bill originally deals upon recovering a firearm once, 'upon recovering a firearm that was used in the commission of any offense with the Amendment classified as a felony or upon recovering a firearm that appears to have been lost, mislaid, or stolen, or otherwise unclaimed, the local law enforcement agency can use the best available information', to go ahead and trace the gun to the original owner."

Lang: "And did you say there was an agreement between the City of Chicago and the National Rifle or the Illinois Rifle Association in this?"

Mendoza: "Yes, during committee, because they wanted to be more specific as to what offenses would constitute this Bill going into action. So, we were just, basically, clearing up, fine-tuning the Bill to include any offense that's classified as a felony."

Lang: "And so, as far as you're concerned, there's no opposition to this Amendment?"

Mendoza: "No, not that I know of as of now. So, this basically,

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just cleans it up."

Lang: "Thank you, thank you."

Mendoza: "Thank you."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall the Amendment be adopted?' All in favor 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, let's read House Bill 760."

Clerk Bolin: "House Bill 760, a Bill for an Act concerning taxation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #4, offered by Speaker Madigan, has been approved for consideration."

Speaker Hannig: "And on that Amendment, Representative Barbara Currie is recognized."

Currie: "Thank you, Speaker and Members of the House. The whole area of tax increment financing law is, as you all know, an extremely complicated one and our staff has been busy at work analyzing the substance of this very lengthy Bill and we haven't finished yet, that's the reality. So, this Amendment would shell the Bill so we can continue our analysis and so we can move the Bill over to the Senate as a shell, if we're not able to finish that analytic work between now and the Friday deadline. I move adoption of Amendment 4."

Speaker Hannig: "Is there any discussion? There being none, then the question is, 'Shall the Amendment be adopted?' All in favor 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 House Bill

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1904."

Clerk Bolin: "House Bill 1904, a Bill for an Act in relation to highways. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 to House Bill 1904 removes the objections proposed by Illinois Department of Transportation, which would require them to monitor the trusts that were set up for retainage for subcontractors. And I would ask that we adopt Floor Amendment #1 to House Bill 1904."

Speaker Hannig: "Is there any discussion? Then all in favor 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 House Bill 2303."

Clerk Bolin: "House Bill 2303, a Bill for an Act concerning the regulation of professions. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Burke, has been approved for consideration."

Speaker Hannig: "Representative Burke."

Burke: "Yes, Mr. Speaker. I'd like to withdraw Floor Amendment #1."

Speaker Hannig: "Amendment #1 is withdrawn. Any further Amendments?"

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

Speaker Hannig: "Representative Burke."

Burke: "Thank you, Mr. Speaker. House Amendment #2 would become

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the Bill, and it's the result of negotiations with the Illinois Acupuncture Federation and the Illinois State Medical Society. The Amendment and the underlying Bill amends the Acupuncture Act, providing that guest acupuncturists who are not licensed under the Act may lecture, demonstrate, or hold clinics for continuing education, or training for acupuncture associates or scientific acupuncture foundations. Basically, in a nutshell, this would provide for guest instructors to provide training to either acupuncturists who are currently licensed by the state or who are in acupuncture training. This Amendment would also require that every guest instructor be issued a permit by the Department of Professional Regulation. And it would also delete the provision that allows licensed acupuncturists from another jurisdiction to be guest instructors of acupuncture without meeting the requirements that others must meet. So, we are insuring that the acupuncture controls are still in effect and anybody that's visiting our state with credentials from another, would be qualified and considered as guest instructors. And I would ask for the Body's favorable consideration."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor 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 House Bill 3353 for Representative Howard."

Clerk Bolin: "House Bill 3353, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. Floor Amendment

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#2, offered by Representative Howard, has been approved for consideration."

Speaker Hannig: "Okay, let's take that out of the record at the request of the Sponsor. Mr. Clerk, read House Bill 3392."

Clerk Bolin: "House Bill 3392, a Bill for an Act in relation to developmental disabilities. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Daniels, has been approved for consideration."

Speaker Hannig: "And Representative Krause is recognized on the Amendment."

Krause: "Thank you, Mr. Speaker. Very briefly, the underlying Bill creates a workforce task force to study the barriers to employment for persons with disabilities. Amendment #1 sets off the fact of the exact number of the task force that it would consist of 16 members. It is specific that of the two business members, one would be a representative of the Business Leaders Network, which is a group of business representatives interested in expanding employment opportunities to individuals with disabilities. It adds members representing various advocacy groups and it requires that the task force report its findings back to the Governor and General Assembly within six months after the task force is formed."

Speaker Hannig: "On the Amendment, is there any discussion? Then all in favor 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, would you read House Bill 2425 for Representative Cowlshaw."

Clerk Bolin: "House Bill 2425, a Bill for an Act with regard to education. Second Reading of this House Bill. No

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Committee Amendments. Floor Amendment #1, offered by Representative Cowlshaw, has been approved for consideration."

Speaker Hannig: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. When this Bill was heard in committee, it was a shell Bill and the intention was that it would be used in some way that everyone could agree to to address the issue of the shortage of substitute teachers. During that committee meeting, I agreed in a pledge to the IEA and the IFT that I would try to make sure that at the very least we would send to the Senate a Bill identical to the Senate Bill that has already come over here and addresses this issue. This proposal is not my own. It was originated by an entity known as EDRED. It is endorsed by both the IEA and the IFT. I have consulted them. They are in favor of this Amendment and of this action. And by doing so, I have fulfilled my commitment made in committee. I would appreciate your support."

Speaker Hannig: "And on the Amendment, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor 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, would you read House Bill 3353."

Clerk Bolin: "House Bill 3353, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. Floor Amendment #2, offered by Representative Howard, has been approved for consideration."

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

Howard: "Thank you, Mr. Speaker. House Amendment #3, #2 that is, just provides that every Section of the Bill is subject to appropriations."

Speaker Hannig: "Is there any discussion? And the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed. A fiscal note has been requested on the Bill as amended and has not been filed."

Speaker Hannig: "So, the Bill will remain on the Order of Second Reading pending a fiscal note. Mr. Clerk, would you read House Bill 1051."

Clerk Bolin: "House Bill 1051, a Bill for an Act concerning payable on death accounts. Third Reading of this House Bill."

Speaker Hannig: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker, Members of the House. House Bill 1051 amends Section 4 of the Illinois Trust Act. It clarifies that a payable on death account may be opened or maintained as a joint account by two or more account holders. Currently, Section 4 refers to singular person on a payable on death accounts suggesting that such accounts cannot be joint accounts. This is inconsistent with the existing Section 3 of the same Act which permits one or more persons. House Bill 1051 would extend the same opportunity to accounts that are established on payable on death accounts. Also, insured savings banks, as defined in the Savings Bank Act, are added to the list of other institutions already that are in this list and it would just make it consistent with this. This Bill passed out of

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committee unanimously. There is no opposition to the Bill and all of the financial institution groups are for this Bill. And I ask for a 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1051. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Garrett, are you ready on House Bill 3368, to adopt the Amendment? Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 3368, a Bill for an Act in relation to voter registration. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Garrett, has been approved for consideration."

Speaker Hannig: "Representative Garrett."

Garrett: "Thank you, Mr. Speaker. House Amendment #1 addresses the concerns raised by the Department of Human Services regarding the requirement that records be kept on each applicant for DHS assistance. It amends ten Illinois CS5/3A-5 regarding the applications taken by certain employees of public service agencies to require only that confidential records be kept of the applications for voter registration rather than the files that they turn back. This Amendment is necessary because some applicants for services come in for help once a week which would make the requirement an administrative nightmare. The Federal Law has also changed on this requirement to accommodate public

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agencies offering regular assistance."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall the Amendment be adopted?' All in favor 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, would you read House Bill 2563 on Second Reading."

Clerk Bolin: "House Bill 2563, a Bill for an Act concerning criminal justice information. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 2056. Mr. Clerk, what is the status of House Bill 2263?"

Clerk Bolin: "House Bill 2263 is on the Order of House Bills-Third Reading."

Speaker Hannig: "Mr. Clerk, return that to the Order of Second Reading at the request of the Sponsor. And Mr. Clerk, what is the status of House Bill 1814?"

Clerk Bolin: "House Bill 1814 is on the Order of House Bills-Third Reading."

Speaker Hannig: "Mr. Clerk, return that to the Order of Second Reading at the request of the Sponsor. Representative Fritchey, are you ready on House Resolution 172? The Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Speaker. House Resolution 172 simply recognizes the Little Sisters of the Poor for the century and a quarter of tremendous charitable work they've done in the City of Chicago and other areas. I request an 'aye' vote."

Speaker Hannig: "Is there any discussion? Then all in favor of

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the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it, and the Resolution is adopted. Read the Agreed Resolutions."

Clerk Bolin: "House Resolution 170, offered by Representative Righter; House Resolution 173, offered by Representative Schoenberg; House Resolution 174, offered by Representative Schoenberg; House Resolution 175, offered by Representative Pankau; House Resolution 178, offered by Representative Brosnahan; House Resolution 179, offered by Representative Howard; House Resolution 181, offered by Representative O'Brien; House Resolution 182, offered by Representative Osmond; House Resolution 183, offered by Representative Ryan; House Resolution 185, offered by Representative Hoffman; House Resolution 186, offered by Representative Saviano."

Speaker Hannig: "Representative Currie moves for the adoption of the Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the Resolutions are adopted. Representative Hoffman, are you prepared on House Bill 176? Mr. Clerk, would you read the Bill."

Clerk Rossi: "House Bill 176, a Bill for an Act concerning telephone solicitation. Third Reading of this House Bill."

Speaker Hannig: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 176 has to deal with the no-call database. Other states have passed similar legislation which creates the so-called 'no-call database'. As you know, we all receive unwarranted and unsolicited telephone calls at our home trying to sell us things that we don't want and many times we don't need. House Bill 176 is a Bill which was modeled initially after New York, Missouri, and other states that have passed similar legislation. And

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what it does, it allows individuals in the State of Illinois to call the Secretary of State's Office and have their name placed on a no-call database that then would be provided to telemarketers and they will be prohibited from calling you. There are some exceptions to the rule such as if you already do business with an existing customer and have done business with them in the last 18 months, you are exempted and could still call that customer. In addition, there are a few other exceptions that are agreed to by various entities. It's my understanding that all the various entities who have an interest in this Bill, we've come to an agreement and this is an agreed to Bill. I know of no opposition at this time."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 176. And on that question, Representative Cross is recognized."

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

Speaker Hannig: "He indicates he will yield."

Cross: "Representative, what's the penalty, if any, for failure to follow this Act? If I get a phone call from and after I put a company on the no-call list?"

Hoffman: "It's \$25 hundred, potential fine."

Cross: "Who makes the decision with respect to the fine? Is it up to the Secretary of State's Office?"

Hoffman: "The enforcement provisions under this Act are under the Secretary of State's Office, yes."

Cross: "Do they have the authority, Jay, and I'm for this Bill, to enforce this? They impose a \$25 hundred penalty, what if the company says I'm not paying?"

Hoffman: "They'll be able to initiate administrative proceedings pursuant to rules which will be promulgated under the Act relating to... it has to be a knowing and a willful

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violation. So, it can't be somebody that just says that well, I thought that we were doing business with this person... and it has to be a willful violation of the Act. And fines may be assessed not to exceed \$25 hundred for each violation and any proceeding conducted pursuant to Section will be subject to the Illinois Administrative Procedure Act. So, let's say that you administer a fine and you would like to appeal it. It would be similar to any other administrative appeal. In other words, you could appeal it to the circuit court who then would make a determination as to whether or not it was subject to the manifest weight of the evidence."

Cross: "So, the goal here is to stop the unwanted phone calls we all receive at night. Would this apply 24 hours a day?"

Hoffman: "Yes, yes."

Cross: "Okay. Would this apply to campaigns that are calling our homes?"

Hoffman: "No."

Cross: "Is there a reason... do you have a definition of who... to what types of companies it applies to?"

Hoffman: "Yes, under the Act, the term 'telephone solicitation' is defined."

Cross: "I see your definition of telephone solicitation, but... "

Hoffman: "And let me just say it also takes out charitable contributions, as well. So, under the definition, it would be soliciting for the sale of something under that definition in the Act. You're not selling anything when you are running for office."

Cross: "This won't keep me from still winning... most all of us win that Publisher Clearing House, you know, they come to our house. Ed McMahon. This doesn't prevent that, does it?"

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Hoffman: "Does anybody ever win that?"

Cross: "If you watch it on TV, everybody that's on the show wins."

Hoffman: "I think they're all employed by Ed McMahon."

Cross: "So, I assume that they're still eligible. What?"

Hoffman: "The winners must all be employed by Ed McMahon 'cause I've never known anybody that really wins that."

Cross: "But Ed McMahon... this isn't gonna keep me from winning if I'm eligible for that... "

Hoffman: "Ed McMahon can still bring the van up to your front door, him and Dick Clark, and they can knock on your door and say that you're a winner, yes."

Cross: "That's all I was concerned about. Thank you."

Hoffman: "Thank you."

Speaker Hannig: "Representative Mulligan."

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

Speaker Hannig: "He indicates he will yield."

Mulligan: "Representative Hoffman, who is excluded again? Did you exclude the realtors? I had a Bill very similar two years ago and I'm really glad to see you've gotten it this far because it's always been a little bone of contention that you can't be home without the phone ringing and if you have caller ID it's got so many that are not anybody you'd ever want to pick up the phone."

Hoffman: "There's a provision... we sat down with not only the realtors, but also some other groups and there is an exemption if you're encouraging or attempting to encourage the purchase or rental or investment in property, goods, or services which could not be completed in payment or authorization of payment is not required until after a written or electronic agreement is signed by the residential subscriber. So, that would take care of that

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issue. We understand that in a very small number of instances, realtors do engage of this type of action. However, if there has to be completed by a written instrument or a face-to-face contact, it is exempt. So, what we're trying to get at is the companies that sell siding or other things, that they'll take advantage of people over the phone."

Mulligan: "Also, is there any fee in this or are you just gonna be able to take yourself off independently by notifying someone?"

Hoffman: "Okay, there is a fee, but not for signing up. So, anybody would be able to sign up, get their name placed on the database, a no-call database, so the calls would stop for free. However, if you're going to do this type of business in the State of Illinois, the Secretary of State's Office will by rule be able to charge up to \$200 for you to buy the list."

Mulligan: "All right, because a lot of the calls that you receive are computer generated. You can tell when you pick up the phone. So then would they be able to key in on their computer the database or would they give them something that would allow them to do this?"

Hoffman: "Yeah, what will happen is the people who are engaged in this type of business will be able to... and here's what they've done in other states and this is what the Secretary of State's Office envisions happening. They will have a computer database of people who call in and they'll be able to make an Internet or a wire transfer to these companies that do this and they'll be able to put it on their system that these people are part of the no-call database. And then, hopefully, that their system will then kick those out and they will not be called. If they do get called, the

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organization that makes that call could face up the a \$25
hundred per person fine."

Mulligan: "I think it's a really good idea. Good luck. I hope
it passes in the Senate."

Hoffman: "Thank you."

Speaker Hannig: "Representative Osmond."

Osmond: "Thank you. Will the Sponsor yield for questions?"

Speaker Hannig: "He indicates he will yield."

Osmond: "Representative, is there a definition in here as far as
the size of the telemarketing company? I think you said in
remarks that the insurance industry was okay with this."

Hoffman: "Yes, all of the... as is the telemarketing industry...
and here's why... and here's what I talked to them about
when we sat down to discuss this. I think that these
organizations are wasting an enormous amount of time
calling people who don't want the calls and they're trying
to sell them something they don't want and don't need. So,
I think this is also gonna help the people who are in this
business by limiting their field to only customers who are
interested in potentially buying their product."

Osmond: "When you talked with... did you talk with anybody in the
insurance, like the PIA or anybody like that, that
represents smaller insurance agencies or... "

Hoffman: "Yes. They were at the table. And let me give you
the... there is an exemption that says that if you're
setting or attempting to set up a face-to-face appointment
for actions relating to that licensed trade, occupation, or
profession within the state, it is exempt."

Osmond: "Okay."

Hoffman: "And AARP is okay. They also were in on this
negotiations. They're okay with that because they're
concerned, and they believe the concern is, is when you're

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not... you don't want to set up a face-to-face meeting, you just want to sell something quickly over the phone and take advantage of some unsuspecting individual."

Osmond: "So, if the attempted call is to set up an appointment rather than a direct sale, will it be exempted from this?"

Hoffman: "Yes."

Osmond: "Okay, thank you."

Hoffman: "Yes. And that would include, for instance, a dentist's office or a doctor's office, also."

Osmond: "Okay."

Speaker Hannig: "Okay. Any further discussion? Then there being none, Representative Hoffman to close."

Hoffman: "I would just like to first of all thank the individuals who have had this idea here before. I know that you've worked very hard and also thank the individuals and the organizations that worked very hard to make this a reality. First of all, the American Association of Retired Persons have been very active in trying to push this. I think this is gonna be a model for the rest of the United States. It's going to show that we can protect legitimate businesses while making sure the people in this state do not get unwanted calls trying to sell them things that they don't want and don't need. People in this state and consumers in this state should not have to buy caller ID's in order to be able to enjoy the privacy of their own home. And so, what this would do is say that you can sign up for a no-call database, prohibit people from calling your house that attempt to call you at all hours and continually invading the privacy of your home. I ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Righter, Dale Righter, for what reason do you rise?"

Righter: "I rise for a point of personal privilege, Mr. Speaker."

Speaker Hannig: "Yes, state your point."

Righter: "Mr. Speaker, I'd like the Body to acknowledge that in the gallery today up here are the winners of the high school essay contest sponsored by the Illinois Manufacturers' Association. Please join me in congratulating them on their winning essays on, 'What advantages does a manufacturing-based economy have over a service-based economy?' Please give them a General Assembly welcome. Thank you, Mr. Speaker."

Speaker Hannig: "Welcome to Springfield. Mr. Clerk, would you read House Bill 3162. Representative Mautino."

Clerk Rossi: "House Bill 3162, a Bill for an Act in relation to alcoholic liquor. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Okay. Representative Saviano. Okay. Mr. Clerk, withdraw Amendment #1. Any further Amendments?"

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

Speaker Hannig: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 represents an agreement by the groups on House Bill 3162. And this Bill addresses creating basic standards for compliance operations, stings, if you will."

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The Law Enforcement Training and Standards Board is going to meet with the police agencies and develop rules for the... to be administered by JCAR. They will work with the Retail Liquor Association, as well. What we want to do is structure some base standards. I commend Representative Saviano for his work in conducting the negotiations. We now have agreement by all parties. And I simply ask for the adoption of this Amendment."

Speaker Hannig: "Is there any discussion? And on that question, Representative Saviano is recognized."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #2 is a culmination of a lot of hard work by our law enforcement agencies, the liquor industry, Mothers Against Drunk Driving. And I would commend everybody for their cooperation on this Amendment and Representative Mautino. He was at my side the whole time and I appreciate that. And I would ask that you adopt Floor Amendment #2."

Speaker Hannig: "And on that question, Representative Parke."

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

Speaker Hannig: "He indicates he will yield."

Parke: "Just answer the question for us. Is the Sheriff's Association in support of this now?"

Mautino: "Sheriff's Association, yes they are. They are going to... they are one of the parties who is going to actually go ahead and develop the rules. Sheriff's Association, the Tobacco Association... "

Parke: "State Police?"

Mautino: "...State Police..."

Parke: "How about the City of Chicago?"

Mautino: "...Law Enforcement Training and Standard Board and the Chiefs of Police."

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Parke: "How about the City of Chicago, are they okay now?"

Mautino: "City of Chicago is now fine with the Bill."

Parke: "Okay, there's no opposition then."

Mautino: "No, there's not."

Parke: "And this Amendment takes care of all that."

Mautino: "That is does."

Parke: "Thank you."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendment?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 16."

Clerk Rossi: "House Bill 16, a Bill for an Act in relation to disabled persons. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Granberg, has been approved for consideration."

Speaker Hannig: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #1 is a result of negotiations with the Department on Aging. It's not completely agreed to. I made the commitment to hold the Bill until final negotiations could be resolved. But in the interest of time... the Director, by the way, has been very, very gracious and we will not have a Bill called after this Amendment is adopted unless we have an agreement to hold the Bill in the Senate or we actually reach an agreement before this Friday. So, it actually implements the program that the Department of Aging has requested. And I would ask for the adoption of the Amendment."

Speaker Hannig: "Is there any discussion? All in favor of the

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Amendment say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 843."

Clerk Rossi: "House Bill 843, a Bill for an Act concerning telecommunications. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Granberg, has been approved for consideration."

Speaker Hannig: "Representative Granberg."

Granberg: "Amendment #1 to the Bill was at the request of the Revenue Committee. It restores the provision to allow consumers to bring suit against a telecom utility. That was at the request of the Committee. And I would move for its adoption."

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

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

Speaker Hannig: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. This, too, was at the request of the Committee. In fact, Amendment #2 restores the liability of a potential telecom utility. Amendment #1 actually put the language in as the House Bill 843 was an Amendment. So, I misspoke. Amendment #1 put the enacting language into the Bill. Amendment #2 restores the potential for liability on behalf of a telecom."

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

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Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 1027."

Clerk Rossi: "House Bill 1027, a Bill for an Act concerning the General Assembly. Third Reading of this House Bill."

Speaker Hannig: "Representative Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1027 is a simple Bill that would simply allow the Members of the General Assembly to prepay the utility bills. I don't know about yourself, but I know in my office, as soon as we get the bill we send them off but by the time it goes through the Comptroller's Office, a lot of times there's a late fee or an interest charge. And this would simply save the state money 'cause it costs over \$73 to cut a single check. A lot of times the utility bills are as little as 20 or \$30. So, this would actually save the state money. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1027. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, could you read House Bill 793."

Clerk Rossi: "House Bill 793, a Bill for an Act concerning growth. Third Reading of this House Bill."

Speaker Hannig: "Lady from Peoria, Representative Slone."

Slone: "Thank you, Mr. Speaker, and Ladies and Gentlemen. As we discussed during the adoption of the Amendment, the Bill

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would create... House Bill 793, as amended, would create a Balanced Growth Council of seven members appointed by the Governor who would consult with the Governor's existing Balanced Growth Cabinet four times a year on issues of open space, agricultural preservation, parks, and balanced growth issues. I would be happy to answer any questions."

Speaker Hannig: "And on that question, Representative John Turner."

Turner, J.: "Thank you, Mr. Speaker. Sponsor yield?"

Speaker Hannig: "She indicates she will."

Turner, J.: "Representative, I couldn't hear real well but it sounds like your Bill creates the Balanced Growth Council, correct?"

Slone: "That's correct."

Turner, J.: "What will the Council do?"

Slone: "It is a group of seven people from the same types of interests who were represented among the public members of our Legislative Task Force on growth issues that was chaired by Senator Maitland. And they would consult with the Governor's Balanced Growth Cabinet, which is a group of agencies that are already routinely meeting to deal with transportation and land use issues in the state."

Turner, J.: "How many people would be on the Council?"

Slone: "Seven."

Turner, J.: "My analysis says seven rather than 15. Why would that be in there? I know you didn't do the analysis. Did the original Bill have 15 or something?"

Slone: "Yes, the original Bill actually had the Governor's Balanced Growth Cabinet as part of the Council. And after discussions with the Governor's Office it was decided to set up the Council as a separate outside entity and not have the Cabinet Members be on the Council. That's why

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it's smaller."

Turner, J.: "And how much do the Members get paid?"

Slone: "They would not receive any pay, they would just receive expenses for their travel."

Turner, J.: "Just costs, is that what you said?"

Slone: "Yes, expenses."

Turner, J.: "All right. And who decides who will be on the Council?"

Slone: "The Governor makes the appointments."

Turner, J.: "Okay, are there like realtors on this Council? I mean, do we have a balanced approach here to having members from different, you know, segments on the Council?"

Slone: "Yes. I mean not necessarily realtors, but development is one of the categories that the Governor could appoint."

Turner, J.: "And how long will they serve once appointed?"

Slone: "It's intended that they serve two-year terms and it's set up so that at the beginning half would serve one year and half would serve three years and then they'd serve two-year staggered terms."

Turner, J.: "Committee did this come through, Representative?"

Slone: "I'm sorry?"

Turner, J.: "What committee did this Bill come through?"

Slone: "It went through Exec, initially."

Turner, J.: "It went through the Executive Committee, is that what you said?"

Slone: "Yes."

Turner, J.: "And was there opposition in the Executive Committee?"

Slone: "Not to my knowledge, no."

Turner, J.: "Do you know what the vote was?"

Slone: "No, but we can certainly find out for you, Mr. Turner."

Turner, J.: "Thank you."

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Slone: "I'm sorry, it was 7 to 0."

Turner, J.: "Okay, so no one even voted against it. How 'bout on the... did they... did the Floor Amendment, did that go through committee or was that put... Floor Amendment #2... or was that put straight from the Rules back to the floor?"

Slone: "That came straight back to the floor, Mr. Turner."

Turner, J.: "Okay, Representative, thank you for answering my questions."

Slone: "Thank you."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 107 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 1901 for Representative Bugielski."

Clerk Rossi: "House Bill 1901, a Bill for an Act concerning health care benefit information cards. Third Reading of this House Bill."

Speaker Hannig: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker, Members of the House. House Bill 1901 creates the Uniform Health Care Services Benefits Information Card. This is very similar to a House Bill that we passed last year, 4176, which was the cards for prescription drugs. And this just states that all medical cards or prescription card drugs, the benefit cards must have pertinent information on there that gives the name of the company, the hotline to the company, the address, the group number. And if you remember, the Amendment that I brought up today was basically saying that as long as it's

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on the prescription card it does not have to be on the medical card if it's from the same company and the same policy. And I ask for your 'aye' vote."

Speaker Hannig: "And on that question, Representative Parke."

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

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

Parke: "Representative, does this remove... Amendment #1 remove the objection of the Illinois Association of Health Plans?"

Bugielski: "Yes, that was the Amendment that we adopted earlier today which was the Amendment from the insurance industry."

Parke: "So, as far as you're concerned, you know of no opposition to this?"

Bugielski: "Right now this is, you know, I was told from the Med Society that this removes it all. And this was the agreed Amendment that took care of that."

Parke: "Thank you."

Speaker Hannig: "Is there any further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 2056 for Mr. Winkel."

Clerk Rossi: "House Bill 2056, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Hannig: "Representative Winkel."

Winkel: "Thank you, Mr. Speaker. House Bill 2056, as amended, provides for school bus safety. It provides for alternating flashing lights, reflective tape, and a strobe light. We debated this Bill a couple... few days ago. And

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I'd be glad to answer any questions about the Bill, as amended."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3080 for Representative Cross."

Clerk Rossi: "House Bill 3080, a Bill for an Act in relation to state employees. Third Reading of this House Bill."

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. I went into, I think, quite a bit of detail with some questions and answers a few moments ago when Amendment #2 was adopted. This deals with an individual in my district who's disabled and it applies... deals with the area of health insurance for a dependent under the Teacher Retirement System. I'd appreciate an 'aye' vote and be glad to answer any questions if anyone has any."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3247 for Representative Hassert. Mr. Clerk, would you read the Bill."

Clerk Rossi: "House Bill 3247, a Bill for an Act in relation to

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certain land. Third Reading of this House Bill."

Speaker Hannig: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker, Members of the General Assembly. House Bill 3247 is the annual Illinois Department of Transportation's transfer Bill. It has various land transfers throughout the state. Be happy to try to answer any questions."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in... Okay, Representative Hassert, I apologize for stopping, but Mr. Hassert had moved for passage of House Bill 3247. And the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 91 voting 'yes', and 11 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3262."

Clerk Rossi: "House Bill 3262, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3262 provides that upon recovering a firearm that was used in the commission of any offense or upon recovering a firearm that appears to have been lost... oh, any offense, I'm sorry, that's classified as a felony, or upon recovering a firearm that appears to have been lost, mislaid, stolen, or otherwise unclaimed, a local law enforcement agency shall use the best available information including a firearms trace when necessary, to determine prior ownership of the firearm. Basically, this is an initiative that would require local law enforcement to take

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recovered guns to the ATF and have them traced to determine who the owner is of the weapon. And I would ask for favorable consideration."

Speaker Hannig: "The Lady has moved for passage of House Bill 3262. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 3353 for Representative Howard."

Clerk Rossi: "House Bill 3353..."

Speaker Hannig: "Excuse me, Representative, there still are fiscal notes pending. Okay, Mr. Clerk, would you read House Bill 3006."

Clerk Rossi: "House Bill 3006, a Bill for an Act concerning the Illinois River Watershed. Third Reading of this House Bill."

Speaker Hannig: "Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3006 is a Bill to expand the authority of the Illinois River Coordinating Council which is under the jurisdiction of Lieutenant Governor Corinne Wood. It would allow the Coordinating Council to make recommendations to the Governor on improving coordination of appropriated funds under something called the Illinois Rivers 20/20 Program, which is a federal/state initiative that's quite new and is just being implemented. This would give the existing Coordinating Council the authority to make recommendations on the use of those funds. And I

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would request your support. Be glad to answer questions."

Speaker Hannig: "The Lady has moved for passage of House Bill 3006. And on that question, Representative Parke."

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

Speaker Hannig: "She indicates she will yield."

Parke: "Representative, is this the initiative that the Governor asked the Lieutenant Governor Corinne Wood to head up and she went to Washington and helped secure funds for this?"

Slone: "Yes."

Parke: "So, this is pretty much her initiative. And isn't this good for the State of Illinois, doesn't it provide some real meaningful program for us?"

Slone: "We hope it will, yes. There should be a substantial amount of appropriated federal funds as part of this program over an extended period of time. And the Coordinating Council already advises the Lieutenant Governor and other state agencies on this. On these general issues, this would expand their authority to make recommendations on this new program."

Parke: "Well, how will Illinois citizens benefit by this program?"

Slone: "Well, if it comes to fruition it's going to fund programs to really improve the health of all the lakes, all the streams in the Illinois River Watershed to prevent erosion and siltation into the river and to do a number of different projects that will help stabilize the river and return it to a more pristine state, one that will help wildlife."

Parke: "Is this legislation that our sportsmen and women would find useful? Is there a certain amount of, you know... I remember we had a Bill that said that a certain part of the waterway up to a certain number of yards is not supposed to

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be developed. Is this part of that initiative or is that something else?"

Slone: "That was separate, but certainly those kinds of programs on a voluntary basis are something that could be sponsored using these funds."

Parke: "Do you know if the sportsmen groups are in favor of this?"

Slone: "I don't know if they have a position. They're not listed as having a position but I think that they should favor it because if we improve the water quality in the river and reduce the amount of silt that's coming in that should really help the fishery a lot, the sports fishery."

Parke: "Does this affect the agricultural community in any way for chemical runoff into the rivers? Is there... is the Farm Bureau in support of this in working with you on it?"

Slone: "Again the farm... I don't have anything on the Farm Bureau's position with regard to this Bill but the Conservation Reserve Enhancement Program which we already have in place and which could be expanded under Illinois Rivers 20/20 has been a very popular program with the farm community and was supported by the Farm Bureau."

Parke: "Okay. Well, to the Bill, Ladies and Gentlemen of the House. I rise in support of this legislation. Lieutenant Governor Wood has honchoed this program with work in the Congress and then the federal grants to be part of this. And I think that this is a good program for the people of Illinois."

Speaker Hannig: "Is there any further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this

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question, there are 107 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 3347."

Clerk Rossi: "House Bill 3347, a Bill for an Act concerning radioactive waste storage. Third Reading of this House Bill."

Speaker Hannig: "Representative Novak."

Novak: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3347 is a collaboration between Illinois Department of Nuclear Safety and Commonwealth Edison. It deals with the temporary reduction of fees that are paid by Commonwealth Edison, the utility, on its nuclear reactors. For a good number of years, the fees have been paid to provide a funding mechanism to site a low-level nuclear waste storage facility in the state. There was an attempt in Southern Illinois to do that a number of years ago, but that attempt had failed. And this simply temporarily suspends the fee for a period of time with the proviso that should a facility need to be sited, the fee could be reimposed. Be more than happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3347. And on that question, the Gentleman from Cook, Representative Parke."

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

Speaker Hannig: "Indicates he will yield."

Parke: "Representative Novak, you say that there's some kind of a fee applied to... is it if they break this rule, or break the law, they end up paying some kind of a penalty or we call it a fee?"

Novak: "No, the fee... Mr. Parke, the fee was imposed a number of years ago on Commonwealth Edison and I believe at that

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time, Illinois Power, since they had a nuclear plant downstate. On each nuclear reactor at every nuclear facility the fees were collected by the state and put into a fund to develop and site and locate and do all the geological work and public hearings to site a low-level radioactive waste facility in the state. Well, it's been going on for about 10 years right now and no facility has ever been sited. The amount of low-level radioactive waste has diminished significantly because of more efficient means by the nuclear power plants. So what this does is suspends the fees for a period of time, which saves the utility about a million dollars. But should the fund fall below, I think, \$500 thousand, the agency has the right to reimpose the fee and start collecting it again. And the reason why they're advancing this is because there isn't any use for the money right now, since there isn't any active program going on right now by the agency to site a facility."

Parke: "Where does the money sit? Does it sit in a side fund somewhere or is it..."

Novak: "Right it's... the name of the fund is the Low-Level Nuclear Waste Facility Development and Operations Fund."

Parke: "Who holds the money? The Treasurer?"

Novak: "Yes, the State Treasurer."

Parke: "And do they invest it at interest?"

Novak: "I assume they do. I don't have any written communication here from Ms. Topinka's office, but those are private dollars, they're not tax dollars. And I would assume they're invested at a comparable rate. I was advised by the Department that they are invested."

Parke: "And does the interest go into the General Revenue Fund or does it go into that fund?"

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Novak: "Interest that is accrued goes... is rolled back into the Low-level Waste Fund. Rolled back in."

Parke: "So, the interest also stays in the fund."

Novak: "Correct."

Parke: "And it just continues to grow."

Novak: "Correct."

Parke: "As Amendment #1 became the Bill, Amendment #2 is a technical cleanup. Do you know if anybody is in opposition to this now?"

Novak: "No, no, none. Amendment #2 just simply added an effective date to the Bill."

Parke: "And the Department has the authority on their own, by virtue of this legislation, to reimpose it if it drops below a half a million dollars."

Novak: "Correct."

Parke: "Thank you very much."

Novak: "You're welcome."

Speaker Hannig: "The Gentleman from Dupage, Representative Johnson."

Johnson: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he will yield."

Johnson: "Representative, do you know what the current balance is in this fund?"

Novak: "The Department advises me about 5 million."

Johnson: "Okay, so currently it's about 5 million. I noticed from my analysis that evidently the Department pays several salaries out of this fund every year in order to track, I guess, nuclear waste coming in and going out."

Novak: "Yes, four personnel are funded with these fees."

Johnson: "And will they continue to be funded out of that program?"

Novak: "Yes, they will."

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Johnson: "Okay, so we're gonna continue to fund that but we're not gonna take any more fees into it for the time being."

Novak: "For the time being, right."

Johnson: "Okay. Can you tell me where we stand in terms of the Feds or anybody else in terms of disposing of this low-level waste?"

Novak: "Well, as you know, this is the legislation that was passed a number of years ago authorizing the creation of a low-level waste depository. There was about ten years of activity, statewide hearings were held. About a hundred million dollars were spent that was generated through these fees by all the generators in the state. They tried to site one in Martinsville, down in Southern Illinois and the siting process failed. And at that time the state went ahead and looked at other areas around the state but they didn't get any further than that. They held some more public hearings. And right now, there is not an active search for a low-level nuclear waste facility. The Federal Government, on the other hand, is trying to site a high-level nuclear waste facility out West, presumably in the Yucca Mountains in Nevada, which is a very, very controversial subject."

Johnson: "So, have we given up completely on trying to site something here in Illinois or are we in conjunction with the... are we in any compact with any adjacent states?"

Novak: "We have a compact with the State of Kentucky."

Johnson: "Just Kentucky, though."

Novak: "Yes."

Johnson: "Okay."

Novak: "That was created over ten years ago. The... as I was advised by the Department, we're waiting to see if the State of Utah is going to be opening a facility."

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Currently, we send most of our low-level waste to Barnwell, South Carolina, which has been open for a number of years. But the state out there has been... there's been overtures in South Carolina to close that facility or close it all to any exportation or importation of low-level waste from other states."

Johnson: "Okay. So, as far as you know, we're not facing any crisis in this state. You know, I am familiar with low-level radiation and trying to find a place to put it and..."

Novak: "I think they were called mill tailings, weren't they?"

Johnson: "That's right. You know, I think we've probably pretty well filled up a site out in Utah."

Novak: "Probably."

Johnson: "But it is a crisis when you have something like we did there in West Chicago. And, you know, I am concerned over the long haul in terms of our planning and are we just kind of throwing our hands up at this point and deferring it all... gonna leave it to the Feds or Kentucky or what?"

Novak: "Well, I suppose in retrospect ten years ago there was a lot more low-level waste in the waste stream. Ten years hence, the waste stream has been reduced significantly by economies and efficiencies at each nuclear facility, as well as universities and laboratories that generate this substance, as well. So, the waste stream has diminished significantly. So, to answer your question, Mr. Johnson, whether we need a facility in this state, I think time will bear that out."

Johnson: "Okay, thank you."

Speaker Hannig: "And on that question, Representative Dart."

Dart: "Thank you. Sponsor yield?"

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

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Dart: "Phil, just a real quick question. Is this reducing the fees for these different entities?"

Novak: "Takes the \$90 thousand fee off after the year 2002, for a temporary period of time."

Dart: "Okay. And you may have already mentioned this. Why is it that we're reducing it, Phil?"

Novak: "Well, we're reducing it because, basically, the fees have historically been used to site a low-level nuclear waste facility. Since the state is not actively pursuing one, there's discussions with Commonwealth Edison, Unicom and the agency to decide to provide them a little assistance. Now, if there is a need to reactivate the fee, the agency has the authority under the Act to go ahead and reactivate the fee, should the endeavor to site a facility is placed back on the front burner."

Dart: "And then they'd be able to do that by rule-making authority?"

Novak: "Pardon me?"

Dart: "They'd be able to do that by rule-making authority?"

Novak: "Yes."

Dart: "Okay. Thanks, Phil."

Novak: "You're welcome."

Speaker Hannig: "Representative Novak to close."

Novak: "Thank you very much, Ladies and Gentlemen of the House. I simply ask my colleagues for support of this legislation. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 84 voting 'yes', and 21 voting 'no'. And this Bill, having received a Constitutional Majority,

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is hereby declared passed. Mr. Clerk, would you read the House Committee Schedule."

Clerk Rossi: "The following committees will meet immediately after Session: The Agriculture Committee in Room D-1; The Counties & Townships Committee in Room 122-B; The Elementary & Secondary Education Committee in Room 114; The Revenue Committee in Room 115. The following committees will meet 30 minutes after Session: The Appropriations-Elementary & Secondary Education Committee in Room 114; The Environment & Energy Committee in Room D-1; The Executive Committee in Room 118; The Judiciary I-Civil Law Committee in Room C-1; The State Government Administration Committee in Room 115; The Disabled Community Committee in Room 122-B. The following committees will meet 90 minutes after Session: The Financial Institutions Committee in Room C-1; The Judiciary II-Criminal Law Committee in Room 118; The Tobacco Settlement Proceeds Committee in Room 114; and the Transportation & Motor Vehicles Committee in Room D-1."

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

Lyons, E.: "Thank you, Mr. Speaker. On a point of personal privilege, I would just like to announce that the Capitol Capers Show Committee will meet in Room 118 after the 3:30 Committees, about 4:00. In Room 118 after the 3:30 Committee, about 4. Thank you."

Speaker Hannig: "Are there any other announcements. Representative Delgado."

Delgado: "Yes, thank you, Mr. Chairman. I rise for a point of personal privilege."

Speaker Hannig: "State your point."

Delgado: "Today, Ladies and Gentlemen of the House, we have a

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special guest and her name is Jacqueline Hernandez. She's a student, actually a senior at Lane Tech High School. She lives in my district in the Third State Rep District and she's a recipient of the Illinois Manufacturers' Association High School Essay Contest and she's one of our winners and she's here visiting with her mother. She's up in the gallery if you could give her a nice General Assembly round of applause as we encourage our youth into the future. She's here visiting with her mother. Thank you very much."

Speaker Hannig: "Welcome to Springfield. Are there any other announcements? Then Representative Barbara Currie moves that allowing for perfunctory time for the Clerk, that the House stand adjourned until tomorrow, April 3rd, at the hour of 11:00 a.m. You've heard the Motion. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the House stands adjourned until tomorrow at 11:00 a.m."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 171, offered by Representative Granberg; House Resolution 184, offered by Representative Currie; House Resolution 187, offered by Representative Howard are assigned to the Rules Committee. Introduction and First Reading of Senate Bills. Senate Bill 60, offered by Representative Holbrook, a Bill for an Act concerning taxes. Senate Bill 117, offered by Representative Hamos, a Bill for an Act concerning family law. Senate Bill 377, offered by Representative Winters, a Bill for an Act with respect to schools. Senate Bill 617, offered by Representative Holbrook, a Bill for an Act in relation to taxes. Senate Bill 730, offered by Representative Tenhouse, a Bill for an Act in relation to taxes. Senate Bill 969, offered by Representative Holbrook,

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a Bill for an Act in relation to unemployment insurance. Senate Bill 1172, offered by Representative Daniels, a Bill for an Act concerning the duties of the Governor. Senate Bill 871, offered by Representative Tenhouse, a Bill for an Act in relation to bodies of water. Senate Bill 880, offered by Representative Persico, a Bill for an Act in relation to community water supplies. Senate Bill 950, offered by Representative Schmitz, a Bill for an Act concerning child support. Senate Bill 1033, offered by Representative Julie Curry, a Bill for an Act in relation to support. Senate Bill 1093, offered by Representative Johnson, a Bill for an Act concerning abortion. Senate Bill 1094, offered by Representative Johnson, a Bill for an Act in relation to civil liabilities. Senate Bill 1095, offered by Representative Johnson, a Bill for an Act concerning infants who are born alive. Senate Bill 1276, offered by Representative Coulson, a Bill for an Act in relation to pharmaceutical assistance. Senate Bill 1285, offered by Speaker Madigan, a Bill for an Act in relation to taxation. First Reading of these Senate Bills. Senate Bill 31, offered by Representative Daniels, a Bill for an Act concerning sanitary districts. First Reading of this Senate Bill. Being no further business, the House Perfunctory Session stands adjourned."