

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

218th Legislative Day

1/10/2005

Speaker Madigan: "The House shall come to order. The House shall come to order. Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off their laptop computers, cell phones and pagers. And we ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Lee Crawford, the Assistant Pastor of the Victory Temple Church in Springfield."

Pastor Crawford: "Let us prayer. Most sovereign and righteous King, we come before you this moment to reverence, to love and to thank You. Father, to thank You for the many blessings that You have bestowed upon our lives, for the protection that You have provided for us. Protection through the dangerous seen and unseen. Father, we thank You for being a God that we can lean on. A God that we can depend on and a God that we can trust in. Father, so this day we ask that You would be our very present help in the time of all of our troubles and in the time of all of our needs. This we ask in Your son's name. Amen."

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

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

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

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Currie: "Thank you, Mr. Speaker. Please let the record that there is no excused absences amongst House Democrats today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Daniels is excused today."

Speaker Madigan: "Mr. Clerk, take the record. There being 116 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Mahoney: "Rules Committee report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following Legislative measures and/or joint action Motions were referred, action taken on January 10, 2005, reported the same back with the following recommendations: 'approved for floor consideration' House Bill 768, Senate Bill 37, Senate Bill 738, Senate Bill 2216, Senate Bill 2220; 'approved for the Order of Concurrence' Senate Amendment #1 to House Bill 612 and Senate Amendment #1 to House Bill 768."

Speaker Madigan: "Representative Currie. Representative Barbara Currie, did you wish to call House Bill 552? It's an act concerned with minors."

Currie: "Thank you, Mr. Speaker, Member of the House. I move the House concur on Senate Amendment 1 to House Bill 552. As you know, the courts threw out some language involving youth curfew some time ago. This is an effort to reinstate a curfew law across Illinois, across those communities that are not Home Rule and they're not in a

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position to be able to adopt one themselves. We believe we've met the challenges set by the court. We believe that this... this methodology will provide for legitimate curfew law without interfering with the legitimate rights of minors. The measure has passed the Senate 59 to 0. I'd be happy to answer your questions and I'd appreciate your support for the bill."

Speaker Madigan: "Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, I just have a question on this legislation. Why are we doing this again, is... what is the purpose of this?"

Currie: "The purpose of the Bill is to... is to rectify Illinois curfew law after the courts threw out an comparable statute in the state of Indiana."

Parke: "Okay. It's our understanding..."

Currie: "We... we have... we passed it and the Senate sent it back with some technical Amendments."

Parke: "I understand that this was another one of our Representative had a Bill very similar to this or exactly like this, is that true?"

Currie: "I think it's the same. But the Senate because of the way they do rules, instead put the language on one of our shell Bills that was in that chamber."

Parke: "Is that the one that Representative Millner had?"

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Currie: "Same. And in fact, we would very much welcome Representative Millner as a principal Sponsor of this measure."

Parke: "Okay. Well, I will... then yield to Representative Millner and if he wants to address the issue, I'd certainly be happy let him do that. Thank you, Representative."

Speaker Madigan: "There being no further discussion. The question is, 'Does the House concur with Senate Amendment #1 to House Bill 552?' This is final action. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Ladies and Gentlemen, we are on a final action roll call. The Clerk shall take the record. On this question there are 115 people voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #1 to House Bill 552 and this Bill having received a Constitutional Majority is hereby declared passed. Mr. Reitz, did you wish to call House Bill 612? Mr. Clerk, Mr. Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 612 is essentially just clean up language for a pension Bill... Firefighter Pension Bill, that we passed last year, just makes technical changes in that section. I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman moves that the House does concur in Senate Amendment #1 to House Bill 612. The Chair recognizes Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

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Parke: "Representative, now this... this includes the widow's benefits. ...Is this widows and orphans also included in the bill, is it both? And where is the Representative..."

Reitz: "I'm right here. I'm over here. It's my understanding, I know this carries the widow's portion and cleans that up. Was... basically these are just technical... clean up changes from the agreement that we had when we passed it and it was... just clarifies some... some of the agreement and changes the language to reflect those clarifications."

Parke: "Do you know if anybody's in opposition to this? Have you heard..."

Reitz: "I... I know of no opposition to this Bill."

Parke: "Was this heard in Committee?"

Reitz: "Yes it was. Prior in the Veto Session we... we discuss..."

Parke: "And there was no opposition brought before?"

Reitz: "No opposition at all. It passed out unanimously."

Parke: "Thank you, Representative."

Speaker Madigan: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 612?' 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 115 people voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #1 to House Bill 612 and this bill having received a Constitutional Majority is hereby declared passed. Mr. Reitz on House Bill 665."

Reitz: "Thank you, Mr. Speaker. House Bill 665 clarifies some technical drafting errors that were made in the Illinois

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Grain Code. It essentially set up a 6-month window where we would not collect the agreed amount for... for the grain code. Unfortunately, we were unable to do this during the Veto Session so that 6-month period is from January 1 of 2005 until June 30, 2005. This Bill will essentially now still leave that gap but after July 1 of 2005, the assessment will continue until the balance is made up so that we can pay those bal... the dollars from the Grain Insurance Fund back to the General Revenue Fund. And I'd be happy to answer Representative Parke's questions."

Speaker Madigan: "The Gentleman moves that the House concur in the Senate Amendment. 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 116 voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #1 to House Bill 665 and this matter having received a Constitutional Majority is hereby declared passed. Mr. Lang on House Bill 699."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I move concurrence on both Senate Amendments to House Bill 699. This is a Bill that deals with insurance reimbursements for nursing homes. It's a Bill that almost all of us voted for two or three times. It became the subject of an Amendatory Veto by the Governor. The Amendatory Veto was held not to be in compliance and so the guts of the Bill have been place on this Bill for concurrence today. I would move passage."

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Speaker Madigan: "The Gentleman moves that the House concur in the Senate Amendments. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. The House does concur in Senate Amendments #2 and 3 to House Bill 699 and this Bill having received a Constitutional Majority is hereby declared passed. Mr. Hoffman on House Bill 734."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 734 asks that we concur in Senate Amendment #1. It's simply a technical clean up to the DUI rewrite that was passed last Legi... the Legislation Session before last. And I would ask for a favorable roll call."

Speaker Madigan: "The Gentleman moves that the House concur in the Senate Amendment #1. There being no discussion. The question is 'Shall the House concur in the Amendment?' 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 116 people voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #1 to House Bill 734 and this Bill having received a Constitutional Majority is hereby declared passed. Representative Currie. Representative Currie. Mr. Hoffman, did you wish to call House Bill 3641, it concerns with boards and commissions?"

Hoffman: "Yes, I move that we concur in the Senate Amendment #1. I move that we concur in Senate Amendment #1. This

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simply indicates that individuals who are federal employees can serve on the governing boards of colleges."

Speaker Madigan: "The Gentleman moves that the House concur in the Amendment. There being no discussion. The question is 'Shall the House concur in Senate Amendment #1 to House Bill 3641?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #1 to House Bill 3641 and this Bill having received a Constitutional Majority is hereby declared passed. Representative Currie, House Bill 1007, do you wish to call the Bill? This concern with executive agencies."

Currie: "Thank you, Mr. Speaker. I move the House concur in Senate Amendment 2 to House Bill 1007. This measure deals with the leasing of state property by the Department of Transportation to our local units of government or to other entities. What it provides is that for a limited period of time, the Department of Transportation can negotiate into a long-term lease in the City of Chicago as long as that lease is of fair market value. The issue here is land that can be develop underneath the Dan Ryan Expressway but the people who want to develop it need to know that they're going to be able to continue using the property in ways that are revenue enhancing for longer than the short period of time that generally applies when IDOT leases property. The measure gives IDOT the right to continue to maintain



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and repair the structure above the land, that is to say, make sure the highway itself is not endangered by this proposal. I know of no opposition and we had help from Members of the Minority Party in making sure that the lease would be a fair market rental and would be limited to this short window of opportunity. I'd be happy to answer your questions. I'd appreciate your support for the Bill."

Speaker Madigan: "The Lady moves that the House concur in Senate Amendment #2. The Chair recognizes that there is no further discussion and therefore, the question is 'Shall the House concur in Senate Amendment #2 to House Bill 1007?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 114 people voting 'yes', 1 voting 'no'. The House does concur in Senate Amendment #2 to House Bill 1007 and this Bill having received a Constitutional Majority is hereby declared passed. Ladies and Gentlemen, if I could have your attention for just a few moments. Here in the Illinois House of Representatives, we have an informal, unwritten rule that if in the event that you get elected to the United States Senate, there is a great reward for you that you can speak to the Members of the House from the Speakers podium."

Barack Obama: "Thank you, thank you. Thank you, guys, ah this is so nice. Thank you, thank you guys. The... this is really sweet, thank you. Thank you. The... this is not expected. I am very grateful to the Speaker to... giving me this honor. I mainly just came by to say, hello. We just...

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we just opened up our Springfield office. And I want to report to you that I've been in Washington now a week and they've got nothin' on the Illinois General Assembly. The... ya know... the Democrats are better lookin' here than they are in Washington. The Republicans are tougher here than they are in Washington. So, I feel like I've... I feel like I've gone through the best possible training ground. And you guys will be seeing a lot more of me. And I hope that I have an opportunity to visit all your districts, to work with everybody on the issues that they're working on. I'm extremely gratified for the time that I spent here. And... ya know, to the extent that I do well in Washington is gonna be because of all of you. So, thank you very much everybody."

Speaker Madigan: "Representative Currie. Representative Currie on House Bill 1021."

Currie: "Thank you very much, Mr. Speaker and Members of the House. I move the House concur in Senate Amendment 1 to House Bill 1021. A year ago this Legislature adopted language in situations involving gestational surrogacy. So, as to make clear who the parents of a child born through that technology would be. When we passed the act which the Governor has since signed into law, we failed to make a minor change in the Illinois Parentage Act. This measure would correct that omission and would merely say that the... the intended parents either or both may have contributed the genetic make up of what will become this

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child. I know of no opposition and I'd appreciate your support for this clarifying technical change."

Speaker Madigan: "On House Bill 1021, Representative Currie has moved that the House concur on Senate Amendment #1. There is no further discussion. The question is 'Shall the House concur in Senate Amendment #1 to House Bill 1021?' 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 116 people voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #1 to House Bill 1021 and this Bill having received a Constitutional Majority is hereby declared passed. Representative Currie, House Bill 867."

Currie: "Thank you, Mr. Speaker and Members of the House. I move the House concur in Senate Amendment 2 to House Bill 867. This is not a new issue to us. This has to do with uniformity in the collection of the real-estate transfer tax. Some properties have been held exempt from payment of the local real-estate transfer tax. We corrected that problem last year applying it to municipalities. The language failed to include counties. This measure would make it possible for counties to continue an uniformed approach to the real-estate transfer tax. The counties would have to opt to decide to impose the tax or not. But this gives the opportunity for uniformity. The measure has the support of the Illinois Association of County Clerks and Recorders, the Association of County Officials and the

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Illinois Department of Revenue. I'd be happy to answer your questions."

Speaker Madigan: "The Lady moves that the House concur in Senate Amendment #2. The Chair recognizes Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, ...this is already being done through certain entities... entities of government is already doing this?"

Currie: "Municipalities have been given precise authority to do so. That statute left out counties."

Parke: "All right. Will... would we be... would you consider this an ex... an... given them authority for the tax or is it in place already? 'Cause..."

Currie: "Well, they..."

Parke: "...some of our Members would want to know, are they voting for a tax increase with this?"

Currie: "Well, my understanding is that the counties that are likely to impose this portion of the tax, have already done so. So, you can argue that all this does is clarify their continuing authority to collect the tax."

Parke: "So, this in fact, is an increase. Do you have any id... do you how much money are we going to raise with this?"

Currie: "I... would only tell you that had been collecting this tax until a year and a half ago. And I do not how the tax breaks out with one kind of property rather than another."

Parke: "So, but this is a tax and a municipal governments will... and county government will be able to use this."

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Currie: "Municipalities have this clear authority today. Counties had the authority, that authority was called into question. We're clarifying that they have the authority they thought they had."

Parke: "Okay. Well, then I think the Body should be aware that this is a... an increase in a tax, though it's not a huge increase. It's only on the transfer of... what is this... Representative Currie, a trans... for controlling interest? Is that what it is only controlling interest?"

Currie: "It is... it is the transfer of properties that are transferred differently from the usual mortgaging program. Counties continue to have that authority. The authority that was raised in question was the authority to apply the transfer tax to properties that were bought and sold through real-estate investment trusts."

Parke: "And this is something that is absolutely necessary to them to continue to function, this is an increasing revenue for municipal governments?"

Currie: "It's intended to make the counties whole, Representative, and to establish uniformed taxation. But... principals that I think we all believe are important."

Parke: "Well, I'm very concerned about Cook County and what's going on there. And the increase in tax... what's that?"

Currie: "Cook County actually... Cook County has that authority today. This... this Bill only deals with counties outside of Cook."

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Parke: "Okay. Well, then, I appreciate that this applies only to counties outside of Cook County. Is there any other county doing this other than Cook?"

Currie: "All the counties except Cook."

Parke: "All the counties except Cook?"

Currie: "Yes, Cook is not in this Bill because Cook has Home-Rule power."

Parke: "All right. So, Ladies and Gentlemen, be aware this is an increase for all the counties except for Cook County and so, be prepared to vote shortly. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. I rise in support of the Lady's proposal, her Motion to concur. The state and county real-estate transfer tax has always been uniformed. Counties collect both the state and county tax and uniformity between the two allows for this easy implementation. Now last year with... with the passage of Senate Bill 1883, we changed that and we imposed a significant administrative burden on our county recorders by separating the two taxes. So, while counties continue to include these additional transactions and they'll have little revenue impact, it will ease a considerable administrative burden and reduce paperwork for county recorders and the Department of Revenue if we pass this Bill. House Bill 867 has the support of the Illinois Association of County Clerks and Recorders, the Department of Revenue, the Association of County Officials and I'm not aware of any organized opposition. So, this is simply

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fairness and uniformity. It corrects a problem that we inadvertently created in the past. And I'd ask for a 'yes' vote."

Speaker Madigan: "The Lady moves that the House concur in Senate Amendment #2. 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 61 people voting 'yes', 54 voting 'no'. The House does concur in Senate Amendment #2 to House Bill 867 and this Bill having received a Constitutional Majority is hereby declared passed. Representative Bellock on SJR 90. Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. I have SJR 90 which recognizes November as Diabetes Month in the State of Illinois. I'd appreciate your support."

Speaker Madigan: "The Lady moves for the adoption of the Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Ladies and Gentlemen, if I could have your attention, please. Ladies and Gentlemen, hello, hello, hello everybody. You're all talking about this new United States Senator in Washington and they just can't stop talking about him. We do want to introduce a new Member here in the Illinois House. Replacing Steve Davis from Madison County, Dan Beiser. Dan Beiser, please rise."

Beiser: "Thank you, Mr. Speaker. It is truly an honor to be here and to serve in the House of Representatives. I look

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forward to it and I'm very excited and can't wait to get going. Thank you very much."

Speaker Madigan: "Thank you. Chair recognizes the Clerk for the purpose of an announcement. Mr. Clerk."

Clerk Mahoney: "Committee announcements. At 3 p.m. the Environment and Energy Committee will meet in room D-1, Judiciary-Civil Law will meet in room 114, Local Government will meet in room C-1, Registration and Regulation will meet in 118, State Government Administration will meet in room 122B. At 3:30 p.m., Appropriations General Services will meet in room 118, Personnel and Pensions will meet in room 115 and the Revenue Committee will meet in room 122B."

Speaker Madigan: "Ladies and Gentlemen, please let me have your attention. The Clerk has announced Committee meetings to begin immediately. And so, the plan is that the House will stand in recess until 4 p.m. for the purpose of the Committee meetings on this notice which is being distributed right now. So, if you are a Member of any of the Committees posted on the green piece of paper, please go to the Committee room immediately. The House shall stand in recess until 4 p.m. for the purpose of Committee meetings. Thank you."

Speaker Madigan: "The House will come to order. The Chair recognizes the Clerk."

Clerk Mahoney: "Committee Reports. Representative Molaro, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on January 10, 2005, reported the same back with the following



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recommendation/s: 'be adopted' Floor Amendment 1 to Senate Bill 2212, Floor Amendment 1 to Senate Bill 2220, Floor Amendment 1 to Senate Bill 3195, Floor Amendment 1 to Senate Bill 3196; Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Monday, January 10, 2005, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment 1 to Senate Bill 37, Floor Amendment 1 to Senate Bill 738, Floor Amendment 1 to Senate Bill 2216. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on Monday, January 10, 2005, reported the same back with the following recommendation/s: 'be adopted' Motion to concur with Senate Amendments 4 and 5 to House Bill 834. Referred to the House Committee on Rules is House Resolution 1289 offered by Representative McAuliffe. Representative Bradley, Chairperson from the Committee on Personnel and Pensions, to which the following measure/s was/were referred, action taken on Monday, January 10, 2005, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #2 to Senate Bill 99. Representative Monique Davis, Chairperson from the Committee on Appropriations-General Services, to which the following measure/s was/were referred, action taken on Monday, January 10, 2005, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #2 to Senate Bill 3362."

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Speaker Madigan: "Representative Currie. Senate Bill 3199 on page 2 of the Calendar."

Clerk Mahoney: "Senate Bill 3199 has been read a second time previously. No Committee Amendments. Floor Amendment #2 offered Representative Currie has been approved for consideration."

Currie: "Thank you, Mr. Speaker and Members of the House. This Amendment provides that somebody who is serving as legal counsel in the Office of the Governor or is Chief Deputy Attorney General and is a former judge that that person does not need to give up his or her pension in order to serve in either of those positions."

Speaker Madigan: "Mr. Parke. Mr. Parke."

Parke: "Thank you, Mr. Speaker. I'm looking on our analysis, I do not see Amendment 2 on the computer. Am I missing it or is it going to be updated in a minute or two so that we can look at and discuss it? Do... is it... is the preference of the Chair to just wait till it comes on or do you want to proceed?"

Speaker Madigan: "I think you would say that she would not be adequately prepared until it was on the system, wouldn't you?"

Parke: "I really think it should be."

Speaker Madigan: "Yeah."

Parke: "We'll wait."

Speaker Madigan: "All right. Mr. Clerk take this matter out of the record. Mr. Scully, did you wish to do House Bill 834? Mr. Scully."

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Scully: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. I'd like to ask your concurrence in Senate Amendments #'s 4 and 5 to House Bill 834. Senate Amendment #4 adds a... adds a definition to the municipal code for the purpose of defining what constitutes a strip parcel in order to give greater ability to local government to annex parcels of property. Senate Amendment #5 amends the revenue act to allow to Tiff Districts within the same municipality which are separated by... merely by a forest preserve district to use the funds for one ta... tiff for the other. This Bill... this Motion to concur passed on an Attendance Roll Call in the Local Government Committee. I ask for your favorable consideration."

Speaker Madigan: "Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "On these Amendments, did anybody... were these Amendments Bills that were placed on this Bill? Were they previously Bills? Or is it just the... to clarify the underlying legislation?"

Scully: "In the case of Senate Amendment #4, Senate Amendment #4 merely clarifies pre-existing legislation. Senate Amendment #5 gives municipalities the ability to share revenue from one Tiff District with another if they are adjacent but for a forest preserve district. They could do it now if the two Tiff Districts were adjacent. This to specific address... specifically address an issue in

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Glenwood, Illinois where there are two Tiff Districts separated only by a forest... a Cook County Forest Preserve."

Parke: "Is there anybody showing an opposition to this? Anybody come to you with a concern about this?"

Scully: "There's no opposition and I am very confident that the only municipality in the State of Illinois that's affected at this time is the Village of Glenwood. And they're asking for this power for local government."

Parke: "Very good. Thank you, Sir."

Speaker Madigan: "Mr. Miller."

Miller: "Thank you, Mr. Speaker. To the Amendment. I would just like to urge the Members of the... of the House here to support this Amendment. It is an initiative from the Village of Glenwood. It does help them out with the situation. And I would ask for 'aye' votes."

Speaker Madigan: "There being no further discussion. The question is 'Shall the House concur in Senate Amendments #4 and 5?' 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 116 people voting 'yes', 0 voting 'no'. The House does concur in Senate Amendments #4 and 5 to House Bill 834 and this Bill having received a Constitutional Majority is hereby declared passed. Committee report."

Clerk Mahoney: "Representative Holbrook, Chairperson from the Committee on Environment and Energy, to which the following measure/s was/were referred, action taken on Monday,

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January 10, 2005, reported the same back with the following recommendation/s: 'be adopted' Motion to concur with Senate Amendment #7 to House Bill 911."

Speaker Madigan: "On page 3 of the Calendar there appears House Bill 911. The Chair recognizes Mr. Rita."

Rita: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #7. What's it do? It's basic... basically, it expedites the time period for a... waste transfer site in the Village of Robbins, which is within my district, which by speeding up this process would help the community of Robbins with their financial situation."

Speaker Madigan: "The Gentleman moves that the House concur in Senate Amendment #7. The Chair recognizes Representative Meyer."

Meyer: "Thank you, Mr. Speaker. I have a question of the Chair. Mr. Speaker, in committee there were two Amendments, one was to concur with Senate Amendment #1, one was nonconcurring with Senate Amendment #8. In fact, the committee took two concurrence votes, one to concur with Senate Amendment #7, which passed, the Motion to Concur with Senate Amendment #8 failed. But my understanding of the procedures is that the Motion should've been voted on in committee, as it was proposed out of Rules, and therefore the action in committee is invalid."

Speaker Madigan: "Mr. Meyer, in response to your inquiry, I'm gonna ask the Clerk to advise the Body what matters were before the committee."

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Clerk Mahoney: "A Motion to Concur to Senate Amendment #7, a House Bill 911 is referred to the Committee on Environment & Energy."

Speaker Madigan: "Mr. Clerk, were there any other Amendments referred to the committee?"

Clerk Mahoney: "No other Amendments were referred to the committee."

Speaker Madigan: "So Mr. Meyer, the Clerk is reporting that there was only one Amendment before the committee, #7. Mr. Meyer."

Meyer: "Mr. Speaker, the Amendments... the Bill came over with two Amendments on it, Senate Amendment #7, Senate Amendment #8. I would just ask for a Roll Call vote on Senate Amendment #8... on the Motion to Nonconcur."

Speaker Madigan: "Mr. Meyer, we... we'll give you a Roll Call vote on the Motion to Nonconcur in Amendment #8. We will do that."

Meyer: "Thank you."

Speaker Madigan: "Okay."

Meyer: "Thank you, Sir."

Speaker Madigan: "And now we'll go back to Mr. Rita's Motion to Concur in Senate Amendment #7. And on that question, the Chair recognizes Mr. Parke."

Parke: "...you, Mr. Speaker. I was in the committee and we asked to divide the issue and the Chair refused to allow us to... no, no. No, it was the other way around. Thank you. Let's proceed with the vote."

Speaker Madigan: "Mr. Black."

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Black: "Thank you very much, Mr. Speaker. Happy New Year to you. Inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "On page 3 of the Calendar, under Motions to Concur, is House Bill 911, concurs Senate Bill 7 and 8. Now, in the absence of any paperwork, my inquiry of the Chair, prior to the committee action did the Sponsor file paperwork saying that he only intended to concur with Senate Amendment #7? If he did, fine. If he didn't, then I would ask the parliamentarian to rule that... that this Motion is out of order because it isn't carried on the Calendar correctly."

Speaker Madigan: "Mr. Black, I'm the House Sponsor of the Bill."

Black: "Well, that's why I'm... that's why I'm questioning it, because you seldom make those kinds of mistakes."

Speaker Madigan: "This is not a mistake."

Black: "Oh."

Speaker Madigan: "My... my plan was to move to concur in Amendment #7 and move to nonconcur in Amendment #8."

Black: "And you filed the necessary paperwork? You haven't done that in quite a while, I just wanna check. Oh, is it being filed as we speak?"

Speaker Madigan: "I... I'm le... I presume that all the proper paperwork was filed, Mr. Black, only to satisfy your inquiry and your curiosity."

Black: "Well, I just wanted to make sure that the paperwork was filed prior to the committee because the Calendar clearly says the Order of Concurrence Senate Amendment #7 and 8."

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So I would assume that you filed a... a piece of paper saying before the committee met that was your intention to only concur with Senate Amendment #7 and then to nonconcur with Senate Amendment #8."

Speaker Madigan: "Mr. Black, to partially answer your question, let me re... let me reference you on the Calendar to the top of the page, if you would go to House Bill 612. And you'll see at the end of the second line and the beginning of the third line there's a Motion to Concur. So, relative to House Bill 612, there was a Motion to Concur filed. That would be absent on House Bill 911. However, before we went to committee a Motion to Concur in 7 was filed. Okay?"

Black: "And then you will come back with a Motion to Nonconcur then with Senate Amendment #8?"

Speaker Madigan: "Eight, yes."

Black: "And as I recall, a Noncurrence Motion does not need to go to Rules, it can go immediately to the floor, correct?"

Speaker Madigan: "That's correct."

Black: "So it would be your intent then to move immediately after action on 911 that we would then go to the Motion to Nonconcur on Amendment #8?"

Speaker Madigan: "Yes."

Black: "All right. Well, this Bill is aptly numbered then, because obviously this is some kind of an emergency. So I will cease my questions so we can get right to this Bill without further delay."



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Speaker Madigan: "All right. So, Mr. Rita has moved that the House concur in Amendment #7. The Chair, again, recognizes Mr. Meyer."

Meyer: "Thank you, Mr. Speaker. Representative... Representative Rita, I... I'm sorry, I'm having a hard time determining where you are. Oh, I see ya. Okay, thank you. I have a question. In committee you talked about... in committee it was brought out that this... this Amendment, as is proposed, goes pa... goes over the siting process that is normally available to people in a community, where they have a full hearing in the community and then it's determined whether siting should occur of this type of facility there. And you're asking for the Legislature here to overrule that process that's in law and for us to take action that will allow it... that transfer facility to be sited in Robbins. Is that correct?"

Rita: "Yes, just expedite the... the process of the siting. To go through the permit process... they still have to go through the normal process of the hearing... if they so request."

Meyer: "Well, why could not... why would you not want that process to take place prior to allowing that... for the siting of that facility there?"

Rita: "It al... it already has been sited in the... in the past, but not for a transfer site, but for an incinerator. So it's alre... the site has already had approval for the incinerator part, not for the transfer. So it would just

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be... to go forward with the... the issuing of the permit through the EPA."

Meyer: "Well, it... it really hasn't been sited for this type of a facility, it's been sited for a..."

Rita: "Well, technically it's been..."

Meyer: "...an incinerator, which is completely different than a transfer station of what... what is being proposed there, is it not?"

Rita: "Tech... what it... what it is is been approved for a site to bring in trash, garbage, but not take out."

Meyer: "Well, it seems to me like that... that sited facility that you're tal... you're speaking of was not successful. It's no longer in operation there. Is that correct?"

Rita: "And the... and the financial position of Robbins, the Village of Robbins, is why we wanted to move this forward so that we could get them... get that thing up and going quicker, 'cause of their financial position."

Meyer: "Well, since the people haven't been able to have the opportunity to determine whether they're in favor of siting that facility, they're... who is in favor of siting the facility there?"

Rita: "The Village of Robbins is... the... the village board, the... is in favor of expediting. But they still would have to go through all the other process. All it does is move forward with the site, takes that site out."

Meyer: "Has the Village of Robbins..."

Rita: "We've... they've done this... the General Assembly has done this also on other occasions for the City of Chicago with

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the same language being do... drafted off. There's no known opposition of this, from my understanding, up until some of the questions within the committee."

Meyer: "Well, has the Village of Robbins taken a formal vote on this?"

Rita: "Did they take a formal vote on this?"

Meyer: "Did they take a formal vote?"

Rita: "You know what? I'd have to check with... on this particular issue, I don't know, I'm not sure."

Meyer: "Well, my concern is you indicated that all the board was in favor it... and that the mayor was in favor of it. One would only be able to determine that if they took a public vote on it. I would assume they're not meeting behind closed doors on things like this."

Rita: "This... this is an issue that's been going on for the last few years with the Village of Robbins. I would presume that they voted on it at one point in time. Whether... I know they... when they initially made it for the burning of site they had. It all went through the whole process. It was actually in operation. They still have... from my understanding, a permit to operate a burning facility, which they're not doing right now. They want to transfer it to be a transfer site, as they've done in other instances in laws that state that."

Meyer: "You know... and, Representative, I guess what I... what kind of makes me or causes me to question what the rationale is about it, it was okay a number of years ago to site a burning facility there so it must be okay to site a

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transfer facility there. The thing that causes me, though, Sir... to question that is having served on the village board before, I know that the population of a community changes, the desires of a community change all the time as people move in, move out, whatever. And... and what might've occurred there 7 or 8 years ago when the original burning facility was sited, certainly doesn't tran... carry over into a transfer station today."

Rita: "This... but this was actually used in a transfer station last year that... that was in operation for a... for a emergency situation, so it has been in use. So, this would..."

Meyer: "Well, what one of the... one of the things that a siting hearing allows is for communities in surrounding a site that's being proposed to come in and give testimony as to whether they feel it's a good use of that land in close proximity to their own communities. By not holding the si... the siting process, as is provided by law, aren't you taking that away from the surrounding communities?"

Rita: "Seeing as that it's already been awarded to be a site for a burning facility, it's... it's... technical change... changing it from a transfer site to issue that permit. So currently, right now, they could burn trash there. So I... it..."

Meyer: "Well, again, you're moving away from that use to a completely different use..."

Rita: "It's not used though. They currently right now have a permit it has been awarded to do that. But for..."

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Meyer: "Well, if I could go back. Have other communities had an ability to have a public input to this process of siting that facility there?"

Rita: "And... and my comment is is that they already have went through that process at one point in time, we just want to speed it up to get the financial..."

Meyer: "But I... I... I do think..."

Rita: "...position for the town."

Meyer: "You know, quite seriously, if that... if your rationale and reasoning were to hold then we wouldn't be here debating this subject right now. The point is that the law provides that a second... a second siting has to... siting has to take place."

Rita: "It... all the... in the towns in the first go-around all testified."

Meyer: "I'm sorry, I couldn't hear."

Rita: "In the first go-around for ini... the initial siting for this facility that has already been built and is already ready for operation has... they are initially were part of that process."

Meyer: "Well, I... I think the problem is here, folks. And if I could speak to the Bill for just a minute. The here... the problem here, folks, is that... that what is being asked for in this Bill circumvents the laws that... that have been passed by this Legislature. There is no true emergency here, the siting process could take place if the party so chose. The fact is, is that the siting for the burning incinerator does not hold for a... a transfer site of... for

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garbage. There are just a whole lot of different things wrong with what the... the Sponsor is asking for, and I'm sure he's asking for them in good faith, as he sees it. But quite frankly, for the health and welfare of the people in this state, I don't believe that this precedence should take place. I would urge a 'no' vote on this."

Speaker Madigan: "Mr. Joyce."

Joyce: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Joyce: "Representative, this was sited over 10 years ago for an incinerator, is that correct?"

Rita: "Yes."

Joyce: "And you stated earlier that they are currently burning at that site."

Rita: "They're not currently burning."

Joyce: "That's correct."

Rita: "They have the ability. No, they're not currently burning."

Joyce: "Because they had two explosions on this site in the last 3 years. This place has been shut down for a number of years. The community surrounding this on the southwest side of the City of Chicago, in the southwest suburbs, fought the... fought the opening of this facility. Now here we come, the last two days of the Veto Session, we're gonna pass through a piece of legislation that makes some corporation very wealthy by opening up a transfer station. But we never went to the community to ask them if it's okay

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that we open up this transfer station. You're talking about increased truck traffic, you're cro... talking about increased pollution contr... increased pollution in the community. Now, if you read the language, this allows this facility to be sited without going through the 172 hearing process that this Legislative Body said every pollution control facility must go through. This is wrong to the people in my community that are affected by this. If they want to bring a pollution control facility to Robbins, I don't have a problem with that. But you have to bring that pollution control facility proposal to the people of the communities surrounding it first and foremost, just like the state law makes every other company and town do that in this state. I would appreciate a 'no' vote on this concurrence."

Speaker Madigan: "There being no further discussion, the question is, 'Shall the House concur in Senate Amendment #7?' 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? Has Representative Lou Jones voted? The Clerk shall take the record. On this question, there are 19 people voting 'yes', 93 people voting 'no'. The Motion to Concur in Senate Amendment #7 fails.

Representative Currie on Amendment #8."

Currie: "Thank you, Speaker. I move the House not concur in Amendment 8 to House Bill 911."

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Speaker Madigan: "The Motion is to non-concur in Amendment #8. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Has Mr. Franks voted? The Clerk shall take the record. On this question, there are 73 people voting 'yes', 42 people voting 'no'. The Motion to non-concur in Senate Amendment #8 is adopted. Representative Currie, on House Bill 3199. Senate Bill 3199."

Clerk Mahoney: "Senate Bill 3199, has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Currie, has been approved for consideration."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is the Amendment we discussed earlier. I urge it's adoption. It would provide for the opportunity for the Attorney General to hire his deputy attorney general and the Governor to hire as a legal council. Someone who is a retired member of the judiciary without requiring that individual to give up his or her pension. I know of no opposition. I'd be happy to answer your questions. And I hope I'll have your support."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Yes, Representative, this is a very, very interesting Amendment. If I understand it. Well let me ask you. It



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only impacts retirees who are covered under the judicial retirement system, correct?"

Currie: "That's correct."

Black: "So, if a judge wants to retire current law is if the judge then wants to go to work in another capacity he or she holds the judicial pension in abeyance, takes the other job for a year or two or whatever and when that job is completed can then draw the judicial pension once again, is that correct?"

Currie: "That's my understanding."

Black: "So, this Bill, how... how many judges are impacted by this Bill? Do we have any idea?"

Currie: "I would think two retired judges..."

Black: "Are..."

Currie: "...might fit the qualifications of this Bill. It may be that none will."

Black: "That's what I'm afraid of. Are the names of these judges in the public domain or is that to come later?"

Currie: "I don't know the names of the people who might be considered by the Governor or the Attorney General for these positions."

Black: "Is a... in your, you served here a long time and with distinction. Have you ever seen a Bill like this before for the judicial retirement system?"

Currie: "I believe there are other examples in the current statute of people who might have been members of the judiciary who might take particular post in State Government without being denied their judicial pensions."

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Black: "Well how does that work if... if one wants to do that do we have to pass a law each time, allowing a retired judge to hold employment?"

Currie: "Or a retired somebody else, yes, we would."

Black: "All right. Well thank you very much. To the Amendment, Mr. Speaker. Ladies and Gentleman of the House. I hope you pay particular attention to this. This would allow any judge in the State of Illinois who writes that they intend to retire or that they will retire by July 1, 2005 can serve as legal council in the Office of the Governor or as Chief Deputy Attorney General without having their judicial pension diminished or suspended in any way. The current practice as I understand it, if you retire as a judge and you want to go to work in this kind of a capacity your judicial pension is in held until you leave that employ and go back and then you will start to draw your judicial pension once again. This allows a retired judge to hold a particular tidal in the Office of the Governor or the Office of the Attorney General, draw their judicial pension and draw a salary while working in a legal capacity or a capacity as a legal officer in the Office of the Governor or the Office of the Attorney General. In a time when we have told all of the teachers of this state we aren't gonna act on your early retirement option. We just aren't gonna do it. We don't like it. We think it's to expensive. The Senate passed unanimously 15 months ago. But we don't care. We're the Majority Party and we are not going to act on it. So, on the one hand you turn your back

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on people who work all their life and don't make half of what a judge makes. But here we are in the last closing days of the 93rd General Assembly, we're gonna tell a judge who makes 6 figures that if you want to retire, and it's my understanding that these judges are not yet retired but they will. And they're going to then be appointed to the Chief Council of the Governor or a Chief Deputy Attorney General. You can draw your judges pension and your salary at the same time. We can't help teachers. But we can help a retired judge. You know what their pension is? It's a heck of a lot more than anybody in here. And it's a heck of a lot more than any retired teacher. I'm sure glad this is a reform administration. I'd hate to think what we might be doing in this Bill if this weren't a reform administration. This is bad public policy. It sets a dangerous precedent. And I urge you to vote 'no'. On behalf of the teachers, on behalf of those other \*REVIEW\* who can't do this, I urge you to vote 'no'."

Speaker Madigan: "Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Thank you. Representative, I just, is it my understanding and where's this... where's the Sponsors? Oh, Barb, thank you, Representative Currie. Are these judges going to be collecting two... two pensions?"

Currie: "No."

Parke: "A salary and a pension?"

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Currie: "They will receive some salary. But they will not receive two pensions. And the work that they do for the state, should anybody take up this offer and be eligible for the provisions of this Bill that they will not then be adding to their pension through the new employment."

Parke: "You know, Mr. Speaker I can't hear. And could the Gentleman step aside so I can see Barbara, or Representative Currie? Representative Currie, one more time if you could say, Sir could you, Patrick, okay."

Currie: "What... what I said was they would not be collecting two pensions. They would not during their term of employment be adding to a state pension."

Parke: "But didn't they sign a contract saying they would leave and now... now we want to reinstate'em again?"

Currie: "What would happen is they would be eligible if they fit into this window that closes in May of this year they would be eligible to be hired for one of these two positions. So, it is a very narrow exception to the usual rule. And I can only assume that there are some highly qualified people that the Governor and that the Attorney General are looking for. Highly qualified people for whom the terms of employment without being able to continue to collecting their pensions would not make this government service attractive. And I think that it's in our interest to hire the best, the brightest, the most well qualified and if that's the... the cost of doing so I think this is a reasonable proposition."

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Parke: "Well, you know, I have a... I have a concern that we're opening Pandora's Box with this. You know, here we go, we have a... we have a pretty strict guideline that we tell people that are in the pension systems that once you're in it you're in it. And it is my understanding on this legislation that there's no fiscal impact upon the judges retirement system. Yet this does not diminish their pension in any way because they are now gonna work for the Governor."

Currie: "That is right. And it does not have any impact on the judicial pension system."

Parke: "But... but the impact is not a financial impact. My concern is the impact on the system, on the integrity of the system that we are now making exceptions to what most of us would understand is that this is the rules and we play the game by these rules. Now we want to change the rules. And I think that's a bad precedent that we'd be setting for all of us. For all of us in the pension system. And I know that, you know, obviously are executive, Chief Executive Officer of the state would like to have the opportunity to use this judge as his lawyer. But now we're gonna tell'em that there's no... no, they don't have to withdraw from the pension and that is not diminished or suspended in any way. That... that bothers me and I don't think that we oughta be doing that. So, I'm gonna rise in opposition to the Ladies Motion. And I would ask the Body to say that there might be, we oughta figure out another way of doing this. But the way that it's

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proposed I think is not proper. It sets a precedent that will be dangerous for other people and it changes the rules of the game. And I... I don't think we oughta be doing that no matter whether it's for one person or two people or for the whole system. So, I rise in opposition to the Ladies Motion."

Speaker Madigan: "The question is, 'Shall the House concur in Senate Amendment #2?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. I'm sorry, all right, let the record reflect that that was an error. The Motion here is to adopt Floor Amendment #2 to Senate Bill 3199. Those in favor of the Amendments, Mr. Black, should we take a voice vote at the Amendment stage and then... So, those in favor of the Amendment say 'yes'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Mahoney: "No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading."

Clerk Mahoney: "Senate Bill..."

Speaker Madigan: "Put the Bill on the Order of Third Reading. And read the Bill for a third time."

Clerk Mahoney: "...Senate Bill 3199, a Bill for an Act in relation to state employees. Third Reading of this Senate Bill."

Speaker Madigan: "We have thoroughly debated the question. The Motion here is that the Bill be passed on the Order of Third Reading. Those in favor of the passage of the Bill vote 'yes'; those opposed vote 'no'. Have all voted who

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wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 68 people voting 'yes', 47 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1 on the Order of Senate Bill Second Reading, there appears Senate Bill 37. Representative Currie. Currie."

Clerk Mahoney: "Senate Bill 37, has been a read a second time, previously. No Committee Amendments. Floor Amendment #1 offered by Representative Currie has been approved for consideration."

Currie: "Thank you, Speaker and Members of the House. This proposal makes three changes in the Illinois Finance Authority. First it reached stores language inadvertently dropped when seven predecessor financing agencies were rolled into one that would enable the financing authority to make loans to higher education institutions that are sectarian and character. Second, if a quorum of the members of the authority is physically present in one location it will allow other members of the authority to participate and vote by tellaferencing. Third, it would raise the bonding authority of the authority, today \$23 billion to \$24 billion as they are about to run out of the ability to make loans to any entity. I would be happy to answer your questions. And I'm aware of no opposition to the measure."

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Speaker Madigan: "The Lady moves that the... the House... the Lady moves that the House adopt Floor Amendment #1, Senate Bill 37. On that question, the Chair recognizes Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, what are we... what evil are we trying to correct by this? I... it seems like it's not a real in depth Bill. But what's happened that we re... needs... need to do this?"

Currie: "Well, first of all the authority is running out of money to finance worthy projects. So, we're raising their dept sealing. Second, sometimes members of authority have conflicts of interest which preclude them from voting on particular project authorizations, under this measure as was true of at least one of the predecessor agencies as long as a quorum is physically present in one location, other members of the authority may participate through tellaferencing. Third we restore language inadvertently omitted when this agency was created that permits financing for seminaries for religious institutions of a seminarian nature."

Parke: "Is a under..."

Currie: "So, there was a mistake. We're trying to correct. It will make it easier for them to do their job if people can participate by phone. And we're raising the dept sealing so they can continue to fund worthy projects."

Parke: "So, tellaferencing, would it be included as a quo... as a member of the quorum?"



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Currie: "No. You'd have to have a physical quorum present. And then a member unable to be at the meeting could still participate through the telephone."

Parke: "Is something happened were you need to do this? Because I would of thought that tellaferencing and \*REVIEW\* that we... we... that would be acceptable."

Currie: "Well, it's only acceptable if we make it so by virtue of adopting and passing this Bill. They can't do it without us, Representative."

Parke: "All right. But then I misunderstood you. I thought you said that you have to be physically there. And if... how many members are there?"

Currie: "There are, it's 15 member board."

Parke: "How many?"

Currie: "Currently only 11 have been appointed. A quorum is 8, under this measure 8 would have to be present for a quorum to be meant. But other members could participate by phone."

Parke: "Thank you. Then lets do it."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "Yes, I... I believe the amount of money on the Republican side of the aisle is incorrect. It says we're raising the bond limit from 23 million to 24 million. I believe that should be billion, right? We're increasing from 23 billion to 24 billion."

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Speaker Madigan: "Representative Currie."

Currie: "That's what I said. I don't know what your text tells you."

Black: "I... yes, that's kind of like Evert Dirkson, a billion here a billion there."

Currie: "Right."

Black: "Pretty soon we're talking some serious money."

Currie: "So, we're raising by 1 billion."

Black: "Okay, so we're, the object is to raise the bond... bonding limit to the Illinois finance authority \$24 billion? And now they can spend their money, well my impart of the Chair is this, Mr. Speaker. I... I'm pretty sure I know the answer. But lets just... lets just make sure. Since this increases the bonding limit to the Illinois finance authority, does it require a extraordinary authority?"

Parliamentarian Uhe: "Representative Black, on behalf of the Speaker in response to your inquiry, these bonds are not general obligation bonds back by the full faith of credit of the state, therefore it will require 60 votes."

Black: "So, they are not, in actuality they're not a financial obligation of the state, correct."

Parliamentarian Uhe: "The answer is this Bill will require 60 votes."

Black: "Okay, fine, thank you. Thank you very much. Mr. Speaker, to the Bill. I like many of you, I don't have any great problems with the Bill. I... I have a institutions in my district that I think could and probably will apply and

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take advantage of the language in the Amendment. However, what I do have a problem with, we can't seem to get together, we have no school construction grant program, we have no highway bond issue, the economic opportunity returns program hasn't even been created in my legislative district. And even if it were created tomorrow we have no bonds. We have sold no bonds to finance the badly needed projects. And I realize this is a different kind of bond. But I can't in good conscience vote for this when other bond issues are stalled and I have no idea when we're going to get to them. That makes it a little difficult for me to go home and look School Board Members in the eye when they say where's our school construction bond money that you promised us? Well you'll just have to wait. Where's the money to fix the catland homer road? Well, I don't know, we'll get to that I hope. I... I can't do that and explain why I could raise the bond issue for the Illinois Finance Authority by \$1 billion. But we can't seem to get our act together to pass a bond issue for entities that have been waiting for almost a year for money that we promised them sometime ago. So, it's for that reason, that reason only, I intend to vote 'no'."

Speaker Madigan: "There being nothing further, the question is, 'Shall Floor Amendment #1 be adopted. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Mahoney: "No Further Amendments. No Motions filed."

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Speaker Madigan: "Third Reading. Read the Bill for a third time."

Clerk Mahoney: "Senate Bill 37, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Currie, moves that the House pass Senate Bill 37. The matter has been thoroughly debated on Second Reading. Those in favor signify by '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 94 people voting 'yes', 22 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 738. Representative Currie. Mr. Franks."

Clerk Mahoney: "Senate Bill 738, has been read a second time, previously. No Committee Amendments. Floor Amendment #1 offered by Representative Franks has been approved for consideration."

Speaker Madigan: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. House Amendment 1, seeks to make the State Board of Elections exempt from the personnel code. Presently the State Board of Elections is the only constitutionally created agency that is subject to the personnel code. What they'd like to do is to do their own rules, so that way they will not be under the thumb of the Governor and therefore any part as an interest. I'd be glad to answer any questions."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say

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'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Mahoney: "No Further Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Read the Bill for a third time."

Clerk Mahoney: "Senate Bill 738, a Bill for an Act concerning the department of state government. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Franks."

Franks: "I'd ask for a favorable vote."

Speaker Madigan: "The Gentleman has moved for the passage of Senate Bill 738. 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 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 2216. Representative Burke."

Clerk Mahoney: "Senate..."

Speaker Madigan: "2216."

Clerk Mahoney: "...Senate Bill 2216, has been read a second time previously. No Committee Amendments. Floor Amendment #1 offered by Representative Burke has been approved for consideration."

Speaker Madigan: "Mr. Burke."

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill would provide for a fund to be created that would provide for the AED, that's the Automatic

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External Deliberator Fund, which is a check off on our citizens tax returns each year. And I would ask for the Body's favorable consideration. I'd be happy to answer any questions."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. Will the Speaker (sic-Sponsor) yield?"

Speaker Madigan: "The Sponsor yields."

Parke: "Yes, excuse me, the Sponsor. Representative, is this to... this is a voluntary program?"

Burke: "Yes, Mr. Parke. This a trust fund that would be created to defray the costs of purchasing the device."

Parke: "Who's to determine who is to get the money? I mean, if we have say school districts around the state who say they cannot afford to purchase a defibrillator because of their financial problems? How, and we've got'em say a 100 around the state. Who determines how many... who gets it until we run out of money?"

Burke: "Let me tell you, Representative Parke this is very specific. And the funds would only be available to public schools, public park districts, public colleges, and public universities that are required to have to have the AEDs and are eligible to apply for the grant."

Parke: "Okay. Who determines who's to receive the money?"

Burke: "Well I would suggest to you, Representative that if they are a public school, public park district, a public college or a university they would indeed be eligible."

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Parke: "What happens if they only have enough funding for half the requests? What happens if there's a 100 requests, we only have funding for 50? Is there a commission? Is there a board? Is there a group of people? Is the..."

Burke: "Yes. I... I..."

Parke: "Who... who determines this?"

Burke: "I understand. It would be a matching grant. If they have half the funds this fund would then account for the... the half."

Parke: "I appreciate that. But again, what is the vehicle? Who... who's in charge of the money that makes the decision. And who's to get..."

Burke: "And indeed, yes thank you for that question. Indeed it is the Illinois Department of Public of Health that would make that determination."

Parke: "Is that the Director will make that determination or will he appoint a committee to make that decision?"

Burke: "I... I would... I, you know, I re... I really couldn't get into the discussion of the bureaucracy of the agency. But I would say to you that the... the agency would make that determination."

Parke: "Okay, 'cause they're gonna establish a trust fund. You're gonna have to have somebody in charge of the trust fund. Somebody's gonna have to have a \*REVIEW\* responsibility for the trust fund. So, I just want make sure..."

Burke: "I..."

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Parke: "...that we understand what we're voting for. And so, I'm not, I mean, this is probably a good idea. But I'm... I just don't know it functions. And I guess that's what I want. Now maybe for intent, legislative intent, can you just tell us?"

Burke: "Representative, the trust fund is created under the Illinois Treasury Account and certainly it's under the Department of Human Services. No, the Department of Public Health. Pardon me."

Parke: "Okay. I... and who's gonna solicit this... is this is gonna, are you gonna have brochures that you're gonna pass out to people? Or is, due Members of the General Assembly ask people to make a donation? How does that... how does the general public know that this available to make a donation to it?"

Burke: "This program would be modeled after the Illinois Public Relief Fund and there is a model available that would be referenced with respect to this particular initiative."

Parke: "Okay. Okay, thank you, Representative."

Speaker Madigan: "Mr. Franks."

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

Speaker Madigan: "Sponsor yields."

Franks: "Representative, I just wanted to make sure we all are clear on this. There isn't any State Funds being used here at all is there?"

Burke: "Not a dollar."

Franks: "And you're not asking for an appropriation either are you?"



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Burke: "I'm asking for nothing."

Franks: "All you're really doing is putting up a vehicle for which individuals or corporations who wish to note... donate for the acquisition of AEDs have a vehicle in which to donate and be held by the Treasurer of the State of Illinois?"

Burke: "That is correct, Representative."

Franks: "Thank you."

Burke: "Thank you so much for asking."

Franks: "And the only requirement you really have is that those that seek to grant have to pay for at least 50 percent of the AED?"

Burke: "That is right."

Franks: "I think it's a wonderful Bill and I'm pl... I'm pleased to be hearing it."

Burke: "Thank you, Sir."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, as you know I intend to vote for the Bill. I'm a supporter of the Bill. Let me ask you about three questions. And your response isn't gonna change my, the way I'm gonna vote. But... but on the record, what I've learned in the last two years is that in this administration a dedicated fund is not necessarily a dedicated fund. Now if I make a contribution to this fund and I'm joined by many of my colleagues and charitable

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groups and lets say that we raise a million dollars in 2005 to make these grants to schools that can't afford to by the AED, I don't see any specific language in the Bill, excuse me, in the Amendment that prevents the Governor from sweeping the dedicated fund and taking all the money. Do we need a memorandum of understanding? Or do we need specific language? And I'm not trying to be facetious, I mean, I've seen funds being cleaned out in the last 18 months that I never thought what... what, you know, I just didn't think that was possible. Now we're gonna create a dedicated fund. I believe in what you're doing. But I'd like some reasonable assurance that if we get a million dollars in there and the Governor gets into fiscal trouble, and I think this next budget year is going to be extremely difficult. That next April, May or June he looks at that fund and says woo I need the million dollars. So he takes it out of the dedicated fund and puts it in General Revenue. Do you think we need specific language? Or could we accomplish it with a memorandum of understanding?"

Burke: "Representative, it, was that a question?"

Black: "Yeah, seriously. What... what prevents the administration if... if this fund is successful and gets a million dollars by May or June and... and we have a difficult budget year, I want some assurance that the Governor will not or cannot sweep this fund and put it in the General Revenue Fund."

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Burke: "Representative, there is no opportunity for the Governor to sweep this fund without legislative action. It would take..."

Black: "How... how..."

Burke: "...It would take this..."

Black: "...how was he managed this..."

Burke: "...this General Assembly to authorize that particular move."

Black: "I hope you're..."

Burke: "And... and I think you know that."

Black: "Well, no I really don't. I... the Illinois Retired Teachers would like to know how he swept 4.5 million dollars out of their Health Insurance Fund. I don't think we gave him legislative ability to do that, I mean, he's taken... he's taken money out of the Fire Insurance Fund, he's taken money out of over 250 funds. I know we gave him authority to do some of that. But I think he's far exceeded his authority. And I'm not trying to be political, I'm not trying to embarrass you or anybody else. I just want some reasonable assurance if I go to a foundation and say look this is a good cost donate a thousand if you can afford it donate 10 thousand. And then six months from now they say a that fund that you told me would buy a rural school district an AED has just been swept by the Governor and put in GRF. Now if you assure me that that can only be done by legislative action that's... that's good enough for me."

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Burke: "Representative Black, I think you understand how committed I am to this issue. You understand that that I am the first Legislator to have introduced legislation that would permit the operation of the Automatic External Defibrillator in our society. And I would think and I would trust that you hope that I would be the one to keep an eye on this particular fund."

Black: "Oh, let... let me say I..."

Burke: "Of all the people."

Black: "...I not only... you not only have to assume that I think that, I trust you explicitly. And if... if this goes on I would expect you to have a press conference the day it happens and say woo wait a minute that... you can't do that. You... you can't take money out of this dedicated fund. And if he does so, yes absolutely I fully expect you to hold him accountable or any other Governor."

Burke: "Yes."

Black: "And I'm... I'm sure that you will."

Burke: "Yes."

Black: "All right. Second question came up today. If an AED is put into a school gymnasium and during a basketball game someone goes into a, has a heart attack and the person who, lets say it's halftime and on e of the assistant coaches is trained on this but... but he or she is down in the locker room so somebody runs out on the stands, grabs the machine, does their best, their covered under the Good Samaritan Law are they not?"

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Burke: "Yes, they are. And you are one of the people that voted for that."

Black: "Yeah, I... I have supported this Bill from day one."

Burke: "No, maybe day two."

Black: "Absolutely day one."

Burke: "Maybe day two."

Black: "And day two. And this may be day three. And... and I didn't mean to impune your integrity, Representative, you... you know I hold you in the highest regard or the Governors. But this is a question that we're all gonna get. Is this dedicated fund in fact dedicated. If you tell me it's going to be that that's good enough for me. I intend to vote for the Bill. And if there is a fund sweep next April or May I will join you in a press conference to say no, no, no not this fund."

Burke: "Well before you have to come over to me and resuscitate me and use the AED on my Body I can tell you as long as I stand here in this Legislative Body I will be on guard, Representative."

Black: "I... I appreciate that. And I... I think you can understand why several people have that question of, and unfortunately I'm one of those few..."

Burke: "I can truly understand your concern."

Black: "...that are dumb enough to probably ask it on the record."

Burke: "I can truly understand your concern."

Black: "But it's a legitimate concern. You have answered it. I intend to vote 'aye'. I thank you for your patience."

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Burke: "Thank you, Representative."

Speaker Madigan: "The question is, 'Shall the House adopt Amendment #1 to Senate Bill 2216?' Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Third Reading. Read the Bill for a third time."

Clerk Mahoney: "Senate Bill 2216, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Madigan: "The Bill has been thoroughly debated on Second Reading. The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question... the Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I appreciate your indulgence. Representative, you have said early, one of the Members just reminded me you had said there's an income or not, you didn't say income, but there'll be a check off in your opening remarks. There is no check off currently on the income tax that may be something you intend to look at in the future? That's a just for clarification?"

Burke: "Representative, as... astute as you are with respect to these issues, indeed there is no available check off today. It is our intention to persuade the General Assembly to accommodate that check off in the next General Assembly."

Black: "Good."

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Burke: "And I might recommend to the Body that it's going to be an initiative of the lieutenant Governor's Office..."

Black: "That's... that's fine."

Burke: "...that thi... this be accommodated."

Black: "I appreciate your indulgence, Representative. Just so we're all on the same page. And did you say astute or stupid? I'll come talk to you about that."

Burke: "I said... I said astute."

Speaker Madigan: "Again, we're on a Third Reading Roll Call and on this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 2220. Mr. Molaro."

Clerk Mahoney: "Senate Bill 2220 has been read a second time previously. No Committee Amendments. Floor Amendment #1 offered by Representative Molaro has been approved for consideration."

Molaro: "Thank you... Thank you, Mr. Speaker. I just have a minute to put my jacket on. Floor Amendment #1 is just a... clean up language when we pass the second... \*REVIEW\* development Bill. We failed to when we took in the sales... sales tax. They exempt prescription drugs and a bunch of other things from... from the sales tax. We inadvertently did not put groceries. Groceries are exempt in a certain section of the code for sales tax and when we passed this Bill we forgot to put the word groceries in the Bill and this a... corrects that error."

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Speaker Madigan: "The Gentleman has moved that the House adopt Floor Amendment #1. Those in favor say 'yes' those opposed say 'no' the ayes have it and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Third Reading. Read the Bill for a third time."

Clerk Mahoney: "Senate Bill 2220 a Bill for an Act in relation to economic development. Third Reading of this Senate Bill."

Speaker Madigan: "The Bill has been thoroughly debated on Second Reading. 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 115 people voting 'yes' no one voting 'no' this Bill having received a Constitutional Majority is hereby declared passed. On the Order of Concurrence on the supplemental calendar there appears House Bill 768. Mr. Black. Mr. Black."

Black: "Yes Sir. Thank you very much, Mr. Speaker. I move to concur in Senate Amendment #1 to House Bill 768. This Bill passed the House unanimously earlier and got hung up in Senate Rules. We found this vehicle in the Senate it passed the Senate now its over here for concurrence. What this Bill does is to allow a cooperative high school which is allowed under substance of law to apply for school constr... excuse me. School construction grant monies to



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build a high school. The basis of the law is to allow like in my district and many of you who... are downstate to allow 4 or 5 small high schools to agree by vote to form one cooperative high school, keep there school boards in tact and their grade school in tact and operate a cooperative high school. I a... there's a school district that tried this in my dist... my legislative district. But because they could not qualify for school construction grant money the 19 million dollar cost of the high school on the small unit districts would've caused the tax rate to double or even triple. This doesn't put a cooperative high school in any higher plain then anybody in the school construction grant program. I would urge you're a... aye vote or ask for your 'aye' vote and be glad to ask any questions that you have."

Speaker Madigan: "The Gentleman moves that the House concur in Senate Amendment #1. 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 116 voting 'yes' no one voting 'no'. The House does concur in Senate Amendment #1 to House Bill 768. And this Bill having received a Constitutional Majority is hereby declared passed. On page 2 of the Calendar on the Order of Senate Bill Second Reading there appears Senate Bill 2212. Representative Currie."

Clerk Mahoney: "Senate Bill 2212 has been read a second time previously. No Committee Amendments. Floor Amendment #1

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offered by Representative Currie has been approved for consideration."

Speaker Madigan: "Representative Currie."

Currie: "Thank you Speaker and Members of the House. This Amendment does two things. Ooops... sorry I've got the wrong Bill. Thank you Speaker and Members of the House. This is one of the Bimp Bills. Budget implementation Act Bills. What this does is to make it possible for us to assess hospitals under the Hospital Care Assessment Program back to May 9, 2004. This program was approved by the Feds in December. They permit us to go back to May 9th and this change in our law means that we will comport with the federal decision to approve our waiver. I'd be happy to answer your questions."

Speaker Madigan: "Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Now Representative Currie, this is the... this is an a... line with what the Federal Government is giving back to the State of Illinois they finally approved what we voted on in 2003. Is that..."

Currie: "Correct."

Parke: "...correct? And the only difference in this than we were trying to propose is that we're gonna give a... since we don't have the revenue to give to the hospitals currently we're going to delay it?"

Currie: "That's exactly right."

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Parke: "And now we're also will give the hospitals a delayed period of time what is it ninety days? We're gonna delay it to? Payment. Is it ninety days?"

Currie: "I... Seventy-five days."

Parke: "Seventy-five. Okay. And then we're going to wait for the hospitals to give it back to us is that seventy-five days also? Aren't we going to extend that for a little longer?"

Currie: "Yes."

Parke: "Is that true?"

Currie: "Yes."

Parke: "So, so in essence this is a... we're using... we're gonna get a Federal dollars back for this."

Currie: "That's exactly the point of the Assessment Program and the Federal Government said it was ok."

Parke: "Okay. Well a... then I'm going to rise in support of the Ladies Motion. This is something that we've been working on and I know that a... something that we have to have it's unfortunate but we need more revenue in the State so I will support the Ladies Motion."

Speaker Madigan: "Representative Currie moves for the adoption of Floor Amendment #1 to Senate Bill 2212. Those in favor say 'yes' those opposed say 'no' the ayes have it and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Third Reading. Read the Bill for a third time."

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Clerk Mahoney: "Senate Bill 2212 a Bill for an Act in relation to budget implementation. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Currie."

Currie: "Thank you Speaker. We've discussed this thoroughly on second. I'd appreciate your aye votes."

Speaker Madigan: "The Lady moves for the passage of Senate Bill 2212. Those in favor signify by voting 'yes' those opposed by voting 'no'. The Clerk shall take the record. On this question there 117 people voting 'yes' no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 3195. Representative Currie."

Currie: "Thank you..."

Clerk Mahoney: "Senate Bill 3195 has been read a second time previously. Floor Amendment... No Committee Amendments. Floor Amendment #1 offered by Representative Currie has been approved for consideration."

Currie: "Thank you Speaker. I move that we adopt Amendment #1 to Senate Bill 3195. This is the finance bimp... budge... budget implementation Act proposal. It does about 4 different things. First we're changing the name of the economic and fiscal commission to the economic and fis... the commis... the commission on Government forecasting and accountability. It's a fairly long Amendment only because we have to change that name in many different parts of the statutes. Second... second we are... are recognizing that although we transferred money a the state police did not

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get the the... a the dollars that were requisite to keep the people that they already had. When we said that the... the... the bureau of the budget could not take a lot of some monies from some of the 911 funds the wrong places were referenced in the statute that made that change we're fixing them and we are making sure that when people's salaries come out of the road fund its clear how the comptroller will pay for their pension programs. Finally the secretary of state with its new higher vehic... vehicle registration sticker fee, if you loose your sticker you pay more. There was a technical problem with the way that Act passed. We're correcting that language and the new dollars will come into effect on March 1, 2005. I... in addition there were we combined all the information technology funds in the department of central management services but in so doing we made it difficult to use some of those funds that were eligible for Federal match for that purpose by virtue of creating a new fund within CMS we will better be able to track and attract those Federal dollars. I know of no opposition and I'd appreciate your support."

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes. Thank you Mr. Speaker. Will the Sponsor yield to some questions?"

Speaker Madigan: "Sponsor yields."

Hannig: "Yes thank you Representative Currie. A... for the purposes of Legislative intent, it is my understanding that there's language in this Bill to address the situation where the appropriation from the road fund for payment of

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pension contributions on behalf of Illinois state employee's is not sufficient to meet the obligation over the remainder of the fiscal year. Is the intent of the language in this Bill to ensure that the road fund cap and the appropriation limit within the road fund for employee pension contributions sha... shall continue to apply in the event the amount appropriated for the employee pension contribution is not sufficient?"

Currie: "Yes."

Hannig: "And further, that when the road fund cap or any appropriation limitation precludes the comptroller from using additional road fund monies to meet the payroll and pension contribution obligation that there is a continuing appropriation for those purposes."

Currie: "Yes."

Hannig: "Am I correct that the continuing appropriation in this instance is to be paid out of the general revenue fund rather than the road fund?"

Currie: "Yes."

Hannig: "And finally within the language that provides for what we have just discussed. There are references to the fact that the continuing appropriation is triggered whenever a line item appropriation to an employer for the payroll and pension contribution is either exhausted or unavailable due to any limitation on appropriation that may apply. And am I correct that this continuing appropriation may be triggered by the comptrollers office regardless whether the

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employee has exercised any available discretionary authority to transfer among line items?"

Currie: "Yes."

Hannig: "Stated differently under this Bill an appropriation may be considered by the comptroller to of been exhausted or unavailable even if within the limits of the overall road fund cap monies could be transferred, are we allocated from other appropriation lines into the personal service or pension contribution appropriation line where there is a shark fall?"

Currie: "Yes."

Hannig: "Thank you, Representative."

Speaker Madigan: "All right. Ladies and Gentlemen the Motion before the Chamber is a Motion to adopt Floor Amendment #1 and on that question the chair recognizes Representative Mulligan. Please give your attention to Representative Mulligan."

Mulligan: "Thank you Mr. Speaker. Will the Sponsor yield? Representative part of this Bill it says it is allowing a... money to be changed over to meet payroll obligations for the state police. Are those payroll obligations increased because they get a raise the state police their union gets a raise according to what AFSME negotiated for that raise..."

Currie: "No..."

Mulligan: "is it predicated on what AFSME negotiated?"

Currie: "I think what happened was there was an under estimate of the payroll consequences of the numbers of people that would be in the section of the state police. So its not

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the a... not the people didn't know the terms of the agreement just that they have done a... a calculation that turn out to be inaccurate."

Mulligan: "Isn't usually that the other unions get their increase predicated on what the main negotiations are with AFSME?"

Currie: "Well yah. But sometime they make mistakes and they forecast improperly."

Mulligan: "So was it such a big raise that they did not include the right amount in their budget in order to cover the raise that a... the employee's of the state police needed?"

Currie: "The employee's will continue to pay into their retirement fund. All this does is clarify what the comptroller does if the monies appropriated are not adequate."

Mulligan: "But our analysis does not say its just to meet pension obligations it just says payroll obligations."

Currie: "Right. Payroll obligations. We have appropriating money to meet payroll obligations."

Mulligan: "All right. So in other words whoever negotiated the amounts that the employee's should get did not then roll it over into a corresponding budget appropriation for that agency because now there's gonna be a short fall."

Currie: "No. What's happened is we're taking money from the state crime laboratory fund, the state police wireless service emergency fund, the state offender DNA identification system fund and the state police whistle blo... blower reward and protection fund in order to meet



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payroll obligations. The second issue is the pension contribution and the dialogue that you just heard between Representative Hannig and me clarifies how the comptroller is who responds to those requirements."

Mulligan: "So is any of the money that their moving in the transfer fund in order to meet payroll obligations which were a negotiation done under the Governors Office."

Currie: "No... Its my understanding that..."

Mulligan: "Could it hurt those funds at all?"

Currie: "It's my understanding that it was not the negotiations but a miscalculation."

Mulligan: "Okay. But my feeling is, that we were not when we... when we question in appropriations committee in many instances the actual amount of raises given to employee's was not available at that time. Although in doing the budget negotiations some of that should have been anticipated. So where... I'm not going to vote against this and certainly want to go along with meeting the obligations. But I think in a year that was very a... where the economy wasn't coming back what we did is, were going along with negotiations not done by the general assembly but done by the executive branch that raises money that employees get that the taxpayers are gonna have to cover some way or other."

Currie: "Okay well I'm sure that the second floor would appreciate hearing your point of view."

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Mulligan: "I'm sure that my view is not their view but, it is my view since we don't do those negotiations and were gonna pay for it."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much Mr. Speaker. Will the Sponsor... Sponsor yie..."

Speaker Madigan: "Sponsor yields."

Black: "Representative I... I'm... I'm a just curious on the portion of the Amendment that deals with the Secretary of State. A... last year in the infinite wisdom of the General Assembly we said if you loose your license plate sticker it... it use to cost you five dollars to get another one. Now it costs you twenty dollars."

Currie: "But not until March 1 under this Bill."

Black: "Right. Now where does that money go? Does that go to the Secretary of State or does it go to GRS?"

Currie: "To the General Revenue Fund."

Black: "Ah. ah. So were using what we use to call here years ago we haven't in some time. Motor vehicle taxes license taxes and title taxes instead of going to the implacable agency or for the road fund. This late fee increase goes to the General Revenue fund right?"

Currie: "And that was a decision made by the assembly a year ago Representative. This language is not new. All this language does is to correct technical problems with the measurer that won support from this assembly in the spring."

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Black: "Well what was wrong with the language? I thought it was straight forward. They can't... they can't meet..."

Currie: "Unfortunately..."

Black: "the time line is that it?"

Currie: "Unfor... no unfortunately in some places they didn't make the change from 5 dollars to 20 dollars in the statute so there was a lack of clarity over whether the Secretary's authority was a legit. And because of that problem we are also proposing to change in the implementation date."

Black: "Was this an initiative of the Secretary of State? I... I can't remember from last spring."

Currie: "I don't remember either. I know that this initiative today is very important..."

Black: "to change it, yah..."

Currie: "to the Secretary of State so that we can clarify and clean up language from last spring."

Black: "And... and there's no a... no way to get around this a replacement is... is going to be 20 dollars. Ya know these things are very sticky and... and one day when I was changing my... putting my new sticker on I put it on the bumper so it wouldn't get lost so it wouldn't get lost until I took the plate off. And unfortunately I never could get it off the bumper so I had to order a new sticker. So if you do something as silly as I did its now... its gonna be 20 bucks."

Currie: "Perhaps it would be worthwhile for you to alert you constituents to the possibility that they to might do something as silly as you. Perhaps its time for a letter

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to the people of your district warning them of the problems they will face if they do the same thing you yourself did."

Black: "In my district it usually works the other way around I usually get letters from them warning me about these kinds of increases. I thank you for answering my question."

Speaker Madigan: "The question is, shall the House adopt Amendment #1 to Senate Bill 3195. Those in favor say 'aye' those opposed say 'no' the ayes have it and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Third Reading. Read the Bill for a third time."

Clerk Mahoney: "Senate Bill 3195 a Bill for an Act in relation to budget implementation. Third Reading of this Senate Bill."

Speaker Madigan: "The Bill has been thoroughly debated on Second Reading. The question is, shall this Bill pass? Those in favor signify by voting 'yes' those opposed by voting 'no'. The Clerk shall take a... the Clerk shall take the record. On this question there are 79 people voting 'yes' 38 people voting 'no' this Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 3196 Representative Currie."

Clerk Mahoney: "Senate Bill 3196 has been read a second time previously. No Committee Amendments. Floor Amendment #1 offered by Representative Currie has been approved for consideration."

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Currie: "Thank you Speaker and Members of the House. I move adoption of Amendment #1 to House Bill 3196. This is the revenue side of the budget implementation Act. It does 2 things. First last year after we did the program under which people could pay their taxes without... without penalties we increased the penalty for late payment. But I believe inadvertently as we did that we created a situation where people who under report their income a... will also being charged for not reporting and it became a kind of a double... a double taxation a compounding tax and this measure would restore the old way of doing business so that there were separate penalties for the two categories of tax payer limiting the total to 20 percent penalties while interest would still accrue. Second, July 1 Indiana passed a statute that said it would no longer respect Illinois tax needs when selling cars, air planes and other titled registrationable items to Illinois residents in the past, people who bought out of state when they came to get title with the Secretary of states office paid the used tax which would be identical to the sales tax. This proposal says if Indiana is going to keep our citizens taxes then we oughta keep their citizens taxes when people from Indiana buy that same car or air plane in Illinois. So all the measure does is to say if a state respects our tax system we will not tax their people but if it... state decides to keep that sales tax itself we will do the same with their residents when their buying within our borders. This actually represents the potential of a twenty billion dollar or

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million dollar hole in this years budget if we don't correct the problem now. I'd app... I'd be happy to answer your questions and would appreciate your support."

Speaker Turner: "Representative Turner in the Chair. Seeing no questions. The question is, shall the House adopt Floor Amendment #1 to Senate Bill 3196? All those in favor should say 'aye' all those opposed say 'no' and the opinion of the chair the ayes have it and the Amendment is adopted. Further Amendm... Mr. Clerk, further Amendments?"

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

Speaker Turner: "Third Reading. The Gentlemen from Vermilion Representative Black for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Black: "Representative, as amended I'm... I... I'm only... I live on the Indiana border. And for all of those a... for all us in this chamber who do..."

Speaker Turner: "Excuse me Representative Black?"

Black: "Yes."

Speaker Turner: "Can you let us read it a third time..."

Black: "I'd be more than happy to."

Speaker Turner: "Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 3196 a Bill for an... in relation to budget implementation. Third Reading of this Senate Bill."

Speaker Turner: "The Gentlemen from Vermilion Representative Black."

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Black: "Thank you very much. I want to make sure I understand the a... what I would call the retaliatory tax. Because I... I... I have a... dozens of constituents who buy cars in Indiana. And they always express great surprise that they have to pay the difference in sales tax when they come back and we do an excellent job, the department of revenue does an excellent job making sure we get the sales tax money. And were not changing anything unless Indiana all of a sudden would treat an Illinois resident different. Is that what your trying to..."

Currie: "And that's what has happened. As a matter of fact Indiana is now collecting that sales tax itself. All we can do in Illinois is to collect the difference between the Indiana rate and the Illinois rate. And the only proposal here is if they want to keep our citizens sales taxes we should keep theirs."

Black: "Okay. I... and it doesn't change... well I don't even want to go there. Because I know what the rate is. I... I... Ya know I'm glad that you brought this up because Indiana ya know we use to have \*REVIEW\* on income taxes. And Indiana stopped that some years ago saying that we owed them more than they owed us and we've never been able to get it back. And for those of you who have constituents who live in Indiana a... live in Illinois work in Indiana they have to file income taxes now in both states. So maybe Indiana will get the message on this that they haven't been able to act on the income tax. Sounds like a good idea to me."

Currie: "Thank you."

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Speaker Turner: "Seeing no further questions. Representative Currie to close."

Currie: "As I say its important that we adopt this so that we don't loose money we counted on for spending in the current fiscal year. And that we don't seriously abuse tax payers who are late with their filings. I appreciate your 'yes' vote."

Speaker Turner: "The question is, shall the House adopt Senate Bill 3196? All those in favor should vote 'aye' all those opposed vote 'no' the voting is now open. 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 90 voting 'aye' 23 voting 'no' no noes and 4 abstain and this Bill having received the Constitutional Majority is hereby declared passed. The Gentlemen from Cook Representative Delgado for what reason do you rise?"

Delgado: "Thank you Mr. Speaker. At the moment of the last decision on the last Bill my speaker light did not admit I would've voted yes. Could the journal reflect my wishes?"

Speaker Turner: "Yes. The Journal will so reflect. The Lady from Cook, Representative Bassi for what reason do you rise?"

Bassi: "Thank you Mr. Speaker. For the same reason as the previous speaker. My a... my light did not go on when I tried to push it. I would've voted yes on the last Bill."

Speaker Turner: "The record will so reflect. The Lady from Cook Representative Soto for what reason do you rise?"

Soto: "Speaker a... same reason. My button wasn't working."



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Speaker Turner: "Your button's not working either huh? Those electricians better get busy. The journal will so reflect that your button wasn't working and you wanted to vote 'aye'. The Gentleman from Cook Representative Lang for what reason do you rise?"

Lang: "Thank you Mr. Speaker. On that last Bill I to voted green but the light went off somehow. So I would like the record to reflect my yes vote."

Speaker Turner: "The record will so reflect. On the Order of Third Reading we have Senate Bill 3362 read the Bill. Second Reading read the Bill Mr. Clerk."

Clerk Mahoney: "Senate Bill 3362 has been read a second time previously. No Committee Amendments. Floor Amendment #2 offered by Representative Madigan has been approved for Consideration."

Speaker Turner: "The Gentlemen from Montgomery Representative Hannig on Amendment #2."

Hannig: "Yes thank you Mr. Speaker and members of the House. This is a supplemental appropriation spending Bill that has been worked out. And would appropriate 40 million eight hundred and five thousand one hundred and fifty two dollars in general revenue funds. The biggest portion of that is twenty million dollars that would go to the court of claims to pay for claims that are... are related to the our soldiers who are lost in Iraq. It also would provide for nearly five million dollars for security upgrades at the Secretary of States office. Very similar to what we appropriated earlier in the year. On the non GRF side it's a hundred

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and sixty-five million seven hundred and twenty-four thousand. The biggest portion of which is a hundred and twenty-four million and thirty seven thousand two hundred dollars to bring our hospital provider a... appropriation in line with what the federal government ultimately approved. There is also some additional monies in here on a transfer from the state board of education for district consolidations and a few other items as far as transfers. So... that's the big parts of what's in this supplemental appropriation. I'd ask that we adopt the Amendment. And be happy to answer questions."

Speaker Turner: "Seeing no questions, the question is, shall the House adopt Floor Amendment #2 to Senate Bill 3362? All those in favor should say 'aye' all those opposed say 'no' opinion of the chair is the ayes have it and the Amendment is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Read the Bill Mr. Clerk."

Clerk Mahoney: "Senate Bill 3362 a Bill for an Act making appropriations. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Montgomery Representative Hannig."

Hannig: "Yes. Thank you Mr. Speaker and Members of the House. The Amendment is the Bill and I just explained it and I'd be happy to answer any questions but I move for a yes vote."

Speaker Turner: "The Gentlemen from Cook, Representative Madigan."

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Madigan: "Mr. Speaker I wish to speak to the Bill. And I'd like to speak to two items in this Bill. And if we could get the attention of the Body. Ladies and Gentlemen I'd like to get your attention for one item that it is in this Bill and there is an appropriation for four million nine hundred thousand dollars to the office of the Secretary of the State. For the purpose of Security within the capitol complex. And so if you are like me, and you are concerned about security in the capitol building and in the remainder of the capitol complex I would like to have your attention for just a few moments to talk about security measures which are under advisement by the Governor and the Office of the Secretary of the State. There will be an appropriation for many items for security. And everything that is proposed to be done is all good stuff. It will all make this building and the capitol complex more secure. But, there is one item which is missing from this appropriation. There were negotiations among the Governor and the leaders on this general question. I agree to a reduction in the total amount of the appropriation and the spirit of compromise because we could not reach an agreement to provide for what would be called access card reader system. Which means that anybody with an ID card would be required to scan that through a system entering the building and leaving the building so that we would always know who is in the building. That item fell out of the Bill as a result of the negotiations. Although I have communicated with Governor Blagojevich and Secretary White.

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I did that November the 8th of last year. And I pointed out on my communication that there were five items that I thought outta be included in a modern up to date security system for the capitol complex. Number one, I suggested that ID cards should be issued for limited periods so that upon renewal the status of employees could be verified. Number two, ID cards should be color coated with colors changing upon renewal so that the guards will know at a glance whether a card is current or not. Number three, ID cards should be issued by a single, central authority rather than by separate offices and agencies as is the case currently. Number four, we should embrace computer technology that allows ID cards to be scanned upon entering and leaving the building to prevent unauthorized transfer and provide an accurate head count when an evacuation is required. And then lastly state officials and employees should not be treated differently than any other member of the public with regard to passage through the medical... a metal detectors. My argument is, that those five items are all included in modern efficient security systems at locations throughout the country. If you attempt to enter the Federal Court House in Chicago there's a very upgraded, modern, security system in place. If you attempt to enter the Court House in Cook County same rule. But here at the capitol in Springfield, apparently were not prepared to move into the modern age. And as I said this has been negotiated and the deal is done. Deal is done for now. But going forward I think that everybody should just

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understand what type of a system we are intended to employ and then if your concerned as I am when we do the next budget and as you talk with the Secretary White and Governor Blagojevich you can make whatever points you wish to make with them. I for one think that this building serves as a Meca for people who are disaffected about a variety of things not just the actions taken inside this building. And therefore we oughta be secure. Now security in this chamber is under my control. And I've provided that before people can come into the gallery they go through a security check. And wands are used to determine that they are not carrying a weapon before there admitted into the gallery here in the House Chambers. But the remainder of the building is not under my control its under the control of the Secretary of State. So I would suggest to you that if you are concerned as I am please communicate with the Secretary of State and then when we do the appropriation next year we can revisit this issue. And then on a second item in this Bill which may be a little more \*REVIEW\* than the last. There's an appropriation here for what's called line of duty disability benefits. And we passed the Bill under my sponsorship which provides that for the families of soldiers lost in afganistan and Iraq qualify for this program. And where there is a death under this program there is a payment of about 268 thousand dollars the families of the deceased. And my point here is, that if you are one who thought that we did the right thing when we in... evaded Iraq you should be advised that

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just for Illinois lost in Iraq we are appropriating 17.1 million dollars a total of 64 losses in Iraq, 29 of those losses for 7.7 million happened after President Bush declared mission accomplished on the aircraft carrier. So Mr. Speaker thank you for your indulgence."

Speaker Turner: "The Gentleman from Vermilion Representative Black for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Black: "Representative I a... I applaud your remarks on campus secure... excuse me on the capitol security. So why I didn't vote for the package during the veto session. I think your comments are... are to the issue. We've rushed into this. There are still unfeathered access in the driveway. I timed it today. I was waved in, I'm not... I'm not finding fault with the security officer. It took me 2.8 seconds to leave second street and pull in front of the capitol. If I were up to no good and on occasion many of you think I am a... that's not enough time to stop me from entering the capitol and doing what was done last year. Leaving my vehicle, opening the door and firing a shot. There are many things we could do to enhance capitol security. We a... I didn't vote for it but it passed and of course then the Senate did not concur with the House action last a November this past November on the security system. I don't think many of us have been involved in the process. We come in here everyday. I carried a briefcase in today that would

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probably carry two small dogs and a large cat. And I was told oh you don't have to go through. You have a state ID card you can go around. I refused to go around. Everytime I come in this capitol I go through the a... magnetometer, I put my material on the X-ray machine. I'm not about to do something that my constituents have to do. I agree with your remarks whole heartedly on capitol security. It has not been well thought out, were spending millions of dollars and I don't think we're a rip more protected then we were before the tragic accident to Bill Wozniak. And it's for that reason I do not intend to vote for this Bill. Until we can do what you said we should and I agree with you whole heartedly, we're just spending money that we don't have for half date measures that don't address the real problem. And I think the a... the message that you said on the Id cards is... is one that even my six year old grandson could figure out. You've got people running around here with different colored Id cards, issued by different agencies the printing on ours is so small I can't read it. For all I know I've got a... Oh I got Art tenhouses ID I don't know how that happened but anyway your point is well taken. I... I'd like to ask some questions on the other appropriation items if I might for my own edification. There is a line item to IEMA for 55 thousand dollars general revenue fund for disaster relief plus if our staff is correct it allows for spending for activities undertaken for the state of Florida hurricane. What did IEMA do for

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the State of Florida that we have to appropriate 55 thousand dollars?"

Hannig: "First of all Representative Black the a... staff advises me to let you know that we... we were federally reimbursed for the 55 a... million... thousand dollars that we spent on sending some personal to Florida to help on that series of hurricanes I think 3 or 4..."

Black: "yah. Isn't that amazing?"

Hannig: "that they suffered."

Black: "My district suffered a severe wind storm in July we couldn't get anybody to come to my legislative district in Illinois. But we can send people to Florida. Well that's... that's good ya know again thank goodness this is reformed administration. I'd hate to think what we might be doing if it wasn't. By the way, just for your edification there's a newspaper article, I have a copy of it in my office if your interested. Christmas eve, had to do with a 73 year old grandmother cooking Christmas dinner for her grandchildren in Florida on a propane stove. Christmas eve because the trailor park in which she lived did not have electricity yet. But were in a bidding war to see who can send the most money a... to indo china because of the horrible tidal wave. I'm not in anyway saying that we shouldn't. And I... my wife and I have made a donation to the red cross and it's a horrible situation. But ya know a lot of my constituents have called to say why don't we take care of our own residence first how could this lady not have electricity when the hurricane hit in October? Is it



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because she's poor? Is it because she lives in a trailer park? I don't know I just thought it was an interesting article. 90 thousand dollars GRF to fund three more positions at the what is this the Illinois Economic and fiscal commission?"

Hannig: "It use to be called the Illinois Economic and Fiscal Commission..."

Black: "Yes, now it has a new name."

Hannig: "Yah."

Black: "What's it called? The office of Prognostication and confusion? Or what?"

Hannig: "Yah."

Black: "What?"

Hannig: "Along those lines. Yes."

Black: "Okay. Whatever. A..."

Hannig: "It would fund three additional positions because last year as part of what we... we did as we wrapped up the a... session we provided a significant amount of new a..."

Black: "well... I'm not a..."

Hannig: "mandates for that agency."

Black: "I think they need a new crystal ball and if it cost ninety thousand dollars so be it."

Hannig: "But remember there are other things like the prison closings and things like that, that we said would have an impact in reviewing the health care situation that there were some problems with so... so they've got some duties that we want them to do right."

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Black: "Yah, well I'm gonna get back to that in just a second. The court of claims have appropriated 632 thousand three hundred dollars in federal funds for \*REVIEW\* therman corporation can you tell me what that is? I just want to make sure I am not conflict of interest."

Hannig: "Can you repeat the question?"

Black: "Yah. There's an item in here the court of claims is appropriated 632 thousand three hundred dollars of federal funds, I love that, its still our money. For \*REVIEW\* therman's corporation. My... my huge portfolio I might have stock in that I want to make sure I am not in conflict of interest. What's that for?"

Hannig: "Representative it's a case where we have to appropriate this money and the court will then pay it."

Black: "But if the \*REVIEW\* corporation sue us or something?"

Hannig: "Yes... they... they all the court acclaims that we included in this Bill are cases where someone has taken the state of Illinois to court and we have lost."

Black: "All right. I hope we learn from that and not do business with them in next fiscal year. But whatever. But why is it federal funds for this Claimant and millions in state GRF for the other claimants?"

Hannig: "There's... there... the claim will come from generally the applicable a... the applicable fund so if there is an opportunity I think for us to pay it in a non GRF manner for example if someone sued a... the state and said we didn't pay for road construction..."

Black: "Okay..."

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Hannig: "that would be paid out of the road fund."

Black: "Okay. This isn't the company that did the re... the plaster work that's been falling down ever since they left is it?"

Hannig: "No."

Black: "Well good. All right. A... another item. IDOT is appropriated 296 thousand dollars in road funds for a University research grant that was a reapprop inadvertently deleted. What..."

Hannig: "Yes."

Black: "What University and what is the research grant?"

Hannig: "Representative I don't have the answer to that this was a reapprop that was... that was missed by the staff and we're trying to reinstate it."

Black: "A... that appropriation from the road fund is that within the statutory limit of the road fund? Now as we allow x numbers..."

Hannig: "Well... the..."

Black: "...of dollars."

Hannig: "Yah... the... the cap only applies to like the state police and to some of the other agencies. But there's no cap at IDOT."

Black: "So the University research grant we don't know what it is but we're using road funds to do it. Why do I think that it probably has nothing to do with the study of roads, surfaces, resurfacing or whatever. It probably has something to do with if you eat an easter egg in april instead of march probably gonna be bad for your health. A..."

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another interesting appropriation here IDOT is appropriated approximately 22 million dollars in the road fund for operations. Now this will not affect road projects. Oh really? How can you say that? But it will stop the layoff of a thousand IDOT personnel."

Hannig: "Representative the..."

Black: "And that isn't capped is it?"

Hannig: "Representative we don't... we have not capped a road fund just... just to clarify that point we capped funds like the state police who were dipping into the road fund but I think the view always has been that IDOT is... is going to be the agency that primarily uses the road the fund. But to get... to answer your specific question on the a... a supplemental. Last year there was a request that we try to impose as we were imposing reductions and personal services on so many other agencies that we try to impose that on the a... the department of transportation. So now what we've found out is that if we continue to insist on that a reduction they'll be faced with layoffs. And I don't think any of us want to go down that path."

Black: "No I... I don't. But what makes IDOT more \*REVIEW\* than say any other state agency like DNR? There's nothing in here for DNR and they've laid off everybody that works in my state parks and recreational areas in my district and I can't even get them to respond. Ya know I've been here long enough to remember when directors use to answer there letters. They don't do that anymore. So... and I agree with ya I don't want anybody laid off that we can possibly not

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lay off if we have the money. And... and I appreciate your answers to my questions. A... Mr. Speaker to this Bill. I'm... I'm gonna be probably the only one but I'm gonna vote present and I'll... I'll... explain that to my constituents and its darn tuff to vote against an appropriation necessary to pay a... how the heck do ya pay a family enough money who sacrificed a son or a daughter in Iraq. I don't know that there's enough money in the world. But obviously they need and... and can use the money. And my national guard unit in Danville just was activated and left Wednesday. But I'm going to vote present. I'll explain it to a... the military families, may not get a chance because of the way we run campaigns today but I'll explain it to my constituents and I think they'll listen to me. Some of these... and there's some things in here that I've asked for and I appreciate the fact that there in here. But I have one state park two natural areas. One... one named after the best friend I ever had the late Senator Harry Babe woodyurd. His natural area. We have one employee at that state natural area. Five hundred plus acres. That employee will be laid off January 24. It's the only employee we have. That's a W 69A Federally reimbursed park. 75 percent of that person's salary is reimbursed by the federal government. Why do we lay off somebody that we regain 75 percent of the cost from federal funds? That doesn't make any sense. We should... we should maximize our... those positions that are federally funded. So when all is said and done for the last month I have watched the Department of Natural resources and I

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certainly don't blame the Director I consider him a friend he served in this chamber with distinction for twenty years. He's... he's being told what to do by the budget and the office of management and budget. But we'll sit here and watch what was at one time the premiere department of natural resources in the Midwest and they... there dessimated. They've laid off so many people I have no idea how their going to carry out there statutory duties. And... and to the directors credit, Director Brunvold said I'm not going to close any state parks. Good for you Director but if there's no body there to clean the showers the toilets the campground how in the world are you gonna keep them open? So we take care of some agencies we ignore others. Its for the overall budget picture and how things are done and how some agencies are protected and how some agencies are told well that's just the way it goes and your just gonna have to get along the best you can. I intend to vote present on this Bill. It's not something I would advise my colleagues to do but there comes a time and I said this today in committee there comes a time when you stand up and tell this administration I'd like to be... I'd like to be considered a partner. I'd like my views to be listened to. I'd like my letters to be answered. I would like my phone calls to be returned. I'd like to be a part of the process. I'd like to stop picking up the paper and reading that every employee in my district who works for DNR with the exception of two have been laid off. I remember when we use to get a curtsy phone call. And told us that this

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was going to happen I can remember when we use to be asked if we wanted to participate, how could we help, what suggestions did we have. I'm tired of being treated like a second class citizen. There are three branches in this government executive, judicial and the General Assembly and Governor I'm elected by the people of my district. I respect your position as being elected Governor and I respect you. I would like that respect reciprocated. I'm sick and tired of being treated like a second class citizen and like my district doesn't matter. Answer your mail, return your phone calls and let us be a partner in this voyage instead of just a passenger in the dark."

Speaker Turner: "The Gentleman from Fayette Representative Stephens for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Stephens: "Speaker we might have a difference of opinion about whether... whether or not certain parts of this appropriation need to be spent or not. And I appreciate the staff work that's gone into this on both sides and I appreciate the fact that this things going to blow out of here. But we have some... I have some legitimate I believe legitimate questions about whether or not we in this General Assembly feel safe. And whether its worth five million dollars a year to spend for our security or would that five million dollars a year be spent somewhere else and increased security where its really needed. Maybe... maybe in the city of Chicago. Maybe downstate. Maybe we could go to the

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armory here in Springfield before we send another troop load over to Iraq or afganistan and reinforce the armored vehicles that aren't armored up just right. Maybe the five million dollars a year would be better spent there. Which brings me to the real reason that I'm standing in opposition of this Bill. We're in a trick back. I feel like I'm in a trick bag. Because first of all I know that my life is not threatened tonight and neither is yours. But there are lives being threatened from Chicago to Cairo east to west in the state of Illinois and this money could be better spent there. But Mr. Speaker you \*REVIEW\* something earlier about the... one part of this Bill that we're gonna skip two hundred and sixty thousand dollars to twenty-nine families. Seventeen plus million dollars. And your right Representative Black it's not enough. There isn't enough money to comfort a family who's given a son or a daughter to a cause that not all of us support. That's really tough. And I wouldn't want to be the state employee that has to deliver that check. I'd be proud to do it but that's a heavy duty to walk into that family and say there's... there's something's here in this envelope and we hope it replaces your son or daughter, it doesn't, we know that. My life is not threatened and neither is yours there life was threatened and the Speaker felt compelled to reference mission accomplished. Well let's set the record straight in Illinois if no where else in America about what the seventh fleet was doing when they held up that \*REVIEW\* and the President happen to land on that aircraft carrier.



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The seventh fleet was leaving the Persian gulf not with all the men and women that they went there with they came back fewer then they went... left with. They came back and they the seventh fleet and the admiral thereof in charge said mission accomplished we're coming home. The seventh fleet completed their mission and we should be proud and we should never \*REVIEW\* their service by trying to \*REVIEW\* it the way we had to listen to it all summer long. The president this the president that. We never declared victory. We never said the mission was accomplished all sons and daughters are still there. We're still fighting to keep peace in the world to bring freedom to those oppressed and to pay back the terrorist's that tore down the very fabric of our country. Remember September 11th, remember March 11 in spain. They are still after us and we have to be diligent and don't denigrate the memory of Illinois finest young men and women by misstating the facts and saying that the president said the Mission was accomplished. The seventh fleet knew that there mission was accomplished they served this nation well. And we'll send more and more will come back and every time they come back and get off that plane at O'hara or lambert field or scott airforce base whether their walking or whether they come back feet first. Whether their alive or whether their dead we should honor their memory and never ever again politicize the life's of men and women that serve this nation both past, present and future."

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Speaker Turner: "The Lady from Cook Representative Mulligan for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Mulligan: "Representative I understand that the... the 23 million dollars for DHS has not... has been left out of this Bill?"

Hannig: "That's... that's correct its not in here."

Mulligan: "Okay. I got... five million for IDOT for para transit which is meshed with a nine million federal funding. Which is what will that actually cover since in a... the human service budget they cut money for transportation in areas that would a... for like medicars and things like that but yet IDOT has this money prepared transit \*REVIEW\* vehicles. Are they just buying vehicles and giving them out in certain areas of the state for people to transport people and is it going to take the place in any areas of the funding that was cut for actually moving people that a... need to be transported for say chemo therapy or something like that?"

Hannig: "Representative this is reapprop money and so it's probably been committed. It would go to mass transit districts for purposes of them acquiring certain vehicles and transportation items that they need to run their mass transit."

Mulligan: "So will both the public mass transit or is going to go to some private entities?"

Hannig: "It's our understanding that its all public mass transit."

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Mulligan: "And its matched with nine hundred dollars worth of federal funding? So I mean is it gonna go to pace or is it gonna go to the local township?"

Hannig: "Representative the re-appropriation was again not included last year as part of the Bill there was a request that we include five million the actual amount that was reappropriated or should have been reappropriated is actually probably more like twice this."

Mulligan: "So it was just left out of the Bill?"

Hannig: "The Governor had intended to try to do this out of capitol. No capitol budget was passed but there was no switch back. So this is the switch back."

Mulligan: "DNR is getting three million dollars to continue grants to museums and park district. What types of grants and park districts a... is DNR giving three million dollars to?"

Hannig: "Representative this use to be money to local museums that was generated from off track betting parlors in various communities. And that money was... that money... that grant program was eliminated and this is reinstating the money to those specific a... museums."

Mulligan: "When the Speaker discussed a... the additional money for a... security on the House Floor which would be state of the art Security what was the additional amount of money for that?"

Hannig: "The amount that is included in this Bill is 4,979,200.00."

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Mulligan: "No but he said what he considered state of the art was left out, how much was that?"

Hannig: "The card readers were I'm advised is about a 600,000 dollar a item."

Mulligan: "The only comment I have to make on that is why spend almost five million dollars on something that can be easily circumvented so if were spending five million dollars for our security which is fairly useless when if you spent the right amount it wouldn't be. Now some people are very cavalier about whether we're secure on the floor or not I've never felt that we've been very secure. But I... having incidents in my own family where people have been killed or something I realize it doesn't always happen in other people's families. And it isn't necessarily just our security it's the staff on the floor, the people who are in way when somebody decides that a we've done something inappropriate or it's a good way to make a name for themselves. So if your spending five million dollars or close to five million dollars on something that's not adequate why bother. I mean the object... I agree with the speaker if your gonna do something you might as well do it right or not bother to do it at all."

Hannig: "I'm not... I don't think that... I wouldn't... I wouldn't classify the a or characterize the five million dollars as inadequate or not helping. I think there's... there's levels of security that you can... you can... layers of security that you can purchase. And so this provides that there will be people as you come up the a... road ways here

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in the capitol for example this morning I came in on the south entrance and I waved to the guard with my car with Legislative plates and thought that would be sufficient but he stopped me and made sure I showed an ID that I was a Legislator. So, there was an effort by the Secretary of State's personnel to make sure that only people with the proper ID could come even on to the premises. And that's ya know several hund... maybe hundred yards from the capitol. So, we will be getting additional security now could we go beyond? Yes I think we could go beyond we know that for another 600,000 we could have card readers. So I think its just a... the question of how high do you want to go?"

Mulligan: "I... The court of claims which is a line of duty awards is that the amount that goes to the veterans families is that what?"

Hannig: "Yes."

Mulligan: "Okay. At some point in a discussion in a committee hearing that I was in while we were out there was a discussion about a I think a Lieutenant Governor and the Attorney General putting forth a proposal which we all went along with to a increase the money for returning veterans education. Unfortunately there was not enough money because money was cut to community colleges to cover. And since they are obligated to do this then the individual tax payers in those areas have to cover. Yet as I go through all of this I don't find anything to cover that but I see any number of amounts of money giving to the Illinois state board of education 3 million here, so many million there

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but yet the community college line which everyone agreed we should expand coverage for returning veterans education has been left unattended if I'm not mistaken is that true?"

Hannig: "That's correct Representative."

Mulligan: "Don't you think that rather than us voting on something and then passing it along to the individual tax payer or the community on their community college budget that we should be funding that increased amounts since they've already run out of the line item if I'm not mistaken? And we still have a half a year left to go."

Hannig: "Representative I... I think that what your saying is a... is a important and a valid criticism of this Bill but in the end though this Bill was something that was worked out before... between the four caucus and the Governor's Office and reflects best what we can afford."

Mulligan: "Okay. But we got the press certainly on getting the money to the returning veterans and I think if your gonna get the press on it you oughta put the money where the mouth... where your mouth is and you oughta put it in the budget. There's a line item for IEMA for 1.5 million dollars that's for a... a communications vehicle purchase is that one vehicle or a number of vehicles and if it's a 1.5 million for one communications vehicle what type of vehicle is this?"

Hannig: "It's federal money that we received for communication vehicle purpose."

Speaker Turner: "Representative, do you have anymore questions?"

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Mulligan: "I'm sorry did he answer me on the 1.5 million for the communications vehicle? Its one vehicle."

Hannig: "Were led to believe that its... that's one vehicle federally reimbursed."

Mulligan: "Is this like a command center and bombs go off..."

Hannig: "Maybe we should get..."

Mulligan: "or something I mean what's... what vehicle are you purchasing for 1.5 million dollars and its... its all federal money?"

Hannig: "It's all federal money. It's gonna... I mean at this point our options would be we could not buy it and give the money back to Washington..."

Mulligan: "Who... who gets the use of this vehicle? This is spy camera in the sky or what the heck is it?"

Hannig: "The Illinois Emergency Management Agency will use it in the course of natural disasters, or god forbid a terrorist attack. Items that they would generally would a... that they would operate under."

Mulligan: "When you find out what the vehicle is, would you let me know? I'm just kinda curious."

Hannig: "Maybe we can all have a ride in it."

Mulligan: "Ya know I mean I don't know if its someplace the we load the Governor on so that he can travel around in case there's a big emergency or what the deal is but ya know it would be very interesting to know. Thank you Representative."

Speaker Turner: "The Gentlemen from Knox Representative Moffitt for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Moffitt: "Representative just a little follow up on the Department of Transportation para-transit vehicles. Its been referenced that the original was 10.1 million and this is only 5?"

Hannig: "Yes."

Moffitt: "Can you tell me does that mean that we've only made commitments for 5 plus the matching or are we gonna honor all of the commitments that we've made?"

Hannig: "I... I guess probably in a perfect world Representative we would wish to reinstate the entire amount but in a negotiated process the amount that was agreed to was 5 million."

Moffitt: "But... but some of the... there have been some transit authorities that have been promised money do you know if all of those that were that made a commitment was it gonna be honored?"

Hannig: "I... I... my best guess Representative would be that this would not... not cover all the commitments out there."

Moffitt: "Okay then how is it gonna be decided or is some of them gonna be fully funded or are they all gonna be partially funded?"

Hannig: "I... think that question ultimately will be decided by the agency."

Moffitt: "Well just in the interest of fairness don't ya think they should all be treated the same that if a commitment has been made to?"



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Hannig: "I... my opinion would be prorate everyone so that if it's a 50 percent or 52 percent but it will be up ultimately up to the agency to decide. But I think they'd be happy to hear input from us."

Moffitt: "And would you... would you help express that opinion?"

Hannig: "Yes I will."

Moffitt: "I wish we could honor all our commitment but a... if the... if their treated fairly and equally then that's better then if its seems to be some difference. I trust that you'll help make that happen."

Hannig: "Yes."

Moffitt: "Thank you."

Speaker Turner: "The Gentlemen from Cook Representative Giles for what reason do you rise?"

Giles: "Thank you Mr. Speaker. Will the Sponsor Yield?"

Speaker Turner: "He indicates he will."

Giles: "Representative Hannig do you know if a we have metal detectors in the Stratton building?"

Hannig: "I'm sorry what was the question?"

Giles: "Do we have metal detectors in the Stratton building?"

Hannig: "I'm not aware that we do Representative."

Giles: "Okay so I'm looking here that we're gonna appropriate supplemental 4.9 and plus million dollars for security enhancements for the capitol complex. So there's nothing from this supplemental that's going to upgrade or enhance security in the Stratton building to your knowledge Representative?"

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Hannig: "I'm advised Representative that what we right now is not the final product. But there will be an upgrade and that we believe that they'll ultimately be people at least with wands at the a... at the Stratton building to look for people as they come in and out for weapons or problems like that so I think that by passing this we'll... we'll see a improvement in the security of the Stratton building."

Giles: "Okay. And the reason I ask that question is as you know and maybe you don't know Representative Hannig. Probably has been about 20 years before you had an office space in the Stratton with your tenor here but there's hundreds and thousands of individuals that travels in and out of the Stratton building whether it... especially if there's a... a day in which you have quite a few individuals that's coming down to lobby for different reasons and special interests. You have hundreds of individuals in and out of the Stratton building along with state employees in the Stratton building and many legislators in the Stratton building as well. So, as we move forward I just hope that we have taken into consideration with some of the enhancements for the Stratton building. But also I'm just here just to rise, just to let the body know that a one of our previous... previous or former colleagues who use to get on this House Floor and Representative Shirley Jones and she would always say you know we need metal detectors at the capitol we need metal detectors and I think this was maybe 5 or 6 years or maybe even 7 years prior to 911 and so she would sorta be like the laughing stock on this House

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Floor. And today here today ironically enough here today we're talking about metal detectors in all areas in the General Assembly and so I just rise to hope that we don't forget about the Stratton building. There's legislators, there's citizens, there's a number of state employee's, there's a number of individuals that frequent in and out of that facility as well Representative. Thank you."

Speaker Turner: "Seeing no further questions Representative Hannig to close."

Hannig: "Yes thank you Mr. Speaker and members of the House. I think we've had a very thorough debate on this proposal and I just ask for a yes vote."

Speaker Turner: "The question is shall Senate Bill 3362 pass? All those in favor should vote 'aye' all those opposed vote 'no'. The voting is now open. 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 113 voting 'aye' 1 voting 'no', 3 voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. Agreed Resolutions Mr. Clerk."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1168, offered by Representative May. House Resolution 1219 offered by Representative Eddy. House Resolution 1220 offered by Representative Eddy. House Resolution 1260 offered by Representative Jakobsson. House Resolution 1267 offered by Representative Sacia. House Resolution 1268 offered by Representative Sacia. House Resolution 1269 offered by Representative Daniels. House

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Resolution 1270 offered by Representative Rich Myers.  
House Resolution 1274 offered by Representative Dunn.  
House Resolution 1275 offered by Representative Hamos.  
House Resolution 1277 offered by Representative Jerry Mitchell.  
House Resolution 1278 offered by Representative Mulligan.  
House Resolution 1279 offered by Representative Kurtz.  
House Resolution 1280 offered by Representative Jakobsson.  
House Resolution 1281 offered by Representative Colvin.  
House Resolution 1282 offered by Representative Reitz.  
House Resolution 1283 offered by Representative Stephens.  
House Resolution 1284 offered by Representative Washington.  
House Resolution 1285 offered by Representative Currie.  
House Resolution 1286 offered by Representative Lou Jones.  
House Resolution 1287 offered by Representative Biggins.  
House Resolution 1288 offered by Representative Rich Myers.  
House Resolution 1290 offered by Representative Morrow.  
House Resolution 1291 offered by Representative Stephens.  
House Resolution 1292 offered by Representative Brady.  
House Resolution 1293 offered by Representative Art Turner.  
House Resolution 1294 offered by Representative Churchill.  
House Resolution 1295 offered by Representative Jakobsson.  
House Resolution 1296 offered by Representative Cross.  
House Resolution 1297 offered by Representative Howard.  
House Resolution 1298 offered by Representative Pihos.  
House Resolution 1299 offered by Representative Pihos.  
House Resolution 1300 offered by Representative McCarthy.  
House Resolution 1301 offered by Representative Black.  
House Joint Resolution 102 offered

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by Representative Jakobsson. House Resolution 1302 offered by Representative Daniels. House Resolution 1303 offered by Representative Turner. House Resolution 1304 offered by Representative Currie. House Resolution 1305 offered by Representative Grunloh. House Resolution 1306 offered by Representative Grunloh. House Resolution 1307 offered by Representative Bellock. House Resolution 1310 offered by Representative Sullivan. House Resolution 1312 offered by Representative Reitz. House Resolution 1018 offered by Representative Bill Mitchell."

Speaker Turner: "You've heard the Resolutions all those in favor shall say 'aye' all those opposed say 'no' and the opinion of the chair is the ayes have it and the Resolutions are adopted. Announcements Mr. Clerk."

Clerk Mahoney: "Committee Announcements. Judiciary Civil Law will meet immediately following Session in room 114. Tuesday January 11 at 10 A.M the Executive Committee will meet in room 118. At 10:30 a.m. Elementary and Secondary Education will meet in room 114. Session is at 11 a.m."

Speaker Turner: "The Gentlemen from Knox Representative Moffitt."

Moffitt: "Rise to a point of personal privilege."

Speaker Turner: "State your point."

Moffitt: "November 9 a indicated that a \*REVIEW\* Mathias wanted us to honor his Grandfather and it was his birthday. Well \*REVIEW\* has another announcement that he'd like to make his a grandfather is a grandfather for a second time as of

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last Friday would you please recognize Sid Mathias on another grandson."

Speaker Turner: "Congratulations Sid. The Body is aware of the meetings tonight and tomorrow. Judiciary I in room 114 immediately. And you heard the other meetings tomorrow morning exec. At 10 O'clock in 118. Elementary in 114 at 10:30 tomorrow and the House will go in Session at 11. Allowing perfunctory time for the clerk Representative Currie now moves that the House stands adjourned until tomorrow June... January 11 at 11 a.m. all those in favor should say aye all those opposed say no and the house does stand adjourned."

Clerk Mahoney: "House Perfunctory Session will come to Order. Representative Currie, Chairperson from the Committee on Rules, to which the following legislative measure/s and/or Joint Action Motions was/were referred, action taken on Monday, January 10, 2005, reported the same back with the following recommendation/s: 'approved for floor consideration' House Bill House Bill 757 referred to the Order of Concurrence. House Perfunctory Session will come to Order. Committee Reports. Representative Franks Chairperson from the Committee on Judiciary Civil Law which the following measures were referred Action taken on January 10, 2005 reported the same back with following Recommendations. Recommends be adopted Floor Amendment #2 to Senate Bill 81. Concurrent Resolution #1 to Senate Bill 3186. There being no further business, the House Perfunctory Session will stand adjourned."